

TEXAS TECH UNIVERSITY

LUBBOCK, TEXAS

MINUTES OF BOARD OF REGENTS MEETINGS

1988 - 1989

VOLUME I

MINUTES OF  
BOARD OF REGENTS MEETING  
August 4, 1989

TEXAS TECH UNIVERSITY  
Lubbock, Texas

Minutes

Board of Regents  
August 4, 1989

M166. The Board of Regents of Texas Tech University met on Friday, August 4, 1989, at 9:00 a.m. in the Board of Regents Suite on campus. The following Regents were present: Wm. Gordon McGee, M.D., Vice Chairman, Gen. Richard E. Cavazos, Mr. Rex Fuller, Mr. J. L. Gulley, Jr., Mr. Carey Hobbs, Mr. Wendell Mayes, Jr., and Mr. Alan B. White. Regents J. Fred Bucy and James L. "Rocky" Johnson were absent. Dr. McGee presided in the absence of Chairman Bucy. Officials and staff present were: Dr. Robert W. Lawless, President, Mr. Clyde J. Morganti, Executive Assistant to the President, Office of the President; Dr. Donald R. Haragan, Executive Vice President and Provost, Dr. C. Len Ainsworth, Vice Provost for Academic Affairs, Dr. Thomas G. Newman, Associate Vice President for Computing and Information Technologies, Dr. Jerry Ramsey, Associate Vice President for Operations, Dr. Virginia Sowell, Associate Vice President, Office of the Executive Vice President and Provost; Mr. Don E. Cosby, Vice President for Fiscal Affairs, Ms. Lisa Bradway, Assistant Vice President of Fiscal Affairs, Office of Vice President for Fiscal Affairs; Dr. Robert H. Ewalt, Vice President for Student Affairs; Mr. Pat Campbell, Vice President and General Counsel; Mr. Mike Sanders, Vice President for Governmental Relations; Dr. Colette Murray, Vice President for Development, Ms. Karen Wilson Selim, Director of Planned Giving, Office of Development; Dr. Robert M. Sweazy, Vice Provost for Research Services; Mr. Max C. Tomlinson, Associate Vice President for Business Affairs and Comptroller; Mr. Larry Tanner, Director, Facility Planning and Construction; Dr. Margaret Simon, Director, Office of News and Publications; Ms. Debra Wood, Director, Internal Audit; Ms. Wanda Senning, Director, Budget Office; Mr. Jerry House, Director, Contracting and Risk Management; Dr. Bess Haley, Dean, College of Home Economics; and Dr. Mason H. Somerville, Dean, College of Engineering; and Mrs. Freda Pierce, Secretary of the Board. Texas Tech University Health Sciences Center: Dr. Bernhard T. Mittemeyer, Executive Vice President and Provost; Mr. Elmo Cavin, Vice President for Fiscal Affairs, Mr. Dudley McCauley, Assistant Vice President for Fiscal Management, Office of Fiscal Affairs; and Mr. Eric Williams, Assistant Vice President, Physical Plant and Support Services.

Others present were: Ms. Valerie Ullman-Avery, Lubbock Avalanche-Journal; Ms. Jill Johnson, KAMC-TV; and Ms. Roxanne Lockridge, KLBK-TV.

M167. Upon motion made by Mr. Fuller, seconded by Mr. Hobbs, the Minutes of the meeting of May 12, 1989, were approved.

M168. Dr. McGee called on President Lawless for his report; Attachment No. M1.

M169. Mr. Mayes reported for the Academic, Student and Administrative Affairs Committee. The following six items (M170 through M175) constitute action taken upon committee recommendation.

M170. Upon motion made by Mr. Mayes, seconded by Gen. Cavazos, the following was approved: RESOLVED, that the Board of Regents approves appointments with tenure to Dr. Charles William Smith, Professor of Higher Education, and Dr. James C. Lampe, Professor of Business Administration (Area of Accounting).

M171. Upon motion made by Mr. Mayes, seconded by Mr. Fuller, the following was approved: RESOLVED, that the Board of Regents approves the Texas Educational Opportunity Plan for Public Higher Education for Texas Tech University and authorizes the President to proceed with the submission of this plan to the Texas Higher Education Coordinating Board; Attachment No. M2.

M172. Upon motion made by Mr. Mayes, seconded by Gen. Cavazos, the following was approved: RESOLVED, that the Board of Regents approves Part IX of the Student Affairs Handbook as amended and noted in the attachment to be effective August 4, 1989; Attachment No. M3.

M173. Upon motion made by Mr. Mayes, seconded by Gen. Cavazos, the following was approved: RESOLVED, that the Board of Regents approves the attached revision to Board Policy 04.14, Retirement of University Employees; Attachment No. M4.

M174. Upon motion made by Mr. Mayes, seconded by Gen. Cavazos, the following was approved: RESOLVED, that to facilitate the educational experience of the Restaurant, Hotel and Institutional Management program of the College of Home Economics, the Board of Regents authorizes and directs the proper applications be made, for and in behalf of Texas Tech University, to the Texas Alcoholic Beverage Commission for the issuance of licenses and permits, including mixed beverage permits, caterers permits, and beverage cartage permits, as are necessary to allow the sale of alcoholic beverages in and upon the premises to be leased by the University as the restaurant training facility operated by the Restaurant, Hotel and Institutional Management program. The Board further designates and authorizes the Vice President for Fiscal Affairs as the individual with specific authority and authorization to sign all applications for permits, licenses, and renewals thereof issued by the Texas Alcoholic Beverage Commission to Texas Tech University.

M175. Upon motion made by Mr. Mayes, seconded by Mr. Gulley, the following was approved: RESOLVED, that the Board of Regents ratifies leaves of absence as attached; Attachment No. M5.

M176. Mr. White reported for the Finance Committee. The following eight items (M177 through M184) constitute action taken upon committee recommendation.

M177. Upon motion made by Mr. White, seconded by Gen. Cavazos, the following was approved: RESOLVED, that the Board of Regents approves the attached FY 1990 Operating Budget for Texas Tech University and that the Board of Regents of Texas Tech University appropriate the fund balances of income generating accounts for specific activity usually supported by the accounts unless otherwise appropriated by the Board of Regents of Texas Tech; Attachment No. M6. BE IT FURTHER RESOLVED, that the Board of Regents authorizes the President to approve the appropriate adjustments to close the University's accounting records for fiscal year 1989 and to open the University's accounting records for fiscal year 1990.



M178. Upon motion made by Mr. White, seconded by Mr. Fuller, the following was approved: RESOLVED, that the Board of Regents approves the attached budget adjustments for the period April 1, 1989, to May 31, 1989; Attachment No. M7.

M179. Upon motion made by Mr. White, seconded by Mr. Gulley, the following was unanimously approved: RESOLVED, that the Board of Regents of Texas Tech University approves the attached revision of policy 04.04, Budget Rules and Procedures; Attachment No. M8.

M180. Upon motion made by Mr. White, seconded by Gen. Cavazos, the following was unanimously approved: RESOLVED, that the Board of Regents approves the attached revision of Board Policy 04.05, Contracting Policy and Procedures; Attachment No. M9.

M181. Upon motion made by Mr. White, seconded by Mr. Hobbs, the following was unanimously approved: RESOLVED, that the Board of Regents of Texas Tech University approves the attached revision of policy 09.08, Tuition and Fees Installment Payment Options; Attachment M10; and FURTHER RESOLVES, that the revisions to the policy pertaining to the payment alternatives shall not be effective until the Spring semester 1990.

M182. Upon motion made by Mr. White, seconded by Mr. Hobbs, the following was approved: RESOLVED, the Board of Regents authorizes the President of Texas Tech University to execute a lease for a restaurant facility in which to conduct the educational laboratory training and meeting activities of the College of Home Economics Restaurant, Hotel and Institutional Management program.

M183. Upon motion made by Mr. White, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Board of Regents approves the award of a contract with the City of Lubbock to provide campus bus service for \$28.00 per hour plus or minus the fuel cost adjustment provision based on \$1.05 per gallon for the period of September 1, 1989, to August 31, 1990, and authorizes the President to sign the contract.

M184. Upon motion made by Mr. White, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Board of Regents ratifies administrative actions as follow: (a) To authorize and approve travel, Attachment No. M11; (b) To approve official travel reimbursements, Attachment No M12; (c) For approval and payment of all accounts, Attachment No. M13; (d) To sign and/or countersign checks drawn on the Revolving Fund, Attachment No. M14; (e) To sign and/or countersign cashier's checks, Attachment No. M15; (f) To sign and/or countersign checks on the Financial Aids Cashier's Account, Attachment No. M16; (g) To authorize transfers of funds by wire or other means, Attachment No. M17. Dr. Haragan introduced Mr. Don E. Cosby as the new Vice President for Fiscal Affairs.

M185. Mr. Gulley reported for the Campus and Building Committee. The following eight items (M186 through M193) constitute action taken upon committee recommendation.

M186. Upon motion made by Mr. Gulley, seconded by Gen. Cavazos, the following was approved: RESOLVED, that the project budget is reestablished at \$295,000 for the interconnect between Central Heating and Cooling Plant I and the Lubbock Power and Light Cogeneration Facility.

M187. Upon motion made by Mr. Gulley, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Board of Regents approves the schematic design and authorizes the President to proceed with contract documents and the receipt of bids to connect boiler auxiliary equipment in Central Heating and Cooling Plant II to the emergency generator.

M188. Upon motion made by Mr. Gulley, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Board of Regents authorizes the President to proceed with management of the Pyramid Plaza according to the attached revised management plan; Attachment No. M18.

M189. Upon motion made by Mr. Gulley, seconded by Mr. White, the following was approved: RESOLVED, that the Board of Regents authorizes the President to appoint the firm of Adling Associates, Architects, as project architect for the reroofing of the Central Heating and Cooling Plant II. BE IT FURTHER RESOLVED, that the project budget is established at \$180,000.

M190. Upon motion made by Mr. Gulley, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Board of Regents authorizes the President to appoint the firm of BGR Architects-Engineers as project engineer for the renovation of the freezer in the Central Foods Facility. BE IT FURTHER RESOLVED, that the planning budget is established at \$10,000.

M191. Upon motion made by Mr. Gulley, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Board of Regents approves renaming the former Meats Lab Building to Fisheries and Wildlife Research Building.

M192. Upon motion made by Mr. Gulley, seconded by Mr. Fuller, the following was approved: RESOLVED, that the Board of Regents approves renaming the existing Livestock Arena to Livestock Arena and Meat Laboratory Building.

M193. Upon motion made by Mr. Gulley, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Board of Regents approves renaming the Tech Press Building to PrinTech Building.

M194. Mr. Mayes reported for the Development and Public Affairs Committee. The following three items (M195 through M197) constitute action taken upon committee recommendation.

M195. Upon motion made by Mr. Mayes, seconded by Mr. Fuller, the following was approved: RESOLVED, that the gift of the 910/920/940 system donated to the International Textile Research Center by Spinlab, Inc., be accepted by the Texas Tech University Board of Regents.

M196. Upon motion made by Mr. Mayes, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Gift of the Forensic Science Accessory Kit donated to the Center for Forensic Studies by Coherent, Inc., be accepted by the Texas Tech University Board of Regents.

M197. Mr. Mayes stated that gifts and grants for the fiscal year through July 28, 1989, total \$12,625,959.41. Mr. Mayes explained, "The Office of Development has set a combined fund-raising goal for both institutions for fiscal year 1988-89 of \$8,000,000. As of July 28, 1989, the total for both institutions was

\$16,493,111.18 which is approximately 206% of the goal. However, without the Pyramid Plaza which was receipted at \$6,417,288.84 and the Texas Instruments Building gift to the Texas Tech Research Foundation of \$1,300,000, we have received \$8,775,822.24 or 110% of our goal."

M198. Gen. Cavazos reported for the Research Affairs Committee. The two following items (M199 and M200) constitute action taken upon committee recommendation.

M199. Upon motion made by Gen. Cavazos, seconded by Mr. Fuller, the following was approved: RESOLVED, that the Board of Regents approves the attached Reaffirmation of the Managerial Group for the Protection of Classified Information and Security Clearances; Attachment No. M19.

M200. Upon motion made by Gen. Cavazos, seconded by Mr. Hobbs, the following was approved: RESOLVED, that the Board of Regents ratifies the establishment of the Institute for Multidisciplinary Research on Adolescent and Adult Risk-Taking Behavior.

M201. Dr. McGee called upon Dr. Haragan who gave the Provost's report; Attachment No. M20.

M202. There being no further business, the meeting adjourned.

(Mrs.) Freda Pierce, Secretary

Attachments (August 4, 1989)

- M 1. President's Report; Item M168.
- M 2. Texas Educational Opportunity Plan for Public Higher Education; Item M171.
- M 3. Amended Part IX of Student Affairs Handbook; Item M172.
- M 4. Revised Policy 04.14, Retirement of University Employees; Item M173.
- M 5. Leaves of Absence; Item M175.
- M 6. Operating Budget for FY 1990; Item M177.
- M 7. Budget Adjustments for April 1 to May 31, 1989; Item M178.
- M 8. Revised Policy 04.04, Budget Rules and Procedures; Item M179.
- M 9. Revised Policy 04.05, Contracting Policy and Procedures; Item M180.
- M 10. Revised Policy 09.08, Tuition and Fees Installment Payment Options; Item M181.
- M 11. Delegation of Authority to Approve Travel; Item M184.
- M 12. Delegation of Authority to Approve Official Travel Reimbursements; Item M184.
- M 13. Delegation of Authority to Approve and Pay Accounts; Item M184.
- M 14. Delegation of Authority to Sign and/or Countersign Revolving Fund Checks; Item M184.
- M 15. Delegation of Authority to Sign and/or Countersign Cashier's Checks; Item M184.
- M 16. Delegation of Authority to Sign and/or Countersign Financial Aids Cashier's Account Checks; Item M184.
- M 17. Delegation of Authority to Authorize Transfers; Item M184.
- M 18. Revised Management Plan for Pyramid Plaza Building; Item M188.
- M 19. Reaffirmation of Managerial Group for Protection of Classified Information and Security Clearances; Item M199.
- M 20. Provost's Report; Item M201.

I, Freda Pierce, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of Texas Tech University Board of Regents meeting on August 4, 1989.

(Mrs.) Freda Pierce, Secretary

SEAL

August 4, 1989

Thank you, Mr. Chairman. As today marks my 35th day as your president, I would like to share with you my impressions from this relatively short period. I had originally planned a rather extensive report, but given your instructions and in an attempt to set a tone of expediency and efficiency for this meeting, I shall be brief.

Texas Tech has adopted a goal of excellence, to be of the first class at both the University and the Health Sciences Center. A necessary but not sufficient ingredient in this recipe for success is Money. University funding is derived from three principal sources:

- 1) Appropriations, plus tuition and fees
- 2) Research funds
- 3) Endowments, gifts and grants

Each of these sources of funding is impacted by quality and impressions of quality; that is, state appropriations, particularly special item funding, is achieved only if there is confidence that the projects funded will be successfully completed. Sponsored research is awarded in accordance with exactly the same principle.

Great universities are known by their graduates and by their research. The common factor in both of these is outstanding faculty, and in order to recruit and retain the very best faculty we must have endowed chairs and professorships. It has been proven by the country's most prestigious universities that the best manner to ensure successful graduates is by admitting the most capable students. In order to recruit the best students we need to be able to offer competitive scholarships, and here we desperately need this support.

Shortly, you will be presented budgets for the University and the Health Sciences Center that, considering all expenditures total \$287,973,422 or essentially \$288 million dollars. Yet these budgets contain no real funding for excellence or growth. With the exception of four new special items (two for the University and two for the Health Sciences Center) and the restoration of the Museum funding, this is essentially a status quo budget providing a 5% merit increase for faculty and a 5% statutory increase mandated for all non faculty. Thus the budget does not provide for growth and cannot provide the basis for excellence.

The irony of our situation is that excellence funding is literally being pulled from beneath our feet. I don't mean to dwell in allegories but the very basis for supplemental funding which has allowed the University of Texas and Texas A&M University to achieve what they have today is the Permanent University Fund whose revenues are derived from West Texas oil and land.

It is our collective challenge, and a goal at a minimum, to gain incremental support equal to one third of the Permanent University Fund distribution annually.

The responsibility of being President of Texas Tech is an awesome responsibility. Likewise is the responsibility of being a regent. Collectively the ten of us must do all that we can locally, throughout the state, and the nation, to gain the required funds to achieve our objective.

This is not the time to rest or relax. Let's charge forward for the next ten years and then and only then pause to reflect.

Thank you.

TEXAS EDUCATIONAL OPPORTUNITY PLAN  
FOR  
PUBLIC HIGHER EDUCATION

SEPTEMBER 1, 1989 TO AUGUST 31, 1994

TEXAS TECH UNIVERSITY

---

Robert W. Lawless, Ph. D.  
President  
Texas Tech University

---

Date



## TABLE OF CONTENTS

CURRENT CONDITIONS .....	1
Minority Recruitment and Enrollment .....	1
Employment of Faculty and Staff .....	2
Equal Opportunity Programs .....	3
Multi-cultural Programs and Elements of Student Life .....	5
Chief Deficiencies .....	6
ACTION PLAN .....	7
List of Actions .....	7
Bits & Bytes .....	7
TTU/GTE PREP .....	8
Texas Tech Excellence Awards .....	9
Get Acquainted Day .....	9
Campus Participation .....	10
Hispanic State Conference .....	10
Black History Commemoration .....	10
Minority Orientation .....	11
General Recruitment .....	11
Special Mailouts .....	12
Minority Recruitment Events .....	12
On-Campus Recruitment and Retention .....	13
Professional Participation .....	13
Recruitment and Retention by Colleges .....	13
Upward Bound .....	14
Youth Opportunities Unlimited .....	14
Program for Academic Support Services .....	15
Texas Academic Skills Program .....	15
TASP Newsletter .....	16
TASP Mentoring Program .....	16
Course Equivalency Guides .....	16
School of Law--Placement Opportunities .....	17
Affirmative Action Plan .....	17
Affirmative Action Office .....	18
Affirmative Action Committee .....	19
Supervisor Orientation .....	19
Supervisor's Guide to Affirmative Action .....	20
Promotional Opportunities .....	20
Apprenticeship Program .....	21
Work Force Analysis .....	21
Employment Records .....	22
Affirmative Action Information and Minority Recruitment Advertising .....	22

Community Action Programs .....	22
Faculty Search Committee Guidelines and Resources .....	23
Peer Recruitment of Faculty and Administrators .....	24
Faculty Exit Interviews .....	24
Policy and Action Reviews .....	25
Relationship to Initiatives .....	26
Undergraduate Recruitment, Enrollment and Retention .....	26
Enrollment in Graduate and Professional Schools .....	27
Employment of Faculty and Professional Non-Faculty Staff .....	28



## I. CURRENT CONDITIONS

### Minority Recruitment and Enrollment

The greatest number of Hispanic and black students lie to the southeast part of the state. Texas Tech's primary recruitment area (within 300 miles from Lubbock) does not contain a relatively large pool of minority students. The University of Texas and Texas A&M University have recruitment budgets much greater than that of Texas Tech and have a rich minority recruitment pool within close proximity of the universities. During 1987-88 our recruitment office visited approximately 90% of Texas minority high schools (schools with at least 40% minority enrollment) and all predominantly minority junior colleges. Almost 5,000 Hispanic prospects and 2,794 black prospects were contacted by letter and brochure in 1988. Figures for 1987 show UT minority enrollment at 12.8%, TAMU at 8.6%, and TTU at 8.6%.

Black and Hispanic enrollment has increased at Texas Tech in both real and percentage terms during the 1980's. Black enrollment has increased from approximately 1.9% in 1980 to 2.5% in 1988. Hispanic enrollment has experienced a much greater increase, rising from less than 4% in 1980 to approximately 7% in 1988. The pool of Texas Hispanic graduating high school students has steadily increased since 1984, while black graduating students have increased but, since 1984, slowly dropped. Still, Texas Tech has managed to maintain a stable black enrollment since 1984, fluctuating in the 500's. The College of Arts and Sciences has contained the greatest number of blacks and Hispanics. In 1987, Arts and Sciences had approximately 11% Hispanic students. At the other end of the spectrum, Agriculture had less than 3% Hispanics enrolled. For blacks, Architecture enrolled the greatest percentage of blacks (almost 4%) with Agriculture, again, enrolling the lowest percentage (less than 1%). During Fall 1987, the graduate school enrolled only 4.5 percent minority students (black and Hispanics), the law school, only 3.0%.

Retention rates vary not only by race and ethnicity but by sex. Differences also exist among classes, with the largest dropout rates occurring between the

freshman and sophomore years. 50% of black male freshmen in 1986 chose not to enroll in 1987. For Hispanic and white males those dropout rates were 48% and 36% respectively. For females, the respective dropout percentages were 48% (blacks), 40% (Hispanics), and 34% (whites). Of 1986 seniors, only 25% black males (50% females) attained their degree. For Hispanic males, 48% earned a degree (51% females); and for white males 61% earned a degree (69% females). The total dropout rate for Fall 1987 to Fall 1988 was 34.5% for blacks, 28.4% for Hispanics and 21.6 percent for whites.

### **Employment of Faculty and Staff**

The Lubbock labor force is currently 6.5% black and 16.3% Hispanic. Although the University has made many efforts to reflect at least this percentage of black and Hispanic representation in its faculty and staff at all levels of employment, these efforts have not always been successful.

In 1988, the University employed six additional Hispanic faculty members bringing the total number of full-time Hispanic faculty members up to eighteen. The current percentage of Hispanic full-time faculty members is 2.1 percent.

The total non-instructional work force increased by 21 persons during fiscal year 1988. Hispanic representation increased by 24 persons. The representation of females and blacks showed slight decreases.

Texas Tech is second only to Texas A&M University in the employment of male Hispanic faculty (75 in 1987). Included in the 75, however, are 56 teaching assistants (25 more than any other school). Tech falls to eighth place among Texas public universities in the employment of Hispanic females--only 11. Pan American University leads with 43 female faculty members. Considering both males and females, Texas Tech employs more Hispanic faculty (full-time and part-time) than any Southwest Conference school. Full-time Hispanic faculty at Tech has fluctuated between 12 and 18 since 1985. Tech shows a shortfall with respect to black faculty employment, with a total of only 17 (full-time and part-time). Texas A&M, University of Houston,

and University of Texas-Austin employ 54, 33, and 32 blacks respectively. Texas Southern leads the way with 291. Black full-time faculty at Tech has slowly increased from 1 in 1985 to 5 in 1988. In 1988, only 2.8% of Texas Tech's full-time faculty were Hispanic or black. Inter-university comparative figures are not readily available with respect to non-instructional employment. In 1988, 29% of non-instructional staff were black (5%) or Hispanic (24%). 6.5% of blacks and Hispanics are included in upper-level positions (administrative/executive, professional, or management jobs). In contrast, 29.6% of whites have attained upper-level employment.

### Summary of Equal Opportunity Programs

Texas Tech University is fully committed to increasing the proportions of Hispanic and black employees in all levels of faculty and staff positions.

The University will continue in its existing measures established to facilitate progress toward this objective. In addition, the University will develop and implement additional programs, where needed, to comply with the statewide objectives of the current Texas Educational Opportunity Plan for Public Higher Education (Texas Plan). This plan will be effective for a five year period beginning September 1, 1989 through August 31, 1994.

The official policy of the University is defined as follows:

Texas Tech University will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, physical or mental handicap, Vietnam Veteran status, or national origin. Texas Tech University will take affirmative action to insure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, age, physical or mental handicap, Vietnam Veteran status, or national origin. Such action shall include, but not be limited to the following: employment, up-grading, demotion, or transfer; recruitment or recruitment advertising; lay off or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship. (Operating Policy and Procedure 73.01, Vol. II)

For several years, Texas Tech University has had an affirmative action plan that is in compliance with Executive Order 11246. This plan was approved by the Department of Labor in 1980. The University's plan also complies with Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, and the Vietnam Era Veteran Readjustment Act of 1964. The Affirmative Action Plan forms the basis by which this institution will achieve its object of a more equitable representation of blacks and Hispanics among its faculty and staff.

The University's affirmative action program has been developed with input from all elements of the University. The resulting plan and descriptions of the opportunities afforded by the affirmative action program have been widely disseminated through official publications, through meetings with management and supervisory personnel responsible for implementing the plan, and through informal channels ranging from news releases to bulletin board announcements. The entire University community is aware of the plan and its importance.

The Affirmative Action Program contains many elements that are intended to contribute to the established numerical goal aimed at increasing the number and proportion of black and Hispanic employees at all levels of University employment.

The Affirmative Action Office plans to expand and enhance the University's Affirmative Action Plan to include the additional requirements mandated under the Texas Plan. As stated in the work force analysis, the black and Hispanic employee hiring goals which have been set under the University's Affirmative Action Plan will be continued under the Texas Plan. These hiring goals have been calculated using the 8-factor federal formula required under Executive Plan 11246. These hiring goals are intended to equal the proportion of black and Hispanic occupations in the relevant labor market. Although the University's Affirmative Action Plan does not set hiring goals by educational degrees, due to the unavailability of internal and external resource data which provides reliable statistics, a high percent of the faculty

positions at Texas Tech require a doctorate degree. Due to size of the Affirmative Action Plan, it is not enclosed with this document.

The University's progress toward achieving the employment hiring goals set forth in both the Affirmative Action and the Texas Plans will be continually monitored throughout the year by means of the Affirmative Action Personnel Record form. This form is used to notify the Affirmative Action Office of all types of personnel transactions. Progress will also be analyzed and evaluated by means of various computerized reports. All of these efforts will be done by the Affirmative Action Office. No additional funding is being requested at this time.

### Multi-cultural Programs and Elements of Student Life

Texas Tech appears to have a satisfactory menu of multi-cultural programs/organizations available to minority students. In general, the programs are aimed at promoting leadership skills among its members. The Black Student Association has approximately 90 students, which means that almost 15% of black students on campus participate in this organization. The Hispanic Student Society maintains a membership of approximately 100 or 5.8% of Texas Tech's Hispanic student body.

In addition to these special interest associations, there are also professional and Greek organizations. The Minority Law Student Association has between 15 to 20 members and the Society of Professional Hispanic Engineers around 20. Black and Hispanic fraternities/sororities are on campus with a combined membership of approximately 100.

In addition to these organizations, the Dean of Students Office and other campus departments sponsor ongoing programs such as Black History Commemoration, Hispanic State Conference/Culture Week, Minority Matters, and others.

Among the aims of multi-cultural programs and services is to establish links with the University and community services sensitive to minority issues and



to provide a mechanism to assist in actively recruiting minority students to Texas Tech.

In addition to these university-wide programs, the College of Education sponsors a graduate Program in Multi-cultural Education. It is geared toward teachers who will likely stay in Texas and teach minorities.

### Chief Deficiencies

The underrepresentation of black faculty continues to be a major unresolved problem for the University. Although no new black faculty members were added this past year, the university was able to retain the same representation it had a year ago. The current percentage of black full-time faculty members is .7 percent.

The underutilization of blacks decreased in the professional, managerial, and clerical categories. Increases in underutilization were shown in the technical/paraprofessional, crafts/trades, and services categories. There is no black representation in academic administration.

Hispanics continue to be underutilized in the following job groups: administrative/executive, professional, management, and in the higher levels of clerical work, crafts/trades, and services. There is no Hispanic representation in academic administration. Part IV of the University's Affirmative Action Plan supplies additional details regarding the current employment conditions.

Foremost among our concerns is the need to increase the number of Hispanic and black students in graduate and post-undergraduate professional programs. These problems have been studied extensively, but suggested solutions have been financially untenable. This has been exacerbated by the recent economic weakness within the State of Texas. In general, however, we feel that the excellent progress we are making with undergraduate student recruitment will ultimately have a positive effect in the graduate programs.

## II. ACTION PLAN

Texas Tech University has initiated many actions designed to encourage and facilitate the participation of minorities in higher education. While it is recognized that opportunities must be provided to students, faculty, and staff, it appears that the area of undergraduate education will be the most fruitful by providing the maximum number of qualified individuals to channel into graduate and professional areas and into professional and administrative employment.

A list of action items is provided in the following paragraphs. Each item is briefly described, human and fiscal resources are explained, and the relevant measure of performance is given. In the section immediately following the action list these actions are related to the initiatives as stated in the Texas Educational Opportunity Plan for Public Higher Education, published in April 1989 by the Texas Higher Education Coordinating Board and the Advisory Committee on Educational Opportunity Planning.

### A. List of Actions

#### Action: Bits & Bytes

This program is a summer activity offered through the Texas Tech University Division of Continuing Education. Participants are minority students from area high schools. Students are exposed to topics in computing, with sessions offered by select experts from among the Tech faculty.

This program is organized and managed by existing staff in the Division of Continuing Education and is taught by existing faculty for additional remuneration. Financing is derived from an agreement with Lubbock Independent School District.

Performance Measure: Number of participants.

Action: TTU/GTE PREP

This is an intensive summer enrichment program for secondary school students with high abilities in mathematics, science or engineering. It is similar in nature to TEXPREP. Students enter the program following their 7th or 8th grade and may participate for three years. Now in the fourth year, the number of participants has grown from 22 in 1986 to 124 in 1989.

Although enrollment is open, minority participation is encouraged and the percentage of such students has grown to about 50% at the present time.

Additional program growth is not planned in subsequent years, although there will be an attempt to increase the number of minority participants. A high percentage of the participants are expected to pursue college work in mathematics, science, or engineering.

Through a grant from GTE Corporation, the program features an impressive minority scholarship program for attendance at Texas Tech. Each award is for \$12,000, distributed evenly over eight semesters. These scholarships may be awarded to minority participants following their second year in the program. It is felt that the early award of these scholarships will encourage the pursuit of excellence in further high school work and will strengthen the value of education placed within the student's family environment.

Personnel includes a director, a student clerical assistant, and ten instructors. In addition, the U. S. Air Force assigns two officers to assist full-time for eight weeks each. Instructors are public school teachers or graduate students from the disciplines of mathematics, science, engineering, or business. Several of these instructors are minorities or presently employed as teachers in predominantly minority high schools.

Program funding has been secured for three years beginning in 1989 through a grant from GTE Corporation for \$600,000. This is divided evenly for program operations and minority scholarships. Additional funding is currently being received from the Texas Higher Education Coordinating Board's distribution of EESA Title II grant funds. Also, under the Job Training Partnership Act, the Private Industry Council supports this program



by providing funding to some participants on the basis of need. In 1989 eight students are being supported for up to \$1,072 each.

Program performance is indicated by the number of program participants and the number of scholarships awarded.

Action: Texas Tech Excellence Awards

Recognizing the need for institutional commitment in order to promote excellence of undergraduate education, additional funds were budgeted in FY 1989 to provide new undergraduate scholarships. A portion of these funds was designated expressly for minority students. The scholarships are sufficient to provide full tuition and fees and are renewable for four years, contingent only upon satisfactory academic performance and the continued appropriation of funds. At present 25 minority scholarships have been awarded in this program.

The scholarship program is administered by the existing staff in the Office of Financial Aid and is promoted by the Office of New Student Relations in Spanish and Cooperative Education classes at Dunbar, Estacado, and Lubbock High Schools. Funds are provided from the annual University operating budget.

Performance is measured by the number of minority scholarships provided.

Action: Get Acquainted Day

In April the top minority students in a two-hundred mile radius are invited to visit the Texas Tech campus to meet with TTU faculty advisors, administrators, and members of the financial aid staff. In 1989, the third year of this program, 85 minority students were in attendance.

This meeting is organized by the Office of New Student Relations, as part of the normal duties of the staff of that office. Representatives of the faculty, administration, and Office of Financial Aids participate in the program.

Funding is provided from the operating budget of the Office of New Student Relations.

Performance is measured by the number of participants.

Action: Campus Participation

The Office of New Student Relations is involved in various campus activities aimed toward furthering minority social and academic achievement, including the Black Student Association Advisory Committee, the Minority Faculty/Staff Association, Minority Concerns Seminars, and workshops. These and many other student activities are organized by the University's Dean of Student Office. Through these activities, the Office aims to make minority students aware of available programs and organizations and to help them feel a part of the Texas Tech community.

Action: Hispanic State Conference/Culture Week

The Hispanic Student organizations work together to help a student conference in the spring. MASO (Mexican American Student Organization), a council made up by the Hispanic Student Society, Greek and other organizations, is in charge of hosting and organizing the activities. This conference promotes education, political involvement, and available business opportunities.

Funding for this annual event is provided by Hispanic student organizations and through various solicitations.

Action: Black History Commemoration

Each February, activities and programs are presented by student groups which highlight the accomplishments of Black Americans. The Dean of Students Office helps the Black Student Association organize parades, receptions, literary contests and other events which together make up the

commemoration. The month is keynoted each year by a nationally known speaker.

Funding is provided by the Black Student Association and through various solicitations.

Action: Minority Orientation

The Dean of Students sponsors a luncheon at each freshman orientation session, providing an opportunity for new students and minority faculty and staff to interact. Items of interest or concern to minorities are discussed.

An informal meeting for parents and students attending summer orientation sessions is sponsored by the Dean of Students Office, and is held the evening preceding each orientation session. During these meetings, parents and students are given an opportunity to ask questions of currently enrolled Texas Tech students who, in all probability, have experienced many of the freshmen experiences incoming students will encounter.

Organizational effort is provided by the Office of the Dean of Students and actual costs are provided from the operating budget of that office. Faculty and staff contribute their time through participation.

Performance is indicated by the number of participants.

Action: General Recruitment

The New Student Relations Office conducts numerous trips and various outreach activities in an effort to broaden the student base at Texas Tech. Among its functions is identifying and visiting high schools and junior colleges that are predominantly minority in the state of Texas.

Approximately 90% of these schools and junior colleges are visited by the Office. Letters and brochures are mailed to thousands of blacks and Hispanics. The Black Student Association and Hispanic sorority phone prospects annually.

The Office employs an Assistant Director for Minority Recruitment whose focus is on minority schools and minority students. This person prepares reports and summaries, and submits proposals regarding minority student recruitment. Funding for these and other recruitment activities is provided from the operating budget of the New Student Relations Office.

Performance is indicated in the minority counsellor reports to the Director of New Student Relations.

Action: Special Mailouts

In addition to general mailouts to minority prospects, special effort is directed toward attracting those who exhibit considerable academic promise. Letters and brochures have been sent out to the Talent Roster of Outstanding Minority Community College Graduates, participants in the State Scholarship Ethnic Recruitment Program, Lubbock minority honor students, and other organizations and programs recognizing minority scholastic achievement. Over 1,000 of these mailouts are made annually.

Funding and manpower are provided by the Office of New Student Relations.

Performance is indicated in the minority counsellor reports to the Director of New Student Relations.

Action: Participation in Minority Recruitment Events

Texas Tech is represented at important events including the National Scholarship Service and Fund for Negro Students Recruitment Day, National Hispanic Institute Recruitment Day, LULAC Recruitment Day, Broadened Opportunity for Officer Selection Training (Naval-BOOST) College Days, and LULAC Award Ceremony. These activities occur throughout the state and some outside of Texas.

At least one representative from the recruitment staff attends these activities and talks to prospects about Texas Tech in general, steps for admission,

financial aid, and other matters of immediate concern to the prospective student.

Performance is indicated by the number of events attended.

Action: On-Campus Recruitment and Retention

Activities such as Get Acquainted Day, Hispanic and black student receptions, Western Texas Non-traditional Students Day, and Houston Community College Day provide the New Student Relations Office an opportunity to describe the various university support services offered to students. Services like financial aid, career planning and placement, and counseling are described and contacts established to help students feel more comfortable participating within the Texas Tech community. Whenever possible, experienced existing students are involved in recruitment and retention since they relate well to student concerns.

Action: Professional Participation

A number of professional organizations provide important information and contacts for the New Student Affairs Office concerning recruitment and retention. The Office has membership or participates in the Texas Association of Blacks in Higher Education, Texas Association of Chicanos in Higher Education, Texas Association of Collegiate Registrars and Admissions Officers, and the Coordinating Board Annual Recruitment and Retention Conference. Conferences sponsored by these organizations are routinely attended.

Action: Recruitment and Retention by Tech Colleges

Individual colleges at Texas Tech have initiated programs to address minority concerns. The College of Agricultural Sciences has established a Planning Committee on Hispanic Minority Recruitment. The College of Education has a Bilingual/Multi-cultural Education Program which develops effective strategies and models for teaching students from diverse cultural

backgrounds. The College of Engineering offers a Minority Engineering Program (funded by the ARCO Foundation) targeted toward assisting junior and senior students to cope in a college environment. It also has a Texas Association of Minorities in Engineering chapter and a campus Society of Hispanic Professional Engineers. The College of Arts and Sciences offers the TTUGTE PREP Program (a description of this "action" is listed elsewhere) through the Math Department, and Spanish classes for Hispanic students through the Classical and Romance Language Department.

Action: Upward Bound

This is a six week college prep program for economically disadvantaged high school juniors and seniors who reside within approximately 50 miles from Lubbock. Students take courses on Saturdays during fall and spring semesters. During the summer, Upward Bound students live on campus, work in offices and take college courses. Approximately 50% to 60% of participants enroll at Texas Tech after graduating from high school. In the most recent program, 85 students participated, 57% of whom were Hispanic and 32% black.

This is a federally funded three year program originating from the U.S. Department of Education. Between eight and twelve employees administer Upward Bound.

Action: Youth Opportunities Unlimited (YOU)

This is a program geared toward 14 and 15 year old students who are considered at high risk to drop out of high school. Its goal is to encourage the participants to obtain their high school diploma. Students come from all over the state for an eight week program that allows them to experience college life while going to school and working, and also to have positive role models. Participants stay at a residence hall during the duration of the program. The most recent program had 113 students (primarily minority) enrolled.



This program is funded by the Texas Department of Commerce through the Job Training Partnership Act (JTPA). Thirty-two employees administer YOU.

Action: Program for Academic Support Services (PASS)

PASS was developed to help students enhance learning skills and techniques, and to help them get the most out of their college experience. PASS offers assistance within five broad categories: study skills, special topic workshops (memory, test anxiety, etc.), tutor referral, self-help learning lab, and one-on-one advisement. This fall, students returning from a first suspension will be required to participate in a pilot program which emphasizes time management, organization, study, and other skills to help them stay in school.

PASS is funded by student services fees and employs two full-time staff, a secretary, and three to five students.

Action: Texas Academic Skills Program (TASP)

Recent state legislation requires testing of college freshmen for basic college level skills. For those who fall below established standards, counselling and remediation is provided, followed by evaluation and re-testing. Students must pass a follow-up test before taking junior level courses. Through TASP, it is hoped that college retention rates improve, particularly among minorities, who historically drop out at a greater rate than whites. The program begins during the Fall 1989 semester.

Start up funding of \$200,00 has been provided by the state legislature. An additional \$50,000 has been provided for remediation. Four administrative staff will run the program and between 20 to 25 teaching assistants will be involved in remediation. Future state funding of TASP is uncertain.

Action: TASP Newsletter

Texas Tech's TASP coordinator has begun a TASP newsletter which will be sent to high school teachers, counsellors, and administrators throughout the state. The newsletter addresses the numerous questions and concerns regarding the program and other academic matters. The first newsletter was recently published and mailed to over 350 subscribers. Approximately 10 issues are expected each year.

The TASP Coordinator, along with his secretary, produces the newsletter at a cost of approximately \$200 per issue. It is paid for by state TASP funds.

Action: TASP Mentoring Program

Approximately 100 university staff volunteers provide friendship and guidance to students who are considered at high risk of dropping out of Texas Tech. The volunteers are asked to make contact with the students at least once a month. They provide information regarding TASP in general and the various student services available on campus.

The mentoring program requires no funding.

Action: Course Equivalency Guide

Texas Tech is in the process of developing course equivalency guides that will aid the smooth transition of transfer from each community college in the State of Texas. This is being done through cooperation and sharing with other institutions, predominantly the University of North Texas. Although some effort has been ongoing for some time, major progress was made during the spring and summer of 1989. It is anticipated that useable material will be available for the fall of 1989.

The development of the course equivalency guides is a joint effort of the Office of the Provost and the deans of the various colleges, with the College of Arts and Sciences bearing the heaviest load. The department of



Administrative Information Systems is participating in developing the information system to support the activity. A precise cost is not available at this time, although the preliminary estimate of effort exceeded three man-years.

The goal is to provide equivalencies to each community college in the State of Texas.

Action: School of Law -- Placement Opportunities

The School of Law at Texas Tech University participates in a number of industry cooperative recruitment programs designed to afford minority students maximum exposure to potential employers. These programs are generally provided as cooperative ventures among ABA-approved law schools in the State of Texas and/or in the surrounding region.

The *Texas in Washington Recruitment Program* and the *Texas Off-Campus Recruitment Program* involve law schools within the state while the *Sunbelt Minority Recruitment Program* is cooperative between schools in Texas, Oklahoma and New Mexico.

These programs are financed by registration fees paid by the recruiting firms.

Progress of these programs is indicated by the numbers of employers and students that participate.

Action: Affirmative Action Plan

Texas Tech University has an affirmative action plan that is in compliance with Executive Order 11246. It was approved by the Department of Labor in 1980. The plan also complies with Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1973, and the Vietnam Era Readjustment Act of 1964.

The plan is more fully described in the previous section on current conditions.

Action: Affirmative Action Office

Nine years ago, President Lauro Cavazos appointed Mr. Julio Llanas as Director of the Affirmative Action Office with the expressed duty to develop and coordinate an effective affirmative action program. Since that time, serving under the authority of successive presidents, it has been the mission of the Affirmative Action Director to identify relevant problems, propose solutions, and provide methods of assessing program effectiveness. The Director of the Affirmative Action Office is a key link in initiating and maintaining vital communications (a) within the University, (b) between the University and state and federal agencies, and (c) between the University and community organizations concerned with employment opportunities for blacks, Hispanics, and other historically disadvantaged groups.

The Director is assisted by an Affirmative Action Specialist in the administration of equal employment opportunity and affirmative action programs for Texas Tech University. Both the Director and the Specialist serve the Health Sciences Center as well as the University.

The University is committed to continuing the Affirmative Action Office. Funding for the office is included in the University's annual budget.

The Affirmative Action staff will expand its duties to include any additional initiatives called for by the Texas Plan on an as-the-need-arises basis. Many initiatives, such as the expansion of the plan noted above, will not require additional staff or funding. It is, however, conceivable that new initiatives might be proposed and implemented at some point during the next five years that might require additional staffing and/or funding from some source.

The Affirmative Action Office is reviewed and evaluated annually by the Provost's Office. This review will include consideration of the Affirmative

Action Office's ability to assist the University in its compliance with the goals of the Texas Plan.

Action: Affirmative Action Committee/Coordinators

A fourteen member committee including representatives of the Vice Presidents, Deans, the Faculty Senate, and the Affirmative Action Office is charged with assuring uniformity and consistency in the implementation of the University's Affirmative Action program. It monitors the trends and results of the program and offers advice and recommendations to appropriate officials concerning the program. The committee also assesses the needs of the campus community for affirmative action and recommends programs and activities to meet such needs.

The Affirmative Action Committee will be continued. Efforts will be made to schedule meetings on a monthly basis between the months of October and April.

Critical resources include the personnel in the Affirmative Action Office and the representatives indicated above. Funding is included in the annual operating budget for the Affirmative Affairs Office, which will be adjusted as dictated by need.

The efficient and proper functioning of this committee will be determined by an annual review and report of the prior year's activities. A written report will be distributed to committee members during the October meeting each year. This report will suggest areas that need further consideration by the committee.

Action: Supervisor Orientation

Supervisors at all levels are provided with training, materials, and any special assistance required in carrying out the Affirmative Action Program with respect to their activities in recruiting, hiring, and training new employees.

Assistance is available in preparing existing staff members for career advancement.

This program will be continued utilizing existing current staff and budget in the Affirmative Affairs Office.

Performance indications will be noted in the annual work force analyses contained in the Affirmative Action Plan.

Action: Supervisor's Guide to Affirmative Action

The Affirmative Action Office publishes a Supervisor's Guide to Affirmative Action giving all information needed for implementing the Affirmative Action Plan. This guide discusses applicable law, recruitment, job descriptions and classifications, job advertising, applicant screening and testing, interviewing, selection, record keeping, training, counseling, promotions, discipline, and grievance procedures.

The Supervisor's Guide is currently being revised. The next edition of this guide will include information about the Texas Plan. The human and fiscal resources necessary to provide ongoing maintenance of the guide are provided in the current operating budget of the Affirmative Action Office.

The guide is reviewed regularly to assure accuracy and relevance of the contents.

Action: Promotional Opportunities

In an effort to provide an opportunity for upward mobility for every Texas Tech employee, a Promotional Opportunity Program has been implemented. This program is designed to enhance career advancement for all employees by providing each employee the opportunity to receive consideration for both promotions and transfers to higher level and/or better paying positions within the University and to assist the University in achieving its affirmative action goals.

This program will be continued utilizing current staff and funding in the Affirmative Action Office. Program expansion might require additional funding and an increased staff.

Effectiveness of this activity will be indicated by the actual results measured in the work force analysis section of the annual Affirmative Action Plan.

Action:   Apprenticeship Program

An apprenticeship program has been established under the auspices of the Department of Labor. This program was developed to provide training for qualified journeymen in various skilled trades. Recruitment, selection and promotion of apprentices participating in the program are in accordance with the University's Affirmative Action Plan.

Action:   Work Force Analysis:   Availability Study, Deficiency  
Assessment, and Goal Setting

A detailed work force analysis is conducted annually for all levels of employment: management and supervision, academic administration, faculty, professional, clerical, technical, craft, and service areas. The study uses the eight-factor analysis of the U.S. Department of Labor to assess labor availability and training as it relates to the availability of Black and Hispanic employees. This analysis treats the particular problem of the low availability of qualified women and minority faculty in certain academic areas.

The work force analysis provides the key elements for establishing numerical goals and timetables for achieving the stated objective of increasing the number and proportion of Black and Hispanic faculty and staff. This study summarizes the availability of Black and Hispanic employees in each job group. The difference between potential availability and actual employment is defined as a deficiency. Goals are set for the number of new hires and promotions for the current plan year and the year by which the underutilization of minorities will be eliminated.

The work force analyses will be expanded and enhanced to provide information needed for monitoring the University's progress toward the objectives of the Texas Plan. No additional staffing or funding will be necessary.

The work force analysis provides the university's prime measuring and evaluating tool.

Action: Employment Records

A system of manual and automated records has been developed to provide management information about applicant flow, recruitment, hiring, promotion, transfers, and termination from an affirmative action viewpoint.

The University's current system will be gradually phased out as the new TECHRIS automated human resource information system is phased in. The first phase of TECHRIS is currently being implemented. This phase deals with payroll, personnel, and position control. The new system will supply pertinent data needed for the work force analyses.

Action: Affirmative Action Information and Minority Recruitment  
Advertising

An extensive effort is made to ensure that all prospective employees are aware that Texas Tech University is an equal opportunity and affirmative action employer. All employment opportunities are widely advertised in the most appropriate publications, including newspapers and other publications of predominantly Black or Hispanic readership. Local Black and Hispanic television programs are also used in recruiting minority employees.

This special advertising will be done on a continuing basis. Funds for this purpose have been allocated by the University and the state legislature.

It is quite difficult to accurately ascertain the number of employment advertisements that actually result in a minority being hired by the



University. However, an annual report is required by the Affirmative Action Plan. The report contains a listing of the advertisements placed in minority publications.

Action: Support of Community Action Programs

The University supports local and national community action organizations and community service programs and agencies designed to improve the employment opportunities of Blacks and Hispanics. Many faculty and staff are very active in these efforts at the local, state, and national level. A report of these activities is included annually in the Affirmative Action Plan.

These initiatives will be continued utilizing current staff and funding in the Affirmative Action Office.

It is difficult to accurately measure the results of these initiatives though the annual work force analyses give some indication.

Action: Faculty Search Committee Guidelines and Resources

Precise guidelines are followed in the selection of new faculty members to assure that the Affirmative Action Plan will be successful in this area of academic recruitment.

Provision is made for the Affirmative Action Director to meet with each faculty search committee to offer guidance in applying affirmative action procedures.

Each department chairperson and college dean maintains an up-to-date list of potential minority candidates from professional organizations, associations, and registries. Every position is advertised as broadly as possible.

These initiatives will be continued utilizing present staff and funding in the Affirmative Action Office.

The effectiveness of these initiatives will be measured by the actual results indicated in the annual Affirmative Action Plan. Any problems and/or suggestions for improvement will be discussed during the Affirmative Action staff's annual meetings with the deans.

Action: Peer Recruitment of Faculty and Administrators

Advance notice of all faculty and top level administrator vacancies is distributed to minority faculty and administrators for the purpose of establishing personal contacts leading to an effective recruitment of Black and Hispanic colleagues.

This initiative will be continued utilizing present staff and funding in the Affirmative Action Office.

The effectiveness of this initiative will be measured by the actual results reflected in the annual Affirmative Action Plan.

Action: Faculty Exit Interviews

The University's Operating Procedure 32.14, Vol. I provides for a standardized exit interview for all faculty members who leave the University. Attitudes toward the University and the reasons for leaving are ascertained. Items relating to equal employment and affirmative action are reviewed by the Affirmative Action Office for appropriate action.

This is a monitoring device that will be continued during the five years of the Texas Plan. It can provide constructive criticism and feedback on the success of the University's endeavors to retain minority faculty members. If problems exist, corrective measures will be initiated.



Action: Policy and Action Reviews

- a. All aspects relating to employment at Texas Tech University are periodically reviewed by the Affirmative Action Director, Personnel Director, and administrative staff to ensure that the goals and opportunities of the Affirmative Action Program will be realized. Representation on committees and decision-making bodies is reviewed annually to ensure a reasonable balance of women and minorities.

As previously mentioned in the statement of current employment conditions, the University has made progress toward increasing and retaining the proportion of Black and Hispanic faculty and staff through its existing programs.

- b. Classified employees receive a performance evaluation at least once a year. As a part of the procedure, each employee is rated on his or her "cooperation with the letter and spirit of Affirmative Action policy."
- c. To achieve the goal of equal pay for equal work, the salary structure and the classified personnel plan are reviewed annually. In addition, special reviews and remedies are provided on a case-by-case basis.
- d. Reviews are made to ensure that all job classifications and advertisements are totally job oriented and that recruitment and hiring are solely on the basis of position requirements.

The above on-going actions will be continued. No additional staff or funding is being requested at this time. The Affirmative Action Office coordinates with Personnel to monitor job classifications, description, and advertisements.

As previously mentioned, the University is currently in the process of implementing an automated human resources information system. When this system becomes fully operational in approximately two years, various aspects of personnel monitoring should be more efficient.

The reviewing, evaluating, and planning of equal opportunity programs are not static processes, but rather processes that are in continual stages of development and improvement.

During the five year period under the Texas Plan, the University may feel the necessity to develop and implement new equal opportunity programs in order to achieve its employment objectives. Additional funding and/or staffing might be required at some point.

## **B. Relationship to Initiatives**

The following section relates the institutional actions to the initiatives as defined in the Texas Educational Opportunity Plan for Higher Education, April 1989. The actions are given by name as described elsewhere in this plan. Several of the actions address more than one initiative and are therefore listed under more than one initiative.

### *A. Undergraduate Recruitment, Enrollment, and Retention*

- a. Increase the matriculation of black and Hispanic youth in community colleges, the Texas State Technical Institute, and four-year colleges by developing cooperative recruitment programs with middle and secondary schools.*

Action List: Bits and Bytes, TTU/GTE PREP, Youth Opportunities Unlimited (YOU), Upward Bound

- b. Increase the enrollment, retention, and graduation of minority students by increasing financial aid programs.*

Action List: TTU/GTE PREP, Texas Tech Excellence Awards

- c. Increase and improve remediation and developmental programs, with specific emphasis in reading, writing, and*

*mathematics[,] to increase the numbers of blacks and Hispanics who obtain degrees.*

Action List: Bits and Bytes, TTU/GTE PREP, TASP, TASP Mentoring Program, Program for Academic Support Services

- d. *Increase the proportions of minority students who obtain baccalaureate degrees by implementing counseling, advisement, mentoring, or other student service programs that create an hospitable environment and encourage success.*

Action List: TASP, TASP Mentoring Program, Hispanic State Conference/Culture Week, Black History Commemoration, Campus Participation, Professional Participation, Program for Academic Support Services, On-Campus Recruitment and Retention

- e. *Increase the number of minority students who transfer to baccalaureate degree-granting institutions from the primary feeder community colleges by developing articulation agreements that ensure a smooth transfer process and by informing students early in the freshman year of their options.*

Action List: General Recruitment, Special Mailouts, Course Equivalency Guides

B. *Enrollment in Graduate and Professional Schools*

- a. *Implement counseling, advisement, mentoring, or other student service programs in the undergraduate years to promote opportunities in the graduate and professional education for minority students.*

Action List: Hispanic State Conference/Culture Week, Black History Commemoration, TASP Mentoring Program, Minority Orientation, Special Mailouts, Minority Recruitment Events, On-Campus Recruitment and Retention, Recruitment and Retention by Colleges, Program for Academic Support Services

- b. *Recruit minority graduate students from a broad range of undergraduate institutions. Develop special programs to reach students in predominantly minority institutions.*

Action List: Recruitment and Retention by Colleges, School of Law--Placement Opportunities

- c. *Increase the percentage of primary and secondary public school teachers who are black or Hispanic by recruiting them into teacher education programs.*

Action List: Recruitment and Retention by Colleges

- d. *Increase the participation of minorities in education programs for the health profession.*

Action List: This initiative is addressed in the companion plan submitted by the Texas Tech University Health Sciences Center.

C. *Employment of Faculty and Professional Non-Faculty Staff*

- a. *Ensure that affirmative action plans are in place and implement them.*

Action List: Affirmative Action Plan, Affirmative Action Office, Affirmative Action Committee, Supervisor Orientation, Supervisor's Guide to Affirmative Action, Promotional Opportunities, Affirmative Action Information and Minority Recruitment Advertising, Faculty Search Committee Guidelines and Resources, Peer Recruitment of Faculty and Administrators, Policy and Action Reviews, Work Force Analysis

- b. *Implement recruitment programs to increase the proportion of black and Hispanic employees, including both faculty and professional non-faculty staff, in positions not requiring the doctoral degree. The proportion of employees who are black and the proportion who are Hispanic in any given occupation should be equal to or should exceed the proportion of blacks and Hispanics in that occupation in the relevant labor market.*

Action List: Peer Recruitment of Faculty and Administrators, Affirmative Action Information and Minority

Recruitment Advertising, Apprenticeship  
Program, Supervisor's Guide to Affirmative  
Action, Supervisor Orientation, Work Force  
Analysis

- c. *Implement recruitment programs to increase the proportion of black and Hispanic employees, both faculty and staff, in positions requiring the doctoral degree. The proportion of employees who are black and the proportion who are Hispanic should be at least equal to the proportion of blacks and Hispanics in that occupation in the relevant labor market.*

Action List: Faculty Search Committee, Peer Recruitment of Faculty and Administrators, Affirmative Action Information and Minority Recruitment Advertising, Apprenticeship Program, Supervisor's Guide to Affirmative Action, Supervisor Orientation, Work Force Analysis

- d. *Implement staff development programs that prepare minority faculty and staff to enter and advance in leadership roles within the institution and within his or her field of study. These programs should: (i) identify minorities with leadership potential; (ii) provide training in the development of leadership skills; (iii) identify current minority leaders to serve as role models; and (iv) identify methods for encouraging minority faculty and staff to be promoted.*

Action List: Promotional Opportunities, Supervisor's Guide to Affirmative Action, Supervisor Orientation

Part IX. Code of Student Conduct

A. General Policy

The preservation of freedom of discussion, inquiry, and expression is possible only in an environment in which the privileges of citizenship are protected and the obligations of citizenship are understood. Texas Tech University is committed to equitable, civilized, and concerned treatment for all individuals without regard for race, gender, creed, or national origin.



04.14

Retirement of University Employees\*

~~[(1) Mandatory Retirement\*~~

- ~~(A) Mandatory retirement of tenured faculty members and certified police officers will occur on or before the last day of the fiscal years in which the employee reaches age 70. Annual appointments after the mandatory retirement age of 70 may be recommended by the President for Board approval.~~
- ~~(B) The President may approve part time University employment for tenured faculty members and certified police officers age 70 or over whose appointments do not exceed one half time. Appointments for more than one half time may be recommended by the President for Board approval. All such appointments must be approved annually.]~~

~~[(2)]~~

(1) Voluntary Retirement

- (A) Voluntary retirement of an employee may occur when the employee elects to do so, is at least 55 years of age, has [10] 5 or more years of creditable State service and has not forfeited retirement benefits by withdrawing from the retirement program or by continuing other employment that accrues additional creditable service under on of the State's retirement programs.
- (B) The President may approve or delegate the approval of voluntary retirement for University employees.

~~[(3)]~~

(2) Disability Retirement

- (A) Employees who have at least 10 years of service and are unable to perform their assigned duties because they become permanently and totally disabled may be retired for disability [providing] provided that payment of benefits is approved either by the Teacher Retirement System or by the University if the employee is not a member of the Teacher Retirement System. Employees who have less than 10 years of creditable service may be retired for disability under the same conditions and draw benefits for a period of time equal to the number of months of creditable State service.
- (B) The President may approve or delegate the approval of disability retirement for University employees.

\*Board Minutes, TTU, August 3, 1984

\*\*Section (1) was revised, Board Minutes, TTU, January 30, 1987.

(page 2)

04.14

Retirement of University Employees

[~~4~~]

(3) Voluntary Retirement of Faculty Members with Option for Part-time Teaching

- (A) All full-time tenured faculty who have reached age 60 and have 10 or more years of service creditable for retirement under one of the State's authorized retirement programs may relinquish tenure and retire with an agreement for continued part-time teaching for less than one-half of the workload established for full-time faculty.
- (B) The President may approve or delegate the approval of voluntary retirement of faculty members with an option for part-time teaching.

Leaves of Absence

Approve leave without pay for Dr. Kathie Stromile Golden, Assistant Professor of Political Science, for the period August 1, 1989, to July 12, 1990. This leave is requested in order that she can do postdoctoral studies and research at the University of Illinois at Champaign. This will enhance her professional development and will ultimately benefit the institution and students.

Approve leave of absence without pay for Dr. W. P. Dayawansa, Assistant Professor of Mathematics, for the period September 1, 1989, to May 31, 1990. This leave is requested in order that he can spend the 1989 academic year at the Department of Electrical Engineering at the University of Maryland to enhance research capabilities, and continue collaboration with Texas Tech faculty on projects supported by the National Science Foundation.

Approve leave of absence without pay for Dr. Laurie J. Churchill, Assistant Professor of Classical and Romance Languages, for the period September 1, 1989, to August 31, 1990. This leave is requested in order that she may accept a one-year visiting appointment in Humanities Classics and Women's Studies at Ohio Wesleyan University, which appointment will enhance her research, teaching, and administrative expertise.

TEXAS TECH UNIVERSITY  
OPERATING BUDGET SUMMARY FOR FY 1990

	Unappropriated Balance	Estimated Income	Estimated Expenses	Unappropriated Balance
	----- 9/1/89	-----	-----	----- 8/31/90
Educational and General Funds	\$ (534,897)	\$ 95,130,386	\$ 94,948,868	\$ (353,379)
Designated Funds	15,015,196	23,275,622	22,888,859	15,401,959
Auxiliary Funds	3,680,794	48,271,009	48,006,780	3,945,023
Current Restricted Funds	601,080	1,845,184	1,827,195	619,069
Plant Funds	0	985,995	985,995	0
Agency Funds	0	215,559	215,559	0
	-----	-----	-----	-----
Total	\$ 18,762,173	\$ 169,723,755	\$ 168,873,256	\$ 19,612,672
	-----	-----	-----	-----
Service Departments	\$ 406,794	\$ 11,678,932	\$ 11,678,932	\$ 406,794
Retirement of Indebtedness	\$ 8,718,929	\$ 13,462,724	\$ 13,250,646	\$ 8,931,007

Board Minutes  
August 4, 1989  
Attachment No. M6  
Item M177

NO.	ACTIVITY	SOURCE OF FUNDS			REMARKS
		OTHER	INCOME	EXPENSE	
<u>BOARD APPROVAL:</u>					
<u>CURRENT RESTRICTED FUNDS:</u>					
	Various-Youth Opportunities Unlimited	\$ 0	\$ 332,550	\$ 332,550	Eight week training program funded by various governmental units
	SUBTOTAL, CURRENT RESTRICTED FUNDS	\$ 0	\$ 332,550	\$ 332,550	
	TOTAL BOARD APPROVAL	\$ 0	\$ 332,550	\$ 332,550	
<u>BOARD RATIFICATION:</u>					
<u>DESIGNATED FUNDS:</u>					
	AE3283 Men's Basketball Camp	\$ 0	\$ 162,500	\$ 162,500	To establish a budget for fiscal year 1989 basketball camp
	AE3781, Thornton Reef Cattle	0	374,139	374,139	To increase budget for purchase and resale of cattle for research purposes
	AE3205 Revolving				
	SUBTOTAL, DESIGNATED FUNDS	\$ 0	\$ 536,639	\$ 536,639	

NO.	ACTIVITY	SOURCE OF FUNDS			REMARKS
		OTHER	INCOME	EXPENSE	
<u>CURRENT RESTRICTED FUNDS:</u>					
CE3385	FY 89 TV Community Service Grant	\$ 0	\$ 174,113	\$ 174,113	Additional support grant for operations provided by Corporation for Public Broadcasting
CE3889	Texas Tech University Proctor Estate	0	176,300	7,500	To budget receipt of gift funds and establish operating expense budget for Proctor Estate ranch
CE4249	College Work Study Program	0	868,660	868,660	To establish FY 1990 budget for College Work Study Program
CE4252	Supplemental Education Grant	0	417,744	417,744	To establish FY 1990 budget for Supplemental Education Grant
CE4507	Pell Grant 89/90	0	5,016,500	5,016,500	To establish FY 1990 budget for Pell Grant
SUBTOTAL, CURRENT RESTRICTED FUNDS		\$ 0	\$6,653,317	\$ 6,484,517	
TOTAL BOARD RATIFICATION		\$ 0	\$7,189,956	\$ 7,021,156	
TOTAL		\$ 0	\$7,522,506	\$ 7,353,706	



(page 3)

04.04

Budget Rules and Procedures

(4) BUDGET ADJUSTMENTS

Adjustments to the annual operating budget or to any other expenditures requiring Board approval are defined in the following sections. Adjustments may not be split to fall within lower levels of approval.

(A) Board of Regents approval is required prior to effective date of action for:

1. Adjustments which establish a new budget for or increase an existing one by an amount of \$250,000 or more.
2. Adjustments which appropriate funds from E&G unappropriated balances.
3. Adjustments to salaries not required by law for the President, the Executive Vice President and Provost, a Vice Provost, a Vice President, a Dean, or an Executive Director.
4. In an emergency, adjustments of \$250,000 or more may be approved by either the Chairman of the Board or Chairman of the Finance Committee with subsequent ratification at the next regular Board meeting.

(B) Presidential approval and approval by either the Chairman of the Board or Chairman of the Finance Committee is required prior to effective date of action with subsequent ratification by the Board at the next regular meeting for the following:

1. Adjustments which establish a new budget for or increase an existing one by an amount of \$100,000 to \$249,999.
2. Adjustments to the salary of an administrative head who reports directly to the President, or the Executive Vice President and Provost, ~~-a Vice President, -Dean, -or Executive-Director.~~

(page 5)

04.04

Budget Rules and Procedures

- (E) Research contracts, grants, and sponsored projects are to be approved as follows:
1. Research contracts, grants, and sponsored projects submitted for an initial award of \$250,000 or more require approval of the President or, in his absence, the Executive Vice President and Provost, or the Vice President for Fiscal Affairs, and the subsequent concurrence of either the Chairman of the Board or Chairman of the Finance Committee. To meet an agency deadline, research proposals may be submitted prior to regental concurrence; however, if such concurrence is not received within 30 days, the proposal will be withdrawn. Regental approval of a contract or grant constitutes authority to accept the award and establish a maximum budget equal to the amount of the contract without further Board approval.
  2. Research contracts and grants of amounts less than \$250,000 must be approved by either the Executive Vice President and Provost or the Vice President for Fiscal Affairs.
  3. Budget adjustments of more than \$100,000 and supplementary awards and renewal proposals of more than \$250,000 are to be approved by the Executive Vice President and Provost and the Vice President for Fiscal Affairs, with a summary report of all such changes presented quarterly to the Board.
- (F) Self-supporting Continuing Education or Extension courses held either on or off-campus are to be approved as follows:
1. Budgets for Continuing Education or Extension courses funded from individual student fees for \$250,000 or more require approval of the President or, in his absence, the Executive Vice President and Provost, the Vice President for Fiscal Affairs, and the concurrence of either the Chairman of the Board or Chairman of the Finance Committee.
  2. Budgets for Continuing Education or Extension courses funded from individual student fees at amounts of less than \$250,000 must be approved by the University's Budget Office and either the Executive Vice President and Provost or the Vice President for Fiscal Affairs.

04.05

Contracting Policy and Procedures

(2) Approval of the Board of Regents is Required for:

- (A) Contracts which involve a stated or implied consideration of \$250,000 or more, unless a different consideration is specified by this policy. This is applicable to both cash and non-cash considerations.
- (B) Contracts which provide for the services of a consultant with a consideration of \$10,000 or more or modification of that contract with a consideration of \$10,000 or more.
- (C)
- ~~(B)~~ Contracts which involve the sale or a lease of land for more than 4 years or which involve a commitment of funds or of other resources for more than 4 years.
- (D)
- ~~(C)~~ Contracts which provide that the institution shall be paid a commission from the proceeds received from vending machines, games, or any other coin-operated food, refreshment and amusement devices placed in service in any facility owned, operated, or controlled by the University.
- (E)
- ~~(D)~~ Unless prohibited by law, emergency approval may be given for a contract by individual verbal approval of the Chairman of the Board or the Chairman of the Finance Committee and four other Board members.
- (F)
- ~~(E)~~ Contracts in this category are to be signed by the Chairman of the Board or the President, as specified in the Board order approving it; such contracts shall be filed with the Secretary of the Board of Regents.

09.08

Tuition and Fees Installment Payment Options\*

- (1) Texas Education Code, Section 54.007, provides that state-supported institutions of higher education shall provide students with the election to pay tuition and fees using one of the following alternatives:
  - (a) Full payment of tuition and fees in advance of the beginning of the semester;
  - ~~(b) One-half payment of tuition and fees in advance of the beginning of the semester and one-half payment prior to the start of the eighth class week; or~~
  - (c) One-fourth half payment of tuition and fees in advance of the beginning of the semester and separate one-fourth payments prior to the fourth; eighth; sixth and twelfth eleventh class weeks.
- (2) The administration shall develop procedures which will provide that students may elect to pay tuition and fees using ~~one of~~ the payment alternatives.
- (3) The administration is authorized to establish payment due dates in advance of the beginning of a semester and prior to the ~~fourth; eighth; sixth and twelfth eleventh~~ class weeks which will insure that required payments have been received and student records have been appropriately updated on the dates required by law.
- (4) If a student elects to pay tuition and fees ~~using the one-half or one-fourth~~ payment alternative, he or she shall be assessed an installment option fee in addition to the required payment of tuition and fees. The fee developed and recommended for approval shall reflect all costs incurred in operating and handling payments under the installment alternative. The rates of the fee shall be approved by the Board of Regents.
- ~~(5) As provided by law, if a student who has elected to pay tuition and fees by installment fails to make a payment, including installment option fee and any late payment penalty which might be assessed, by the established due date, then that student shall not be permitted to attend the classes in which he or she is enrolled until such time as the full payment due is made. The Executive Vice-President and Provost is directed to develop procedures to insure compliance with this statutory requirement.\*\*~~
- (65) If a student who has elected to pay tuition by installment fails to pay in full all amounts of tuition, other registration fees, installment option fee, late payment fees, and other authorized fees by the end of the working day of the last day of the semester, then he

\*Board Minutes, TTU, August 2, 1985

\*\*Title change, Board Minutes, TTU, May 12, 1989

(page 2)

09.08

Tuition and Fees Installment Payment Options

or she shall not be given credit or grade for any course in which the student was enrolled for that semester. The student's transcript shall be marked to indicate that the student did not complete the required payments for that semester. Subsequently, and under procedures established by the administration, if the student wishes to receive the credit or grade, then upon payment in full of the entire amount due, the student's transcript shall be changed to reflect the credits or grades earned in the courses by the student in that semester.

- (6) The administration shall develop procedures that will insure that students are notified of the requirements, provisions, and penalties of the installment payment options.

8. To authorize and approve all travel of employees of Texas Tech University, except that to countries outside the United States other than United States possessions, Canada and Mexico, provided that such travel contributes to the mission of the University and is in accordance with current travel regulations and who may further delegate their authority, effective August 4, 1989, through August 31, 1990:

President  
Executive Vice President and Provost  
Vice Provost for Academic Affairs  
Vice Provost for Research Services  
Vice President for Fiscal Affairs  
Vice President for Student Affairs  
Vice President for Development  
Vice President and General Counsel  
Vice President for Governmental Relations  
Dean of the College of Agricultural Sciences  
Dean of the College of Architecture  
Dean of the College of Arts and Sciences  
Dean of the College of Business Administration  
Dean of the College of Education  
Dean of the College of Engineering  
Dean of the College of Home Economics  
Dean of the Graduate School  
Dean of the School of Law  
Director of Athletics  
Director of Planning  
Director of University News and Publications.



- b. To approve official travel reimbursement from State appropriations and all other funds for officers and employees of Texas Tech University provided that the purpose of the travel and the reimbursement for such are in accordance with State travel regulations, other statutory requirements, or other action promulgated by this Board effective August 4, 1989, and to continue until such time as they are separated from the University or assigned other responsibilities:

Robert W. Lawless, President

Donald R. Haragan, Executive Vice President and Provost

Don E. Cosby, Vice President for Fiscal Affairs

Max C. Tomlinson, Associate Vice President for Business Affairs and  
Comptroller

Lisa K. Bradway, Assistant Vice President for Finance

Charlie L. Stallings, Assistant Comptroller

Steve R. Pruitt, Director of Accounting Services

Karen L. Evans, Manager of Accounting Services

Ted W. Johnston, Manager of Grants and Contracts Accounting

James E. Meiers, Manager of Business Services

Sue Higgins, Financial Systems Coordinator

Deana Miller, Accounting Group Supervisor

Lynda Foster, Accounting Group Supervisor

David Fisher, Senior Accountant

Connie F. Evans, Senior Accountant

June Linker, Senior Accountant.

- c. For approval and payment of all accounts covering expenditures for State appropriated funds and all other University controlled funds, effective August 4, 1989, and to continue until such time as they are separated from the University or assigned other responsibilities:

Don E. Cosby, Vice President for Fiscal Affairs  
Max C. Tomlinson, Associate Vice President for Business Affairs and  
Comptroller  
Lisa K. Bradway, Assistant Vice President for Finance  
Charlie L. Stallings, Assistant Comptroller  
Steve R. Pruitt, Director of Accounting Services  
Karen L. Evans, Manager of Accounting Services  
Ted W. Johnston, Manager of Grants and Contracts Accounting  
James E. Meiers, Manager of Business Services  
Gloria J. Hale, Manager of Payroll  
Sue Higgins, Financial Systems Coordinator  
Deana Miller, Accounting Group Supervisor  
Lynda Foster, Accounting Group Supervisor  
Gerie L. Pirkey, Chief Accountant  
David Fisher, Senior Accountant  
Connie F. Evans, Senior Accountant  
June Linker, Senior Accountant  
Barbara George, Accountant  
Melba Parchman, Accountant.

- d. To sign and/or countersign checks drawn on the Revolving Fund and all other checking accounts of the University in any depository bank, except the University's Cashier's Account in the American State Bank, Lubbock, Texas, effective August 4, 1989, and to continue until such time as they are separated from the University or assigned other responsibilities and further provided that any mechanically signed check of \$10,000.00 or more shall be reviewed and manually signed by one of the employees listed who may sign or countersign:

Employees who may sign or countersign:

Don E. Cosby, Vice President for Fiscal Affairs  
Max C. Tomlinson, Associate Vice President for Business Affairs and  
Comptroller  
Lisa K. Bradway, Assistant Vice President for Finance  
Charlie L. Stallings, Assistant Comptroller  
Steve R. Pruitt, Director of Accounting Services  
Ted W. Johnston, Manager of Grants and Contracts Accounting  
Karen L. Evans, Manager of Accounting Services

Employees who may countersign only:

Gloria J. Hale, Manager of Payroll  
Deana Miller, Accounting Group Supervisor  
Lynda Foster, Accounting Group Supervisor.

- e. To sign and/or cashier's check drawn on the University's Cashier's Account in the American State Bank, Lubbock, Texas, effective August 4, 1989, and to continue until such time as they are separated from the University or assigned other responsibilities and further provided that any mechanically signed check of \$10,000.00 or more shall be reviewed and manually signed by one of the employees listed who may sign or countersign:

Employees who may sign or countersign:

Don E. Cosby, Vice President for Fiscal Affairs

Max C. Tomlinson, Associate Vice President for Business Affairs and  
Comptroller

Lisa K. Bradway, Assistant Vice President for Finance

Charlie L. Stallings, Assistant Comptroller

Steve R. Pruitt, Director of Accounting Services

Ted W. Johnston, Manager of Grants and Contracts Accounting

Karen L. Evans, Manager of Accounting Services

Deana Miller, Accounting Group Supervisor

Lynda Foster, Accounting Group Supervisor

Employees who may countersign only:

W. Todd Walker, Accountant.

- f. To sign and/or countersign checks drawn of the University's Financial Aids Cashier's Account in the American State Bank, Lubbock, Texas, effective August 4, 1989, and to continue until such time as they are separated from the University or assigned other responsibilities and further provides that any mechanically signed check of \$10,000.00 or more shall be reviewed and manually signed by one of the employees listed who may sign or countersign:

Employees who may sign or countersign:

Don E. Cosby, Vice President for Fiscal Affairs  
Max C. Tomlinson, Associate Vice President for Business Affairs and  
Comptroller  
Charlie L. Stallings, Assistant Comptroller  
Ronny Barnes, Assistant Vice President for Student Affairs  
Tommie Beckwith, Associate Director of Financial Aids  
Rodney Carpenter, Assistant Director of Financial Aids  
Steve R. Pruitt, Director of Accounting Services  
Ted W. Johnston, Manager of Grants and Contracts Accounting

Employees who may countersign only:

W. Todd Walker, Accountant.

- g. To authorize transfers, by wire or other means, of funds between Texas Tech University depositories, effective August 4, 1989, and to continue until such time as they are separated from the University or assigned other responsibilities:

Employees who may authorize or counter authorize:

Don E. Cosby, Vice President for Fiscal Affairs

Max C. Tomlinson, Associate Vice President for Business Affairs and  
Comptroller

Lisa K. Bradway, Assistant Vice President for Fiance

Steve R. Pruitt, Director of Accounting Services

Robert J. Hall, Director of Cash Management and Bursar

Winnie Long, Assistant Bursar - Cash Management.



MANAGEMENT PLAN FOR PYRAMID PLAZA

The Pyramid Plaza building is located at 3223 South Loop 289 in Lubbock, Texas. The title transferred to Texas Tech University on this property March 1, 1989. The building includes 92,248 square feet of usable building space and 102,049 gross square feet including an open atrium. The property is 6.41 acres of land and has 520 parking spaces.

The management plan shall incorporate the following conditions:

1. that the plan continue in effect through December 31, ~~1991~~ 1993 unless modified by action of the Board of Regents.
2. that a minimum of 50 percent occupancy by non-university users be maintained.
3. that the level of contribution by University and Health Sciences Center users be based on their share of operating cost.
4. that current leases be honored and the existing lease document format be continued, subject to approval of the University General Counsel.
5. that the Office of Facility Planning and Construction be responsible for building management.

At a meeting of the Board of Regents of Texas Tech University on \_\_\_\_\_, 19\_\_\_\_, with a quorum present, the following was voted on and approved:

Those persons occupying the following positions among the officers of Texas Tech University, shall be known as the Managerial Group, having the authority and responsibility for the negotiating, execution, and administration of User Agency contracts, as ascribed in DoD 5220.22-M, "Industrial Security Manual for Safeguarding Classified Information."

President

Executive Vice President and Provost

Vice President for Fiscal Affairs

Vice Provost for Research

The President and other members of the Managerial Group are being processed for a personnel security clearance for access to classified information to the level of the facility security clearance granted to this institution, as provided for in the aforementioned industrial security manual.

The said Management Group is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the Department of Defense or User Agencies of the Industrial Security Program awarded to Texas Tech University.

The following named officers and members of the Board of Regents shall not require, shall not have, and can be effectively excluded from, access to all classified information in the possession of Texas Tech University, and do not occupy positions that would enable them to affect adversely the policies and practices of Texas Tech University in the performance of any classified contracts for the Department of Defense or User Agencies of its Industrial Security Program, awarded to Texas Tech University, and need not be processed for a personnel security clearance.

#### BOARD MEMBERS

Mr. J. Fred Bucy

Gen. Richard E. Cavazos

Mr. Rex Fuller

Mr. J. L. Gulley, Jr.

Mr. Carey Hobbs

Mr. J.L. "Rocky" Johnson

Mr. Wendell Mayes, Jr.

Dr. Wm. Gordon McGee

Mr. Alan B. White

PROVOST'S REPORT

Thank you, Mr. Chairman. I appreciate this opportunity to update the Board on activities at Texas Tech, and I'm particularly grateful for the five minutes you've allowed me for this purpose.

Actually, when I asked Dr. McGee how long he wanted me to speak, he said, "Haragan, you can speak as long as you want to. I'm leaving at 10:30." I think I got the message, so I'll be brief.

There are several new programs and initiatives in the process of implementation at Texas Tech, each of which I could discuss for more than my allotted time. Among them are the new undergraduate admission requirements, the TASP test which is being initiated this year, new General Education requirements, which are also being implemented this year, new programs in recruiting and retention, and several others. However, I've decided to use the time this morning to discuss the academic planning process -- where we've been, and where we're going.

Two years ago, the Academic Council initiated a strategic planning program aimed at the development of a set of institutional goals and objectives. We first asked ourselves what Texas Tech University wants to be. While the answer came as no surprise to any of us, it was important that it be articulated. Our goal was to become a comprehensive undergraduate and doctoral granting research university of the first class. Whenever higher education was discussed in Texas, we wanted Texas Tech to have a place on the agenda. Specific objectives were discussed at a retreat at the Junction Center in the summer of 1987. At that time, three primary thrusts were identified as being fundamental to the accomplishment of our goal.

The first of these was quality control at the undergraduate level. Secondly, the development of our graduate programs, particularly at the doctoral level. And third, a major initiative to increase research funding in those areas where funding is necessary and available. Subsequent to the meeting, a fourth initiative was identified -- that being an enhanced development effort to increase endowment earmarked for academic excellence.

As a result of the meeting, new admission standards were recommended to this Board, leading to the approval of a three year plan which is now in place and being implemented this year. An initial progress report on the effectiveness of the new standards was given at the Committee meeting yesterday and won't be repeated here, except to say that it appears to be working.

In addition, stipends for undergraduate and graduate recruiting were recommended. In October, 1988, a second retreat in Junction focused on undergraduate recruiting and retention, student financial aid, graduate program development priorities, and growth and development of the Research Foundation. At this meeting, the importance of the stipends was re-emphasized and it was decided to provide additional funding for the Office of Financial Aid, in addition to those offices responsible for recruiting and retention. This has been done, and is reflected in the budget you approved today.

Two other initiatives which resulted from discussions at this meeting, were creation of the Offices of International Affairs, and Institutional Research.

A third retreat, scheduled once again at the Junction Center, will be held October 29th through the 31st this fall, and we hope some of the Board members can attend. One of our objectives at this meeting will be to coordinate the program we have put in place with the planning initiatives of the new President. Dr. Lawless has already expressed his support for graduate program development, and this will be a primary focus at the meeting. In addition, we plan to discuss development initiatives and academic priorities for private fund solicitation, which will be passed along as recommendations to the President. Invitations will be issued to each of you when planning is complete, but I ask that you mark October 29 through 31 on your calendars now. I feel very strongly that decisions which the President will ultimately make, must be based on discussions which are participatory among Regents, the President, administrators and faculty. They will take time, they will require aggressive listening, they will invite controversy, and they will need a degree of consensus to be effective.

I'm excited about the prospects for success. I think the leadership, as well as a quality faculty and staff, are in place to allow us to achieve our objectives, and I'm looking forward to working in concert with the President and this Board to make things happen.

TEXAS TECH UNIVERSITY  
Lubbock, Texas

TABLE OF CONTENTS

FOR BOARD INFORMATION

	<u>Description</u>	<u>Page</u>
1.	Professorial Appointments - May through July, 1989 -----	1
2.	Professorial Resignations and/or Terminations - May through July, 1989 -----	4
3.	Report of Official Travel Cumulative by Fiscal Quarter - Fiscal Year 1989 -----	6
3a.	Report in Accordance with Board Policy, No. 04.23 -----	7a
4.	<u>Contracts</u>	
a.	First National Bank at Lubbock - Banking Facility -----	8
b.	H. R. Bundock, Inc. - Meats Lab Addition and Renovation, Amendment No. 1 -----	13
c.	Fanning, Fanning and Associates, Inc. - Central Heating and Cooling Plant #2 Emergency Power Connection -----	14
d.	Knox, Gailey & Meador, Inc. - Science Building Renovation --	21
e.	McKinley and Associates, Inc. - Asbestos Abatement Residence Halls -----	24
5.	<u>Grants and Bequests</u>	
a.	Summary, Texas Tech University, Texas Tech University Foundation, Texas Tech University Health Sciences Center, Texas Tech Medical Foundation - June, 1989 -----	30
b.	Summary, Texas Tech University and Texas Tech University Foundation - June, 1989 -----	31
c.	Summary, Texas Tech University - June, 1989 -----	32
d.	Summary, Texas Tech University Foundation - June, 1989 -----	35

TEXAS TECH UNIVERSITY  
Lubbock, Texas

1. For Information Only: Professorial Appointments  
May, 1989 through July, 1989

<u>Name, Rank, and/or Title</u>	<u>Department or Office</u>	<u>Appointment Period</u>
Acosta, Veronica M. Assistant Professor	Health, Physical Educ. & Recreation	09/01/89 - 05/31/90
Baker, Mary C. Assistant Professor	Electrical Engineering	09/01/89 - 05/31/90
Billing Jr., John Visiting Assistant Professor	Park Admin. & Landscape Architecture	09/01/89 - 05/31/90
Blanton, Richard Assistant Professor	Biological Sciences	09/01/89 - 05/31/90
Boal, Kimberly Visiting Assistant Professor	Business Administration	07/16/89 - 08/31/89
Campbell, Trudy Assistant Professor	Education	09/01/89 - 05/31/90
Doerfert, David L. Assistant Professor	Agricultural Education & Mechanization	09/01/89 - 05/31/90
Dragga, Sam Associate Professor	English	09/01/89 - 05/31/90
Dunham, Charlotte Assistant Professor	Sociology	09/01/89 - 05/31/90
Floyd, Tim W. Associate Professor	Law	07/16/89 - 05/31/90
Ford, Roger Assistant Professor	Industrial Engineering	07/01/89 - 05/31/90
Fryman, John Assistant Professor	Mass Communications	09/01/89 - 05/31/90
Gianno, Rosemary Visiting Assistant Professor	Anthropology	09/01/89 - 05/31/90
Herrman, Joseph Visiting Assistant Professor	Mathematics	09/01/89 - 05/31/90

Lampe, James Professor	Business Administration	09/01/89 - 05/31/90
Li, Hua Assistant Professor	Computer Science	09/01/89 - 05/31/90
Lychyk, Victor Assistant Professor	Germanic & Slavic Lang.	09/01/89 - 05/31/90
McVay Jr., Ted Assistant Professor	Classical & Romance Lang.	09/01/89 - 05/31/90
Metzger, Janet Assistant Professor	Speech Communication	09/01/89 - 05/31/90
Miller, Carolyn Assistant Professor	Education	09/01/89 - 05/31/90
Mohamed, Fouad Assistant Professor	Mathematics	09/01/89 - 05/31/90
Moorhead, Daryl L. Assistant Professor	Biological Sciences	01/16/90 - 05/31/90
Munsch, Joyce Assistant Professor	Human Development & Family Studies	09/01/89 - 05/31/90
Narayan, Raghu Professor & Chairperson	Chemical Engineering	06/01/89 - 08/31/90 09/01/89 - 05/31/90
O'Hair, Henry D. Associate Professor & Chairperson	Speech Communication	09/01/89 - 05/31/90
O'Hair, Mary Assistant Professor	Education	09/01/89 - 05/31/90
Overby III, Lawrence A. Assistant Professor	Psychology	09/01/89 - 05/31/90
Robert, Jacalyn Assistant Professor	Health, Physical Educ. & Recreation	09/01/89 - 05/31/90
Shuboy, Victor Assistant Professor	Mathematics	09/01/89 - 05/31/90
Stevens, Michael Assistant Professor	Education	09/01/89 - 05/31/90
Swafford, Jeanne Assistant Professor	Education	09/01/89 - 05/31/90
Taraban, Roman Assistant Professor	Psychology	09/01/89 - 05/31/90



Walsh, Kelly Visiting Assistant Professor	Art	09/01/89 - 05/31/90
Weber, Robert Assistant Professor	Health, Physical Educ. & Recreation	09/01/89 - 05/31/90
Wright-Strawderman, Carol Assistant Professor	Education	09/01/89 - 05/31/90
Zack, Maria Assistant Professor	Mathematics	09/01/89 - 05/31/90

TEXAS TECH UNIVERSITY  
Lubbock, Texas

For Information Only: Professorial  
Resignations and/or Terminations  
May, 1989 through July, 1989

2.

<u>Name, Rank, and/or Title</u>	<u>Department or Office</u>	<u>Effective Date</u>
Baliga, Rajaram Associate Professor	Business Administration	08/31/89
Barker, Bruce Assistant Professor	Education	08/31/89
Becvar, Dorothy Stroh Assistant Professor	Human Development & Family Studies	09/01/89
Butler, Sally Assistant Professor	Park Administration & Landscape Architecture	05/31/89
Chesser, Ronald K. Associate Professor	Biological Sciences	07/01/89
Cunningham, Donald Professor	English	08/31/89
*Deethardt, John Professor	Speech Communication	07/15/89
Everett, Donna Assistant Professor	Education	07/16/89
Fortenberry, Sally Assistant Professor	Merchandising, Environmental Design, & Consumer Economics	05/31/89
*Gott, Preston Associate Professor	Physics	08/01/89
Hartman, Bernard Professor	Biological Sciences	07/31/89
Hayes, David K. Professor	Education, Nutrition & RHIM	07/31/89
Hildreth, Bertina Assistant Professor	Education	08/31/89
Iron, Thomas R. Associate Professor	Education	08/31/89

Ishler, Richard E. Professor & Dean	Education	07/01/89
Johnson, D. Lamont Professor	Education	08/31/89
Kozar, Bill Associate Professor	Health, Physical Education, & Recreation	07/15/89
Lehrman, Phillip Associate Professor	Music	05/31/89
*McNally, James Associate Professor	Health, Physical Education, & Recreation	07/15/89
*Maxwell, Henry Professor	Classical & Romance Languages	05/31/89
Morrissey, Marietta Associate Professor	Sociology	05/31/89
Powers, Kathleen Assistant Professor	Business Administration	07/16/89
*Rogers, Ruth Professor	Health, Physical Education, & Recreation	07/15/89
Roper, Brent Associate Professor	Sociology	05/31/89
Steele, Connie Associate Professor	Human Development & Family Studies	08/31/89
Szabo, Joyce Assistant Professor	Art	08/31/89

\*Retiring

Texas Tech University  
Report of Official Travel  
Cumulative by Fiscal Quarter  
Fiscal Year 1989

3.

I. Summary and Comparison of Travel Costs by Expenditure Classification.

	This Year Quarter <u>I,II&amp;III</u>	Last Year Quarter <u>I,II&amp;III</u>
(a) Commercial Airfare	\$ 1,033,523.02	\$ 902,579.91
(b) Personal Auto Mileage	96,763.74	94,222.67
(c) Automobile Rental	116,386.44	87,772.71
(d) Per diem (In-State)	269,514.28	286,987.55
(e) Meals and Lodging (Out-of-State)	429,773.14	322,013.63
(f) All other, including registration fees, charter aircraft, taxi, limousine fares, etc.	<u>911,564.95</u>	<u>948,008.99</u>
Totals	<u>\$ 2,857,525.57</u>	<u>\$ 2,641,585.46</u>

II. Percent of total travel cost incurred by purpose for Quarters I, II & III of this fiscal year.

	<u>Percent of Total Travel Cost</u>			
	<u>In-State</u>	<u>Out-of- State</u>	<u>Out-of- Country</u>	<u>Total</u>
(a) To present an original research paper	1.13	5.01	1.15	7.29
(b) Required for research project	.95	1.33	.43	2.71
(c) Attendance at profes- sional meeting, workshop, conference, seminar, etc.	25.89	39.82	3.97	69.68
(d) To perform official business and duties	11.39	6.21	.31	17.91
(e) Multi-purpose meeting/ paper	<u>.29</u>	<u>.80</u>	<u>1.32</u>	<u>2.41</u>
Totals	<u>39.65</u>	<u>53.17</u>	<u>7.18</u>	<u>100.00</u>

Texas Tech University  
Report of Official Travel  
Page 2

III. Cities traveled to and number of trips (5311) for the purposes shown in Section II and for Quarters I, II & III.

- (a) In-State : Amarillo (163), Austin (505), Corpus Christi (41), Dallas/Fort Worth (663), El Paso (120), Houston (297), Midland/Odessa (82), San Antonio (191), West Texas Area (591), Others (633).
- (b) Out-of-State : Albuquerque (81), Chicago (53), Los Angeles (39), New Orleans (122), New York (30), San Francisco (64), Washington, D.C. (156), Others (1360).
- (c) Out-of-Country: Torreon, Mexico (2); Tokyo, Japan (3); Toronto, Canada (12); Beijing, China (18); Vienna, Austria (1); Cambridge, London (1); Guayaquil, Ecuador (1); Upsala, Sweden (1); Oldenburg, W. Germany (1); Gatwick, London (1); Bamberg, W. Germany (1); Helsinki, Finland (1); Munich, Germany (1); Monterrey Nuevo, Mexico (3); Tubingen, W. Germany (1); Belfast, Ireland (1); Milan, Italy (1); Sydney, Australia (5); Buenos Aires, Argentina (2); Alberta, Canada (2); Ottawa, Canada (4); Puebla, Mexico (5); Lucerna, Mexico (1); Warwick, United Kingdom (1); Garmisch-Parten Kinchen, W. Germany (1); Cairns, Australia (1); London, England (4); Edmonton, Canada (1); Zurich, Switzerland (1); Tianjin, China (2); Nice, France (1); Paris, France (3); Caracas, Venezuela (2); Frankfurt, W. Germany (1); Sardina, Italy (1); Brisbane, Australia (1); Mexico City, Mexico (3); Rio De Janero, Brazil (2); San Juan, Puerto Rico (1); Rabido, Spain (1); Luxembourg, Germany (1); Nanjing, China (1); Geneva, Switzerland (1); Calcutta, India (1); San Jose, Costa Rica (1); Leon, Mexico (8); Quito, Ecuador (1); Quatrociénegas, Mexico (1); Vancouver, British Columbia (1); San Josecito, Mexico (1); Speyer, West Germany (1); Manchester & Liverpool United Kingdom (1); New Cobar, South Wells (1); Montreal, Canada (2); Cambridge, United Kingdom (1); Calgary Alberta, Canada (1).

Board of Regents  
Texas Tech University  
August 4, 1989

- 3a. For Information only: Report in Accordance with  
Board Policy, Number 04.23

<u>Employee</u>	<u>Administrative Supervisor</u>	<u>Prohibited Relationship</u>
Paige Dayton Lecturer English Department	Jeffrey R. Smitten Chairman English Department	Spouse

First National Bank at Lubbock - Banking Facility

a. The following Contract No. MU519 with First National Bank at Lubbock to provide a banking facility on campus is entered for informational purposes. Execution of this contract was authorized in the Minutes of May 12, 1989, Item M138.

Contract No. MU519

AGREEMENT

THIS AGREEMENT, made and entered into by and between Texas Tech University, Lubbock, Texas, hereinafter referred to as University and First National Bank at Lubbock, Lubbock, Texas, hereinafter referred to as Contractor.

WHEREAS, the Contractor is desirous of providing a Banking Facility on campus and the University is desirous of providing such facility for use by its faculty, staff and students:

NOW THEREFORE, in consideration of the premises and promises herein contained, the parties do hereby agree to the following:

1. BANKING SERVICES

The Contractor will provide the following services:

- (1) Student Loans
- (2) Standard Checking Accounts
- (3) Interest Checking Accounts
- (4) Money Market Accounts
- (5) Savings Accounts
- (6) Visa and MasterCard
- (7) Preferred Plus Line of Credit
- (8) Automatic Teller Machine and Cards (IMPACT)
- (9) Travelers Checks
- (10) Money Orders
- (11) Certificates of Deposit

Additional services may be provided in the future as they become available and upon being mutually agreed to by both parties.

2. OPERATIONS

The Contractor's operating hours shall be 8:30 A.M. to 5:00 P.M., Monday through Friday. All banking holidays will be observed, however, the Contractor may operate on the University's schedule if a variation is obtained.



The Contractor shall, at all times, comply with all Federal, State and Local regulations and be responsible for obtaining all licenses and permits and payment of all taxes respectively.

3. DESCRIPTION OF SPACE

The Banking Facility shall be located in the University Center in a space containing approximately 657 square feet. (See Attachment A)

4. LEASE AMOUNT

The annual lease amount shall be \$11,169 which will be paid \$930.75 monthly. Payments are due in advance on or before the 5th day of the month and are to be mailed to: Director, University Center, Texas Tech University, P. O. Box 4310, Lubbock, Texas 79409-2031.

Annual adjustments to the lease amount will be tied to fluctuations in the Consumer Price Index (CPI) as checked on the 1st day of February of each lease year. Adjustments will be made to March 1 payments and such adjustments will remain in effect until the following March.

5. AUTOMATED TELLER MACHINES (ATM)

The University reserves the right to lease space for the operations of ATM's. The Contractor may install and operate an ATM without the charge of a rental fee.

The specific location must be mutually agreed upon by the Contractor, University Center, and Facility Planning and Construction Office.

6. UTILITY SERVICE

The University Center will provide sufficient electrical service and heating, ventilation, and air conditioning (HVAC) through the existing systems to the Contractor at no cost. Any changes or upgrading of the HVAC system will be at the expense of the leasing institution. Telephone service will be specified and paid for by the contractor.

7. MAINTENANCE AND REPAIR

All maintenance and repair of the area will be the responsibility of the Contractor with the exception of the structure (foundation, floors, walls, windows, ceiling, and roof) and electrical delivery system (electrical panels, wiring, lighting instruments, and receptacles). Should the Contractor elect to replace functioning lighting fixtures or expand or upgrade existing electrical service, this will be at their expense. The Contractor will provide reasonable access to the University Center staff for the purpose of making alterations and repairs to any components of the structure and electrical system as necessary. Reasonable access will also be granted to the telephone panel located in the closet adjacent to the large space on the east side of the lease area and the electrical panel on the south wall of that space.

8. IMPROVEMENTS

Any improvements to the space by the Contractor prior to the time of occupancy, or thereafter, will be paid for by the Contractor. Plans for remodeling must have the approval of the University Center and the Facility Planning and Construction Office and are subject to all prevailing codes. Code information requests should be addressed to the Facility Planning and Construction Office. Subsequent improvements and alterations will be subject to the same procedures. All alterations, additions, and improvements, with the exception of removable fixtures, furniture, furnishings, appliances, and equipment, will become the property of the University without any obligation to pay therefor. Contractor may be required to restore the leased premises to the same condition that it was prior to the agreement at the University's option upon expiration of the contract.

9. SIGNAGE

Plans for proposed interior signage must be approved by the University Center and Facility Planning and Construction Office prior to erection. No exterior signage will be permitted.

10. CUSTODIAL SERVICES

The University Center will provide customary custodial services as part of this agreement. Contractor must provide the University Center staff reasonable access to the lease space, if they desire such services.

11. PARKING

Reserved parking spaces will be made available to all staff assigned to the University Center branch banking operation at the prevailing rate charged to Faculty and Staff. Armored services vehicles are allowed to park curbside adjacent to the building to transact their business. Guests visiting the facility will be issued guest passes at the entry stations and allowed to park in visitor's lots near the building.

12. SECURITY OF PREMISES

The University Center will provide best efforts to maintain the security of the building. Contractor shall be fully responsible for the security of all leased spaces, alarms, and locks. A list of all individuals who have access to the space must be on file with the University Center and the Department of Police Services. The University may require that one set of keys allowing access to the space be in the custody of the Department of Police Services in case of emergencies. Keys to the exterior doors of the building will be issued to a limited number of individuals on the bank staff upon request. All necessary alarms and security devices will be installed at the expense of the Contractor.

13. ASSIGNMENT & SUBLETTING

The branch banking operations will not be transferable or assignable except upon written approval of the University.

14. INSURANCE COVERAGE REQUIREMENTS

The Contractor will be required to furnish insurance certificates, ~~with Texas Tech University named as an additional insured,~~ providing the following coverage:

<u>TYPE OF COVERAGE</u>	<u>LIMITS OF LIABILITY</u>	
1. Worker's Compensation	Statutory	
2. Employer's Liability	\$100,000 each occurrence	\$300,000 aggregate
3. Comprehensive General Liability		
a. Bodily Injury		\$500,000 each occurrence
b. Property Damage	\$100,000 each occurrence	\$300,000 aggregate
4. Comprehensive Automobile Liability		
a. Bodily Injury	\$300,000 each person	\$500,000 each occurrence
b. Property Damage		\$300,000 each occurrence

All coverage must be provided on an occurrence basis, rather than claims made, and be provided through companies who have a minimal "Best's" rating of B+ with a financial size category of VI.

15. HOLD HARMLESS CLAUSE

The Contractor agrees to hold harmless and indemnify the University against any and all loss, cost (including attorney's fees), charge, claim, demand, damage or expense of every nature or kind which may arise from the Contractor's operations and occupancy of the lease premises.

16. VENUE

This agreement shall be construed in accordance with the laws of the State of Texas.

17. CANCELLATION CLAUSE

The banking service agreement may be cancelled by either party upon ninety (90) days written notice.

18. EXCLUSIVITY

There shall be no other banking facilities operating on the campus with the exception of the Texas Tech Federal Credit Union, which is currently in operation.

19. TERM OF AGREEMENT

This agreement will become effective upon the signing of both parties for a term of three (3) years, beginning September 1, 1989, through August 31, 1992. Two extensions of two years each may be executed upon mutual agreement.

IN WITNESS WHEREOF, the parties hereto have executed this contract at Lubbock, Texas, in duplicate, each of which shall be considered an original.

TEXAS TECH UNIVERSITY

FIRST NATIONAL BANK AT LUBBOCK

BY: /s/ Elizabeth G. Haley  
Elizabeth G. Haley, Ph.D.  
President

BY: /s/ W. R. Rainey, Jr.  
W. R. Rainey, Jr.  
Senior Vice President

Date: 5/25/89

Date: June 2, 1989

REVIEWED FOR FISCAL IMPLICATIONS

/s/ Max C. Tomlinson  
Interim Vice President  
for Fiscal Affairs  
Date: 5/25/89

REVIEWED FOR FORM

/s/ Pat Campbell  
Vice President and General Counsel  
Date: 5-24-89

H. R. Bundock, Inc. - Meats Lab Addition and Renovation

4. b. The following Amendment No. 1 to Contract No. 88-785 to the Meats Laboratory Addition is entered for informational purposes. The contract was recorded in the Minutes of August 20, 1987, Item M194, and the contract was recorded in the Minutes of November 20, 1987, Item #5a, page 7.

Contract No. 88-785/1

Amendment No. 1 to Contract No. 88-785  
Meats Laboratory Addition and Renovation

The Agreement between H. R. Bundock, Inc., Lubbock, Texas, and Texas Tech University, Lubbock, Texas, dated September 2, 1987, is amended as follows:

Add additional plumbing, mechanical, and electrical work performed to install owner-furnished equipment which did not arrive for installation during the normal course of the project.

Increase contract sum by \$6,106.94. The new contract sum shall be \$1,078,188.94.

All other provisions of the Agreement will remain as written and all parties do hereby ratify and confirm such terms, stipulations and conditions therein set forth.

IN WITNESS WHEREOF, the parties hereto have executed this amendment in triplicate, each of which shall be considered an original by their duly appointed officers, this the 23rd day of May, 1989.

H. R. BUNDOCK, INC.

TEXAS TECH UNIVERSITY

Date: JUNE 7, 1989

By: Elizabeth G. Haley, Ph.D.  
President

Date: 5/30/89

REVIEWED FOR FISCAL IMPLICATIONS

Interim Vice President  
for Fiscal Affairs

Date: 5/26/89

REVIEWED FOR FORM

Vice President and  
General Counsel

Date: 5-26-89

Fanning, Fanning and Associates, Inc. - CHACP #2 Emergency Power Connection

c. The following Contract No. 89-880 with Fanning, Fanning and Associates, Inc., for Central Heating and Cooling Plant #2 emergency power connection for boiler equipment is entered for informational purposes. Execution of this contract was authorized in the Board Minutes of March 17, 1989, Item M108.

ENGINEERING SERVICES

Contract No. 89-880

Accounting Number: 0486-45-2206

AGREEMENT

made this the 7th day of April in the year Nineteen Hundred Eighty Nine

BETWEEN

Texas Tech University, Lubbock, Lubbock County, Texas, the Owner, acting by and through Elizabeth G. Haley, President, and Fanning, Fanning and Associates, Inc., Lubbock, Texas.

A. SCOPE OF THE WORK

Provide professional services to prepare plans and specifications, assist in receiving bids and provide the administration of construction contracts for the following project:

CHACP #2 - Emergency Power Connection for Boiler Equipment

B. BASIC SERVICES

The Engineer shall provide professional services as follows:

1. Consult with the Owner to ascertain the requirements of the Project and confirm such requirements to the Owner.
2. Prepare Schematic Design Studies consisting of drawings and other documents illustrating the scale and the relationship of project components for approval of the Owner and submit to the Owner a statement of probable construction cost.
3. When applicable for the purpose of preparing grant applications, furnish sufficient detail and information to satisfy the requirements of federal, state, county and private funding agencies.
4. Prepare from the approved Schematic Design Studies, for approval by the Owner, the Design Development Documents consisting of drawings and other documents to fix and describe the size and character of the entire Project as to materials, structure, mechanical and electrical systems and such other essentials as may be appropriate and submit to the Owner a further Statement of Probable Construction Cost.



Page 2 - Engineering Services - Percent

5. Prepare from the approved Design Development Documents, for approval by Owner, Working Drawings and Specifications.

Advise the Owner of any adjustments to the previous Statement of Probable Construction Cost caused by changes in the scope of the work or by general market conditions.

6. Following the Owner's approval of the Construction Documents and of the latest Statement of Probable Construction Cost, assist the Owner in obtaining bids or negotiated proposals, and in awarding construction contracts.

7. Provide general administration of the Construction Contract and be the Owner's representative during construction and warranty period. Review contract submittal Data and advise and consult with the Owner concerning same. Issue the Owner's instructions to the Contractor. Engineer will authorize additional work for the Contractor only upon written approval by the University.

Make periodic visits to the site to maintain familiarity with the progress and quality of the Work and to determine, in general, if the Work is proceeding in accordance with Contract Documents.

8. Based on observations at the site and on the Contractor's applications for payment, determine the amount owed to the Contractor and approve Certificates for Payment in these amounts, subject to the conditions of the Contract Documents.
9. Furnish copies of Schematic Design Studies, Design Development drawings and Contract Documents in quantities as required by the Owner.
10. Furnish two (2) complete sets of "As Built" working Drawings reproduced, and one (1) set of reproducible four (4) mil photographic process black line Mylar film prints showing significant changes made during construction process.
11. Provide design compliance with Senate Bill No. 111, Article 678., Chapter 324 Vernon's Civil Statutes, as amended and with any and all federal government handicapped requirements.

C. THE OWNER'S RESPONSIBILITIES

1. The Owner may furnish such structural, mechanical, electrical, chemical and other laboratory test, inspections and reports as he may deem necessary. A complete survey of the site and utilities serving it, soil analysis and a program of the work, outlining in detail the space requirements and their general relationship will be provided as required by the project.



Page 3 - Engineering Services - Percent

2. The Owner may furnish such legal, accounting and insurance counseling services as he may deem necessary for the Project and auditing services as he may require to ascertain how or for what purposes the Contractor has used the monies paid him under the Construction Contract.
3. When continuous field supervision of construction is deemed necessary by the Owner, in addition to the Engineer's basic services, the Owner shall bear the cost of such supervisory personnel. This personnel must be mutually acceptable to the Owner and the Engineer.
4. The Owner will pay the cost of reproducing copies of all required submittals and "As Built" documents.

D. CONSTRUCTION COST AND ALTERNATE DEFINITIONS

CONSTRUCTION COST

Construction Cost based upon all work designed or specified with the authorization and approval of the Owner shall be determined as follows, with precedence in the order listed.

1. For completed construction, the total cost to the Owner of such work.
2. When Project or any part thereof is not constructed, the lowest bona fide bid received from qualified bidder for any or all of such work.
3. For work for which bids are not received, (1) the latest Detailed Cost Estimate or (2) the Engineer's latest Statement of Probable Construction Cost.

ALTERNATES

1. Alternates prepared by the Engineer which exceed the project budget and which are not specifically requested by the Owner and which are not constructed, shall not be included in the construction cost for purposes of computing the Engineer's fee.
2. Alternates which are specifically requested and approved by the Owner and not constructed shall be included in the construction cost for the purpose of computing the Engineer's compensation, excluding construction phase services.

E. COMPENSATION AND PAYMENT

The Owner agrees to pay the Engineer as compensation for the basic services 8% of the authorized and approved construction cost, as such term "Construction Cost and Alternates" is defined in paragraph D above.

Page 4 - Engineering Services - Percent

1. Payments for basic services may be made monthly in proportion to the service actually performed, but not to exceed the percentages specified at the completion of each phase of work as follows:

Schematic Design Phase	15%
Design Development Phase	20%
Construction Documents Phase	40%
Bidding or Negotiation Phase	5%
Construction Phase	20%

F. ADDITIONAL SERVICES

Services not included under the Basic Service article of this agreement shall be considered Additional Services.

Such Additional Services and related expenses shall be as mutually agreed upon in writing by the Owner and Engineer prior to the beginning of any work. Compensation for Additional Services shall be as follows:

1. Direct Personnel Expense

Reimbursement for direct personnel expense of those principals, associates and employees of the firm who are assigned to and are productively engaged on the project providing such services as research, designing, preparing drawings and writing specifications.

Direct personnel expense shall be based on an amount of 2.5 times the actual cost of salaries normally paid, including mandatory and customary benefits such as statutory employee benefits, insurance, holidays, vacations, pensions and similar benefits.

2. Reimbursable Expenses

Engineer shall be reimbursed for his direct cost of such expenses as reproduction, postage, out-of-state travel and communications directly related to such agreed additional services.

3. The cost of preparing change orders due to the Engineer's error or omission shall be the responsibility of the Engineer.

G. CONSULTANTS

It is contemplated that during the process of the work to be performed under this agreement, both parties may wish to retain consultants at their own expense. It is specifically understood and agreed that any consultant retained by the Engineer shall be the Engineer's expense; however, the Owner reserves the right to approve such consultants and the conditions

Page 5 - Engineering Services - Percent

of their employment. It is further understood that the Owner may retain consultants and that the expense for the same shall be borne by the Owner.

H. CONTINUING SERVICES

Following completion of any phase of the work, the Owner may elect to continue, delay, abandon or revise the work. The payment for services accordingly will be as mutually agreed.

I. NONDISCRIMINATION IN EMPLOYMENT

There shall be no discrimination against any employee or applicant for employment because of race, religion, color, national origin, age, handicap or sex.

J. ACCOUNTING RECORDS

Records of the Engineer's direct personnel expenses and records of accounts of reimbursable expenses for which reimbursement is requested shall be kept on a generally recognized accounting basis and shall be available to the Owner. Said records shall be preserved for a period of three years after final payment.

K. TERMINATION OF AGREEMENT

This Agreement may be terminated by either party on thirty (30) days written notice to the other party for failure or refusal to perform in accordance with the terms and conditions of this agreement. Such termination shall be made by the Owner, giving written notice directed as follows:

John A. Fanning, P.E., Vice President  
Fanning, Fanning & Associates, Inc.  
2555 74th Street  
Lubbock, Texas 79423

likewise, termination by the Engineer shall be accomplished by directing written notice to:

Director of Building Maintenance & Utilities  
Texas Tech University  
P. O. Box 4219  
Lubbock, Texas 79409-3142.

In the event of termination, the Engineer shall be paid his compensation for services performed to termination date based upon completion of services performed to termination date, and based upon completion of work through any phase under the fee basis as applicable, or on a direct personnel expense basis as mutually agreed.

Page 6 - Engineering Services - Percent

Copies of drawings, specifications or any other materials to date of termination will be furnished to the Owner on date of termination.

L. OWNERSHIP OF DOCUMENTS

Original Drawings and Specifications as instruments of service are, and shall remain, the property of the Engineer whether the project for which they are made is executed or not. The Owner shall be permitted to retain copies, including reproducible copies, of Drawings and Specifications for information and reference in connection with the Owner's use and occupancy of the Project. The Drawings and Specifications may be used by the Owner on other projects, for additions to this project, or for completion of this project by others at no additional charge to Owner.

M. SUCCESSORS AND ASSIGNS

The Owner hereby binds itself, its successors, assigns and legal representatives to the Engineer in respect to all stipulations, terms and covenants of this Agreement; and likewise, the Engineer hereby binds himself, his successors assigns and legal representatives to the Owner, in respect to all stipulations, terms and covenants of this Agreement.

N. ASSIGNMENT

Neither the Owner nor the Engineer shall assign, sublet or in any manner transfer it or their respective interest in this Agreement to any other person, individual, firm, corporation or other interest without prior written consent of the other respective party.

O. EXTENT OF AGREEMENT

This Agreement represents the entire and integrated agreement between the Owner and the Engineer and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the Owner and the Engineer.

P. APPLICABLE LAW

This Agreement shall be considered to be performed in Lubbock County, Texas.

Q. DESIGNATION OF REPRESENTATIVE

Owner hereby designates the President of Texas Tech University or the person designated as acting President in his absence, as its duly authorized and designated representative to act for and on behalf of Owner.

This designation shall remain in full force and effect until and unless Engineer is otherwise notified in writing by Owner and directed to Engineer at the address above set forth.

Page 7 - Engineering Services - Percent

Venue shall be in Lubbock County, Texas.

IN WITNESS WHEREOF, the parties have hereunto set their hands.

OWNER  
TEXAS TECH UNIVERSITY

By: /s/ Elizabeth G. Haley  
Elizabeth G. Haley, Ph.D.  
President  
Date: /s/ 5/3/89

REVIEWED FOR FISCAL IMPLICATIONS

/s/ Max C. Tomlinson  
Interim Vice President for  
Fiscal Affairs  
Date: 5/2/89

ENGINEER  
FANNING, FANNING & ASSOCIATES,  
INC.

By: /s/ John A. Fanning  
Date: /s/ 5-10-89

REVIEWED FOR FORM  
TEXAS TECH UNIVERSITY

/s/ Pat Campbell  
Vice President and General  
Counsel  
Date: 4-28-89

Knox, Gailey & Meador, Inc. - Science Building Renovation

4. d. The following Contract No. 89-876 with Knox, Gailey & Meador, Inc., in the amount of \$1,019,819 for the Science Building renovation is entered for informational purposes. Execution of this contract was authorized in the Board Minutes of March 17, 1989, meeting, Item M110.

CONSTRUCTION SERVICES

Contract No. 89-876  
Account Number 3709-42-1307 th  
1325-42-1380

AGREEMENT

THIS AGREEMENT, made this 31st day of March, in the year Nineteen Hundred Eighty Nine.

BY AND BETWEEN

Texas Tech University, Lubbock, Lubbock County, Texas, the Owner, acting herein by and through Elizabeth G. Haley, President, and Knox, Gailey & Meador, Inc., Lubbock, Texas, the Contractor.

The Owner and the Contractor agree as set forth below:

ARTICLE 1

THE WORK

The Contractor shall perform all the Work required by the Contract Documents for the Science Building Renovation (FP&C 86-24).

ARTICLE 2

CONTRACT SUM

The Owner shall pay the Contractor for the performance of the work as provided in the Conditions of the Contract, in current funds, the Contract Sum of One Million Nineteen Thousand Eight Hundred Nineteen Dollars and no/100 including Alternate No. 1.

(Written Amount)

\$1,019,819

(Figures)

ARTICLE 3

TIME OF COMMENCEMENT AND COMPLETION

The Work to be performed under this Contract shall be commenced on or after a date to be specified in a written "Notice to Proceed" from the Owner and completed by 5:00 p.m., December 18, 1989.

The Contractor further agrees to pay, as liquidated damages, the sum of \$500 for each consecutive calendar day after date shown in Notice to Proceed.

#### ARTICLE 4

##### PROGRESS PAYMENTS

Based upon Applications for Payment submitted by the Contractor, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided in the conditions of the Contract as follows:

Once each calendar month, the Owner shall make a progress payment to the Contractor on the basis of a duly certified and approved estimate of the Work performed during the preceding calendar month under this Contract; but to insure the proper performance of this Contract, the Owner shall retain five percent (5%) of the amount of each estimate until final completion and acceptance of all Work covered by this Contract: Provided that the Owner, at any time after fifty percent (50%) of the Work has been completed, finds that satisfactory progress is being made, may make any of the remaining progress payments in full; and, provided further, that upon completion and acceptance of each separate building, public work or other division of the Contract on which the price is stated separately in the Contract, payment may be made in full, including retained percentages thereon less authorized deductions. It shall be the Owner's option that upon "substantial completion" of the entire Work, he may increase the total payments to ninety-five percent (95%) of the Contract price provided satisfactory evidence is furnished that all payrolls, material bills and other indebtedness connected with the Work have been paid.

In addition, and in connection with any progress payment, if the Owner requests same, he shall be furnished manifest proof of any Subcontractors' actual fiscal account as related to the actual Subcontract value; and such account shall be in a form as requested by the Owner.

Final payment, constituting the entire unpaid balance of the Contract Sum, shall be paid by the Owner to the Contractor thirty (30) days after Substantial Completion of the Work unless otherwise stipulated in the Certificate of Substantial Completion, provided the Work has then been completed, the Contract fully performed and a final Certificate for Payment has been issued by the Contractor and approved by the Architect.

#### ARTICLE 5

##### THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, supplementary and other conditions), Drawings, Specifications, all Addenda issued prior to execution of this Agreement and all Modifications issued subsequent thereto. These form the Contract, and all are as fully a part of the Contract as if attached to this Agreement or repeated herein.



The Owner reserves the right to do work and to award other contracts in connection with other portions of the project.

ARTICLE 6

PAYMENT AND PERFORMANCE BONDS

It is hereby agreed that a Performance Bond and a Payment Bond, each of 100% of the contract sum, are included herein and made a part of this contract.

ARTICLE 7

OWNER'S REPRESENTATIVE

The Owner hereby designates the President of Texas Tech University or the person designated as acting President in his absence, as its duly authorized and designated representative as that term is used and appears in this Agreement to act for and on behalf of Owner. This designation shall remain in full force and effect until and unless Contractor is otherwise notified in writing by Owner and directed to Contractor at his address.

Venue shall be in Lubbock County, Texas.

IN WITNESS WHEREOF, the parties have hereunto set their hands.

OWNER

TEXAS TECH UNIVERSITY

By: /s/ Elizabeth G. Haley  
Elizabeth G. Haley, Ph.D.  
President

Date: 4/27/89

REVIEWED FOR FISCAL IMPLICATIONS

/s/ Max C. Tomlinson

Interim Vice President for  
Fiscal Affairs

Date: 4/26/89

CONTRACTOR

KNOX, GAILEY & MEADOR, INC.

By: /s/ Dan Meador  
Dan Meador

Date: 5/2/89

TEXAS TECH UNIVERSITY  
REVIEWED FOR FORM

/s/ Pat Campbell by  
Betty DeWitt

Vice President and General  
Counsel

Date: 4-26-89

McKinley and Associates, Inc. - Asbestos Abatement Residence Halls

e. The following Contract No. 89-889 with McKinley and Associates, Inc., for asbestos surveys in residence halls is entered for informational purposes. Execution of this contract was authorized in the Board Minutes of May 12, 1989, Item M153.

ASBESTOS ABATEMENT SERVICES

Contract No. 89-889  
Accounting Number: 3702-42-1387

AGREEMENT

made this the 17th day of May in the year Nineteen Hundred Eighty Nine

BETWEEN

Texas Tech University, Lubbock, Lubbock County, Texas, the Owner, acting by and through Max C. Tomlinson, Interim Vice President for Fiscal Affairs, and McKinley and Associates, Inc., Asbestos Abatement Supervisor, Lubbock, Texas.

A. SCOPE OF THE WORK

Provide professional services to make initial asbestos survey, prepare plans and specifications, cost estimates, assist in receiving bids and provide the following project:

Residence Halls - Asbestos Surveys (FP&C 89-14)

B. BASIC SERVICES

The Asbestos Abatement Supervisor, hereinafter referred to as AAS, shall provide professional services as follows:

1. Meet with the Owner to ascertain the requirements of the Project and confirm such requirements to the Owner.
2. Survey the project site for locations and quantities of asbestos containing materials (ACM), take material samples, obtain laboratory tests of samples taken, and prepare a preliminary probable cost of abatement and probable time for abatement.
3. When applicable for the purpose of preparing grant applications, furnish sufficient detail and information to satisfy the requirements of federal, state, county and private funding agencies.
4. Prepare from the approved Asbestos Survey, for approval by Owner, Working Drawings and Specifications. AAS shall provide 10 sets of review documents and 20 sets of final abatement documents as part of the Basic Services.

Page 2 - Asbestos Abatement Services - Percent

Advise the Owner of any adjustments to the previous Statement of Probable Abatement Cost caused by changes in the scope of the work or by general market conditions.

5. Following the Owner's approval of the Abatement Documents and of the latest Statement of Probable Abatement Cost and time, assist the Owner in obtaining bids or negotiated proposals, and in awarding abatement contracts.
6. Provide general administration of the Abatement Contract and be the Owner's representative during abatement. Review contract submittal Data and advise and meet with the Owner concerning same. Issue the Owner's instructions to the Contractor.

Maintain constant observation of the work performed by the abatement contractor; perform, assist, or observe laboratory sampling, testing, and monitoring required by state and federal regulations.

7. Based on observations at the site and on the Contractor's applications for payment, determine the amount owed to the Contractor and approve Certificates for Payment in these amounts, subject to the conditions of the Abatement Documents.
8. Provide laboratory services for sampling, monitoring, and testing. Selection of Laboratory will be made by the Owner based on competitive bids of basic services.
9. Prepare a final report outlining the Abatement Work done, including all final laboratory test results and an AAS Statement of compliance with state and federal regulations.

C. THE OWNER'S RESPONSIBILITIES

1. The Owner may furnish such structural, mechanical, electrical, chemical and other laboratory test, inspections and reports as he may deem necessary. A complete survey of the site and utilities serving it, and a program of the work, outlining in detail the project.
2. The Owner may furnish such legal, accounting and insurance counseling services as he may deem necessary for the Project and auditing services as he may require to ascertain how or for what purposes the Contractor has used the monies paid him under the Abatement Contract.

D. ABATEMENT COST AND ALTERNATE DEFINITIONS

ABATEMENT COST

Abatement Cost based upon all work designed or specified with the authorization and approval of the Owner shall be determined as follows, with precedence in the order listed.

Page 3 - Asbestos Abatement Services - Percent

1. For completed abatement, the total cost to the Owner of such work.
2. When Project or any part thereof is not abated, the lowest bona fide bid received from qualified bidder for any or all of such work.
3. For work for which bids are not received, (1) the latest Detailed Cost Estimate or (2) the AAS's latest Statement of Probable Abatement Cost.

ALTERNATES

1. Alternates prepared by the AAS which exceed the project budget and which are not specifically requested by the Owner and which are not abated, shall not be included in the abatement cost for purpose of computing the AAS's fee.
2. Alternates which are specifically requested and approved by the Owner and not abated shall be included in the abatement cost for the purpose of computing the AAS's compensation, excluding abatement phase services.

E. COMPENSATION AND PAYMENT

The Owner agrees to pay the AAS as compensation for the basic services 8% of the authorized and approved abatement cost, as such term "Abatement Cost and Alternates" is defined in paragraph D above.

1. Payments for basic services may be made monthly in proportion to the service actually performed, but not to exceed the percentages specified at the completion of each phase of work as follows:

Preliminary Survey	35%
Abatement Documents Phase	55%
Bidding or Negotiation Phase	10%
Abatement Phase	Scheduled

F. SCHEDULED SERVICES

Services not included under the Basic Service article of this agreement shall be considered Scheduled Services.

Such Scheduled Services and related expenses shall be as mutually agreed upon in writing by the Owner and AAS prior to the beginning of any work. Compensation for Scheduled Services shall be as follows:

1. Direct Personnel Expense

Page 4 - Asbestos Abatement Services - Percent

Reimbursement for direct personnel expense of those principals, associates and employees of the firm who are assigned to and are productively engaged on the project providing such services as research, designing, preparing drawings and writing specifications for the preparation of change orders directed by the owner.

Direct personnel expense shall be based on an amount of 2.5 times the actual cost of salaries normally paid, including mandatory and customary benefits such as statutory employee benefits, insurance, holidays, vacations, pensions and similar benefits.

2. Reimbursable Expenses

Engineer shall be reimbursed for his direct cost of such expenses as out-of-state travel.

3. The cost of preparing change orders due to the AAS's error or omission shall be the responsibility of the AAS.

4. Scheduled Fees

Laboratory Fees .....Competitively Bid

Industrial Hygienist (IH)  
(on site evaluation) .....\$45/HR

Abatement Observation .....\$30/HR

Abatement IH Technician  
(on site instrumentation work) .....\$35/HR

G. CONSULTANTS

It is contemplated that during the process of the work to be performed under this agreement, both parties may wish to retain consultants at their own expense. It is specifically understood and agreed that any consultant retained by the AAS shall be the AAS's expense; however, the Owner reserves the right to approve such consultants and the conditions of their employment. It is further understood that the Owner may retain consultants and that the expense for the same shall be borne by the Owner.

H. CONTINUING SERVICES

Following completion of any phase of the work, the Owner may elect to continue, delay, abandon or revise the work. The payment for services accordingly will be as mutually agreed.

I. NONDISCRIMINATION IN EMPLOYMENT

There shall be no discrimination against any employee or applicant for employment because of race, religion, color, national origin, age, handicap or sex.

Page 5 - Asbestos Abatement Services - Percent

J. ACCOUNTING RECORDS

Records of the AAS's direct personnel expenses and records of accounts of reimbursable expenses for which reimbursement is requested shall be kept on a generally recognized accounting basis and shall be available to the Owner. Said records shall be preserved for a period of three years after final payment.

K. TERMINATION OF AGREEMENT

This Agreement may be terminated by either party on thirty (30) days written notice to the other party for failure or refusal to perform in accordance with the terms and conditions of this agreement. Such termination shall be made by the Owner, giving written notice directed as follows:

McKinley and Associates, Inc.  
3830 62nd Drive  
Lubbock, Texas 79413

likewise, termination by the AAS shall be accomplished by directing written notice to:

Director of Facility Planning and Construction  
Texas Tech University  
P. O. Box 4520  
Lubbock, Texas 79409.

In the event of termination, the AAS shall be paid his compensation for services performed to termination date based upon completion of services performed to termination date, and based upon completion of work through any phase under the fee basis as applicable, or on a direct personnel expense basis as mutually agreed.

Copies of drawings, specifications or any other materials to date of termination will be furnished to the Owner on date of termination.

L. OWNERSHIP OF DOCUMENTS

Original Drawings and Specifications as instruments of service are, and shall remain, the property of the AAS whether the project for which they are made is executed or not. The Owner shall be permitted to retain copies, including reproducible copies, of Drawings and Specifications for information and reference in connection with the Owner's use and occupancy of the Project. The Drawings and Specifications may be used by the Owner on other projects, for additions to this project, or for completion of this project by others at no additional charge to Owner.

M. SUCCESSORS AND ASSIGNS

The Owner hereby binds itself, its successors, assigns and legal representatives to the AAS in respect to all stipulations, terms and

Page 6 - Asbestos Abatement Services - Percent

covenants of this Agreement; and likewise, the AAS hereby binds himself, his successors, assigns and legal representatives to the Owner, in respect to all stipulations, terms and covenants of this Agreement.

N. ASSIGNMENT

Neither the Owner nor the AAS shall assign, sublet or in any manner transfer it or their respective interest in this Agreement to any other person, individual, firm, corporation or other interest without prior written consent of the other respective party.

O. EXTENT OF AGREEMENT

This Agreement represents the entire and integrated agreement between the Owner and the AAS and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the Owner and the AAS.

P. APPLICABLE LAW

This Agreement shall be considered to be performed in Lubbock County, Texas.

Q. DESIGNATION OF REPRESENTATIVE

Owner hereby designates the President of Texas Tech University or the person designated as acting President in his absence, as its duly authorized and designated representative to act for and on behalf of Owner.

This designation shall remain in full force and effect until and unless AAS is otherwise notified in writing by Owner at the address above set forth.

THIS AGREEMENT executed the day and year first written above.

OWNER  
TEXAS TECH UNIVERSITY

ASBESTOS ABATEMENT SUPERVISOR  
MCKINLEY AND ASSOCIATES, INC.

By: /s/ Max C. Tomlinson  
Max C. Tomlinson  
Interim Vice President for  
Fiscal Affairs  
Date: /s/ 5/24/89

By: /s/ Pamela J. McKinley  
  
Date: /s/ 5-25-89

REVIEWED FOR FORM

/s/ Pat Campbell  
Vice President and General Counsel

Date: 5-22-89



5. a.

SUMMARY  
June, 1989

Texas Tech University  
Texas Tech University Foundation  
Grants and Bequests

Texas Tech University Health Sciences Center  
Texas Tech Medical Foundation  
Grants and Bequests

REPORTING PERIOD	SUPPORT FOR CURRENT OPERATIONS		SUPPORT FOR CAPITAL PURPOSES ENDOWMENT		SUPPORT FOR *CAPITAL PURPOSES GIFTS-IN-KIND		GRAND TOTAL	
	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED
June, 1989	1025	\$894,057.67	325	\$163,371.87	2	\$901.00	1352	\$1,058,330.54
June, 1988	918	\$669,172.98	68	\$219,426.63	2	\$2,623.75	988	\$891,223.36
CUMULATIVE:								
September 1, 1988 Through June 30, 1989	7447	\$7,987,147.83	1338	\$2,118,048.34	30	\$4,455,011.07	8815	\$14,560,207.24
September 1, 1987 Through June 30, 1988	6280	\$3,581,369.02	1462	\$1,260,246.34	29	\$404,755.84	7771	\$5,246,371.20

\*This category includes the estimated value of books, equipment, etc. received as Gifts and Bequests.



5. b.

SUMMARY  
June, 1989

Texas Tech University  
Texas Tech University Foundation  
Grants and Bequests

REPORTING PERIOD	SUPPORT FOR CURRENT OPERATIONS		SUPPORT FOR CAPITAL PURPOSES ENDOWMENT		SUPPORT FOR *CAPITAL PURPOSES GIFTS-IN-KIND		GRAND TOTAL	
	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED
June, 1989	947	\$831,363.67	321	\$47,806.00	2	\$901.00	1270	\$880,070.67
June, 1988	838	\$645,704.23	50	\$210,755.67	2	\$2,623.75	890	\$859,083.65
CUMULATIVE:								
September 1, 1988 Through June 30, 1989	6741	\$7,430,592.47	1188	\$1,824,282.91	27	\$3,070,345.77	7956	\$12,325,221.15
September 1, 1987 Through June 30, 1988	5845	\$2,638,718.98	1320	\$1,035,294.77	30	\$402,255.84	7195	\$4,076,269.59

\*This category includes the estimated value of books, equipment, etc. received as Gifts and Bequests.

5. c.

SUMMARY  
June, 1989

Texas Tech University  
Grants and Bequests

REPORTING PERIOD	SUPPORT FOR CURRENT OPERATIONS		SUPPORT FOR CAPITAL PURPOSES ENDOWMENT		SUPPORT FOR *CAPITAL PURPOSES GIFTS-IN-KIND		GRAND TOTAL	
	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED
June, 1989	846	\$726,679.02	48	\$24,675.00	2	\$901.00	896	\$752,255.02
June, 1988	323	\$566,895.88	29	\$71,000.00	2	\$2,623.75	354	\$640,519.63
CUMULATIVE:								
September 1, 1988 Through								
June 30, 1989	5115	\$6,315,777.85	427	\$1,019,186.13	26	\$3,070,343.77	5568	\$10,405,307.75
September 1, 1987 Through								
June 30, 1988	3403	\$1,891,232.75	643	\$503,294.46	29	\$398,255.84	4075	\$2,792,783.05

\*This category includes the estimated value of books, equipment, etc. received as Gifts and Bequests.

MONTHLY AND CUMULATIVE  
VOLUNTARY SUPPORT BY SOURCE

as Tech University  
pared July 3, 1989

June  
Month

1988-89  
Fiscal Year

SOURCE	RECEIPTS FOR MONTH	RECEIPTS TO DATE THIS FISCAL YEAR	RECEIPTS TO DATE LAST FISCAL YEAR
ALUMNI INDIVIDUALS			
A. General	\$6,596.66	\$926,089.79	\$183,627.12
B. Trusts & Bequests	901.00	901.00	0.00
Sub Total	\$7,497.66	\$926,089.79	\$183,627.12
NON-ALUMNI INDIVIDUALS			
A. General	\$143,699.38	\$584,117.45	\$508,969.66
B. Trusts & Bequests	4,000.00	239,774.50	120.00
Sub Total	\$147,699.38	\$823,891.95	\$509,089.66
CORPORATIONS			
A. Grants	\$28,355.98	\$947,754.39	\$1,425,898.37
B. Matching Gifts	8,167.00	47,825.50	102,391.40
Sub Total	\$36,522.98	\$995,579.89	\$1,528,289.77
FOUNDATIONS			
A. Grants	\$557,095.00	\$7,590,103.94	\$571,776.50
B. Matching Gifts	3,440.00	59,060.68	0.00
Sub Total	\$560,535.00	\$7,649,164.62	\$571,776.50
OTHER	\$0.00	\$9,680.50	\$0.00
GRAND TOTAL ALL RECEIPTS	\$752,255.02	\$10,405,307.75	\$2,792,783.05

Texas Tech University  
MONTHLY AND CUMULATIVE VOLUNTARY SUPPORT BY SOURCE  
June, 1989

Board Minutes  
August 4, 1989  
Page 34

<u>PURPOSE</u>	<u>CURRENT MONTH</u>	<u>YEAR TO DATE</u>
1. Unrestricted	0.00	8,465.00
2. Academic Divisions	78,327.66	718,867.43
3. Faculty Development	0.00	33,380.00
4. Research	535,486.11	770,162.41
5 a. Friends of the Library	200.00	3,270.00
b. KTXT-TV	11,824.00	237,981.97
c. Ex-Students Association	3,219.00	27,953.00
d. Southwest Collection	0.00	680.00
e. Museum	10,236.46	335,340.99
f. Ranching Heritage Center	1,048.79	5,545.57
g. Red Raider Club	0.00	700.00
h. Moms and Dads Association	0.00	25.00
i. Law School Foundation	0.00	2,529.00
j. Presidents Council	0.00	50.00
6. Student Financial Aid	71,780.00	383,379.88
7. Other Purposes	2,475.00	3,677,868.92
8. Matching Gifts	12,082.00	109,578.68
9 a. Endowment Chairs	0.00	0.00
b. Endowed Professorships	0.00	101,015.00
c. Endowed Scholarships	23,400.00	476,911.88
d. Endowed Programs	1,275.00	441,259.25
10a. GIK Equipment	901.00	191,396.18
b. GIK Buildings	0.00	2,864,288.94
c. GIK Land	0.00	0.00
d. GIK Mineral Interests	0.00	1.00
e. GIK Other	0.00	14,657.65
Subtotal:	752,255.02	10,405,307.75
11. Rents, Interest, Dividends, etc.	0.00	0.00
<u>TOTAL:</u>	\$752,255.02	\$10,405,307.75

5. d.

SUMMARY  
June, 1989

Texas Tech University Foundation  
Grants and Bequests

REPORTING PERIOD	SUPPORT FOR CURRENT OPERATIONS		SUPPORT FOR CAPITAL PURPOSES ENDOWMENT		SUPPORT FOR *CAPITAL PURPOSES GIFTS-IN-KIND		GRAND TOTAL	
	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED	DONORS	AMOUNT RECEIVED
June, 1989	101	\$104,684.65	273	\$23,131.00	0	\$0.00	374	\$127,815.65
June, 1988	515	\$78,808.35	21	\$139,755.67	0	\$0.00	536	\$218,564.02
CUMULATIVE:								
September 1, 1988 Through								
June 30, 1989	1626	\$1,114,814.62	761	\$805,096.78	1	\$2.00	2388	\$1,919,913.40
September 1, 1987 Through								
June 30, 1988	2442	\$747,486.23	677	\$532,000.31	1	\$4,000.00	3120	\$1,283,486.54

\*This category includes the estimated value of books, equipment, etc. received as Gifts and Bequests.

MONTHLY AND CUMULATIVE  
VOLUNTARY SUPPORT BY SOURCE

Kansas Tech University Foundation  
Prepared July 3, 1989

June  
Month

1988-89  
Fiscal Year

SOURCE	RECEIPTS FOR MONTH	RECEIPTS TO DATE THIS FISCAL YEAR	RECEIPTS TO DATE LAST FISCAL YEAR
ALUMNI INDIVIDUALS			
A. General	\$1,165.00	\$562,391.07	\$169,752.03
B. Trusts & Bequests	0.00	0.00	0.00
Sub Total	\$1,165.00	\$562,391.07	\$169,752.03
NON-ALUMNI INDIVIDUALS			
A. General	\$38,228.94	\$378,969.27	\$349,450.82
B. Trusts & Bequests	5,000.00	26,100.00	20,100.00
Sub Total	\$43,228.94	\$405,069.27	\$369,550.82
CORPORATIONS			
A. Grants	\$18,942.48	\$321,498.58	\$575,282.01
B. Matching Gifts	100.00	15,339.00	32,781.68
Sub Total	\$19,042.48	\$336,837.58	\$608,063.69
FOUNDATIONS			
A. Grants	\$65,000.00	\$602,054.00	\$136,120.00
B. Matching Gifts	1,376.00	15,558.25	0.00
Sub Total	\$66,376.00	\$617,612.25	\$136,120.00
5. OTHER	\$0.00	\$0.00	\$0.00
GRAND TOTAL ALL RECEIPTS	\$129,812.42	\$1,921,910.17	\$1,283,486.54

Texas Tech University Foundation  
MONTHLY AND CUMULATIVE VOLUNTARY SUPPORT BY SOURCE  
June, 1989

Board Minutes  
August 4, 1989  
Page 37

<u>PURPOSE</u>	<u>CURRENT MONTH</u>	<u>YEAR TO DATE</u>
1. Unrestricted	25.00	3,138.44
2. Academic Divisions	15,919.98	506,402.46
3. Faculty Development	0.00	48,039.00
4. Research	67,234.67	119,178.55
5 a. Friends of the Library	389.00	7,079.00
b. KTXT-TV	0.00	200.00
c. Ex-Students Association	0.00	3,825.00
d. Southwest Collection	0.00	403.34
e. Museum	0.00	25,110.00
f. Ranching Heritage Center	0.00	20.00
g. Red Raider Club	0.00	2,200.00
h. Moms and Dads Association	0.00	0.00
i. Law School Foundation	0.00	0.00
j. Presidents Council	11,065.00	130,419.50
6. Student Financial Aid	2,125.00	134,551.97
7. Other Purposes	5,000.00	99,350.11
8. Matching Gifts	2,926.00	34,897.25
9 a. Endowment Chairs	1,996.77	24,100.46
b. Endowed Professorships	0.00	179,975.60
c. Endowed Scholarships	21,731.00	232,904.38
d. Endowed Programs	1,400.00	370,113.11
10a. GIK Equipment	0.00	0.00
b. GIK Buildings	0.00	0.00
c. GIK Land	0.00	0.00
d. GIK Mineral Interests	0.00	2.00
e. GIK Other	0.00	0.00
Subtotal:	\$129,812.42	\$1,921,910.17
11. Rents, Interest, Dividends, etc.	11,344.30	250,170.50
<u>TOTAL:</u>	\$141,156.72	\$2,172,080.67