



TEXAS TECH UNIVERSITY SYSTEM

BOARD OF REGENTS

AGENDA BOOK Video Conference Meeting

June 20, 2023



BOARD OF REGENTS
TEXAS TECH UNIVERSITY SYSTEM

AGENDA

June 20, 2023

BOARD OF REGENTS

Mr. Mark Griffin, Chairman
Mrs. Ginger Kerrick Davis, Vice Chairwoman
Ms. Arcilia C. Acosta
Mr. Cody C. Campbell
Mr. Clay C. Cash
Mr. Tim Culp
Mr. Pat Gordon
Dr. Shelley Sweatt
Mr. Dusty Womble
Ms. Steeley Smith, Student-Regent

Standing Committee Chairs and Vice Chairs:

Academic, Clinical and Student Affairs:
Ginger Kerrick Davis (Chair); Shelley Sweatt (Vice Chair); and Steeley Smith (Student Regent)

Audit:
Arcilia Acosta (Chair) and Pat Gordon (Vice Chair)

Facilities:
Dusty Womble (Chair) and Arcilia Acosta (Vice Chair)

Finance and Investments:
Cody Campbell (Chair) and Pat Gordon (Vice Chair)

[NOTE: All nine board members serve as voting members of each committee.]

AGENDA

**Board of Regents Meeting
Special-Called Video Conference Meeting
Lubbock, Texas**

Abbreviated Agenda with Approximate Times*

Tuesday, June 20, 2023

Meeting of the Board

- 3:00 pm Call to Order; convene the Meeting of the Board
- Roll Call
 - The Meeting of the Board will continue in Open Session as a Committee of the Whole to consider and act on one action item.
- Location: Board of Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue
NOTE: Those interested in viewing the livestream of this meeting may do so online at:
<https://www.texastech.edu/live-stream.php>
- 3:20 pm Executive Session
Location: Board of Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue
- 3:50 pm Following Executive Session, reconvene into Open Session, and Meeting of the Committee of the Whole and the Board
Location: Board of Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue
- ES Motions, if any
 - Announcements
- 4:00 pm Adjournment

*For general information. The times listed are estimates, with periodic recesses. All open session and executive session portions of the Meeting of the Board of Regents will take place in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. The special-called video conference meeting of the Board of Regents will begin no earlier than 3:00 pm on Tuesday, June 20, 2023. The meeting is expected to adjourn at approximately 4:00 pm; however, if needed, the meeting may continue beyond 4:00 pm until completed. [Those interested in viewing the livestream of this meeting may do so online at: <https://www.texastech.edu/live-stream.php> .] The full board agenda is detailed on pages iii to iv. The agenda is detailed behind the appropriate divider tab.

**Board of Regents Meeting
Special-Called Video Conference Meeting
Lubbock, Texas**

Agenda

Tuesday, June 20, 2023
**Board of Regents Committee Room (106),
First Floor, System Building,
1508 Knoxville Avenue,
Lubbock, Texas**

Meeting of the Board

I. Meeting of the Board—Call to Order; convene into Open Session of the Board. The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on: Chairman Griffin

A. Roll call Keino McWhinney

B. Committee of the Whole..... Chairman Griffin

Page
CW

1. TTUS: Approve delegation of authority to the Vice Chancellor & Chief Financial Officer to coordinate and finalize non-academic fee assessments at ASU and MSU for AY 2023 (fall of 2023) 3

II. Executive Session: The Board will convene into Executive Session to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: Chairman Griffin

A. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers (Tex. Govt. Code § 551.071) including: Pre-litigation and litigation update; and other pending legal matters, potential legal claims updates, settlement offer updates, and discussion and advice from general counsel on pending legal issues.

- B. Deliberation Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property (Tex. Govt. Code § 551.072).
- C. Deliberation Regarding Prospective Gifts or Donations (Tex. Govt. Code § 551.073).
- D. Deliberation Regarding Individual Personnel Matters Relating to the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of Officers or Employees of the TTU System and its Component Institutions. (Tex. Govt. Code § 551.074) including: Discussion of Chancellor duties, assignments, and expectations; discussion of MSU Presidential Search; and discussion of other personnel matters including the duties, performance and evaluation of Texas Tech University System or component institution officers and employees.
- E. Deliberation Regarding Security Devices or Security Audits. (Section 551.076).

(*In connection with these items, to the extent that any agenda notation or supplemental written materials, which might otherwise be covered by Tex. Govt. Code § 551.1281(b)(1), have been excluded from an internet web posting, such exclusion is authorized by a certification hereby made by the General Counsel pursuant to Tex. Govt. Code § 551.1281(c).)

- III. **Open Session:** The Board will reconvene in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
 - A. Consideration of appropriate action, if any, on items discussed in Executive Session Vice Chairwoman Kerrick Davis
 - B. Announcements Chairman Griffin
- IV. **Adjournment** Chairman Griffin

**MEETING OF THE
BOARD/
COMMITTEE OF
THE WHOLE**

Meeting of the Board
Tuesday, June 20, 2023

Time: 3:00 pm

Place: Board of Regents Committee Room (106), First Floor, System Building,
1508 Knoxville Avenue, Lubbock, Texas

[NOTE: Those interested in viewing the livestream of this meeting may do so
online at: <https://www.texastech.edu/live-stream.php>]

Agenda

I. Meeting of the Board—Call to Order; convene into Open Session of the Board. The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on: Chairman Griffin

A. Roll call Keino McWhinney

B. Committee of the Whole..... Chairman Griffin

Page
CW

1. TTUS: Approve delegation of authority to the Vice Chancellor & Chief Financial Officer to coordinate and finalize non-academic fee assessments at ASU and MSU for AY 2023 (fall of 2023) 3

II. Executive Session: The Board will convene into Executive Session to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: Chairman Griffin

A. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers (Tex. Govt. Code § 551.071) including: Pre-litigation and litigation update; and other pending legal matters, potential legal claims updates, settlement offer updates, and discussion and advice from general counsel on pending legal issues.

- B. Deliberation Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property (Tex. Govt. Code § 551.072).
- C. Deliberation Regarding Prospective Gifts or Donations (Tex. Govt. Code § 551.073).
- D. Deliberation Regarding Individual Personnel Matters Relating to the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of Officers or Employees of the TTU System and its Component Institutions. (Tex. Govt. Code § 551.074) including: Discussion of Chancellor duties, assignments, and expectations; discussion of MSU Presidential Search; and discussion of other personnel matters including the duties, performance and evaluation of Texas Tech University System or component institution officers and employees.
- E. Deliberation Regarding Security Devices or Security Audits. (Section 551.076).

(*In connection with these items, to the extent that any agenda notation or supplemental written materials, which might otherwise be covered by Tex. Govt. Code § 551.1281(b)(1), have been excluded from an internet web posting, such exclusion is authorized by a certification hereby made by the General Counsel pursuant to Tex. Govt. Code § 551.1281(c).)

- III. **Open Session:** The Board will reconvene in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
 - A. Consideration of appropriate action, if any, on items discussed in Executive Session Vice Chairwoman Kerrick Davis
 - B. Announcements Chairman Griffin
- IV. **Adjournment** Chairman Griffin

1. TTUS: Approve delegation of authority to the Vice Chancellor & Chief Financial Officer to coordinate and finalize non-academic fee assessments at ASU and MSU for AY 2023 (fall of 2023).

Presenter: Mr. James Mauldin

Presentation Time: 3 minutes

Board approval required by: Section 07.10 & 05.01.2, *Regents' Rules*

RECOMMENDATION

The chancellor recommends that the Board of Regents approve the delegation of authority to the Vice Chancellor & Chief Financial Officer of Texas Tech University System to coordinate and finalize non-academic fee assessments at Angelo State University ("ASU") and Midwestern State University ("MSU"), effective AY 2023 (fall of 2023).

BACKGROUND INFORMATION

All tuition, fees, rentals, rates, and charges at component institutions of the Texas Tech University System ("TTUS") are charged and collected under specific authorization of the laws of the State of Texas, including, but not limited to, the authorization in Texas Education Code Sections 54.008, 54.017, 54.051, 54.0513, 54.216, 54.218, 54.5035, 54.504, and 55.16 and other applicable sections.

FY 2023 inflation data for U.S. colleges and universities rose by 3.1% according to Commonfund Higher Education Price Index® (HEPI) data. The indicated inflationary pressures necessitate the requested non-academic fee assessments.

The proposed non-academic fee assessments conform with the consensus agreement signed on December 14th, 2022, by Chancellor Mitchell and the chancellors of the five other Texas higher education systems. The change in the aforementioned proposed non-academic fee assessments will not exceed the HEPI inflation rate of 3.1%. Conformity to this limit will be confirmed by the TTUS Vice Chancellor & Chief Financial Officer prior to approval.

Section 07.10, *Regents' Rules*, established the authority of the board to approve the assessment of fees for students of component institutions of TTUS and delegates to institutional presidents, or their designees, the authority to collect tuition, fees, and other charges in accordance with the methods and manners prescribed in state statute.

Section 05.01.2, *Regents' Rules*, requires board approval of codes of student conduct, admission requirements, parking fees, student fees, rules related to suspension, and retention of students, and any other policy or procedure requiring board approval as required by law prior to them being effective as part

of each component institution's operating manuals or student handbooks, policies, procedures, rules, and regulations.