

**MINUTES**

**OF THE**

**MEETING OF THE**

**BOARD OF REGENTS**

**OF**

**THE TEXAS A&M UNIVERSITY SYSTEM**

**HELD IN**

**LAREDO, TEXAS**

**May 23-24, 2002**

*(Approved July 25-26, 2002, Minute Order 175-2002)*

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**MINUTES OF THE  
MEETING OF THE BOARD OF REGENTS  
May 23-24, 2002**

**CONVENE BOARD MEETING - THURSDAY, MAY 23**

A regular meeting of the Board of Regents of The Texas A&M University System was convened by Mr. Erle Nye, Chairman of the Board of Regents, at 9:15 a.m., on Thursday, May 23, 2002, in Room 203A&B in the Student Center on the campus of Texas A&M International University, Laredo, Texas. The following members of the Board were present:

Mr. Erle Nye, Chairman  
Dr. Dionel E. Avilés, Vice Chairman  
Ms. Anne Armstrong  
Dr. Wendy Gramm (*joined the meeting at 10:45 a.m.*)  
Mr. Lionel Sosa  
Mr. R.H. (Steve) Stevens, Jr.  
Dr. Susan Rudd Wynn

The following members were not present:

Mr. Phil Adams  
Mr. L. Lowry Mays

**INVOCATION**

Mr. Nye called on Ms. Erica Torres, a senior at Texas A&M International University (TAMIU), majoring in Biology and also the incoming Student Government President, to present the invocation.

**CHAIRMAN'S REMARKS**

Mr. Nye thanked Dr. Ray Keck, President of TAMIU, and his associates for their hospitality in hosting the Board meeting.

**CHANCELLOR'S REMARKS**

Mr. Nye called on Mr. Howard Graves, Chancellor, for remarks. Mr. Graves expressed his appreciation to Dr. Keck and his team for their hospitality. Mr. Graves introduced and recognized Dr. Jerry Thompson, the new Provost at TAMIU; Mr. Willie Tempton, the new Acting President at Prairie View A&M University (PVAMU); and Dr. Joahanne Thomas-Smith, Provost for Academic Affairs at PVAMU. Mr. Graves reported that the Chancellor's Invitational Conference for the Academy for Educator Development would be held in Houston on June 13-15, 2002. He said this invitational conference is part of the Regents' Initiative and is an opportunity to induct

educators from System universities into the Academy for Educator Development. Mr. Graves also thanked those who have been participating in the interim legislative hearings. He said although this is a non-session year, they continue to be very busy with interim hearings and responding to requests from various state entities.

Mr. Nye called on Dr. Keck who presented the report on TAMIU.

**REPORT ON TEXAS A&M INTERNATIONAL UNIVERSITY**

Dr. Keck began by welcoming everyone. He said that Mr. Radcliffe Killam, the University's largest single benefactor, often commented that the founding of TAMIU would be remembered as Laredo's most significant and decisive step forward in the 20<sup>th</sup> century. Dr. Keck said he wanted to especially recognize that what students, faculty and staff enjoy today did not come easily or quickly.

Dr. Keck said that the landscape for higher education in May 2002 was a conflicted and uncertain one. He said their greatest concern was funding. Dr. Keck said they are often asked to devise plans stretching years into the future and yet no one knows what resources the state treasurer will certify available for the second year of the biennium. He said it was not known whether a pay increase could be offered to faculty and staff in the coming months. Dr. Keck said widespread fiscal uncertainty has in no way diminished activities or opportunities in Laredo. He said the current year has had steadily rising enrollment, new partnerships, and multiple recognitions of the excellence of TAMIU's worth, both in Laredo and beyond. Dr. Keck said this year, they were proud to be named in *America's Best Colleges: 2002*, together with Texas A&M University-Corpus Christi (TAMU-CC), as a Tier II Western, regional university that grants master's degrees.

Dr. Keck said their report on TAMIU, a copy of which is on file in the Office of the Board of Regents, would follow the broad categories set out in "Closing the Gaps," the Texas Higher Education Coordinating Board's (THECB) landmark study. He said the report would include strategies to maximize participation, initiatives to promote success, milestones they have reached in excellence, and plans to expand and enhance research. These reports were presented by Ms. Minita Ramirez, Executive Director for Enrollment Management; Dr. Jeffrey Cass, Faculty Fellows Program Director; Mr. Steve Garippa, Athletic Director; Dr. Tom Corti, Dean of Student Services; Ms. Mary Treviño, Associate Vice President for Academic Affairs; Ms. Conchita Hickey, Executive Director of Programs for Academic Support and Enrichment; Dr. Rosa Maria Vida, Dean of the College of Education; Dr. John Kohl, Dean of the College of Business Administration; Dr. Susan S. Baker, Director of the School of Nursing; and Dr. Thompson, Provost.

Mr. Nye thanked Dr. Keck and his staff for their presentations. Mr. Sosa commented that the accomplishments and attitudes of the university were very impressive. Ms. Armstrong complimented Dr. Keck and his staff for the positive record they have achieved in such a short time. Ms. Armstrong said the Board and administration would make an effort to make sure the THECB was aware of the programs at TAMIU.

**RECESS**

Mr. Nye recessed the meeting at 10:10 a.m.

*(Secretary's Note: Committee meetings, lunch, the dedication ceremony for the new Student Center and more committee meetings were held from 10:11 a.m. to 1:42 p.m.)*

**RECONVENE**

Mr. Nye reconvened the meeting and called on Dr. Stanton Calvert, Vice Chancellor for Government Relations, to present the report on Coordination of State Legislative Processes.

**REPORT ON COORDINATION OF STATE LEGISLATIVE PROCESSES**

A copy of this report is on file in the Office of the Board of Regents. Dr. Calvert discussed the System's bill analysis task force and the basic steps in the legislative process. He discussed a two-phase breakdown of the way in which the System coordinates its efforts, including structure and organization. Dr. Calvert referred to System Policy 02.02 and 60.02. He recognized the members of the governmental relations team. He explained that the team is organized by institutions and by issues. Dr. Calvert discussed process and management including team building, establishing and maintaining Capitol relationships and contacts with legislators. He emphasized that the team must stay connected with one another, with key Capitol staffers, and with key legislators. He said a lot of what happens in the legislative environment is based upon process. Dr. Calvert said much of the outcome is determined on perceptions that are created on the credibility that you earn and the way that you conduct your business. Dr. Calvert said they keep the chancellor and the executive officers informed. He said they also keep the Board informed as the Board sees fit. Dr. Calvert emphasized the importance of the team staying connected and working together in good faith with one another.

Dr. Wynn referred to the upcoming session of the Texas Legislature as being in the "perfect storm." She asked Dr. Calvert how the System would work with the process and management side of this with a lot of people in Austin changing. Dr. Calvert said the landscape has changed. He said getting the "lay of the land" is difficult right now. He said they don't know who the committee chairs will be. They don't necessarily know who the membership will be. He said they already have 14 key chairs gone in the House. They don't know who the speaker will be and they don't know who the lieutenant governor will be. He said they can be sure that the leadership team will be composed of legislators with sophomore or junior status.

Ms. Armstrong asked Dr. Calvert who handles the analysis of bills. Dr. Calvert responded that System staff members, who have been divided into subject matter by their particular expertise, handle the analysis. Ms. Armstrong asked if improvement



could be made to two or three parts of the process, what would they be. Dr. Calvert said the one thing that he would do is get us well organized with external supporters.

Dr. Gramm asked if there was a program in place to utilize external supporters. Dr. Calvert responded that there is currently no program in place, but there are plenty of volunteers. Dr. Gramm said using volunteers takes a certain amount of staff coordination. Dr. Calvert agreed.

In response to several questions, there was a discussion regarding how other systems organize their governmental relations efforts.

Mr. Nye asked if six of the nine team members report to someone other than Dr. Calvert. Dr. Calvert said that was correct. Mr. Nye said he understood that each institution and agency should be able to present their own message, but he said that he also understands that if we do not have a common and consistent approach, we may damage each other inadvertently. Mr. Nye wondered if this causes conflicts and if there is a better way to coordinate our legislative efforts. Dr. Calvert assured Mr. Nye that team building is a serious, on-going effort. He added that he believes there is a good faith willingness on the part of everyone to work together as a team and follow the leadership.

Mr. Nye called on Dr. Leo Sayavedra, Vice Chancellor for Academic and Student Affairs, to present the report on Federal Initiatives.

### **REPORT ON FEDERAL INITIATIVES**

A copy of this report is on file in the Office of the Board of Regents. Dr. Sayavedra said that since 1986, the Texas A&M Research Foundation has worked with Mr. Larry Meyers of Meyers and Associates to establish a Washington office supporting A&M System initiatives. He said this has been a successful partnership. Dr. Sayavedra explained how federal initiatives are solicited. He said we try to make use of the resources that we have. He explained how the System markets its capability and the federal relations council. Dr. Sayavedra said the System's areas of unique strengths include agriculture, science and technology, biotechnology, engineering, education, South Texas and border issues and ties with Mexico, and homeland security. He said we are targeting the Department of Defense, the Department of Health and Human Services, the National Institute of Health, the Executive Office of the President, and the National Science Foundation. Dr. Sayavedra then discussed some specific collaborative funded projects.

Mr. Nye asked Dr. Sayavedra about the limitations of the System and each institution in regard to lobbying. Dr. Sayavedra said we are not permitted to use state funds or institutional monies to fund activities in Washington. He said in our case, those monies come from the Texas A&M Research Foundation. He added that in terms of the agencies, they can use institutional funds. Dr. Sayavedra asked Mr. Delmar Cain, General Counsel, to provide more explanation. *(Mr. Cain's response was inaudible as he was not using a microphone.)*

Ms. Armstrong asked if a list exists of personal acquaintances of people within the System with key people in Washington. Dr. Sayavedra replied in the affirmative. Mr. Stevens said he thinks that we have a wonderful network that we should take advantage of.

**CONVENE IN CLOSED SESSION**

At 2:35 p.m., Mr. Nye announced that the Board would convene in closed session to consider matters as permitted by Chapter 551 of the Texas Government Code: 551.071, for consultation with System attorneys on pending and proposed litigation and matters recognized as attorney/client confidential and privileged; 551.072, for discussion regarding the acquisition, lease, exchange, disposition and value of real estate; 551.073 negotiation of contracts for perspective gifts; 551.074, for discussion of matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal or to hear complaints or charges against an officer or employee.

Mr. Nye said in accordance with the law, no final action, decision or vote with regard to any matter considered in the closed meeting would be made or taken.

**RECESS**

Mr. Nye recessed the meeting at 4:35 p.m.

**RECONVENE - FRIDAY, MAY 24**

*(Secretary's Note: The Board reconvened its closed session on Friday, May 24, 2002, at 8:05 a.m. and adjourned at 10:16 a.m.)*

Mr. Nye reconvened the meeting at 10:25 a.m. on Friday, May 24, 2002. The following members of the Board were present:

Mr. Erle Nye, Chairman  
Dr. Dionel E. Avilés, Vice Chairman  
Ms. Anne Armstrong  
Dr. Wendy Gramm *(left the meeting at 10:26 a.m.)*  
Mr. Lionel Sosa  
Mr. R.H. (Steve) Stevens, Jr.  
Dr. Susan Rudd Wynn

The following members of the Board were not present:

Mr. Phil Adams  
Mr. L. Lowry Mays

**RECESS**

*(Secretary's Note: The Committee on Finance was reconvened at 10:26 a.m. and recessed at 10:27 a.m.)*

**RECONVENE**

Mr. Nye commented that Dr. Avilés continues to distinguish himself and the Board of Regents. He said President George W. Bush recently announced his intent to appoint Dr. Avilés to a term on the Air Force Academy Board of Visitors.

Mr. Nye reported that there was not a quorum for the Committee on Buildings and Physical Plant. He said the committee would receive information on items but the full Board would have to vote on them.

*(Secretary's Note: The report to the Committee on Buildings and Physical Plant was made from 10:28 a.m. to 11:30 a.m.)*

Mr. Nye called on Mr. Stevens to present the report from the Committee on Finance.

**REPORT FROM THE COMMITTEE ON FINANCE**

Mr. Stevens, Chairman of the Committee on Finance, reported that the Committee met on Thursday, May 23, and Friday, May 24. He said the Committee acted on Items 1 through 7. The Board took action as set forth below:

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**MINUTE ORDER 70-2002 (AGENDA ITEM 01)**

**APPROVAL OF CONTRACT WITH  
SOUTHWESTERN BELL TELEPHONE, L.P.,  
PRAIRIE VIEW A&M UNIVERSITY**

On motion of Mr. Stevens, seconded by Dr. Avilés and by a unanimous vote, the following minute order was adopted:

The seven-year contract between Prairie View A&M University and Southwestern Bell Telephone, L.P., a copy of which is attached to the official minutes as **Exhibit A**, is hereby approved.

**MINUTE ORDER 71-2002 (AGENDA ITEM 02)**

**APPROVAL OF CONTRACT AMENDMENT WITH SODEXHO,  
PRAIRIE VIEW A&M UNIVERSITY**

On motion of Mr. Stevens, seconded by Dr. Avilés and by a unanimous vote, the following minute order was adopted:

The contract amendment between Prairie View A&M University and Sodexho, a copy of which is attached to the official minutes as **Exhibit B**, is hereby approved.

**MINUTE ORDER 72-2002 (AGENDA ITEM 03)**

**ACCEPTANCE OF GIFT AND APPROVAL OF GIFT ANNUITY,  
TEXAS A&M UNIVERSITY**

On motion of Mr. Stevens, seconded by Dr. Avilés and by a unanimous vote, the following minute order was adopted:

The Board of Regents of The Texas A&M University System hereby accepts for Texas A&M University a gift of The Mavis P. and Mary Kelsey Collection of Americana, Texana, Prints and Books and authorizes the life annuity payments to Dr. Kelsey in accordance with the terms of the Gift Annuity Agreement with Texas A&M University.

**MINUTE ORDER 73-2002 (AGENDA ITEM 04)**

**ESTABLISHMENT OF A QUASI-ENDOWMENT ENTITLED  
"PRESIDENT'S ENDOWED SCHOLARSHIP QUASI-ENDOWMENT,"  
TEXAS A&M UNIVERSITY**

On motion of Mr. Stevens, seconded by Dr. Avilés and by a unanimous vote, the following minute order was adopted:

Authority is hereby granted to the President of Texas A&M University to establish a quasi-endowment account to be called the "President's Endowed Scholarship Quasi-Endowment." Interest earnings from the quasi-endowment will be used to provide scholarships to deserving students.

**MINUTE ORDER 74-2002 (AGENDA ITEM 05)**

**ESTABLISHMENT OF A QUASI-ENDOWMENT ENTITLED  
"MAYS COLLEGE DEAN'S DISCRETIONARY FUND QUASI-ENDOWMENT,"  
TEXAS A&M UNIVERSITY**

On motion of Mr. Stevens, seconded by Dr. Avilés and by a unanimous vote, the following minute order was adopted:

Authority is hereby granted to the President of Texas A&M University to establish a quasi-endowment account to be called the "Mays College Dean's Discretionary Fund Quasi-Endowment." Interest earnings from the quasi-endowment will be used to provide discretionary funds for the Dean of the Lowry Mays College and Graduate School of Business. In the event the need exceeds the earnings, the Executive Vice President and Provost can approve the utilization of the corpus.

**MINUTE ORDER 75-2002 (AGENDA ITEM 06)**

**APPROVAL OF DISTRIBUTION OF INCOME  
FOR CALENDAR YEAR 2001  
FROM THE ESTATE OF ARDELLA R. HELM,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Mr. Stevens, seconded by Dr. Avilés and by a unanimous vote, the following minute order was adopted:

Distribution of the available income for calendar year 2001 from the Estate of Ardella R. Helm to Texas A&M University (\$27,407.72), Abilene Christian University (\$13,703.87), and Texas Women's University (\$13,703.87) is approved.

**MINUTE ORDER 76-2002 (AGENDA ITEM 07)**

**ACCEPTANCE OF GIFTS, DONATIONS, GRANTS AND ENDOWMENTS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Mr. Stevens, seconded by Dr. Avilés and by a unanimous vote, the following minute order was adopted:

The Board of Regents of The Texas A&M University System hereby accepts the gifts, donations, grants, and endowments made to the Members of The Texas A&M University System concerned as shown on Gifts, Donations, Grants, and Endowments List No. 01-02-05, attached to the official minutes as **Exhibit C**.

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Mr. Nye called on Dr. Avilés to present the report from the Committee on Buildings and Physical Plant.

**REPORT FROM THE COMMITTEE ON BUILDINGS AND PHYSICAL PLANT**

Dr. Avilés, Chairman of the Committee on Buildings and Physical Plant, said the Committee received information on Items 8 through 12, pertaining to construction; Item 13, pertaining to naming of facilities; and Items 14 through 20, pertaining to real estate.

Dr. Avilés said the following Architect/Engineer Design Team selections were recommended for the Board's approval:

- The design team formed by Kell Munoz Architects, Inc. of Houston, Texas, for design of the Electrical Engineering Building at Prairie View A&M University.
- The design team formed by Jennings ★ Hackler & Partners, Inc. of Dallas, Texas, for design of the New Science Building at Texas A&M University-Commerce.

Dr. Avilés said the following actions were taken by the Chancellor, pursuant to System Policy 51.04 on construction projects since the last regular meeting of the Board of Regents.

- 1) Award of an A/E contract for the Soccer Field Renovation, Texas A&M University, to O'Malley Engineers of Brenham, Texas, in the amount of \$70,200.00.
- 2) Approval of preliminary design for the Residence Life and Student Services Building, Texas A&M University, with a budget in the amount of \$11,312,700.00.

The Board took action as set forth below:

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**MINUTE ORDER 77-2002 (AGENDA ITEM 08)**

**APPROVAL OF THE PROGRAM OF REQUIREMENTS,  
APPROPRIATION FOR DESIGN AND  
SELECTION OF THE ARCHITECT/ENGINEER DESIGN TEAM  
FOR THE ELECTRICAL ENGINEERING BUILDING,  
PRAIRIE VIEW A&M UNIVERSITY**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The program of requirements for the Electrical Engineering Building at Prairie View A&M University is approved.

Supplementing a previous appropriation of \$15,000.00, the amount of \$954,000.00 is appropriated from Account No. 5-010010 Available University Fund for design of the Electrical Engineering Building at Prairie View A&M University.

The firm of Kell Munoz Architects, Inc. of Houston, Texas, is selected as the firm ranked first to head the architect/engineer design team for the Electrical Engineering Building at Prairie View A&M University.

Authorization is granted to begin negotiations with this firm. If negotiations are unsuccessful with this firm, authorization is granted to terminate those negotiations and begin negotiations with the firm next in order of ranking as listed on the Recommendation of Ranked Order, a copy of which is attached to the official minutes as **Exhibit D**, until an agreement for a design contract is reached.

The Board of Regents of The Texas A&M University System reasonably expects to incur debt in one or more obligations for this project, and all or a portion of the proceeds received from the sale of such obligations is reasonably expected to be used to reimburse the account(s) for amounts previously appropriated and/or expended from such account(s).

As required by Section 5(a) of the Master Resolution of the Revenue Financing System, the Board hereby determines that it will have sufficient funds to meet the financial obligations of The Texas A&M University System, including sufficient Pledged Revenues to satisfy the Annual Debt Service Requirements of the Revenue Financing System and to meet all financial obligations of the Board relating to the Revenue Financing System and that the Participants, on whose behalf the debt is issued, possess the financial capacity to satisfy their Direct Obligations.

**MINUTE ORDER 78-2002 (AGENDA ITEM 09)**

**APPROVAL OF THE PROGRAM OF REQUIREMENTS,  
APPROPRIATION FOR DESIGN AND  
SELECTION OF THE ARCHITECT/ENGINEER DESIGN TEAM  
FOR THE NEW SCIENCE BUILDING,  
TEXAS A&M UNIVERSITY-COMMERCE**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The program of requirements for the New Science Building at Texas A&M University-Commerce is approved.

Supplementing a previous appropriation of \$15,000.00, the amount of \$2,070,000.00 is appropriated from Account No. 21-083100 Local Funds – Unappropriated Surplus for design of the New Science Building at Texas A&M University-Commerce.

The firm of Jennings ★ Hackler & Partners, Inc., of Dallas, Texas, is selected as the firm ranked first to head the architect/engineer design team for the New Science Building at Texas A&M University-Commerce.

Authorization is granted to begin negotiations with this firm. If negotiations are unsuccessful with this firm, authorization is granted to terminate those negotiations and begin negotiations with the firm next in order of ranking as listed on the Recommendation of Ranked Order, a copy of which is attached to the official minutes as **Exhibit E**, until an agreement for a design contract is reached.

The Board of Regents of The Texas A&M University System reasonably expects to incur debt in one or more obligations for this project, and all or a portion of the proceeds received from the sale of such obligations is reasonably expected to be used to reimburse the account(s) for amounts previously appropriated and/or expended from such account(s).

As required by Section 5(a) of the Master Resolution of the Revenue Financing System, the Board hereby determines that it will have sufficient funds to meet the financial obligations of The Texas A&M University System, including sufficient Pledged Revenues to satisfy the Annual Debt Service Requirements of the Revenue Financing System and to meet all financial obligations of the Board relating to the Revenue Financing System and that the Participants, on whose behalf the debt is issued, possess the financial capacity to satisfy their Direct Obligations.

**MINUTE ORDER 79-2002 (AGENDA ITEM 10)**

**APPROVAL TO ADJUST THE PROJECT SCOPE AND  
BUDGET FOR THE CLASSROOM BUILDING,  
TEXAS A&M UNIVERSITY-CORPUS CHRISTI**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The proposed scope adjustment for the Classroom Building at Texas A&M University-Corpus Christi is approved.

The proposed budget adjustment for the Classroom Building at Texas A&M University-Corpus Christi is approved.

The ranked order listing of architect/engineer firms for the Classroom Building at Texas A&M University-Corpus Christi, a copy of which is attached to the official minutes as **Exhibit F**, is approved.

The reversion of \$721,000.00 of previously appropriated funds to Account No. 030010 Student Services Fees for the Classroom Building at Texas A&M University-Corpus Christi is approved.



**MINUTE ORDER 80-2002 (AGENDA ITEM 11)**

**APPROVAL TO ADJUST THE PROJECT SCOPE AND BUDGET  
FOR THE HARTE RESEARCH BUILDING,  
TEXAS A&M UNIVERSITY-CORPUS CHRISTI**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The proposed scope adjustment for the Harte Research Building at Texas A&M University-Corpus Christi is approved.

The proposed budget adjustment for the Harte Research Building at Texas A&M University-Corpus Christi is approved.

Supplementing a previous appropriation of \$799,000.00, the amount of \$211,000.00 is appropriated from Account No. 030010 Student Services Fees for design of the Harte Research Building at Texas A&M University-Corpus Christi.

The Board of Regents of The Texas A&M University System reasonably expects to incur debt in one or more obligations for this project, and all or a portion of the proceeds received from the sale of such obligations is reasonably expected to be used to reimburse the account(s) for amounts previously appropriated and/or expended from such account(s).

As required by Section 5(a) of the Master Resolution of the Revenue Financing System, the Board hereby determines that it will have sufficient funds to meet the financial obligations of The Texas A&M University System, including sufficient Pledged Revenues to satisfy the Annual Debt Service Requirements of the Revenue Financing System and to meet all financial obligations of the Board relating to the Revenue Financing System and that the Participants, on whose behalf the debt is issued, possess the financial capacity to satisfy their Direct Obligations.

**MINUTE ORDER 81-2002 (AGENDA ITEM 12)**

**APPROPRIATION OF FUNDS AND APPROVAL FOR THE  
TEXAS A&M UNIVERSITY PHYSICAL PLANT TO  
ADMINISTER THE PROJECT TO RENOVATE FOWLER HALL  
AS PART OF A PROGRAM TO RENOVATE FIVE BALCONY-STYLE DORMS,  
TEXAS A&M UNIVERSITY**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The project budget of \$2,300,000.00 for the renovation of Fowler Hall at Texas A&M University is approved.

Authorization for Texas A&M University Physical Plant to administer the project to renovate Fowler Hall is approved.

The amount of \$2,300,000.00 is appropriated from Account No. 030062 Residence Halls Reserve for renovation of Fowler Hall at Texas A&M University.

Authorization for the President of Texas A&M University to select the design/build contractor is approved.

**MINUTE ORDER 82-2002 (AGENDA ITEM 13)**

**NAMING OF  
THE FRANK J. MALINA AUDITORIUM,  
TEXAS A&M UNIVERSITY**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

Room 124 of the H.R. Bright Building on the campus of Texas A&M University is hereby named the "Frank J. Malina Auditorium," in memory of Dr. Frank J. Malina '34.

**MINUTE ORDER 83-2002 (AGENDA ITEM 13)**

**NAMING OF THE  
BRIGHT FOOTBALL COMPLEX,  
TEXAS A&M UNIVERSITY**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The new football complex and academic center on the campus of Texas A&M University is hereby named the "Bright Football Complex" in honor of H.R. "Bum" Bright and his family.

**MINUTE ORDER 84-2002 (AGENDA ITEM 13)**

**NAMING OF THE  
KARR - VETERANS MEMORIAL HALL,  
TEXAS A&M UNIVERSITY-KINGSVILLE**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The ROTC Building on the campus of Texas A&M University-Kingsville is hereby named the "Karr - Veterans Memorial Hall" in honor of Colonel Don Everett Karr and former cadets, students, faculty and staff who currently serve or have served in the United States Armed Forces.

**MINUTE ORDER 85-2002 (AGENDA ITEM 14)**

**AUTHORIZATION FOR THE SALE OF LAND,  
BRAZOS COUNTY, TEXAS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The Board of Regents of The Texas A&M University System hereby authorizes the Chancellor of The Texas A&M University System, or his designee, following favorable recommendation by the System Real Estate Office and legal review by the Office of General Counsel, to take all steps necessary to sell Lots 11 through 16, Block 12, Being a Portion of the Terrace Oak Addition to the City of College Station, Brazos County, Texas, to Saint Mary's Catholic Church and/or assigns. Consideration for this sale will be \$180,000, less customary closing costs.

**MINUTE ORDER 86-2002 (AGENDA ITEM 15)**

**AUTHORIZATION TO ENTER INTO A LONG-TERM LEASE  
FOR TWO TRACTS OF LAND TOTALING APPROXIMATELY 1,240 ACRES,  
WILBARGER COUNTY, TEXAS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The Chancellor of The Texas A&M University System, or his designee, following favorable recommendation by the System Real Estate Office and legal review by the Office of General Counsel, is authorized to enter into a long-term lease agreement with A.G. and Margie K. Walker, for two (2) tracts of land totaling approximately 1,240 acres and being described as northeast quarter and the south half of the west half of Section 79, Block 14, H&TC Railway Company Survey, Wilbarger County, Texas. The term of the lease will not extend past the end of Fiscal Year 2013. Consideration to be paid by Texas Agricultural Experiment Station will be share crop revenues from farm production and federal program payments.

**MINUTE ORDER 87-2002 (AGENDA ITEM 16)**

**AUTHORIZATION TO ENTER INTO A LONG-TERM LEASE  
FOR TWO TRACTS OF LAND TOTALING APPROXIMATELY 935 ACRES,  
WILBARGER COUNTY, TEXAS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The Chancellor of The Texas A&M University System, or his designee, following favorable recommendation by the System Real Estate Office and legal review by the Office of General Counsel, is authorized to enter into a long-term lease agreement with John A. and Jean Hardison Smith, for two (2) tracts of land totaling approximately 935 acres and being described as Section 68 and the north half of Section 67, Block 14, H&TC Railway Company Survey, Wilbarger County, Texas. The term of the lease will not extend past the end of Fiscal Year 2013. Consideration to be paid by Texas Agricultural Experiment Station will be share crop revenues from farm production and federal program payments.

**MINUTE ORDER 88-2002 (AGENDA ITEM 17)**

**AUTHORIZATION FOR THE PURCHASE OF LAND,  
LUBBOCK COUNTY, TEXAS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The Chancellor of The Texas A&M University System, or his designee, following favorable recommendation by the System Real Estate Office and legal review by the Office of General Counsel, is authorized to execute all documents necessary to purchase a tract of land consisting of 53.41 acres, more or less, in the Section 42, Block 8 1/2 and Survey 17, Block RG in Lubbock County, Texas. The purchase price of \$101,479, plus closing costs, is appropriated from Account No. 115043, styled "West Texas Nursery Relocation."

By approval of this minute order, the Board certifies the requirements of the Texas Higher Education Coordinating Board rules have been met and authorizes the Chancellor, or his designee, to take all steps necessary to communicate this certification to the Texas Higher Education Coordinating Board.

**MINUTE ORDER 89-2002 (AGENDA ITEM 18)**

**AUTHORIZATION FOR THE SALE OF LAND,  
HUNT COUNTY, TEXAS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The Board of Regents of The Texas A&M University System hereby authorizes the Chancellor of The Texas A&M University System, or his designee, following favorable recommendation by the System Real Estate Office and legal review by the Office of General Counsel, to take all steps necessary to sell 0.92 acres, more or less, situated in the R.D. McAnally Survey, Abstract No. 744, Hunt County, Texas, to Texas Energy Management, Inc., and/or assigns. Consideration for this sale will be \$1,235, less necessary closing costs.

**MINUTE ORDER 90-2002 (AGENDA ITEM 19)**

**AUTHORIZATION TO EXECUTE AN  
ETHYLENE PIPELINE EASEMENT TO  
HUNTSMAN PETROCHEMICAL CORPORATION,  
JEFFERSON COUNTY, TEXAS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The Chancellor of The Texas A&M University System, or his designee, after favorable recommendation by the System Real Estate Office and legal review by the Office of General Counsel, is authorized to execute an eight-inch (8") ethylene pipeline easement to Huntsman Petrochemical Corporation, or assigns. The dimensions of this easement are approximately 20 feet in width and 3,062 feet (185.58 rods) in length across a portion of Texas Agricultural Experiment Station property in the James Gerish League, Abstract No. 25, Jefferson County, Texas. This easement will be for a ten (10) year term with total consideration being \$18,558.

**MINUTE ORDER 91-2002 (AGENDA ITEM 20)**

**AUTHORIZATION TO EXECUTE A  
PROPYLENE PIPELINE EASEMENT TO  
HUNTSMAN PETROCHEMICAL CORPORATION,  
JEFFERSON COUNTY, TEXAS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The Chancellor of The Texas A&M University System, or his designee, after favorable recommendation by the System Real Estate Office and legal review by the Office of General Counsel, is authorized to execute a six-inch (6") propylene pipeline easement to Huntsman Petrochemical Corporation, or assigns. The dimensions of this easement are approximately 20 feet in width and 3,062 feet (185.58 rods) in length across a portion of Texas Agricultural Experiment Station property in the James Gerish League, Abstract No. 25, Jefferson County, Texas. This easement will be for a ten (10) year term with total consideration being \$18,558.

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Mr. Nye then called on Ms. Armstrong to present the report of the Committee on Academic and Student Affairs.

**REPORT FROM THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS**

Ms. Armstrong, Chairman of the Committee on Academic and Student Affairs, reported that the Committee had met Thursday, May 23, and approved Items 21 through 32. The Board took action as set forth below:

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**MINUTE ORDER 92-2002 (AGENDA ITEM 21)**

**APPROVAL OF CONCEPT PAPER FOR THE  
CENTER FOR AGRICULTURAL AIR QUALITY ENGINEERING AND SCIENCE,  
TEXAS A&M UNIVERSITY, WEST TEXAS A&M UNIVERSITY,  
TEXAS AGRICULTURAL EXPERIMENT STATION  
AND TEXAS COOPERATIVE EXTENSION**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the concept paper for the establishment of a Center for Agricultural Air Quality Engineering and Science within Texas A&M University, West Texas A&M University, the Texas Agricultural Experiment Station and Texas Cooperative Extension was approved, a copy of which is attached to the official minutes as **Exhibit G**.

**MINUTE ORDER 93-2002 (AGENDA ITEM 22)**

**ESTABLISHMENT OF THE CENTER FOR IRRIGATION TECHNOLOGY,  
TEXAS AGRICULTURAL EXPERIMENT STATION AND  
TEXAS COOPERATIVE EXTENSION**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

The Irrigation Technology Center is hereby established as an organizational part of the Texas Agricultural Experiment Station and Texas Cooperative Extension that is administered within the Texas Water Resources Institute, as described in **Exhibit H**, effective May 24, 2002.

**MINUTE ORDER 94-2002 (AGENDA ITEM 23)**

**APPROVAL OF THE RENEWAL OF THE MEMORANDUM OF AGREEMENT  
ESTABLISHING A REGIONAL DIVISION AT  
WEST TEXAS A&M UNIVERSITY,  
TEXAS TRANSPORTATION INSTITUTE**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

The Chairman of the Board of Regents and the Chancellor of The Texas A&M University System are hereby authorized to execute the attached Memorandum of Agreement between the Texas Transportation Institute and West Texas A&M University, to become effective immediately, a copy of which is attached to the official minutes as **Exhibit I**.

**MINUTE ORDER 95-2002 (AGENDA ITEM 24)**

**AUTHORIZATION TO OFFER THE DOCTOR OF  
PHILOSOPHY DEGREE WITH A MAJOR IN AGRICULTURE AND  
AUTHORIZATION TO SUBMIT TO THE  
TEXAS HIGHER EDUCATION COORDINATING BOARD FOR APPROVAL,  
WEST TEXAS A&M UNIVERSITY**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

The Board of Regents of The Texas A&M University System approves the establishment of a new degree program at West Texas A&M University leading to a Doctor of Philosophy with major in Agriculture, described in **Exhibit J**, attached to the official minutes.

The Board also authorized the President to submit the new degree program to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.

**MINUTE ORDER 96-2002 (AGENDA ITEM 25)**

**AUTHORIZATION TO OFFER THE MASTER OF SCIENCE DEGREE IN  
MANAGEMENT ELECTRONICALLY VIA THE INTERNET,  
TEXAS A&M UNIVERSITY-COMMERCE**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

Having complied with all of the requirements of the Texas Higher Education Coordinating Board, Texas A&M University-Commerce is hereby authorized to deliver the Master of Science in Management degree program electronically via the Internet, effective Fall 2002, described in **Exhibit K**, attached to the official minutes.

The Board of Regents of The Texas A&M University System finds that the program offering authorized by this minute order is within the role and scope and capacity of the institution and will benefit students.

**MINUTE ORDER 97-2002 (AGENDA ITEM 26)**

**AUTHORIZATION TO OFFER THE MASTER OF EDUCATION IN  
ELEMENTARY EDUCATION AND THE MASTER OF EDUCATION AND  
MASTER OF SCIENCE IN SECONDARY EDUCATION DEGREES  
TO TEACHERS AT ROCKWALL INDEPENDENT SCHOOL DISTRICT,  
ROCKWALL, TEXAS,  
TEXAS A&M UNIVERSITY-COMMERCE**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

Having complied with all of the requirements of the Texas Higher Education Coordinating Board, Texas A&M University-Commerce is hereby authorized to offer the following degree programs through a field-based, face-to-face delivery, at Rockwall Independent School District, Rockwall, Texas, effective Fall 2002, described in **Exhibit L**, attached to the official minutes:

Master of Education in Elementary Education and the  
Master of Education and Master of Science in Secondary Education

The Board of Regents of The Texas A&M University System finds that the program offering authorized by this minute order is within the role and scope and capacity of the institution and will benefit students.



**MINUTE ORDER 98-2002 (AGENDA ITEM 27)**

**ESTABLISHMENT OF THE CENTER FOR  
MICROENCAPSULATION AND DRUG DELIVERY,  
TEXAS A&M UNIVERSITY**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

The Center for Microencapsulation and Drug Delivery is hereby established as an organizational unit of Texas A&M University in the Office of the Vice President for Research as a collaborative effort between Texas A&M University, The Texas A&M University System Health Science Center, the Texas Agricultural Experiment Station, and the Texas Engineering Experiment Station, to advance research in the area of controlled release systems for medicine, agriculture, and industry, described in **Exhibit M**, attached to the official minutes.

**MINUTE ORDER 99-2002 (AGENDA ITEM 28)**

**ESTABLISHMENT OF THE  
INTEGRATIVE CENTER FOR HOMELAND SECURITY,  
TEXAS A&M UNIVERSITY**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

The Integrative Center for Homeland Security is hereby established as an organizational unit of Texas A&M University in the Office of the Vice President for Research to serve as an umbrella organization that integrates activities in a diverse set of programmatic areas in homeland security across The Texas A&M University System, described in **Exhibit N**, attached to the official minutes.

**MINUTE ORDER 100-2002 (AGENDA ITEM 29)**

**ESTABLISHMENT OF THE  
CENTER FOR INFORMATION ASSURANCE AND SECURITY,  
TEXAS A&M UNIVERSITY**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

The Center for Information Assurance and Security is hereby established as an organizational unit of Texas A&M University in the Office of the Vice President for Research to consolidate research and educational activities in the area of information assurance and security at Texas A&M University, described in **Exhibit O**, attached to the official minutes.

**MINUTE ORDER 101-2002 (AGENDA ITEM 30)**

**APPROVAL OF CONCEPT PAPER  
TO CREATE THE INSTITUTE FOR APPLIED CREATIVITY,  
TEXAS A&M UNIVERSITY**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the concept paper to create the Institute for Applied Creativity as an organizational unit of the College of Education at Texas A&M University was approved, a copy of which is attached to the official minutes as **Exhibit P**.

**MINUTE ORDER 102-2002 (AGENDA ITEM 31)**

**AUTHORIZATION TO DISSOLVE THE  
CENTER FOR BIOLOGICALLY INTENSIVE INTEGRATED  
PEST MANAGEMENT,  
TEXAS A&M UNIVERSITY**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

The Center for Biologically Intensive Integrated Pest Management, established within Texas A&M University by Board Minute Order 259-91, is hereby dissolved as of May 24, 2002.

**MINUTE ORDER 103-2002 (AGENDA ITEM 32)**

**APPROVAL OF UNDERGRADUATE CATALOG TEXT RELATED TO THE  
CORPS OF CADETS AND THE SCHOOL OF MILITARY SCIENCES,  
TEXAS A&M UNIVERSITY**

On motion of Ms. Armstrong, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

In order to clarify an ambiguity, Texas A&M University has developed a new catalog statement requiring all students enrolled in ROTC programs at Texas A&M University be members of the Corps of Cadets. Additionally, the statement requires ROTC participants who enroll in Military Science courses to be members of the Corps of Cadets. The Board of Regents endorses this practice and the statement for the University's undergraduate catalog, a copy of which is attached to the official minutes as **Exhibit Q**.

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Mr. Nye called on Dr. Wynn to present the report of the Committee on Audit.

**REPORT FROM THE COMMITTEE ON AUDIT**

Dr. Wynn said that the Committee met on May 14, 2002, and approved the audit department's 2003 Annual Audit Plan. The plan includes specific projects identified through a Systemwide risk assessment process that addressed financial controls in reporting, management controls in reporting, compliance with laws, policies and regulations, economic and efficient use of resources, performance measurements and follow-up audits. Dr. Wynn said that this is a very comprehensive and ambitious plan. On Chairman Adams behalf, Dr. Wynn thanked Ms. Cathy Smock, Chief Auditor, for her excellent leadership of the audit department. The Board took action as set forth below:

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**MINUTE ORDER 104-2002 (AGENDA ITEM 33)**

**APPROVAL OF 2003 AUDIT PLAN,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Wynn, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

The Board of Regents of The Texas A&M University System hereby approves the System Internal Audit Plan for Fiscal Year 2003, a copy of which is attached to the official minutes as **Exhibit R**.

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Mr. Nye called on Dr. Wynn to present the report from the Ad Hoc Policy Review Committee.

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**REPORT FROM THE AD HOC POLICY REVIEW COMMITTEE**

Dr. Wynn said the Committee met on Thursday, May 23, and recommended approval of Item 34. She said Item 35 was withdrawn prior to the meeting. The Board took action as set forth below:

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**MINUTE ORDER 105-2002 (AGENDA ITEM 34)**

**APPROVAL OF MINOR REVISIONS TO SYSTEM POLICIES 11.04  
(ENROLLMENT MANAGEMENT PLANS AND ADMISSION STANDARDS)  
AND 11.07 (GRANTING OF HONORARY DEGREES),  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Wynn, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

Minor revisions to System Policy 11.04 (*Enrollment Management Plans and Admission Standards*) and System Policy 11.07 (*Granting of Honorary Degrees*), copies of which are attached to the official minutes as **Exhibits S and T**, are approved to be effective immediately.

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Mr. Nye called on Mr. Sosa to present the report of the Special Committee on Campus Art and Aesthetic Improvement.

**REPORT FROM THE SPECIAL COMMITTEE ON  
CAMPUS ART AND AESTHETIC IMPROVEMENT**

Mr. Sosa said that the Committee met on Thursday, May 23, and considered Items 36 and 37. The Board took action as set forth below:

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**MINUTE ORDER 106-2002 (AGENDA ITEM 36)**

**AUTHORIZATION FOR THE ACCEPTANCE  
AND PLACEMENT OF THE 2002 CLASS GIFT:  
RENOVATION OF SPENCE PARK,  
TEXAS A&M UNIVERSITY**

On motion of Mr. Sosa, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The President of Texas A&M University is hereby authorized to accept and approve the placement of a pavilion in Spence Park and further approve renovations of that area as per the diagram attached to the official minutes as **Exhibit U**. The Texas A&M University Class of 2002 will fund the entire project.

**MINUTE ORDER 107-2002 (AGENDA ITEM 37)**

**AUTHORIZATION FOR THE ACCEPTANCE AND PLACEMENT  
OF THE "AGGIE RING STATUE AND PLAQUE,"  
TEXAS A&M UNIVERSITY**

On motion of Mr. Sosa, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The President of Texas A&M University is hereby authorized to approve the acceptance and placement of the "Aggie Ring Statue and Plaque," designed for the Quadrangle, on the Texas A&M campus, as per the diagram attached to the official minutes as **Exhibit V**. The location for the statue will be the north end of the Quadrangle, facing the arches. This gift is a donation to Texas A&M University.

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**OTHER ITEMS**

Mr. Nye called on Mr. Graves to present Item 38. Mr. Graves asked the Board to approve the item, but to delay public presentation until the next meeting to be held in College Station, on July 25-26, so that the faculty and staff of Texas A&M University would be able to attend. The Board took action as set forth below:

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**MINUTE ORDER 108-2002 (AGENDA ITEM 38)**

**ADOPTION OF A RESOLUTION HONORING  
DR. RAY M. BOWEN  
AND CONFERRING THE TITLE OF PRESIDENT EMERITUS,  
TEXAS A&M UNIVERSITY**

On motion of Dr. Avilés, seconded by Dr. Wynn and by a unanimous vote the following minute order was approved:

Whereas, Dr. Ray M. Bowen has served with distinction as the 21<sup>st</sup> President of Texas A&M University for eight years, from June 1994 through July 2002; and

Whereas, under Dr. Bowen's leadership, Texas A&M University's academic programs have continued to be enhanced and have been recognized for excellence both nationally and internationally, most recently through an invitation to membership in the prestigious American Association of Universities and a campus visit of the National Committee of Phi Beta Kappa; and

Whereas, during Dr. Bowen's tenure as President, the George Bush Presidential Library Center was opened and formally dedicated, increasing the stature of Texas A&M University throughout the world; and

Whereas, Dr. Bowen initiated an ambitious program, titled *Vision 2020*, designed to propel Texas A&M University into the ranks of the top-ten best public universities in the nation by the year 2020 as recognized in the highest levels of academic, corporate, and governmental circles; and

Whereas, during Dr. Bowen's tenure as President, the institution successfully completed a major capital campaign exceeding its \$500 million goal by more than \$137 million and began a second campaign, *One Spirit One Vision*; and

Whereas, his leadership and resolve during and after the Bonfire collapse of November 18, 1999, helped the university community cope in a compassionate and constructive manner in the wake of Texas A&M's greatest tragedy; and

Whereas, he earned the Bachelor of Science and Doctor of Philosophy degrees from Texas A&M University and the Master of Science degree from the California Institute of Technology; and

Whereas, he faithfully served his country on active military duty with the United States Air Force, including service on the faculty of the Air Force Institute of Technology at Dayton, Ohio; and

Whereas, immediately before joining Texas A&M University, Dr. Bowen served as Interim President and Provost and Vice President for Academic Affairs at Oklahoma State University; and

Whereas, Dr. Bowen previously served with distinction as a faculty member at Louisiana State University; Rice University, where he also served as Chairperson of the Department of Mechanical Engineering and Materials Science; and the University of Kentucky, where he also served as Dean of the College of Engineering; and

Whereas, he also has served as a member of the National Science Foundation staff on two occasions, most recently as Deputy Assistant Director for Engineering and Acting Assistant Director for Engineering and earlier as Director of the Division of Mechanical Engineering and Applied Mechanics; and

Whereas, Dr. Bowen has devoted his entire adult life to higher education and related endeavors and, in service to his nation and his alma mater, has distinguished himself in all of these endeavors; now, therefore, be it

Resolved, that the Board of Regents of The Texas A&M University System expresses its appreciation for Dr. Bowen's service to Texas A&M University by conferring upon him the title of President Emeritus, to be effective on the day after his departure from the role of President; and, be it, further

Resolved, that this resolution be spread upon the minutes, with official copies thereof signed by the Chairman of the Board of Regents, and presented to Dr. Ray M. Bowen as an expression of appreciation for his leadership and dedication to Texas A&M University.

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Mr. Nye called on Dr. Bowen to present Items 39 and 40. Dr. Bowen asked that the resolutions be read publicly at the next meeting in College Station. The Board took action as set forth below:

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**MINUTE ORDER 109-2002 (AGENDA ITEM 39)**

**ADOPTION OF A RESOLUTION HONORING  
MAJOR GENERAL MARVIN T. (TED) HOPGOOD  
AND CONFERRING THE TITLE OF COMMANDANT EMERITUS,  
TEXAS A&M UNIVERSITY**

On motion of Dr. Avilés, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

Whereas, Major General Marvin T. (Ted) Hopgood, USMC (Retired) has served Texas A&M University since 1996 as the 37<sup>th</sup> Commandant of Cadets and Head of the School of Military Sciences; and

Whereas, General Hopgood graduated from Texas A&M in May 1965 with a Bachelor of Science degree in physical education and was commissioned a second lieutenant in the Marine Corps, later received a Master of Education degree from the University of Virginia, and also completed studies from the Naval War College's Command and Staff Course and the Australian Joint Services Staff College; and

Whereas, prior to joining the Corps of Cadets as Commandant, General Hopgood completed 31 years of distinguished service to his country in the United States Marine Corps; receiving the Defense Distinguished Service Medal, Defense Superior Service Medal, Legion of Merit, Bronze Star Medal with "V" device for valor, Purple Heart, Meritorious Service Medal, three Navy Commendation Medals with "V" device, and the Navy Achievement Medal; and retiring from active duty as President of the Marine Corps University and Commanding General of Marine Corps Schools at Quantico, Virginia; and

Whereas, while Commandant of the Texas A&M Corps of Cadets, Major General Hopgood significantly improved the cadet recruiting process, introduced new measures to retain cadets, and emphasized the importance of cadet academic studies; and

Whereas, General Hopgood's understanding for the diverse needs of his cadets ensured that the training they received complemented their academic education and prepared them to lead in the careers of their choosing; and

Whereas, as a result, cadet grades reached their highest levels ever, accession of new cadets remained steady, and cadet retention increased during a nationwide decline in military recruiting; and

Whereas, General Hopgood's mentoring and instructing of countless Aggie cadets actively contributed to the growth and development of these students while at Texas A&M; and

Whereas, General Hopgood's life and career have been dedicated to serving his country and Texas A&M University while consistently exhibiting only the highest degree of competence and commitment in his professional duties; now, therefore, be it

Resolved, that the Board of Regents of The Texas A&M University System expresses its appreciation for the service of Major General Marvin T. (Ted) Hopgood to Texas A&M University by conferring upon him the title "Commandant Emeritus," to be effective with his retirement on May 31, 2002; and, be it, further

Resolved, that this resolution be spread upon the minutes, with official copies thereof signed by the Chairman of the Board of Regents, and presented to Major General Marvin T. (Ted) Hopgood as an expression of appreciation for his leadership and dedication to Texas A&M University.

**MINUTE ORDER 110-2002 (AGENDA ITEM 40)**

**ADOPTION OF A RESOLUTION HONORING  
COLONEL RAY E. TOLER AND  
CONFERRING THE TITLE OF DIRECTOR OF BANDS EMERITUS,  
TEXAS A&M UNIVERSITY**

On motion of Dr. Avilés, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

Whereas, Colonel Ray E. Toler, Texas State Guard, USAF (Retired), received his Bachelor of Music Education degree from Texas Christian University in 1964 and earned a Master of Arts in Music from the State College of New Jersey in 1975; and

Whereas, Colonel Toler began his distinguished United States Air Force career in 1977, eventually served as Conductor and Commander of six Air Force bands, and retired in 1988 as Chief of Bands and Music for the Air Force at the Pentagon; and

Whereas, Colonel Toler has served Texas A&M University since 1988 as the fourth Director in the 107-year history of the Fightin' Texas Aggie Band; and



Whereas, during Colonel Toler's 13-year tenure, the number of students participating in the band program has nearly doubled to more than 600 students per year; and

Whereas, Fightin' Texas Aggie Band infantry and artillery units routinely lead the Corps of Cadets in academics, recruiting, and retention; and

Whereas, in addition to his work with the Marching Band, Colonel Toler has been a driving force behind the rapidly expanding Texas A&M University instrumental program that now includes the Aggie Basketball Band, the Concert Band, the Symphonic Band, and the Aggieland Orchestra; and

Whereas, during his musical career, Colonel Toler has conducted numerous All-State and Honor bands, developed the "Greatest Bands in the Land" military concert band performance series for National Public Radio, conducted and produced more than 50 recordings, including the Grammy-nominated *Coming at Ya*, composed "The George Bush Presidential March," and has also commissioned more than 20 compositions, including Alfred Reed's *El Camino Real*, Curtis Wilson's *Ukrainian Dances*, and Dr. Timothy Rhea's *The Fire of Eternal Glory*; and

Whereas, Colonel Toler's professional honors include the Randy Matson '67 Association of Former Students Professional Staff Award from Texas A&M University's Division of Student Affairs and memberships in prestigious national associations such as the American Bandmasters Association, John Philip Sousa Foundation, Phi Mu Alpha Sinfonia, and Life Membership in Kappa Kappa Psi; and

Whereas, Colonel Toler's professional accomplishments, flair for musical direction, and mentorship of hundreds of young men and women at Texas A&M have made a profound, lasting impact on both the Spirit and the music of Aggieland; now, therefore, be it

Resolved, that the Board of Regents of The Texas A&M University System expresses its appreciation for the service of Colonel Ray E. Toler to Texas A&M University by conferring upon him the title "Director of Bands Emeritus," to be effective with his retirement on May 31, 2002; and, be it, further

Resolved, that this resolution be spread upon the minutes, with official copies thereof signed by the Chairman of the Board of Regents, and presented to Colonel Ray E. Toler as an expression of appreciation for his leadership and dedication to Texas A&M University.

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Mr. Nye called on Dr. Bowen to present Item 41. The Board took action as set forth below:

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**MINUTE ORDER 111-2002 (AGENDA ITEM 41)**

**REAPPOINTMENT OF MS. ERMA LEE MOONEY TO THE  
TEXAS A&M UNIVERSITY-GALVESTON BOARD OF VISITORS,  
TEXAS A&M UNIVERSITY**

On motion of Mr. Stevens, seconded by Dr. Avilés and by a unanimous vote, the following minute order was approved:

Effective June 1, 2002, Ms. Erma Lee Mooney, is hereby appointed to the Texas A&M University at Galveston Board of Visitors for a period of three years.

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Mr. Nye called on Mr. Graves to present Items 42 through 46. The Board took action as set forth below:

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**MINUTE ORDER 112-2002 (AGENDA ITEM 42)**

**AUTHORIZATION OF DEVELOPMENT LEAVE,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

The Board of Regents of The Texas A&M University System, in accordance with System Policy 31.03 and Sections 51.101 and 51.948 of the Texas Education Code, authorizes development leave for Dr. Ray M. Bowen for one year beginning on or after July 1, 2002.

**MINUTE ORDER 113-2002 (AGENDA ITEM 43)**

**APPROVAL OF ACADEMIC TENURE,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

The Board of Regents of The Texas A&M University System, in accordance with System Policy 12.01 on academic freedom, responsibility and tenure, hereby authorizes the granting of tenure to the following faculty members as set forth on Tenure List No. 01-02-05, attached to the official minutes as **Exhibit W**.

**MINUTE ORDER 114-2002 (AGENDA ITEM 44)**

**GRANTING OF THE TITLE OF EMERITUS/EMERITA,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

In recognition of long and distinguished service to The Texas A&M University System, the Board of Regents hereby confirms the recommendation of the Chancellor, and confers the title of "Emeritus/Emerita" upon individuals as shown on Emeritus title List No. 01-02-05, attached to the official minutes as **Exhibit X**, and grants all rights and privileges of this title.

**MINUTE ORDER 115-2002 (AGENDA ITEM 45)**

**CONFIRMATION OF APPOINTMENT AND  
COMMISSIONING OF PEACE OFFICERS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

In accordance with System Policy 34.06 (*Appointment, Commissioning and Authority of Peace Officers*), the Board of Regents hereby confirms the appointment and commissioning of peace officers by the Presidents of the respective components of The Texas A&M University System, as reflected in **Exhibit Y**, attached to the official minutes.

**MINUTE ORDER 116-2002 (AGENDA ITEM 46)**

**CONFIRMATION OF APPOINTMENT AND  
COMMISSIONING OF PEACE OFFICERS,  
TEXAS FOREST SERVICE**

On motion of Dr. Avilés, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

The Board of Regents of The Texas A&M University System hereby commissions the Texas Forest Service employees, Mr. Blake S. Crockett and Mr. Leslie N. Rogers, as peace officers.

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Mr. Nye presented Item 47. The Board took action as set forth below:

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**MINUTE ORDER 117-2002 (AGENDA ITEM 47)**

**APPROVAL OF MINUTES OF MARCH 21-22, 2002, REGULAR MEETING,  
AND APRIL 8, 2002, SPECIAL TELEPHONIC MEETING,  
BOARD OF REGENTS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Mr. Stevens, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

The Minutes of the Meeting of the Board of Regents of The Texas A&M University System held on March 21-22, 2002, in College Station, Texas, are approved.

The Minutes of the Special Telephonic Meeting of the Board of Regents of The Texas A&M University System held on April 8, 2002, in College Station, Texas, are approved.

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Mr. Nye presented Item 48. Mr. Nye said that there had been an extensive search and three excellent candidates were brought forward and have been interviewed by the Board. Mr. Nye asked the Board for their conclusion.

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**MINUTE ORDER 118-2002 (AGENDA ITEM 48)**

**NAMING OF  
DR. RUMALDO ZAPATA JUAREZ  
AS THE FINALIST FOR THE POSITION OF PRESIDENT OF  
TEXAS A&M UNIVERSITY-KINGSVILLE**

On motion of Mr. Sosa, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

Dr. Rumaldo Zapata Juarez is hereby named as the finalist for the position of President of Texas A&M University-Kingsville. As required by state law, final action will be taken after the 21-day notice is given.

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Mr. Stevens added that Dr. Juarez' leadership will enable Texas A&M University-Kingsville (TAMU-K) to continue in its efforts to be the best that it can be. He also thanked Dr. Kay Clayton for her leadership as interim president, and said her continuing commitment to the university was sincerely appreciated.

Mr. Nye said the Board was very proud of Dr. Juarez. He said he is an outstanding educator and an administrator. He has taken a keen interest in matters around TAMU-K. He said Dr. Juarez is a thoughtful and enthusiastic leader who will serve the university very well. Mr. Nye thanked Dr. Clayton for her long service to the university.

Mr. Nye called on Dr. Bowen who presented Item 49. The Board took action as set forth below:

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**MINUTE ORDER 119-2002 (AGENDA ITEM 49)**

**AUTHORIZATION TO APPROVE A CONTRACT FOR  
A SUITE IN THE MEMORIAL STUDENT CENTER,  
TEXAS A&M UNIVERSITY**

On motion of Ms. Armstrong, seconded by Dr. Wynn and by a unanimous vote, the following minute order was approved:

The President of Texas A&M University is hereby authorized, upon review for legal form and sufficiency by the Office of General Counsel, to execute a contract with former Regent and Chairman David G. Eller for priority use of one of the suites in the Memorial Student Center.

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Mr. Nye presented Item 50. He said Dr. Charles A. Hines, President of Prairie View A&M University (PVAMU), has served the university for some eight years with distinction. Mr. Nye said Dr. Hines has chosen to retire from that duty. He said the Board has received a separation agreement that needs to be acknowledged and approved. The Board took action as set forth below:

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**MINUTE ORDER 120-2002 (AGENDA ITEM 50)**

**RATIFICATION OF SEPARATION AGREEMENT WITH  
DR. CHARLES A. HINES,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Dr. Avilés, seconded by Mr. Stevens and by a unanimous vote, the following minute order was approved:

The separation agreement executed May 18, 2002, by the Chancellor between The Texas A&M University System and Dr. Charles A. Hines is hereby ratified. The Chancellor is authorized to appropriate funds necessary to fulfill the terms of the separation agreement.

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Mr. Nye said on behalf of the Board of Regents, that he greatly appreciated Dr. Hines for all that he has done under some challenging circumstances. He has brought the university forward. Mr. Nye wished Dr. Hines the very best in his retirement. Dr. Avilés said he would like to echo the remarks about Dr. Hines. He said he has known him for many years and he thinks Dr. Hines did an outstanding job at PVAMU. Mr. Stevens agreed. He said he was a friend and on the record, he wanted to thank Dr. Hines for his service to PVAMU and TAMUS.

Mr. Nye said he intended to appoint a committee to consider what can be done to enhance the TAMUS Health Science Center. Mr. Nye said they have come a long way, it's the 25<sup>th</sup> anniversary of the medical school and the Health Science Center is off to a good start. He said the Board wants to make sure that is continued. He said they have received some proposals for other opportunities that need to be considered. They would involve construction and financing, as well as medical sciences questions, and accordingly it was his intent, under the Bylaws, to appoint a committee of three, composed of Dr. Avilés, Chair of the Facilities Committee, Dr. Wynn, Chair of the Ad Hoc Committee on the Health Science Center, and Mr. Stevens, Chair of the Finance Committee. Mr. Nye proposed that Mr. Stevens chair the committee. Mr. Nye said he wanted this committee to consider how we stand in the medical community and how we might enhance our standing. He said this is intended to reflect that the Board is very happy with the progress that we made with the Health Science Center and certainly with the medical school. He said this is a desire to move forward and so it is helpful, on occasion, to stop and pause and consider where we are.

Mr. Nye announced that the next regular meeting was scheduled for July 25-26, 2002, at Texas A&M University.

Mr. Nye thanked Dr. Keck and the Texas A&M International University family for hosting the meeting. Mr. Nye thanked Dr. Keck for his enthusiasm and congratulated him.

**ADJOURNMENT**

There being no further business, Mr. Nye adjourned the meeting at 11:25 a.m., Friday, May 24, 2002.

Vickie Burt Spillers  
Executive Secretary to the Board of Regents  
The Texas A&M University System

VBS:jb