



# TEXAS TECH UNIVERSITY SYSTEM

## BOARD OF REGENTS

### AGENDA BOOK Special-Called Meeting

September 1, 2021



BOARD OF REGENTS  
TEXAS TECH UNIVERSITY SYSTEM

AGENDA

September 1, 2021

BOARD OF REGENTS

Mr. J. Michael Lewis, Chairman

Mr. Mark Griffin, Vice Chairman

Ms. Arcilia C. Acosta

Mr. Cody C. Campbell

Mrs. Ginger Kerrick Davis

Mr. Pat Gordon

Mr. John D. Steinmetz

Mr. John B. Walker

Mr. Dusty Womble

Ms. Keaghan Holt, Student-Regent

Standing Committee Chairs and Vice Chairs:

Academic, Clinical and Student Affairs:

Ginger Kerrick Davis (Chair); Pat Gordon (Vice Chair); and Keaghan Holt (Student  
Regent)

Audit:

John Steinmetz (Chair) and Arcilia Acosta (Vice Chair)

Facilities:

Dusty Womble (Chair) and Mark Griffin (Vice Chair)

Finance and Investments:

John Walker (Chair) and Cody Campbell (Vice Chair)

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

# **AGENDA**

**BOARD OF REGENTS MEETING****Wednesday, September 1, 2021****Wichita Falls, Texas****Abbreviated Agenda with Approximate Times\*****Meeting of the Board**

- 9:00 am Call to Order; convene as Meeting of the Board and Committee of the Whole Board
- Consideration/approval of COW items  
Location: MSU, Clark Student Center, Comanche Suites (Rm 135), 3410 Taft Blvd, Wichita Falls, Texas
- ~10:00 am Executive Session  
Location: MSU, Clark Student Center, Cheyene Room (Rm 171), 3410 Taft Blvd, Wichita Falls, Texas
- ~10:45 am Following Executive Session, reconvene into Open Session as Committee of the Whole
- ES Motions, if any
  - Announcements
- Location: MSU, Clark Student Center, Comanche Suites (Rm 135), 3410 Taft Blvd, Wichita Falls, Texas
- ~10:50 am Adjournment

***CONTINUED ON NEXT PAGE***

\*For general information. A special-called Board of Regents meeting will take place at Midwestern State University ("MSU") on Wednesday, September 1, 2021. All open session meetings of the Board of Regents will take place in the Clark Student Center, Comanche Suites (Rm 135), 3410 Taft Blvd., Wichita Falls, Texas. Any executive session meetings that should occur throughout the day will take place in the Clark Student Center, Cheyene Room (Rm 171), 3410 Taft Blvd., Wichita Falls, Texas. The times listed are estimates, with periodic recesses. The Meeting of the Board will convene no earlier than 9:00 am on Wednesday, September 1, 2021, to handle various board matters related to Midwestern State University joining the Texas Tech University System. Upon completion of the Committee of the Whole business, or whenever deemed necessary, the Meeting of the Board will convene into Executive Session. The Meeting of the Board will reconvene at the conclusion of Executive Session to present motions, if any, resulting from Executive Session. The Meeting of the Board is expected to adjourn on Wednesday, September 1, 2021, on or before 10:50 am; however, if needed, the meeting may continue beyond 10:50 am until completed. The full board agenda is detailed on pages ii through iii. The agenda for each session of the board meeting or a meeting of a committee of the board is detailed behind the appropriate divider tab.

**BOARD OF REGENTS MEETING**

**Wednesday, September 1, 2021**

**Midwestern State University  
Clark Student Center  
Comanche Suites (Room 135)  
3410 Taft Boulevard  
Wichita Falls, Texas 76308**

**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 Lewis
  - A. Opening Remarks and Recognitions.....Chairman Lewis and Chancellor Mitchell
  - B. Committee of the Whole—The Board will continue in Open Session as a Committee of the Whole and Meeting of the Board to consider and act on: .....Chairman Lewis

Page  
CW

- 1. TTUS: Authorize resolution honoring the former Board of Regents and Administration of Midwestern State University and marking Midwestern State University’s addition to the Texas Tech University System ..... 3
- 2. TTUS: Approve amendments to Missions, *Regents’ Rules*, to add a mission statement for Midwestern State University (“MSU”) and authorize the chancellor or his designee to make necessary updates to the *Regents’ Rules* incorporating MSU as an institution governed by the Board of Regents of the Texas Tech University System..... 5
- 3. TTUS: Ratification of existing Midwestern State University (“MSU”) contracts that require approval of the Board of Regents..... 7

- 4. TTUS: Ratification of existing Midwestern State University (“MSU”) Operating Policies and Procedures and delegation of authority to MSU’s President to enact or revise MSU Operating Policies and Procedures in the future that do not require TTUS Board of Regents approval ..... 8
- 5. TTUS: Ratification of the appointment of Dr. James Johnston as Interim President of Midwestern State University..... 9
- 6. MSU: University History and Overview Presentation..... 10

**II. Executive Session:** The Board will convene into Executive Session, in the Clark Student Center, Cheyene Room (Rm 171), 3410 Taft Blvd., to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: ....Chairman Lewis

- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071
- B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
- C. Deliberations regarding prospective gifts – Section 551.073
- D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
- E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076

**III. Open Session:** The Board will reconvene into Open Session in the Clark Student Center, Comanche Suites (Rm 135), 3410 Taft Blvd., 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 Chairman Griffin
- B. Chairman’s Announcements.....Chairman Lewis

**IV. Adjournment** .....Chairman Lewis

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

**MEETING OF THE BOARD**  
Wednesday, September 1, 2021

**Time:** 9:00 am

**Place:** Midwestern State University, Clark Student Center, Comanche Suites  
(Rm 135), 3410 Taft Boulevard, Wichita Falls, Texas 76308

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  - A. Opening Remarks and Recognitions.....Chairman Lewis and Chancellor Mitchell
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Page  
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- A. Consideration of appropriate action, if any, on items discussed in Executive Session..... Vice Chairman Griffin
- B. Chairman’s Announcements.....Chairman Lewis

**IV. Adjournment** .....Chairman Lewis

1. **TTUS: Authorize resolution honoring the former Board of Regents and Administration of Midwestern State University and marking Midwestern State University's addition to the Texas Tech University System.**

Presenter: Vice Chair Mark Griffin  
Board approval required by: Requested by the Board

Presentation Time: 10 minutes

**RECOMMENDATION**

The chancellor recommends that the Board of Regents issue the included resolution in honor of the Midwestern State University Board of Regents and university leadership and in recognition and appreciation of their collaborative spirit in securing the addition of Midwestern State University as the fifth member institution of the Texas Tech University System, effective September 1, 2021, as authorized by House Bill 1522 of the 87<sup>th</sup> Texas Legislature.

**BACKGROUND INFORMATION**

Text of the board resolution is found on the following page.

## Texas Tech University System Board of Regents

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### RESOLUTION OF THE BOARD

**WHEREAS, The Board of Regents** of the Texas Tech University System celebrates the collaborative strategic partnership with the Midwestern State University (Wichita Falls, Texas) Board of Regents and university leadership, and is proud to welcome Midwestern State University as the fifth member institution of the system; and

**WHEREAS, The State of Texas** has transferred Midwestern State University to the Texas Tech University System, effective September 1, 2021, following the authorization of House Bill 1522, which was signed into law by Governor Greg Abbott on Tuesday, June 8, 2021; and

**WHEREAS, House Bill 1522**, authored by State Representative James Frank and sponsored by State Senator Drew Springer during the 87<sup>th</sup> Texas Legislature, was passed by the Texas House of Representatives on April 14, 2021, passed by the Texas Senate on May 21, 2021, and signed by the Governor on June 8, 2021; and

**WHEREAS, Midwestern State University**, approaching its centennial anniversary, has an established, longstanding reputation in higher education as a liberal arts leader in Texas and as a provider of outstanding, transformational educational experiences for its students; and

**WHEREAS, Midwestern State University** fosters a close-knit, values-based culture that aligns well with the component universities and System Administration of the Texas Tech University System; and

**WHEREAS, Midwestern State University** will bring significant value to the Texas Tech University System and its institutions as it furthers the system's collective mission of educating future generations and advancing higher education, health care, research and leadership in our communities; now, therefore, be it

**RESOLVED, That the Board of Regents** of the Texas Tech University System on this date, September 1, 2021, do hereby extend its heartfelt appreciation to the Midwestern State University Board of Regents, administration, students, faculty, staff, alumni and friends for the vision and commitment to the betterment of higher education in Texas; and, be it further

**RESOLVED, That copies of this Resolution** be prepared for Midwestern State University Board of Regents Chairman R. Caven Crosnoe and President Suzanne Shipley, Ph.D., to share as an expression of high regard from the Texas Tech University System Board of Regents for their unwavering dedication to this successful partnership.

**2. TTUS: Approve amendments to Missions, *Regents' Rules*, to add a mission statement for Midwestern State University ("MSU") and authorize the chancellor or his designee to make necessary updates to the *Regents' Rules* incorporating MSU as an institution governed by the Board of Regents of the Texas Tech University System.**

Presenter: Vice Chair Mark Griffin

Presentation Time: 5 minutes

Board approval required by: Sec. 01.08, *Regents' Rules*

**RECOMMENDATION**

The Regents' Rules Review Committee (Rules Committee) recommends that the Board of Regents consider: 1) amending the Missions chapter of the *Regents' Rules* to add a mission statement for Midwestern State University ("MSU") and update the mission statement of the Texas Tech University System ("TTUS") to include MSU; and 2) authorize Chancellor Mitchell or his designee to make the necessary updates to the *Regents' Rules* incorporating MSU as an institution under the power and authority of the Board of Regents of the Texas Tech University System.

**BACKGROUND INFORMATION**

It is proposed that the Missions chapter of the *Regents' Rules* is amended to include the mission statement for MSU to reflect its official designation as the fifth member institution of the Texas Tech University System, effective September 1, 2021, as authorized by House Bill 1522 of the 87<sup>th</sup> Legislature. Additionally, the TTUS mission statement will be adjusted to include MSU as a component institution.

Furthermore, Chancellor Mitchell or his designee will be authorized to make the necessary administrative updates to various chapters of the *Regents' Rules* to reflect the incorporation of MSU as an institution under the power and authority of the Board of Regents of the Texas Tech University System. An example of a necessary update is the inclusion of language in Chapter 1 (Bylaws) to reflect Section 109.201, Texas Education Code which state that MSU is "under the management and control of the Board of Regents of the Texas Tech University System. The Board of Regents has the same powers and duties concerning Midwestern State University as are conferred on the board by statute concerning Texas Tech University."

**The revised mission statements will read:**

**Texas Tech University System.** The mission of the Texas Tech University System is to provide leadership and support services for Texas Tech University, the Texas Tech University Health Sciences Center, the Texas Tech University

Health Sciences Center at El Paso, Angelo State University, and Midwestern State University in the attainment of each component's individual mission.

**Midwestern State University (*new addition*)**. Midwestern State University is a leading public liberal arts university committed to providing students with rigorous undergraduate and graduate education in the liberal arts and the professions. Through an emphasis upon teaching, augmented by the opportunity for students to engage in research and creative activities alongside faculty and to participate in co-curricular and service programs, Midwestern State prepares its graduates to embark upon their careers or pursue advanced study. The university's undergraduate education is based upon a comprehensive arts and sciences core curriculum. The understanding that students gain of themselves, others, and the social and natural world prepares them to contribute constructively to society through their work and through their private lives.

Any amendment to the *Regents' Rules* or a Board Policy Statement must be approved by the full Board in accordance with Section 01.08, *Regents' Rules*.

**3. TTUS: Ratification of existing Midwestern State University (“MSU”) contracts that require approval of the Board of Regents.**

Presenter: Gary Barnes

Presentation Time: 3 minutes

Board approval required by: Section 07.12, *Regents’ Rules*

**RECOMMENDATION**

The chancellor recommends that the Board of Regents approve ratification of all existing Midwestern State University contracts, written obligations including bonds, approval of the MSU FY 22 Budget including tuition and fees effective fall 2021, and all previously approved faculty tenure, which has been duly authorized and previously executed under the governance and authority of the previous Board of Regents of Midwestern State University (“MSU”) prior to September 1, 2021.

**BACKGROUND INFORMATION**

Effective September 1, 2021, as authorized by House Bill 1522 of the 87<sup>th</sup> Legislature, Midwestern State University will become the fifth component institution of the Texas Tech University System.

House Bill 1522 of the 87<sup>th</sup> Legislature, Section 4 through Section 7, stipulates that all contracts and written obligations of every kind and character entered into by the board of regents of Midwestern State University, including bonds; approved tuition and fees; the transfer of governance does not effect the employment status or benefits of MSU employees; the transfer of governance does not effect the status of any MSU student; and current funds of MSU are maintained for use and benefit of MSU, are considered ratified, confirmed, and validated by the board of regents of the Texas Tech University System on the effective date of the transfer.

To comply with legislation passed regarding the transfer and *The Rules and Regulations of the Board of Regents of the Texas Tech University System*, it is requested that the Board of Regents of the Texas Tech University System, approve, acknowledge and ratify all existing contracts and written obligations duly authorized and previously executed under the governance and authority of the Board of Regents of MSU prior to September 1, 2021.

Section 07.12, *Regents’ Rules*, establishes the authority for the board and authorizes TTU system personnel to approve, sign, and execute contracts committing the TTU system to any approved act.

**4. TTUS: Ratification of existing Midwestern State University (“MSU”) Operating Policies and Procedures and delegation of authority to MSU’s President to enact or revise MSU Operating Policies and Procedures in the future that do not require TTUS Board of Regents approval.**

Presenter: Mr. Eric Bentley

Presentation Time: 3 minutes

Board approval required by: Section 01.02, *Regents’ Rules*

**RECOMMENDATION**

The chancellor recommends that the Board of Regents 1) ratifies all existing Midwestern State University (“MSU”) Operating Policies and Procedures; and 2) delegates authority to MSU’s President to enact or revise MSU Operating Policies and Procedures in the future that do not require TTUS Board of Regents approval.

**BACKGROUND INFORMATION**

Under existing practice, all MSU university policies and procedures are initiated at the university level and become effective only upon approval by the former Board of Regents as part of the Midwestern State University Policies and Procedures Manual. By contrast, within TTUS, each component university implements and manages operating policies and procedures for its respective institution and campus communities with only certain specified policies and procedures requiring approval from the Board of Regents. For example, tenure and promotion policies must receive the approval of the board.

The proposal ratifies all existing MSU Operating Policies and Procedures while also authorizing MSU’s President to enact or revise MSU Operating Policies and Procedures in the future that do not require TTUS Board of Regents approval.

It should be noted that MSU will be subject to current TTUS Regents’ Rules and System Regulations the same as other component institutions within the TTU System.

Section 01.02, *Regents’ Rules*, establishes the power and authority of the board to govern, control, and direct the policies of the Texas Tech University System.

TTUS Regulations are developed to address specific directives and reporting requirements needed to implement TTUS *Regents’ Rules* and include interpretations where issues and specific guidelines are needed for uniform compliance amongst the components of the Texas Tech University System.

**5. TTUS: Ratification of the appointment of Dr. James Johnston as Interim President of Midwestern State University.**

Presenter: Dr. Tedd Mitchell

Presentation Time: 3 minutes

Board approval required by: Section 02.03.1 *Regents' Rules*

**RECOMMENDATION**

The chancellor recommends that the Board of Regents ratify the appointment of Dr. James Johnston as Interim President of Midwestern State University ("MSU"), effective September 1, 2021.

**BACKGROUND INFORMATION**

At the August 5, 2021, meeting of the Board of Regents of Midwestern State University, the former MSU board approved the appointment of Dr. James Johnston as Interim President of MSU, effective September 1, 2021, with a monthly stipend for his service.

The former MSU board also approved signature authorization for university bank accounts investment instruments, and appropriate retirement documents for the interim president.

Dr. Johnston began his tenure at MSU in 2003 as an associate professor of radiologic science. He became a full professor with tenure in 2014 and has previously served as the director of interdisciplinary education in the Robert D. and Carol Gunn College of Health Sciences and Human Services.

In August 2012, he was appointed as interim dean of the Gunn College of Health Sciences and Human Services, where he served until being appointed as the college's permanent Dean in February 2013. Dr. Johnston served as the university's Interim Provost from February 2017 until his official appointment as Provost and Vice President of Academic Affairs at MSU in April 2017.

He earned his associate's degree in radiologic sciences from South Plains College, bachelor's degree in radiologic sciences from MSU in 1993, master's in radiologic science from MSU in 2003 and his doctorate in health studies from Texas Woman's University in 2006.

In accordance with Section 02.03.1 *Regents' Rules*, the Board shall appoint the president of a component institution by the affirmative vote of a majority.



**6. MSU: University History and Overview Presentation.**

Presenter: Dr. James Johnston

Presentation Time: 20 minutes

Board approval required by: Requested by the Board

Dr. James Johnston, Interim President of Midwestern State University ("MSU"), will lead presentations on the history of MSU and provide an overview of key programs and operations.