MINUTES

OF THE

MEETING OF THE

BOARD OF REGENTS

OF

THE TEXAS A&M UNIVERSITY SYSTEM

HELD IN

COLLEGE STATION, TEXAS

January 23, 2003

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CONVENE BOARD MEETING – THURSDAY, JANUARY 23

Mr. Erle Nye, Chairman of the Board of Regents, convened a regular meeting of the Board of Regents of The Texas A&M University System at 9:35 a.m., on Thursday, January 23, 2002, in the Board Meeting Room, on the campus of Texas A&M University (TAMU), College Station, Texas. The following members of the Board were present:

Mr. Erle Nye, Chairman  
Dr. Dionel E. Avilés, Vice Chairman  
Mr. Phil Adams  
Mr. L. Lowry Mays  
Mr. Lionel Sosa  
Mr. R.H. (Steve) Stevens, Jr.  
Dr. Susan Rudd Wynn

The following members of the Board were not present:

Ms. Anne Armstrong  
Dr. Wendy Gramm

RECESS AND CONVENE IN CLOSED SESSION

At 9:36 a.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 of matters involving the purchase, exchange, lease, or value of real property and for discussion of matters involving negotiated contracts for prospective gifts or donations; and 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.

RECONVENE IN OPEN SESSION

(Secretary’s Note: The Board met in closed session from 9:44 a.m. to 11:04 a.m., in the Board of Regents Meeting Room.)
Mr. Nye reconvened the Board Meeting in open session at 11:20 a.m., in Room 292, of the Memorial Student Center on the campus of TAMU.

**INVOCATION**

Mr. Nye called on Mr. Travis Nichols, Deputy Corps Commander at TAMU, a senior from Austin, Texas, majoring in Animal Science.

**CHAIRMAN’S REMARKS**

Mr. Nye said that he had spoken to Mr. Howard D. Graves, Chancellor, and he is on the road to recovery following his recent surgery. Mr. Nye said that Mr. Graves was at home and unable to attend the Board Meeting. He said that Mr. Graves would be able to listen to the meeting by phone.

**CHANCELLOR’S REMARKS**

Mr. Nye called on Dr. Jerry Gaston, Deputy Chancellor, to bring remarks on behalf of Mr. Graves. Dr. Gaston said that The Texas A&M University System (TAMUS), Texas State University System and the University of Texas System have jointly proposed to the Houston Endowment a project to extend the Regents’ Initiative to a higher level by monitoring the best practices of teaching and preparation programs through research functions that currently do not exist. Dr. Gaston said that there is a great deal of optimism that the Houston Endowment will respond positively.

Dr. Gaston said that as a part of further system integration, the deans of the graduate schools at all System campuses have begun working on a pipeline model which would take undergraduate students from various undergraduate institutions to graduate programs at other institutions. He commended the deans for promoting this outstanding next step in the System Integration Plan.

Dr. Gaston congratulated Dr. Robert Furgason, President, Texas A&M University-Corpus Christi (TAMU-CC), who recently received the Humanitarian Award from the National Conference for Community Injustice.

**RECESS**

Mr. Nye recessed the meeting at 11:25 a.m.

*(Secretary’s Note: The Committee on Finance met from 11:26 a.m. to 12:15 p.m.)*

**RECONVENE IN OPEN SESSION**

Mr. Nye reconvened the meeting in open session at 12:16 p.m. He called on Dr. Stanton Calvert, Vice Chancellor for Governmental Relations, for his presentation.
LEGISLATIVE SESSION UPDATE

Dr. Calvert gave an overview of the situation the legislature is facing with respect to the preparation of the 2004-2005 budgets and the 2003 budget situation, a copy of which is on file in the Office of the Board of Regents.

Dr. Calvert referred to public statements by key legislative leaders characterizing the current budget environment and provided samples of suggestions for managing the budget challenge. He also provided specifics on the dimensions of the budget challenge, the approach that has been agreed on by the Governor, Lieutenant Governor and Speaker for building the appropriations bill for the next biennium. He said that this is the first time in history that all three leaders have agreed on the approach to be taken. Dr. Calvert reiterated that while the System intends to be good soldiers and partners with state-elected leaders, they will not shy away from describing what the needs are, which includes doing at least what is currently being done for TAMUS students.

Dr. Calvert said that the Texas Conservative Coalition is made up of the key leaders of the newly elected majorities in the House and Senate. He said that they have issued a very comprehensive report. Dr. Calvert discussed the issues that will affect TAMUS the most. He said that if you eliminate or cut institutional enhancement at universities, this will result in $300 million for higher education and $85 million to TAMUS institutions. He said that for some institutions this constitutes almost half of their state revenue. He said that the teaching experience supplement affects every institution in higher education which is approximately $130 million. Dr. Calvert said that the deregulation of tuition is one of the permitted revenue enhancers. He said that TAMUS is in favor of this and realizes that it is necessary. He said several features of the proposal make sense such as the ability to price classes at different times during the day at different rates.

Dr. Calvert said that another proposal that has been discussed is the elimination of all out-of-state tuition waivers which amounts to approximately $100 million. He discussed the $9.9 billion which is frequently cited by the press. He said that this figure is made up of $7.4 billion projected drop in revenue for 2004-2005, a $1.25 billion increase to cover the second year of teacher insurance and another $1 billion to cover health and human services shortfalls. He said that the $9.9 billion does not include any public school enrollment increases, higher education enrollment increases, increases in state employee health insurance, increases in cost for retired teacher’s insurance and none of the health and human services increases. Dr. Calvert said that 73 percent of the state budget is in two major functions; education and health and human services. He said that the single largest increase in the last four years was in health care costs.

Dr. Calvert said that for the first time in Texas history the top leaders of the executive and legislative branches agreed in advance on a starting point for the state budget and set that starting point at zero. He said that because of the way the formula process works, if there was an abnormality in rate-of-growth between institutions and the state as a whole, and if the funding stays “flat,” our proportionate share shrinks. He said that although TAMU grew by 2.5 percent in enrollment, because it grew less than
the state average, if you take the current level of funding and redistribute it, TAMU stands to lose $18-$20 million (a biannual figure). He said that this is the reason for the request for current services funding which would cover enrollment increases. Dr. Calvert said that deregulating tuition will help revenue. He said TAMU generates approximately $1 million per semester credit hour per year, so $1.00 increase per semester hour would generate approximately $1 million for TAMU.

Dr. Calvert said that it will take cost-saving measures, inspiration, perspiration and “dog-eared” determination to make things happen. He said that each institution will have its own list. Dr. Calvert quoted the Lieutenant Governor who said, “the top leaders will ask some state agencies to cut spending by 10 percent.” He said that they had hoped for 5 percent. Dr. Calvert said that what has happened is that revenue that was certified in May 2001 is not materializing.

Dr. Calvert concluded by saying that once the letter is received from the Lieutenant Governor, TAMUS will do its part and be good partners with the State of Texas, but will point out the consequences to the institutions, students and to the future well-being of the State based on the adjustment we are being asked to make.

Mr. Mays asked Dr. Calvert what the chances are of tuition deregulation happening. Dr. Calvert responded that there is a very good chance this will happen because of revenue shortfalls. Mr. Mays asked Dr. Calvert if there would be any caps. Dr. Calvert responded that there may be some. He said that the approach that the Conservative Coalition Report mentioned is balanced and that the legislature would maintain its role in establishing statutory tuition, but would release the institutions from the current cap on institutional tuition, raise this cap and allow the institutions to make an increase. Mr. Nye asked Dr. Calvert what the chances are that the cap would be offset to general revenue. Dr. Calvert responded that in the current session that is not much of a chance, but the danger lies in the future. He said that seven out of 35 institutions, including TAMU, are currently at the ceiling on institutional tuition; the remainder has not used the tuition latitude that they currently have. Mr. Nye said that he is very supportive of the latitude to set tuition, but is suspicious. Dr. Avilés asked Dr. Calvert if there will be an opportunity to receive deferential tuition. Dr. Calvert responded that he feels that TAMUS will have this option.

(Secretary’s Note: Mr. Nye recessed the Board Meeting for lunch at 12:37 p.m. The meeting of the Committee on Buildings and Physical Plant was held from 2:00 p.m. to 2:55 p.m. There was not a quorum of the Committee on Academic and Student Affairs. Therefore, the Committee received a report from members of the administration from 2:56 p.m. to 3:49 p.m.).

RECONVENE

Mr. Nye reconvened the Board meeting at 3:50 p.m. He 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 the morning of Thursday, January 23, and considered and recommended approval of Items 1 through 7. The Board took action as set forth below:

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MINUTE ORDER 01-2003 (AGENDA ITEM 01-REVISED)

AUTHORIZATION FOR A REDUCTION IN FEED TONNAGE FEE, TEXAS AGRICULTURAL EXPERIMENT STATION

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

The Director of the Texas Agricultural Experiment Station is hereby authorized to decrease the fee levied on each ton of feed declared on or after June 1, 2003, to $.16 per ton. Such action is taken pursuant to §141.071(b) of The Agriculture Code, the Texas Commercial Feed Control Act.

MINUTE ORDER 02-2003 (AGENDA ITEM 02)

AUTHORIZATION FOR THE PRESIDENT TO ESTABLISH THE "LEONARD GRADUATE FELLOWSHIP QUASI-ENDOWMENT," TEXAS A&M UNIVERSITY

On motion of Mr. Stevens, seconded by Mr. Mays 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 “Leonard Graduate Fellowship Quasi-Endowment”. The account will be created with proceeds received from the estate of William M. and Fay Ann Leonard. Interest earnings will be used to build the corpus to a total of $200,000, and thereafter, proceeds will be used to support the graduate program in the Department of Philosophy.

MINUTE ORDER 03-2003 (AGENDA ITEM 03)

AUTHORIZATION FOR THE PRESIDENT TO ESTABLISH THE "SEA AGGIE PARTNERS IN EXCELLENCE ENDOWMENT," TEXAS A&M UNIVERSITY

On motion of Mr. Stevens, seconded by Mr. Mays 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 “Sea Aggie Partners in Excellence Endowment.” The account will be created for Texas A&M University at Galveston with gifts received from various donors through the Annual Fund Campaign. Interest earnings from the quasi-endowment will be used to provide scholarships for students at Texas A&M University at Galveston.

MINUTE ORDER 04-2003 (AGENDA ITEM 04)


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

The resolution authorizing the Board of Regents of The Texas A&M University System Revenue Financing System Bonds, Series 2003A and Series 2003B in substantially the form of Exhibit A, attached to the official minutes, is hereby adopted and the Associate Vice Chancellor and Treasurer or other Designated Financial Officer is hereby authorized to take such actions as are necessary to accomplish the purposes of the resolution including those relating to the pricing, sale, and delivery of the Bonds, all in accordance with the provisions of the resolution and to submit, as required, an application to the Texas Bond Review Board relating to the Revenue Financing System Bonds.

MINUTE ORDER 05-2003 (AGENDA ITEM 05)


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

The resolution authorizing the Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series 2003, in substantially the form of Exhibit B, attached to the official minutes, is hereby adopted and the Associate Vice Chancellor and Treasurer or other Authorized Representative is hereby authorized to take such actions as are necessary to accomplish the purposes of the resolution including those relating to the pricing, sale, and delivery of the Bonds, all in accordance with the provisions of the resolution.
MINUTE ORDER 06-2003 (AGENDA ITEM 06)

ADOPTION OF FISCAL YEAR 2004 BUDGET GUIDELINES,
THE TEXAS A&M UNIVERSITY SYSTEM

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

The Texas A&M University System guidelines for the FY 2004 operating budgets, a copy of which is attached to the official minutes as Exhibit C, are hereby adopted.

MINUTE ORDER 07-2003 (AGENDA ITEM 07)

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

On motion of Mr. Stevens, seconded by Mr. Mays 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. 02-03-03, a copy of which is attached to the official minutes as Exhibit D.

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 and 9, pertaining to construction; Item 10, pertaining to budget and scope increase for the Campus Master Plan; Item 11, the naming of facilities; and Item 12 pertaining to real estate.

Dr. Avilés said the following Architect/Engineer Design Team selection was recommended for the Board’s approval:

1) The design team formed by Durrant, Inc., of Austin, Texas, is selected to design the Early Childhood Development Center Addition at Texas A&M University-Corpus Christi.

The Board took action as set forth below:
MINUTE ORDER 08-2003 (AGENDA ITEM 08)

APPROVAL OF THE PROGRAM OF REQUIREMENTS,
APPROPRIATION FOR DESIGN AND SELECTION OF THE
ARCHITECT/ENGINEER DESIGN TEAM FOR THE
EARLY CHILDHOOD CENTER ADDITION,
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

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

The program of requirements for the Early Childhood Development Center Addition at Texas A&M University-Corpus Christi is approved.

Supplementing a previous appropriation of $15,000.00, the amount of $230,000.00 is appropriated from Account No. 016090-Higher Education Fund for design of the Early Childhood Development Center Addition at Texas A&M University-Corpus Christi.

The firm of Durrant, Inc. of Austin, Texas, is selected as the firm ranked first to head the architect/engineer design team for the Early Childhood Development Center Addition at Texas A&M University-Corpus Christi.

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.

Any private gifts received for this project are hereby appropriated and a like amount of previous appropriations is reverted to its source accounts.

MINUTE ORDER 09-2003 (AGENDA ITEM 09)

APPROVAL TO ADJUST THE PROJECT SCOPE AND
BUDGET FOR THE PRIORITY PLAN REHABILITATION PROJECTS,
PRAIRIE VIEW A&M UNIVERSITY

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

The proposed scope adjustment for the Priority Plan Rehabilitation Projects at Prairie View A&M University is approved.

The proposed budget adjustment for the Priority Plan Rehabilitation Projects at Prairie View A&M University is approved.

Supplementing a previous appropriation of $1,200,000.00, the amount of $434,000.00 is appropriated from Account No. 020100 Designated Tuition for design of the Priority Plan Rehabilitation Projects at Prairie View A&M University.
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 10-2003 (AGENDA ITEM 10)

AUTHORIZATION FOR THE PRESIDENT TO INCREASE THE SCOPE OF WORK AND FUNDING FOR A COMPREHENSIVE UNIVERSITY CAMPUS MASTER PLAN, TEXAS A&M UNIVERSITY

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

The Board of Regents of The Texas A&M University System authorizes the President of Texas A&M University to expand the Scope of Work and to expend the funds necessary, not to exceed $1,500,000, to produce a comprehensive University Campus Master Plan. The Plan will be presented to the Board of Regents upon its completion.

MINUTE ORDER 11-2003 (AGENDA ITEM 11)

NAMING OF THE ”FRANK W. MAYBORN AUDITORIUM,” THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER

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

The Auditorium in the Health Science Center Education and Conference Center in Temple, Texas, is hereby named the “Frank W. Mayborn Auditorium.”
MINUTE ORDER 12-2003 (AGENDA ITEM 11)

NAMING OF THE
"GEORGE P. MITCHELL OUTDOOR TENNIS CENTER,"
TEXAS A&M UNIVERSITY

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

The Outdoor Tennis Center, located on the west campus of Texas A&M University, is hereby named the “George P. Mitchell Outdoor Tennis Center.”

MINUTE ORDER 13-2003 (AGENDA ITEM 12)

AUTHORIZATION TO EXECUTE THE RIGHT-OF-WAY EASEMENT TO SPRINT COMMUNICATIONS COMPANY, L.P., FOR TELEPHONE TRANSMISSION AND DISTRIBUTION CABLES, ERATH COUNTY, TEXAS, THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Dr. Avilés, seconded by Mr. Adams 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 right-of-way easement for telephone transmission and distribution cables, 20 feet in width and 3,928 feet in length (238.06 rods) across the Tarleton State University Farm property in Stephenville, Erath County, Texas. This easement will be for a ten-year term in favor of Sprint Communications Company, L.P., with consideration being $23,806.00.

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Mr. Nye called on Dr. Wynn to present the report on the Committee for Academic and Student Affairs.

REPORT FROM THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS

Dr. Wynn reported that the Committee on Academic and Student Affairs received information on Items 13 through 24. The Board took action as set forth below:

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MINUTE ORDER 14-2003 (AGENDA ITEM 13)

AUTHORIZATION TO RESCIND MINUTE ORDER 197-2001
(APPROVAL OF ACADEMIC REORGANIZATION OF SELECTED COLLEGES AND SCHOOLS AT PRAIRIE View A&M UNIVERSITY),
PRAIRIE VIEW A&M UNIVERSITY

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 rescinds Minute Order 197-2001, Agenda Item Number 19, at the September 2001 Board of Regents meeting.

MINUTE ORDER 15-2003 (AGENDA ITEM 14)

RENAIMING OF CENTERS WITHIN THE INSTITUTE OF FOOD SCIENCE AND ENGINEERING,
TEXAS A&M UNIVERSITY

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

The following Centers in the Institute of Food Science and Engineering within The Texas A&M University System, attached to the official minutes as Exhibit F, and established by Board Minute Order 306-90, are hereby renamed as follows effective January 24, 2003: The National Center for Food Safety is renamed the Center for Food Safety; the Center for Food Processing is renamed the Center for Food Processing and Engineering; the Center for Nutrition and Foods is renamed the Center for Nutrition, Health and Food Genomics; and the Center for Food Marketing and Policy is renamed the Center for Consumer and Food Marketing Issues.

MINUTE ORDER 16-2003 (AGENDA ITEM 15)

APPROVAL OF CONCEPT PAPER TO ESTABLISH THE TECHNOLOGY COMMERCIALIZATION CENTER,
TEXAS A&M UNIVERSITY

On motion of Dr. Wynn, seconded by Dr. Avilés and by a unanimous vote, the concept paper to establish the Technology Commercialization Center at Texas A&M University was approved, a copy of which is attached to the official minutes as Exhibit G.
MINUTE ORDER 17-2003 (AGENDA ITEM 16)

APPROVAL OF CONCEPT PAPER TO CREATE THE
CENTER FOR ATMOSPHERIC CHEMISTRY AND THE ENVIRONMENT,
TEXAS A&M UNIVERSITY

On motion of Dr. Wynn, seconded by Dr. Avilés and by a unanimous vote, the concept paper to establish the Center for Atmospheric Chemistry and the Environment at Texas A&M University was approved, a copy of which is attached to the official minutes as Exhibit H.

MINUTE ORDER 18-2003 (AGENDA ITEM 17)

APPROVAL OF CONCEPT PAPER TO ESTABLISH
THE CENTER FOR BIOLOGICAL CLOCKS RESEARCH,
TEXAS A&M UNIVERSITY

On motion of Dr. Wynn, seconded by Dr. Avilés and by a unanimous vote, the concept paper to establish the Center for Biological Clocks Research at Texas A&M University was approved, a copy of which is attached to the official minutes as Exhibit I.

MINUTE ORDER 19-2003 (AGENDA ITEM 18)

APPROVAL OF CONCEPT PAPER TO ESTABLISH THE
CENTER FOR THE STUDY OF HEALTH DISPARITIES,
TEXAS A&M UNIVERSITY

On motion of Dr. Wynn, seconded by Dr. Avilés and by a unanimous vote, the concept paper to establish the Center for the Study of Health Disparities at Texas A&M University was approved, a copy of which is attached to the official minutes as Exhibit J.

MINUTE ORDER 20-2003 (AGENDA ITEM 19)

APPROVAL TO OFFER A DOCTOR OF PHILOSOPHY DEGREE PROGRAM
IN HISPANIC STUDIES AS A STEP 1 COOPERATIVE PROGRAM
WITH TEXAS A&M INTERNATIONAL UNIVERSITY,
TEXAS A&M UNIVERSITY-CORPUS CHRISTI AND
TEXAS A&M UNIVERSITY-KINGSVILLE AND AUTHORIZATION TO SUBMIT
FOR APPROVAL TO THE HIGHER EDUCATION COORDINATING BOARD,
TEXAS A&M UNIVERSITY

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 approves the establishment of a new graduate degree program at Texas A&M University leading to a Doctor of Philosophy in Hispanic Studies. A copy of the program review outline is attached to the official minutes as Exhibit K. The new program is a Step 1 Cooperative
Program with Texas A&M International University, Texas A&M University-Corpus Christi, and Texas A&M University-Kingsville.

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

**MINUTE ORDER 21-2003 (AGENDA ITEM 20)**

**APPROVAL TO OFFER THE MASTER OF SCIENCE DEGREE IN SCHOOL COUNSELING AND AUTHORIZATION TO REQUEST APPROVAL FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD, TEXAS A&M INTERNATIONAL UNIVERSITY**

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 approves the establishment of a new degree program at Texas A&M International University leading to a Master of Science in School Counseling. A copy of the program review outline is attached to the official minutes as *Exhibit L*.

The Board also authorizes the President to submit this 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 22-2003 (AGENDA ITEM 21)**

**APPROVAL TO OFFER THE BACHELOR OF SCIENCE DEGREE IN WILDLIFE AND CONSERVATION SCIENCE AND AUTHORIZATION TO REQUEST APPROVAL FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD, TEXAS A&M UNIVERSITY-COMMERCE**

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 approves the establishment of a new degree program at Texas A&M University-Commerce leading to a Bachelor of Science Degree with a major in Wildlife and Conservation Science. A copy of the program review outline is attached to the official minutes as *Exhibit M*. 
The Board also authorizes the President of Texas A&M University-Commerce to submit this new degree program request 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 23-2003 (AGENDA ITEM 22)**

**APPROVAL OF INSTITUTIONAL PLAN FOR DISTANCE LEARNING AND OFF-CAMPUS INSTRUCTION AND AUTHORIZATION TO REQUEST APPROVAL FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD, TEXAS A&M UNIVERSITY-COMMERCE**

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 approves the Institutional Plan for Distance Learning and Off-Campus Instruction for Texas A&M University-Commerce. A copy of the executive summary is attached to the official minutes as Exhibit N.

The Board also authorizes the President of Texas A&M University-Commerce to submit this new plan request 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 24-2003 (AGENDA ITEM 23)**

**ESTABLISHMENT OF THE KING RANCH INSTITUTE FOR RANCH MANAGEMENT WITHIN THE COLLEGE OF AGRICULTURE AND HUMAN SCIENCE, TEXAS A&M UNIVERSITY-KINGSVILLE**

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

The King Ranch Institute for Ranch Management is hereby established as an organizational part of Texas A&M University-Kingsville that is administered within the College of Agriculture and Human Sciences, effective January 24, 2003. A copy of the proposal is attached to the official minutes as Exhibit O.
MINUTE ORDER 25-2003 (AGENDA ITEM 24)

ESTABLISHMENT OF THE AEROSPACE DESIGN, SAFETY/SECURITY AND INTEGRATION CENTER (ADSSI), TEXAS ENGINEERING EXPERIMENT STATION

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

The Center for Aerospace Design, Safety/Security and Integration is hereby established as an organizational part of the Texas Engineering Experiment Station (TEES), effective January 24, 2003, reporting directly to the Director of TEES. The Director(s) of the Center shall be appointed by the TEES Director. A copy of the proposal is attached to the official minutes as Exhibit P.

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Mr. Nye called on Mr. Adams to present the report on the Committee on Audit.

REPORT FROM THE COMMITTEE ON AUDIT

Mr. Adams, Chairman of the Committee on Audit, reported that the Committee met on Wednesday, January 22, 2003. He said that Ms. Cathy Smock, System Internal Auditor, briefed them on the First Quarter Audit Report and new audit requirements for accreditation by the Southern Association of Colleges and Schools. He said that they also received a briefing from Mr. Larry Bicket, Director of Policy Implementation, on management audit tracking reports.

OTHER ITEMS

Mr. Nye presented Items 25 through 28. The Board took action as set forth below:

MINUTE ORDER 26-2003 (AGENDA ITEM 25)

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

On motion of Mr. Stevens, seconded by Mr. Mays 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. 02-03-03, attached to the official minutes as Exhibit Q.
MINUTE ORDER 27-2003 (AGENDA ITEM 26)

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

On motion of Mr. Stevens, seconded by Mr. Mays 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. 02-03-03, attached to the official minutes as Exhibit R, and grants all rights and privileges of this title.

MINUTE ORDER 28-2003 (AGENDA ITEM 27)

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

On motion of Mr. Stevens, seconded by Mr. Mays 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 S, attached to the official minutes.

MINUTE ORDER 29-2003 (AGENDA ITEM 28)

APPOINTMENT AND COMMISSIONING OF PEACE OFFICER,
TEXAS FOREST SERVICE

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

The Board of Regents of The Texas A&M University System hereby commissions David L. Hamrick, an employee of the Texas Forest Service, as peace officer.

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Mr. Nye called on Dr. Gaston to present Item 29. Dr. Gaston said that Dr. Lee Peddicord has served in this capacity for many years and has done an outstanding job for all members of the System. The Board took action as set forth below:
MINUTE ORDER 30-2003 (AGENDA ITEM 29)

PROMOTION OF DR. KENNETH LEE PEDDICORD
TO THE POSITION OF VICE CHANCELLOR FOR
RESEARCH AND FEDERAL RELATIONS,
THE TEXAS A&M UNIVERSITY SYSTEM

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

Upon the recommendation of Chancellor Howard D. Graves, Dr. Kenneth Lee Peddicord is hereby promoted to Vice Chancellor for Research and Federal Relations in The Texas A&M University System at the initial salary of $195,000 per annum, effective January 24, 2003.

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Mr. Nye presented Items 30 and 31 which had been considered in closed session. The Board took action as set forth below:

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MINUTE ORDER 31-2003 (AGENDA ITEM 30)

APPROVAL OF A CONTRACT WITH
BILL BYRNE, ATHLETIC DIRECTOR,
TEXAS A&M UNIVERSITY

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

Authority is hereby granted, upon review for legal form and sufficiency by the Office of General Counsel, to the President of Texas A&M University, to execute an employment contract for Texas A&M University’s Athletics Director, Bill Byrne.

MINUTE ORDER 32-2003 (AGENDA ITEM 31)

APPROVAL OF CONTRACT WITH
DENNIS FRANCHIONE, HEAD FOOTBALL COACH,
TEXAS A&M UNIVERSITY

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

Authority is hereby granted, upon review for legal form and sufficiency by the Office of General Counsel, to the President of Texas A&M University, to execute an employment contract and contract for services with Texas A&M University’s Head Football Coach, Dennis Franchione, and with Fran, Inc.
Mr. Nye presented Item 35. The Board took action as set forth below:

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MINUTE ORDER 33-2003 (AGENDA ITEM 35)

APPROVAL OF MINUTES OF THE
DECEMBER 5-6, 2002, REGULAR MEETING,
BOARD OF REGENTS,
THE TEXAS A&M UNIVERSITY SYSTEM

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

The Minutes of the Regular Meeting of the Board of Regents of The Texas A&M University System held on December 5-6, 2002, in College Station, Texas, are hereby approved.

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Mr. Stevens presented Item 32 a resolution honoring Ms. Anne Armstrong. The Board took action as set forth below:

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MINUTE ORDER 34-2003 (AGENDA ITEM 32)

ADOPTION OF A RESOLUTION IN HONOR OF
ANNE ARMSTRONG
AND BESTOWING THE TITLE OF REGENT EMERITA,
BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM

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

Whereas, the Honorable Anne Armstrong, having been appointed by Governor George W. Bush, has given six years of honorable and dedicated service to the Board of Regents of The Texas A&M University System beginning in 1997; and

Whereas, in 1999, the Board established The Texas A&M University System Health Science Center, bringing together Baylor College of Dentistry, the College of Medicine, the Graduate School of Biomedical Sciences, the Institute of Biosciences and Technology and the School of Rural Public Health to serve the needs of Texans in all corners of the State; and
Whereas, during her tenure, the A&M System increased to serving 98,000 students and reaching another 4 million people each year through its service mission; and

Whereas, by the end of her tenure, research projects under way by A&M System universities and agencies totaled more than $425 million; and

Whereas, Mrs. Armstrong, as chair of the Committee on Academic and Student Affairs, led her fellow regents in support of the Texas Higher Education Coordinating Board’s “Closing the Gaps” plan by committing The Texas A&M University System to the development of programs that increase participation, success, excellence, research and collaboration, with the objective of extending the System’s educational resources to more of the State’s young people; and

Whereas, Mrs. Armstrong and her fellow regents spread educational opportunities even further through the Regents’ Initiative for Excellence in Education and through an increased emphasis on distance education efforts; and

Whereas, Mrs. Armstrong as chair of the Campus Art and Aesthetic Improvement Committee, not only added to the beauty of the System’s institutions, but in doing so, improved the aesthetics of Texas; and

Whereas, she served as co-chair of the Committee on Biotechnology and a member of the Committee on Finance, Committee to Develop Criteria for Future System Expansion, Committee on Health Affairs, Policy Review Committee, Transportation Committee, Committee on Educational Access, Compensation Committee, Presidential Library Committee and the Herman F. Heep and Minnie Belle Heep Foundation; and

Whereas, Mrs. Armstrong has also provided outstanding leadership as the Board’s special liaison to the TAMU Center for Humanities Research Development Council and the Texas Higher Education Coordinating Board; and

Whereas, during her tenure, the George Bush Presidential Library Center opened its doors on the Texas A&M University campus amidst national and international fanfare; and

Whereas, Mrs. Armstrong has served her country as chair of the Executive Committee of the Board of Trustees of the Center for Strategic and International Studies, vice chairman of the American Associates of the Royal Academy of Arts, United States Ambassador to Great Britain, chair of the President’s Foreign Intelligence Advisory Board, Counsellor to Presidents Richard Nixon and Gerald Ford, and in receiving the Presidential Medal of Freedom from President Ronald Reagan; and

Whereas, The Texas A&M University System and the State of Texas acknowledge Mrs. Armstrong’s contributions to Texas higher education and to the A&M System; now, therefore, be it
Resolved, that we, the members of the Board of Regents of The Texas A&M University System, meeting on this 23rd day of January 2003, express our deepest gratitude and respect for her distinguished service; and, be it, further

Resolved, that in honor of her service to the Board, we bestow the title of Regent Emerita of the Board of Regents of The Texas A&M University System, with all the rights and privileges pertaining thereto, upon the Honorable Anne Armstrong; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be presented to Mrs. Armstrong and to the archives of The Texas A&M University System as a permanent tribute to the high esteem in which she is held.

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Mr. Sosa presented Item 33, a resolution honoring Dr. Dionel E. Avilés. The Board took action as set forth below:

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MINUTE ORDER 35-2003 (AGENDA ITEM 33)

ADOPTION OF A RESOLUTION IN HONOR OF
DIONEL E. AVILÉS, PH.D.
AND BESTOWING THE TITLE OF VICE CHAIRMAN EMERITUS,
BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM

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

Whereas, Dr. Dionel E. Avilés, having been appointed by Governor George W. Bush, has given six years of honorable and dedicated service to the Board of Regents of The Texas A&M University System beginning in 1997; and

Whereas, for the last two years of his tenure, he spread educational opportunities further as vice chairman of the Board of Regents of The Texas A&M University System; and

Whereas, in 1999, the Board established The Texas A&M University System Health Science Center, bringing together Baylor College of Dentistry, the College of Medicine, the Graduate School of Biomedical Sciences, the Institute of Biosciences and Technology and the School of Rural Public Health to serve the needs of Texans in all corners of the State; and

Whereas, during his tenure, the A&M System increased to serving 98,000 students and reaching another 4 million people each year through its service mission; and
Whereas, by the end of his tenure, research projects under way by A&M System universities and agencies totaled more than $425 million; and

Whereas, Dr. Avilés and his fellow regents supported the Texas Higher Education Coordinating Board’s “Closing the Gaps” plan by committing The Texas A&M University System to the development of programs that increase participation, success, excellence, research and collaboration, with the objective of extending the System’s educational resources to more of the State’s young people; and

Whereas, Dr. Avilés and his fellow regents spread educational opportunities even further through the Regents’ Initiative for Excellence in Education and through an increased emphasis on distance education efforts; and

Whereas, Dr. Avilés, as chair of the Committee on Buildings and Physical Plant for four years, oversaw one of the largest capital improvement programs in the history of the System totaling almost $1 billion; and

Whereas, he served as a member of the Committee to Develop Criteria for Future System Expansion, Committee on Health Affairs, Policy Review Committee, Committee on Audit, Transportation Committee, Committee on Educational Access, Public Policy and Planning Committee, Compensation Committee, Health Science Center Review and the Herman F. Heep and Minnie Belle Heep Foundation; and

Whereas, Dr. Avilés has also provided outstanding leadership as the Board’s special liaison to the Texas A&M Research Foundation, the Texas Growth Fund Board and the Texas Higher Education Coordinating Board; and

Whereas, during his tenure, the George Bush Presidential Library Center opened its doors on the Texas A&M campus amidst national and international fanfare; and

Whereas, Dr. Avilés received his bachelor of science degree from Texas A&M University, his master of engineering degree from A&M and his doctorate in philosophy from A&M; and is a graduate of the Army War College in Carlyle, Pennsylvania, and after a distinguished military career, retired from the U.S. Army Reserve in 1993 with the rank of major general; and

Whereas, with more than 47 years experience, Dr. Avilés is known as a national leader in the field of engineering and has served in positions of leadership in professional engineering societies, is a Fellow in the Society of American Military Engineers and has authored and presented numerous technical papers on geotechnical engineering; and

Whereas, examples of his loyalty to his alma mater include service as a member of the University Associates Program at Texas A&M University, as a founder of the Civil Engineering Endowment Fund, an underwriter of a 12th Man Foundation Scholarship and also the donor of a Sul Ross Scholarship; and
Whereas, Dr. Avilés serves higher education in Texas as a member of the Houston Community College System Foundation Board of Directors and serves his country by Presidential Appointment to the United States Air Force Academy Board of Visitors and as a member of the United States Postal Commission; and

Whereas, The Texas A&M University System and the State of Texas acknowledge Dr. Avilés’ contributions to Texas higher education and to the A&M System; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, meeting on this 23rd day of January 2003, express our deepest gratitude and respect for his distinguished service; and, be it, further

Resolved, that in honor of his service to the Board, we bestow the title of Vice Chairman Emeritus of the Board of Regents of The Texas A&M University System, with all the rights and privileges pertaining thereto, upon Dr. Dionel E. Avilés; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be presented to Dr. Avilés and to the archives of The Texas A&M University System as a permanent tribute to the high esteem in which he is held.

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A framed resolution was presented to Dr. Avilés. He thanked everyone for their support over the last six years. Dr. Avilés said that he has had a great experience.

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Mr. Adams presented Item 34, a resolution honoring Mr. Erle A. Nye. The Board took action as set forth below:

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MINUTE ORDER 36-2003 (AGENDA ITEM 34)

ADOPTION OF A RESOLUTION IN HONOR OF
ERLE A. NYE
AND BESTOWING THE TITLE OF CHAIRMAN EMERITUS,
BOARD OF REGENTS OF 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:

Whereas, Mr. Erle Nye, having been appointed by Governor George W. Bush, has given six years of honorable and dedicated service to the Board of Regents of The Texas A&M University System beginning in 1997; and
Whereas, for the last two years of his tenure, he served as chairman of the Board of Regents, leading The Texas A&M University System through a time of significant expansion and increased opportunities in the name of education, research and outreach for all Texans; and

Whereas, in 1999, the Board established The Texas A&M University System Health Science Center, bringing together Baylor College of Dentistry, the College of Medicine, the Graduate School of Biomedical Sciences, the Institute of Biosciences and Technology and the School of Rural Public Health to serve the needs of Texans in all corners of the State; and

Whereas, during his tenure, the A&M System increased to serving 98,000 students and reaching another 4 million people each year through its service mission; and

Whereas, by the end of his tenure, research projects under way by A&M System universities and agencies totaled more than $425 million; and

Whereas, Mr. Nye and his fellow regents supported the Texas Higher Education Coordinating Board’s “Closing the Gaps” plan by committing The Texas A&M University System to the development of programs that increase participation, success, excellence, research and collaboration, with the objective of extending the System’s educational resources to more of the State’s young people; and

Whereas, Mr. Nye and his fellow regents spread educational opportunities even further through the Regents’ Initiative for Excellence in Education, and through an increased emphasis on distance education efforts; and

Whereas, Mr. Nye served as chair of the Committee on Finance and the Presidential Library Committee and served as co-chair on the Committee on Biotechnology; and

Whereas, he served as a member of the Committee on Academic and Student Affairs, Legislative Committee, Transportation Committee, Committee to Develop Criteria for Future System Expansion, Committee on Buildings and Physical Plant, Committee on Health Affairs, Policy Review Committee, Committee on Educational Access and the Public Policy and Planning Committee; and

Whereas, Mr. Nye has also provided outstanding leadership as the Board’s special liaison to the Texas A&M Foundation and as chair from 2001 to 2003 of the Herman F. Heep and Minnie Belle Heep Foundation; and

Whereas, during his tenure, the George Bush Presidential Library Center opened its doors on the Texas A&M campus amidst national and international fanfare; and
Whereas, Mr. Nye received a Bachelor of Science in Electrical Engineering from Texas A&M University, a Juris Doctor from Southern Methodist University and a Doctor of Science, Honoris Causa, from the Baylor College of Dentistry and has become a leader in the engineering, financial, legal, operations and regulatory areas; and

Whereas, his success and his loyalty to his alma mater have led to special service with an appointment to the Texas Growth Fund Board, past chair of the Texas A&M University College of Engineering External Advisory and Development Council, the Texas A&M Development Foundation Advisory Committee and chair of the board of Baylor College of Dentistry, while also serving as a member of the Chancellor's Century Council; and

Whereas, Mr. Nye has become a recognized leader in higher education in Texas serving as a member of the Development Council of the University of Texas at Dallas, and as a member of the executive boards for Southern Methodist University’s Cox School of Business and Dedman School of Law, the Board of Directors for the Tate Lecture Series and the Executive Advisory Council of the Maguire Center for Ethics and Public Responsibility at Southern Methodist University; and

Whereas, The Texas A&M University System and the State of Texas acknowledge Mr. Nye’s contributions to Texas higher education and to the A&M System; now, therefore, be it

Resolved, that we, members of the Board of Regents of The Texas A&M University System, meeting on this 23rd day of January 2003, express our deepest gratitude and respect for his distinguished service; and, be it, further

Resolved, that in honor of his service to the Board, we bestow the title of Chairman Emeritus of the Board of Regents of The Texas A&M University System, with all the rights and privileges pertaining thereto, upon Mr. Erle Nye; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be presented to Mr. Nye and to the archives of The Texas A&M University System as a permanent tribute to the high esteem in which he is held.

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A framed resolution was presented to Mr. Nye. Mr. Nye said that it is no secret that he has had a life-long love affair with higher education, Texas A&M University and The Texas A&M University System. He said that he could not fully express the joy he has received from his service. Mr. Nye told a touching story and said that he loved everyone.

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Mr. Nye called on Dr. Wynn who presented a brief report on the Special Committee on Health Affairs.
REPORT ON THE SPECIAL COMMITTEE ON HEALTH AFFAIRS

Dr. Wynn, chair of the Special Committee on Health Affairs said that the committee met on the morning of Thursday, January 23. She said that a very productive discussion was had with State Representatives Garnet Coleman and Ruth McClendon regarding medical education initiatives with PVAMU and the TAMUSHSC.

OTHER BUSINESS

Mr. Nye announced that the next regular Board meeting would be held on March 27-28, 2003, in College Station, Texas. He reminded everyone that by a resolution adopted December 6, 2002, the Board of Regents agreed to host on March 28, 2003, the One Spirit One Vision Campaign Kick-Off. A Town Hall meeting will be held.

Mr. Nye thanked Mr. Graves for being a part of the meeting by listening in by phone.

ADJOURNMENT

There being no further business, Mr. Nye adjourned the meeting at 4:26 p.m. Thursday, January 23, 2003.

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

VBS:jb