

MINUTES

OF THE

MEETING OF THE

BOARD OF REGENTS

OF

THE TEXAS A&M UNIVERSITY SYSTEM

HELD IN

COLLEGE STATION, TEXAS

May 25-26, 2006

(Approved July 27-28, 2006)



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**MINUTES OF THE
MEETING OF THE BOARD OF REGENTS
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CONVENE – THURSDAY, MAY 25

Mr. John White, Chairman, convened a regular meeting of the Board of Regents of The Texas A&M University System (TAMUS) at 9:29 a.m., on Thursday, May 25, 2006, Board of Regents Meeting Room, Texas A&M University (TAMU), College Station, Texas. The following members of the Board were present:

Mr. John White, Chairman
Mr. Bill Jones, Vice Chairman
Mr. Phil Adams
Mr. Lupe Fraga
Dr. Wendy Gramm
Mr. Lowry Mays
Mr. Erle Nye (*joined the meeting at 10:00 a.m.*)
Mr. Gene Stallings
Ms. Ida Clement Steen
Mr. Tyson Voelkel, Student Regent

RECESS TO EXECUTIVE SESSION

Mr. White announced that the Board would convene in executive session to consider matters as provided in Chapter 551 of the Texas Government Code: 551.071, for consultation with System attorneys regarding legal matters or pending and/or contemplated litigation or settlement offers; 551.072, for deliberations regarding the purchase, exchange, lease or value of real property; 551.073, for deliberations regarding negotiated contracts for prospective gifts or donations; 551.074, for deliberations regarding personnel matters relating to appointment, employment, evaluation, reassignment, duties, discipline, or dismissal or to hear complaints against an officer or employee; and 551.087, for deliberations regarding economic development negotiations.

Mr. White said that in accordance with the law, no final action, decision, or vote with regard to any matter considered in the executive session would be made or taken.

(Secretary's Note: The Board convened its executive session at 9:31 a.m. and recessed at 2:41 p.m.)

RECONVENE

Mr. White announced that a quorum of the Board was present. He reconvened the meeting at 3:08 p.m. at the Emergency Operations Training Center (EOTC), Brayton Fire Training Field, Room 108/112. He said that the Board had met in executive session earlier the same day from 9:31 a.m. until 2:41 p.m. Mr. White said that in executive session the Board considered Items 14 through 18 and 41 through 44. He said that they had also conferred with the Chancellor, several System and university administrators, and

attorneys on personnel, land, and legal matters. He said that the Board would reconvene its executive session later in the day to complete its executive session agenda.

INVOCATION

Mr. White called on Mr. Edward Mendoza, a member of the 138th class being conducted at the Texas Engineering Extension Service (TEEX), Central Texas Police Academy, who presented the invocation.

CHAIRMAN'S REMARKS

Mr. White said that this was the first Board meeting being held at an agency. He said that it was great to be among the "TEEXans" and that it was a great facility.

Mr. White said that Tuition Revenue Bonds (TRBs) had been added to the call for the special session. He thanked Dr. Bob McTeer, Chancellor, and Dr. Stanton Calvert, Vice Chancellor for Governmental Affairs, for their efforts with this matter.

Mr. White announced that there would be a political action committee and that Mr. Chuck Ellison, former president of The Association of Former Students (AFS), had agreed to head the committee. Mr. White said that Mr. Don Clark, who is affiliated with Prairie View A&M University (PVAMU), and Ms. Cari Wells, from San Antonio, would be the initial trustees. Mr. White said that now more than ever it is important that the System's voice be heard. He said that we are currently behind other systems in this regard.

Mr. White said that a lot of great things are going on around the System. He said that he appreciated all the leadership that everyone was asserting.

CHANCELLOR'S REMARKS

Dr. McTeer said that the new faculty senate at Texas A&M University-Kingsville (TAMU-K) was up and running and they have had a couple of meetings. He said the new president of the faculty senate is Dr. Thomas Fields, Professor of Communications and Theater Arts. Dr. McTeer gave special thanks to Dr. Paul Voehl, Associate Professor of Psychology and Sociology, who took the lead in drawing up a new, more representative faculty senate constitution for TAMU-K.

Dr. McTeer said that the Pharmacy School in Kingsville was on track to open with a full cohort of around 70 students this fall. He said that while this school was an integral part of the Kingsville campus, it would be administered by the Health Science Center (HSC).

Dr. McTeer said that the A&M Research Foundation has revised its bylaws to give its major customers some voting memberships. He said that some of the non-voting memberships that would be converted into voting memberships included its largest customers. He said that there would be representation by the A&M System, TAMU, the Texas Agricultural Experiment Station (TAES), HSC and other System components and they would remain as non-voting trustees. Dr. McTeer said that the non-voting

trusteeships would be augmented by two members of the faculty who are active in research. Final approval of the changes would not come until a meeting on June 2, 2006. Dr. McTeer said that the Research Foundation was scheduled to host a dinner on June 1, 2006, to honor Mr. Jack McCrary who stepped down as the chairman of the board after 17 years. Dr. McTeer said that Mr. H. Jarrell Gibbs, retired TXU senior executive, was expected to be elected as the new chairman.

Dr. McTeer said that the Texas Forest Service (TFS) has had to contend with a record number of brush fires this year in which lives, homes and entire communities were lost. He reported that the Texas House of Representatives recognized TFS's good work and honored its director, Mr. Jim Hull, recently on the House floor. Dr. McTeer asked Mr. Hull to stand and be recognized.

Dr. McTeer said that late in the special legislative session the Governor added TRBs to the call. He said that although we did not get everything we wanted, we got more than we might have. Dr. McTeer said that they ended up approving \$1.86 billion in TRBs for public institutions of higher education and \$465.6 million for 15 A&M System projects. Dr. McTeer said that basically each institution got money for its first priority. TAMU received \$75 million for its Emerging Technology Interdisciplinary Building, \$40 million for Texas A&M at Galveston (TAMUG) and \$50 million for the Science Building. Tarleton State University (TSU) received \$24.3 million for its Nursing Building and \$11 million for a Dairy Center. Texas A&M University-Corpus Christi (TAMU-CC) received \$45 million for its Nursing, Health Science and Kinesiology Facility. TAMU-K received funding for its Citrus Center Building. Texas A&M International University (TAMIU) received funding for its student success center (\$25 million), Loop Road and Chilled Water Loop (\$7.6 million) and completion of its Fine Arts Center (\$5 million). West Texas A&M University (WTAMU) received \$16.2 million for classroom center renovations. TAMU-C received \$21.7 million for its music building. Texas A&M University-Texarkana (TAMU-T) received \$75 million for a new campus. He said the San Antonio Center was scaled down and received \$40 million. The Central Texas Center in Killeen received \$25 million. Dr. McTeer said that the new System centers had their enrollment thresholds raised from 1,000 to 1,500. He said that funding was contingent on them reaching the threshold of 1,500 full-time equivalent students by 2010. Dr. McTeer said that the HSC received \$45 million for the medical education and research building. He said that PVAMU was the only System university that did not receive TRBs. He said that there was a lot of work being done in the Senate to correct this oversight.

Mr. White said that speaking on behalf of the entire Board, they were concerned that PVAMU did not get its fair share of funds. He said that this was a very high priority and they have been working with members of the legislature. Mr. White commended Dr. Calvert, Mr. Jones, Dr. McTeer, Mr. Nye and others on making sure that the System was represented on such short notice.

Mr. Nye said that Dr. Calvert did a yeoman's job and that he was owed a debt of gratitude for putting the System in a position where those in authority could make a difference.

TEXAS ENGINEERING EXTENSION SERVICE UPDATE

Mr. White called on Mr. Robert L. "Lanny" Smith, Director of TEEEX. Mr. Smith welcomed the Board to the Brayton Fire Training Field. He said that the 172-acre complex is the largest of its kind in the entire world, and yet it is just a small part of what TEEEX is. Mr. Smith presented a short film produced by Mr. Jason Cook.

Mr. Smith introduced the following members of TEEEX: Mr. Chris Israel, Fire Services; Ms. Cathy Wall, Emergency Medical Services; Mr. Robert Thompson, Public Works; Mr. Michael Johnson, Safety; Cadet Edward Mendoza, Criminal Justice; Ms. Amy Barnes, Technical Assistance in Economic Development; Mr. Billy Parker, Search and Rescue, Mr. Jason Cook and Ms. Laura Sheehan, Chief of Staff.

Mr. Smith then explained the demonstrations and activities scheduled for the next day (rappelling, human patient simulator, firefighting, fire truck rides, public works challenge, incident management, search and rescue tours and firearms simulation). He invited all meeting attendees to participate.

RECESS

Mr. White recessed the meeting at 3:39 p.m.

(Secretary's Note: The Committee on Finance convened at 3:40 p.m. and adjourned at 3:49 p.m. The Committee on Buildings and Physical Plant convened at 3:50 p.m. and adjourned at 4:04 p.m. The Committee on Academic and Student Affairs convened at 4:05 p.m. and adjourned at 4:59 p.m.)

RECONVENE

Mr. White reconvened the meeting at 5:00 p.m. He called on Mr. Adams to present the report from the Committee on Finance.

REPORT FROM THE COMMITTEE ON FINANCE

Mr. Adams, Chairman of the Committee on Finance, reported that the Committee met earlier that same day and considered and approved Items 2 through 10. The Board took action as set forth below:

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**MINUTE ORDER 115-2006 (AGENDA ITEM 2)**

**APPROVAL OF REVISED SIGNATURES FOR  
REVOLVING FUND BANK ACCOUNTS FOR THE SYSTEM OFFICES,  
THE TEXAS A&M UNIVERSITY SYSTEM**

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

Under the authority of the General Appropriations Act, and effective with the transfer of cash disbursement responsibilities for the System Offices to Treasury Services which will occur no later than July 31, 2006, the employees named below, and their successors in office, are hereby authorized to sign checks for the withdrawal of such funds according to law, provided that each check shall be signed by one of the authorized persons.

Employees authorized to sign checks:

James G. Hooton, Executive Vice Chancellor for Finance  
Gregory P. Anderson, Associate Vice Chancellor and Treasurer  
Maria L. Robinson, Director of Treasury Services  
Elaine N. Welch, Senior Treasury Analyst  
Cindy L. Hanks, Financial Analyst

**MINUTE ORDER 116-2006 (AGENDA ITEM 3)**

**AUTHORIZATION TO ISSUE  
PERMANENT UNIVERSITY FUND (PUF) BONDS, SERIES 2006,  
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Mr. Adams, seconded by Mr. Nye, with Mr. Jones recusing himself from the vote, 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 2006, in substantially the form of **Exhibit A**, a copy of which is 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.

*(Secretary's Note: Mr. Jones recused himself from the vote on this item, since he is a partner with the law firm of Vinson & Elkins LLP, which serves as bond counsel on this bond issue.)*

**MINUTE ORDER 117-2006 (AGENDA ITEM 4)**

**AUTHORIZATION TO EXCEED LIMITATIONS  
ON STATE EMPLOYMENT LEVELS,  
THE TEXAS A&M UNIVERSITY SYSTEM**

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

The Board of Regents of The Texas A&M University System hereby approves the request by the System Offices for an exception to the limitations on state employment levels specified in House Bill 1, 79<sup>th</sup> Legislature, a copy of which is attached to the official minutes as **Exhibit B**.

**MINUTE ORDER 118-2006 (AGENDA ITEM 5)**

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

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

The Board of Regents 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. 06-05, a copy of which is attached to the official minutes as **Exhibit C**.

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(Secretary's Note: Item 6 is listed as Minute Order 143-2006, page 18.)

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**MINUTE ORDER 119-2006 (AGENDA ITEM 7)**

**AUTHORIZATION TO MODIFY THE  
"MR. AND MRS. HUGH M. STEWART '26  
PUBLICATION FUND QUASI-ENDOWMENT,"  
TEXAS A&M UNIVERSITY**

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

Authority is hereby granted to the President of Texas A&M University to modify the “Mr. and Mrs. Hugh M. Stewart ’26 Publication Fund.” A new name, “Mr. and Mrs. Hugh M. Stewart ’26 Discretionary Fund,” will be given to Account 076092. Endowment earnings from the quasi-endowment will support the Director of the Texas A&M University Press at Texas A&M University.

**MINUTE ORDER 120-2006 (AGENDA ITEM 8)**

**AUTHORIZATION TO MODIFY THE  
“HELEN PATRICIA LINK ESTATE QUASI-ENDOWMENT,”  
TEXAS A&M UNIVERSITY**

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

Authority is hereby granted to the President of Texas A&M University to modify the “Helen Patricia Link Estate Quasi-Endowment.” An account will be created through the transfer of 50% of the corpus from the Link Estate Quasi-Endowment Account 076064. Endowment earnings from the quasi-endowment will continue to support equine studies and research at Texas A&M University.

**MINUTE ORDER 121-2006 (AGENDA ITEM 9)**

**AUTHORIZATION TO ESTABLISH THE  
“ROBERT M. BRATTON AND LORRAINE T. BRATTON  
ENDOWED SCHOLARSHIP QUASI-ENDOWMENT,”  
TEXAS A&M UNIVERSITY**

On motion of Mr. Adams, seconded by Mr. Nye 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 to be called the “Robert M. Bratton and Lorraine T. Bratton Endowed Scholarship Quasi-Endowment.” The account will be created with proceeds received from the Estate of Robert M. Bratton and Lorraine T. Bratton. Endowment earnings from the quasi-endowment will be used to support scholarships for veterinary students at Texas A&M University.

**MINUTE ORDER 122-2006 (AGENDA ITEM 10)**

**APPROVAL OF THE COLLEGE OF PHARMACY  
TUITION AND FEE STRUCTURE,  
THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER**

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

The Board of Regents of The Texas A&M University System approves the College of Pharmacy tuition and fee structure for The Texas A&M University System Health Science Center.

The summary of the tuition and fee structure as shown on **Exhibit D**, a copy of which is attached to the official minutes, is approved to be effective for all College of Pharmacy students enrolling for the fall 2006 semester.

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RECESS TO EXECUTIVE SESSION

Mr. White announced that the meeting would recess and reconvene in executive session in Room 114, EOTC.

(Secretary's Note: The Board reconvened its executive session at 5:15 p.m. and adjourned at 5:50 p.m.)

(Secretary's Note: The Board held a breakfast meeting with the Executive Committee of TAMU's Distinguished Professors on Friday, May 26, in the Board Dining Room.)

RECONVENE – FRIDAY, MAY 26

(Secretary's Note: The members of the Board and meeting attendees participated in demonstrations and activities at the EOTC from 9:30 a.m. to 1:00 p.m.)

Mr. White reconvened the meeting on Friday, May 26, 2006, at 1:18 p.m., in Room 108/112 of the EOTC. The following members of the Board were present:

Mr. John White, Chairman
Mr. Bill Jones, Vice Chairman
Mr. Lupe Fraga
Dr. Wendy Gramm
Mr. Erle Nye
Mr. Gene Stallings
Ms. Ida Clement Steen
Mr. Tyson Voelkel (Student Regent)

The following members of the Board were not present:

Mr. Phil Adams
Mr. Lowry Mays

Mr. White said that Mr. Smith was justified in being proud of his people and his mission at TEEEX. He thanked him for a great program and their hospitality.

Mr. Stallings addressed the Chancellor and said that TEEX has a world-class facility with the “sorriest” bridge he had ever seen. He suggested that they look into building a new bridge. Dr. McTeer responded that Mr. Stallings comments were duly noted.

Mr. White announced that the Board reconvened in executive session on Thursday, May 25, from 5:15 p.m. until 5:50 p.m., to discuss a land and economic development matter.

Mr. White said that no requests had been received in the Board Office to provide public testimony at this Board Meeting.

Mr. White called on Mr. Jones to present the report from the Committee on Audit.

REPORT FROM THE COMMITTEE ON AUDIT

Mr. Jones, Chairman of the Committee on Audit, reported that the Committee considered and approved Item 1, the System Internal Audit Plan for Fiscal Year 2007. He said that the Committee felt that it was a good plan and they had input from all of the institutions involved. Mr. Jones said that this was a first step toward being proactive in preventing bad things from happening rather than reacting once bad things happen. He said the Committee had also received the audit tracking report but no action was needed or taken.

The Board took action as set forth below:

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**MINUTE ORDER 123-2006 (AGENDA ITEM 1)**

**APPROVAL OF SYSTEM INTERNAL AUDIT PLAN FOR FISCAL YEAR 2007,  
THE TEXAS A&M UNIVERSITY SYSTEM**

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

The Board of Regents of The Texas A&M University System hereby approves the System Internal Audit Plan for Fiscal Year 2007, a copy of which is attached to the official minutes as **Exhibit E**.

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

REPORT FROM THE COMMITTEE ON BUILDINGS AND PHYSICAL PLANT

Mr. Nye, Chairman of the Committee on Buildings and Physical Plant, reported that the Committee met on Thursday, May 25. He said the Committee recommended approval of Items 11 through 18. The Board took action as set forth below:

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**MINUTE ORDER 124-2006 (AGENDA ITEM 11)**

**APPROVAL OF THE REVISED PROJECT BUDGET FOR  
EASTERWOOD RUNWAY 16/34 PAVEMENT REHABILITATION,  
TEXAS A&M UNIVERSITY**

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

The revised project budget of \$3,445,000 for Easterwood Runway 16/34 Pavement Rehabilitation at Texas A&M University is approved.

**MINUTE ORDER 125-2006 (AGENDA ITEM 12)**

**APPROVAL OF THE PROGRAM OF REQUIREMENTS AND  
PROJECT BUDGET, APPROPRIATION FOR DESIGN AND  
AUTHORIZATION FOR THE ARCHITECT/ENGINEER  
DESIGN FIRM FOR REED ARENA EXPANSION,  
TEXAS A&M UNIVERSITY**

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

The program of requirements for the Reed Arena Expansion at Texas A&M University is approved.

The project budget of \$16,000,000 for the Reed Arena Expansion at Texas A&M University is approved.

The amount of \$969,000 is appropriated from Account No. 02-030009 Stadium Revenue Fund for design of the Athletic Facilities Expansion at Texas A&M University.

Variance to the Campus Master Plan to allow for the expansion and placement of this facility next to Reed Arena as recommended by President Gates is approved.

The firm of VLK Architects, Inc. of Houston, Texas, originally selected under Project No. 2-2964 Reed Arena Lockers, is authorized to provide A/E design services as the architect/engineer design firm for the Reed Arena Expansion at Texas A&M University.



The Board of Regents of The Texas A&M University System (Board) 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.

Any gifts received for this project are hereby appropriated and previous appropriations are reverted first from Revenue Financing System Debt Proceeds (Stadium Revenue Fund) and, if sufficient gifts are received, secondly previous appropriations from the Stadium Revenue Fund.

**MINUTE ORDER 126-2006 (AGENDA ITEM 13)**

**NAMING OF THE  
“BECKY GATES CHILDREN’S CENTER,”  
TEXAS A&M UNIVERSITY**

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

The Children’s Center on the campus of Texas A&M University is hereby named the “Becky Gates Children’s Center.”

**MINUTE ORDER 127-2006 (AGENDA ITEM 13)**

**NAMING OF THE  
“AL AND DIANNE WATSON RESEARCH LAB,”  
TEXAS A&M UNIVERSITY-COMMERCE**

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

The Research Lab, Room 144, in the Science Building on the campus of Texas A&M University-Commerce is hereby named “In Honor of Al and Dianne Watson.”

**MINUTE ORDER 128-2006 (AGENDA ITEM 13)**

**NAMING OF THE  
“DR. KENNETH AND SUE Q. SHEPPARD  
SCIENCE AND MATH EDUCATORS’ CLASSROOM,”  
TEXAS A&M UNIVERSITY-COMMERCE**

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

The Science and Math Educators’ Classroom 135, in the Science Building on the campus of Texas A&M University-Commerce is hereby named “In Honor of Dr. Kenneth and Sue Q. Sheppard.”

**MINUTE ORDER 129-2006 (AGENDA ITEM 14)**

**AUTHORIZATION FOR THE PURCHASE OF LAND  
AND IMPROVEMENTS, ERATH COUNTY,  
TARLETON STATE UNIVERSITY**

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

The Chancellor of The Texas A&M University System, or his designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to present information and documents as requested by the Texas Higher Education Coordinating Board for the purchase approval process and to execute all documents necessary to purchase the land and any improvements located at 841 Garfield, being more particularly described as Lots 1 and 2A, and the west 19 feet of Lots 7B and 8, Block 55, College View Addition, City of Stephenville, Erath County, Texas. The purchase price of \$12,000, plus closing costs, is hereby approved.

**MINUTE ORDER 130-2006 (AGENDA ITEM 15)**

**AUTHORIZATION FOR THE PURCHASE OF LAND  
AND IMPROVEMENTS, HUNT COUNTY,  
TEXAS A&M UNIVERSITY-COMMERCE**

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

The Chancellor of The Texas A&M University System, or his designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to present information and documents as requested by the Texas Higher Education Coordinating Board for the purchase approval process and to execute all documents necessary to purchase the land and improvements located at 1911 Stonewall Street in the City of Commerce, Texas, being more particularly described as the west one-half of Lots 1 and 2, Block 17, College Heights Addition, Commerce, Hunt County, Texas. The purchase price of \$45,000, plus closing costs, is hereby approved.

**MINUTE ORDER 131-2006 (AGENDA ITEM 16)**

**AUTHORIZATION FOR THE SALE OF LAND FOR A MUNICIPAL CEMETERY AND AN AGGIE FIELD OF HONOR, BRAZOS COUNTY, TEXAS A&M UNIVERSITY**

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

The Chancellor of The Texas A&M University System, or his designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to sell 27.102 acres, more or less, and enter into an option agreement to sell an additional 17.552 acres, more or less, being out of the J.H. Jones League, Abstract No. 26, and partly in the J.E. Scott League, Abstract No. 50, Brazos County, Texas, to the City of College Station for the purpose of establishing a municipal cemetery and an Aggie Field of Honor at this location. Consideration for this sale will be a sale price of \$25,839.79 per acre, which results in an estimated purchase price of \$700,309.98, less necessary closing costs. Once the municipal cemetery and Aggie Field of Honor are established, and at such time as the President of Texas A&M University has determined that sufficient value exists to re-inter the graves that are presently located in the A&M Cemetery situated at Luther Street and Marion Pugh Road to the Aggie Field of Honor, then the President is authorized to re-inter such graves. Licensing of the “Aggie” name and other trademarks for the Aggie Field of Honor will be handled by the University under separate agreement.

**MINUTE ORDER 132-2006 (AGENDA ITEM 17)**

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

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

The Chancellor of The Texas A&M University System, or his designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to take all steps necessary to sell the surface estate of two (2) tracts of land containing approximately 475.738 acres of land out of the Jose Miguel Cortez Grant, Abstract 9, Calhoun County, Texas, and being a part of the Anna Boyer Estate. Consideration for this sale will be \$354,517.50, less necessary closing costs.

**MINUTE ORDER 133-2006 (AGENDA ITEM 18)**

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

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

The Chancellor of The Texas A&M University System, or his designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to negotiate and take all steps necessary to sell the surface estate of a tract of land containing approximately 31.8 acres situated in Hunt County, Texas, and being a part of the Jewel Kelley Estate. Consideration for this sale will be \$127,900.00, less necessary closing costs.

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Mr. White called on Dr. Gramm to present the report from the Committee on Academic and Student Affairs.

REPORT FROM THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS

Dr. Gramm, Chairman of the Committee on Academic and Student Affairs, reported that the Committee met on Thursday, May 25. She said that they considered and approved Items 19 through 29. The Board took action as set forth below:

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**MINUTE ORDER 134-2006 (AGENDA ITEM 19)**

**APPROVAL OF AMENDED TABLE OF PROGRAMS  
AND AUTHORIZATION TO REQUEST APPROVAL FROM  
THE TEXAS HIGHER EDUCATION COORDINATING BOARD,  
PRAIRIE VIEW A&M UNIVERSITY**

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

The Board of Regents approves the amended Table of Programs for Prairie View A&M University, as shown in **Exhibit F**, a copy of which is attached to the official minutes.

The Board also authorizes the President to submit this amended Table of Programs to the Texas Higher Education Coordinating Board for approval.

**MINUTE ORDER 135-2006 (AGENDA ITEM 20)**

**APPROVAL OF ADMINISTRATIVE CHANGES WITHIN  
TWO COLLEGES AND AUTHORIZATION TO REQUEST APPROVAL FROM  
THE TEXAS HIGHER EDUCATION COORDINATING BOARD,  
TARLETON STATE UNIVERSITY**

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

The Board of Regents approves the administrative change for Tarleton State University, within the College of Education, to divide the Department of Educational Administration, Counseling and Psychology into two academic departments -- the Department of Psychology and Counseling and the Department of Educational Leadership and Policy Studies, effective September 1, 2006.

The Board of Regents approves the administrative change for Tarleton State University, within the College of Liberal and Fine Arts, to divide the Department of Fine Arts and Communications into two academic departments -- the Department of Fine Arts and the Department of Communication Studies, effective September 1, 2006.

The Board also authorizes the President of Tarleton State University to submit these two administrative changes 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 136-2006 (AGENDA ITEM 21)**

**APPROVAL OF AMENDED MISSION STATEMENT AND TABLE  
OF PROGRAMS AND AUTHORIZATION TO REQUEST APPROVAL  
FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD,  
TARLETON STATE UNIVERSITY**

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

The Board of Regents approves the amended Mission Statement and Table of Programs for Tarleton State University, as shown in **Exhibits G and H**, copies of which are attached to the official minutes.

The Board also authorizes the President to submit the amended Mission Statement and Table of Programs to the Texas Higher Education Coordinating Board for approval.

**MINUTE ORDER 137-2006 (AGENDA ITEM 22)**

**APPROVAL OF AMENDED MISSION STATEMENT AND TABLE  
OF PROGRAMS AND AUTHORIZATION TO REQUEST APPROVAL  
FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD,  
TEXAS A&M UNIVERSITY-COMMERCE**

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

The Board of Regents approves the amended Mission Statement and Table of Programs for Texas A&M University-Commerce as shown in **Exhibits I and J**, copies of which are attached to the official minutes.

The Board also authorizes the President of Texas A&M University-Commerce to submit this amended Mission Statement and Table of Programs to the Texas Higher Education Coordinating Board for approval.

**MINUTE ORDER 138-2006 (AGENDA ITEM 23)**

**AUTHORIZATION TO OFFER A BACHELOR OF SCIENCE  
IN BIOLOGY DEGREE WITH TEACHER CERTIFICATION  
IN SCIENCE 8-12 VIA DISTANCE EDUCATION,  
TEXAS A&M UNIVERSITY-TEXARKANA**

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

Having compiled with all of the requirements of the Texas Higher Education Coordinating Board, Texas A&M University-Texarkana is hereby authorized to offer the Bachelor of Science in Biology Degree with Teacher Certification in Science 8-12 via distance education effective Fall 2006 semester.

The Board of Regents finds that the program offerings authorized by this minute order are within the role and scope and capacity of the institution and will benefit students.

**MINUTE ORDER 139-2006 (AGENDA ITEM 24)**

**APPROVAL OF REVISED MISSION STATEMENT AND AMENDED TABLE OF  
PROGRAMS, AND AUTHORIZATION TO REQUEST APPROVAL FROM  
THE TEXAS HIGHER EDUCATION COORDINATING BOARD,  
TEXAS A&M UNIVERSITY-TEXARKANA**

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

The Board of Regents approves the amended Mission Statement and Table of Programs for Texas A&M University-Texarkana as shown in **Exhibits K and L**.

The Board also authorizes the President of Texas A&M University-Texarkana to submit the amended Mission Statement and Table of Programs to the Texas Higher Education Coordinating Board for approval.

**MINUTE ORDER 140-2006 (AGENDA ITEM 25)**

**APPROVAL OF NEW BACHELOR OF SCIENCE DEGREE IN COMMUNITY DEVELOPMENT AND AUTHORIZATION TO REQUEST APPROVAL FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD, TEXAS A&M UNIVERSITY**

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

The Board of Regents approves the establishment of a new degree program at Texas A&M University leading to a Bachelor of Science in Community Development

The Board also authorizes the President of Texas A&M University to submit this 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 141-2006 (AGENDA ITEM 26)**

**APPROVAL OF AMENDED MISSION STATEMENT AND AUTHORIZATION TO REQUEST APPROVAL FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD, WEST TEXAS A&M UNIVERSITY**

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

The Board of Regents approves the amended Mission Statement for West Texas A&M University as contained in **Exhibit M**, a copy of which is attached to the official minutes.

The Board also authorizes the President of West Texas A&M University to submit this amended Mission Statement to the Texas Higher Education Coordinating Board for approval.

**MINUTE ORDER 142-2006 (AGENDA ITEM 27)**

**DISSOLUTION OF THE PUBLIC WORKS RESOURCE CENTER, TEXAS ENGINEERING EXTENSION SERVICE**

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

The Public Works Resource Center, established by Board Minute Order 131-76, is hereby dissolved as of May 26, 2006.

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(Secretary's Note: Items 28 and 29 are listed as Minute Orders 144-2006 and 145-2006, pages 18-19.)

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Mr. White called on Mr. Stallings to present the report from the Ad Hoc Policy Review Committee.

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

Mr. Stallings, Chairman of the Committee on Ad Hoc Policy Review, reported that the Committee met on Thursday, May 25. He said that the Committee confirmed the Committee on Finance's recommendation for approval of Item 6 and the Committee on Academic Affairs' recommendation for approval of Items 28 and 29. The Board took action as set forth below:

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MINUTE ORDER 143-2006 (AGENDA ITEM 6)

**APPROVAL OF NEWLY CREATED SYSTEM POLICY 17.01
(INTELLECTUAL PROPERTY MANAGEMENT AND COMMERCIALIZATION)
REPLACING EXISTING SYSTEM POLICIES 17.01
(INTELLECTUAL PROPERTIES) AND 17.02 (PATENTS),
THE TEXAS A&M UNIVERSITY SYSTEM**

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

The Board of Regents of The Texas A&M University System approves the newly created System Policy 17.01 (*Intellectual Property Management and Commercialization*), a copy of which is attached to the official minutes as **Exhibit N**, which revises and consolidates existing System Policies 17.01 (*Intellectual Properties*), and 17.02 (*Patents*), under the authority of the Office of Technology Commercialization.

MINUTE ORDER 144-2006 (AGENDA ITEM 28)

**APPROVAL OF REVISIONS TO SYSTEM POLICY 12.01
(ACADEMIC FREEDOM, RESPONSIBILITY AND TENURE),
THE TEXAS A&M UNIVERSITY SYSTEM**

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

A revision to System Policy 12.01 (*Academic Freedom, Responsibility and Tenure*), as shown in **Exhibit O**, a copy of which is attached to the official minutes, is approved and effective immediately.

MINUTE ORDER 145-2006 (AGENDA ITEM 29)

**APPROVAL OF REVISIONS TO SYSTEM POLICY 12.02
(*INSTITUTIONAL PROCEDURES FOR IMPLEMENTING TENURE*),
THE TEXAS A&M UNIVERSITY SYSTEM**

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

A revision to System Policy 12.02 (*Institutional Procedures for Implementing Tenure*), as shown in **Exhibit P**, a copy of which is attached to the official minutes, is approved and effective immediately.

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Regarding the tenure item, Mr. Nye said that he felt that this was a very positive and appropriate move, but encouraged the university presidents and everyone involved who communicated with faculty to make sure that faculty did not misunderstand what has been done. He said that there had been a lot of news coverage which is at odds with the intent, which he thinks is fairly straightforward. Mr. Nye said that because this is such a sensitive matter, we need to have as much “ex post facto” communication with the faculty as we can to make sure that they do not misunderstand and that they understand that this is a very positive thing for the System. He said that it does not do damage to any other approach to tenure. He said that no one has to commercialize, and it is purely an exception for those that do to give them the opportunity to stand in place on their tenure. Mr. Nye said that he did think a little bit of constructive communication with the various organizations around the faculty would be helpful and he encouraged everyone to do that.

**OTHER ITEMS**

Mr. White called on Dr. J. Patrick O’Brien, President of WTAMU, who presented Items 30 through 33. The Board took action as set forth below:

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MINUTE ORDER 146-2006 (AGENDA ITEM 30)

**ADOPTION OF A RESOLUTION TO EXPRESS APPRECIATION TO
THE 2005-2006 CHAPTER OF THE NATIONAL BROADCASTING SOCIETY,
WEST TEXAS A&M UNIVERSITY**

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

Whereas, the 2005-2006 West Texas A&M University Chapter of the National Broadcasting Society (NBS) attended the national convention in Washington, D.C.; and

Whereas, the West Texas A&M University Chapter was named the “Chapter of the Year,” the highest honor awarded by NBS; and

Whereas, West Texas A&M’s NBS Chapter was recognized as a “Model Chapter” for the eighth consecutive year; and

Whereas, West Texas A&M’s NBS Chapter won first place in the community service category; and

Whereas, four students -- Jacob Albracht, Gabriel Lawrence, Troy Reich and Crystal Sanders -- won five first-place production awards; and

Whereas, Emily Petersen was awarded the Richard M. Uray grant, Troy Reich received the Sherman Lawton grant and Lindsay Haworth received the Alpha Epsilon Rho grant; and

Whereas, 16 WTAMU students, more than any other school in the nation, were inducted into the Alpha Epsilon Rho Honor Society; and

Whereas, the work and encouragement of Dr. Leigh Browning, director of broadcasting, and Randy Ray, assistant director of broadcasting, resulted in the chapter’s outstanding accomplishments and national recognition for the University; now, therefore, be it

Resolved, that we the members of the Board of Regents of The Texas A&M University System, meeting on this 26th day of May 2006 at College Station, Texas, express our heartfelt congratulations to all the members of the West Texas A&M University Chapter of the National Broadcasting Society for their contributions to West Texas A&M University; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof, signed by the Chairman of the Board of Regents, be presented to each member of the team and to the Archives of West Texas A&M University, as a permanent mark of this board’s appreciation and gratitude to all these individuals for a job well done.

MINUTE ORDER 147-2006 (AGENDA ITEM 31)

**ADOPTION OF A RESOLUTION TO EXPRESS APPRECIATION TO
THE 2005-2006 LADY BUFF BASKETBALL TEAM,
WEST TEXAS A&M UNIVERSITY**

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

Whereas, the 2005-2006 West Texas A&M University women's basketball team compiled a 28-4 record and won its first Lone Star Conference championship since 1997 and for a record eighth outright title and advancing to the NCAA Division II regional tournament for an LSC record 14th time; and

Whereas, the West Texas A&M University Lady Buff basketball team finished with a #16 ranking in the USA Today/ESPN/WBCA Coaches' Final Poll; and

Whereas, two student athletes received All-America recognition, five student athletes were named to the All-LSC South Division team, one student athlete was named LSC South Division Freshman of the Year and Player of the Year, and one student athlete was named LSC South Division Defensive Player of the Year; and

Whereas, junior Alicia Saunders set a school and LSC record of 134 blocks in a single season and was recognized by *Sports Illustrated* magazine for her accomplishments; and

Whereas, freshman Emily Brister was named DII Bulletin National Freshman of the Year; and

Whereas, Head Coach Bob Schneider was named Lone Star Conference South Division Coach of the Year and has now compiled a 585-163 record in 25 years as head coach of the Lady Buffs; and

Whereas, the hard work and dedication of the women's basketball team, the coaches, the athletic trainers and the athletic staff brought national recognition to West Texas A&M University; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, meeting on this 26th day of May 2006, in College Station, Texas, express our heartfelt congratulations to all members of the West Texas A&M University Lady Buff basketball team for their contributions to West Texas A&M University; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof, signed by the Chairman of the Board of Regents, and be presented to each member of the Lady Buff basketball team and to the Archives of West Texas A&M University as a permanent mark of this Board's appreciation and gratitude to all these individuals for a job well done.

MINUTE ORDER 148-2006 (AGENDA ITEM 32)

**ADOPTION OF A RESOLUTION TO EXPRESS APPRECIATION TO
THE 2005-2006 BUFFALO FOOTBALL TEAM,
WEST TEXAS A&M UNIVERSITY**

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

Whereas, the West Texas A&M University Buffalo football team achieved a remarkable turnaround in 2005 by compiling an overall record of 10-2 to achieve the first winning season since 1998, winning its first Lone Star Conference championship since 1986 and earning WTAMU's first-ever berth in the NCAA Division II playoffs; and

Whereas, the 2005 football team finished with a national ranking of 15th in the American Football Coaches Association Division II final poll, with eleven student athletes being honored on the All-LSC South Division team, with five student athletes receiving All-America designations, and with Head Coach Don Carthel being named LSC South Division Coach of the Year and Panhandle Sports Hall of Fame Coach of the Year; and

Whereas, the exciting play of the 2005 WTAMU Buffalo football team united the entire local community, leading NCAA Division II in attendance with an average of 14,005 fans per game, and setting a Kimbrough Memorial Stadium and LSC single-game record of 22,993 on October 8, 2005, in a 52-51 overtime win over Eastern New Mexico University in the annual Wagon Wheel Game; and

Whereas, the hard work and dedication of the football team, the coaches, the athletic trainers and the athletic staff brought national recognition to West Texas A&M University; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, meeting on this 26th day of May 2006, in College Station, Texas, express our heartfelt congratulations to all members of the West Texas A&M University Buffalo football team for their contributions to West Texas A&M University; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof, signed by the Chairman of the Board of Regents, and be presented to each member of the football team and to the Archives of West Texas A&M University as a permanent mark of this Board's appreciation and gratitude to all these individuals for a job well done.

MINUTE ORDER 149-2006 (AGENDA ITEM 33)

**ADOPTION OF A RESOLUTION TO EXPRESS APPRECIATION TO
THE 2005-2006 BUFFALO BASKETBALL TEAM,
WEST TEXAS A&M UNIVERSITY**

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

Whereas, the 2005-2006 West Texas A&M University men's basketball team compiled a 23-8 record and won its record sixth Lone Star Conference championship and advanced to the NCAA Division II regional tournament for the first time since 2003; and

Whereas, three student athletes received All-LSC South Division honors and one student athlete was named LSC South Division Defensive Player of the Year; and

Whereas, sophomore Tyler Cooper was named LSC Academic Player of the Year with a GPA of 4.0 in pre-medicine; and

Whereas, Head Coach Rick Cooper was named LSC South Division Co-Coach of the Year and has now compiled a 266-122 record in 13 years as head coach of the Buffs; and

Whereas, Coach Cooper achieved his 400th overall collegiate coaching victory on November 22, 2005, in a 63-53 victory at Lubbock Christian and his overall record is now 420-170; and

Whereas, the hard work and dedication of the men's basketball team, the coaches, the athletic trainers and the athletic staff brought national recognition to West Texas A&M University; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, meeting on this 26th day of May 2006, in College Station, Texas, express our heartfelt congratulations to all members of the West Texas A&M University Buffalo basketball team for their contributions to West Texas A&M University; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof, signed by the Chairman of the Board of Regents, and be presented to each member of the Buffalo basketball team and to the Archives of West Texas A&M University as a permanent mark of this Board's appreciation and gratitude to all these individuals for a job well done.

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Mr. White called on Dr. Gates who presented Item 34. The Board took action as set forth below:

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MINUTE ORDER 150-2006 (AGENDA ITEM 34)

**APPOINTMENT OF
MR. JAMES P. MCGREGOR
TO THE TEXAS A&M UNIVERSITY AT GALVESTON BOARD OF VISITORS,
TEXAS A&M UNIVERSITY**

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

Effective June 1, 2006, Mr. James P. McGregor is hereby appointed to the Texas A&M University at Galveston Board of Visitors for a term of three years.

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Mr. White called on Dr. McFarland who presented Item 35. The Board took action as set forth below:

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MINUTE ORDER 151-2006 (AGENDA ITEM 35)

**GRANTING OF FACULTY DEVELOPMENT LEAVE FOR FISCAL YEAR 2007,
TEXAS A&M UNIVERSITY-COMMERCE**

On motion of Mr. Nye, seconded by Ms. Steen and by a unanimous vote, the following minute order was adopted:

The Board of Regents of The Texas A&M University System, in accordance with System Policy 31.03, System Regulation 12.99.01 and Sections 51.101-108 of the Texas Education Code, authorizes faculty development leave to the faculty members as shown in **Exhibit Q**, a copy of which is attached to the official minutes as Faculty Development Leave List FY 2007, Texas A&M University-Commerce.

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Mr. Stallings said that he felt that it was important that when someone is granted a leave, it benefits the university, not just the individual.

Mr. White called on Dr. McTeer who presented Items 36 through 39.

Mr. Nye said that he assumed that all the institutions were continuing to observe the granting of tenure under rigorous review and that there was consistency not only within the campus but also across the System that was monitored from time to time. He asked if Dr. Sayavedra looked at the tenure requests and felt comfortable that there was

consistency and equity across the System. Dr. Sayavedra responded in the affirmative and said that they have reviewed the tenure processes of all of the campuses. He said that Dr. David Prior, TAMU's Executive Vice President and Provost, recently made a presentation to the Board and university provosts.

The Board took action as set forth below:

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MINUTE ORDER 152-2006 (AGENDA ITEM 36)

**APPROVAL FOR MR. GUY DIEDRICH,
VICE CHANCELLOR FOR TECHNOLOGY COMMERCIALIZATION,
TO SERVE AS A BOARD MEMBER OF THE TEXAS LIFE SCIENCE
CENTER FOR INNOVATION AND COMMERCIALIZATION,
THE TEXAS A&M UNIVERSITY SYSTEM**

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

The Board of Regents of The Texas A&M University System hereby approves Mr. Guy K. Diedrich, Vice Chancellor for Technology Commercialization, to serve as a member of the Board of Directors for the Texas Life Science Center for Innovation and Commercialization.

MINUTE ORDER 153-2006 (AGENDA ITEM 37)

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

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

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 members of The Texas A&M University System, as shown in **Exhibit R**, a copy of which is attached to the official minutes.

MINUTE ORDER 154-2006 (AGENDA ITEM 38)

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

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

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 in **Exhibit S**, a copy of which is attached to the official minutes as Emeritus Title List No. 06-05, and grants all rights and privileges of this title.

MINUTE ORDER 155-2006 (AGENDA ITEM 39)

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

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

The Board of Regents of The Texas A&M University System, in accordance with System Policy 1.101 (*Academic Freedom, Responsibility and Tenure*), hereby authorizes the granting of tenure to the following faculty members as set forth in **Exhibit T**, a copy of which is attached to the official minutes as Tenure List No. 06-05.

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Regarding the tenure item, Dr. Gramm said that she has been looking at the resumes of all the people coming up for tenure. She said that while she was very comfortable, there were some variations across the institutions because of the nature of the institution. She said that when she has had questions she has gone to the Chief Executive Officer (CEO).

Regarding the faculty development leave item, Mr. Stallings said that people wonder why he worries about sabbaticals. He said that we draw on our own experiences and he could not see himself going to Coach Bryant to tell him that he would like a year off.

Mr. White presented Item 40. The Board took action as set forth below:

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MINUTE ORDER 156-2006 (AGENDA ITEM 40)

**APPROVAL OF MINUTES OF THE
FEBRUARY 21, 2006, SPECIAL TELEPHONIC BOARD MEETING AND
THE MARCH 23-24, 2006, REGULAR BOARD MEETING,
BOARD OF REGENTS, THE TEXAS A&M UNIVERSITY SYSTEM**

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

The Minutes of the February 21, 2006, Special Telephonic Board Meeting and the March 23-24, 2006, Regular Board Meeting are hereby approved.


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Mr. White called on Dr. McTeer to present Items 41 through 44. The Board took action as set forth below:

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MINUTE ORDER 157-2006 (AGENDA ITEM 41)

**APPOINTMENT OF
DR. DOUGLAS J. PALMER
AS DEAN OF EDUCATION AND HUMAN DEVELOPMENT,
TEXAS A&M UNIVERSITY**

On motion of Mr. Nye, seconded by Ms. Steen and by a unanimous vote, the following minute order was adopted:

Effective May 1, 2006, Dr. Douglas J. Palmer is hereby appointed Dean of Education and Human Development at Texas A&M University, at an initial salary of \$182,500.

MINUTE ORDER 158-2006 (AGENDA ITEM 42)

**APPOINTMENT OF
MR. BOB BROWN
AS VICE PRESIDENT FOR BUSINESS AND ADMINISTRATION,
TEXAS A&M UNIVERSITY-COMMERCE**

On motion of Mr. Nye, seconded by Ms. Steen and by a unanimous vote, the following minute order was adopted:

Effective April 24, 2006, Mr. Bob Brown is hereby appointed Vice President for Business and Administration at Texas A&M University-Commerce, at an initial salary of \$138,000.

MINUTE ORDER 159-2006 (AGENDA ITEM 43)

**APPOINTMENT OF
DR. BILL F. MCCUTCHEN
AS DEPUTY ASSOCIATE DIRECTOR,
TEXAS AGRICULTURAL EXPERIMENT STATION**

On motion of Mr. Nye, seconded by Ms. Steen and by a unanimous vote, the following minute order was adopted:

Effective May 26, 2006, Dr. Bill F. McCutchen is hereby appointed Deputy Associate Director of the Texas Agricultural Experiment Station at an initial salary of \$160,000.

MINUTE ORDER 160-2006 (AGENDA ITEM 44)

**APPOINTMENT OF
DR. THERESA A. MALDONADO
AS DEPUTY DIRECTOR,
TEXAS ENGINEERING EXPERIMENT STATION**

On motion of Mr. Nye, seconded by Ms. Steen and by a unanimous vote, the following minute order was adopted:

Effective immediately, Dr. Theresa A. Maldonado is hereby appointed Deputy Director of the Texas Engineering Experiment Station, at an initial annual salary of \$200,175.

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Mr. White introduced Mr. Bob Brown who was present in the meeting room.

Mr. White asked for a motion on Item 45. Mr. Jones said that they had been anxiously searching for a general counsel to fill the role left by Mr. Delmar Cain last November. He said that they had 58 applicants; four withdrew before their names were brought forward and 11 applicants were interviewed.

Mr. Jones made a motion for the Board to authorize the hiring of Mr. Cullen Michael Godfrey, a partner in the Austin office of Jackson Walker L.L.P. Mr. Jones said that Mr. Godfrey holds an undergraduate and law degree from the University of Texas at Austin. Prior to joining Jackson Walker, he was the Vice Chancellor and General Counsel of the University of Texas System, and prior to that he served as Senior Vice President, Secretary and General Counsel of FINA, Inc., of Dallas, Texas. He said Mr. Godfrey was past Chairman of the Business Law Section of the State Bar of Texas, a member of the American Law Institute and has been certified as a specialist in oil, gas and mineral law by the Texas Board of Legal Specialization. He was a gubernatorial appointee to the National Conference of Commissioners on Uniform State Laws. He was honored in 1999 by the Anti-Defamation League as the recipient of its Jurisprudence Award for his devotion to the principles enshrined in the Constitution and for symbolizing commitment to the democratic values, which characterize America. He was named as a Super Lawyer by *Texas Lawyer* magazine in 2003, 2004, and 2005 and has been published in the *Texas Tech Law Review*. In addition to his professional responsibilities, he was the general campaign chairman of the 1999 United Way Campaign for Metropolitan Dallas, Inc., served on the United Way's Board of Directors and Executive Committee. He has also served on the boards of the Dallas Museum of Art, the Dallas County Heritage Society, the Circle Ten Council of the Boy Scouts of America, and the Greater Dallas Crime Commission where he also served as Chairman.

Mr. Jones formally presented his motion to the Board and asked for a second. Mr. Nye offered a second. Mr. Nye said that he thought the length of the search had been worth the time spent on it and that two very fine candidates had been brought forward. He said that he was taken with both of them and he thought they both would do a great

job. Mr. Nye said that at one point during the meeting on Thursday, Vice Chairman Jones offered the possibility of attracting both candidates to the System and he was prepared to offer a second, providing and on the understanding that the Board would encourage Mr. Godfrey to approach the other candidate and try to bring him into the System. Mr. Jones said that he would accept the second with that amendment.

Mr. White said that the approval of this would indicate that the appointment of the General Counsel was subject to the negotiation of salary and effective date. He said that because the General Counsel reported to the Board of Regents and had access to the Chancellor, it was his duty, as Chairman, to negotiate the contract with the candidate.

Mr. Stallings said that he was a little confused, because he thought the Board was going to vote. Mr. White said that they were getting ready to vote and that they had the comment subject to Mr. Nye's second. He said that the motion before the Board was for Mr. Mike Godfrey with the condition and understanding that Mr. Godfrey would approach and consider the hiring of the other candidate that was interviewed. He asked if there was any further discussion. The Board took action as set forth below:

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MINUTE ORDER 161-2006 (AGENDA ITEM 45)

**APPOINTMENT OF
MR. CULLEN MICHAEL GODFREY
AS GENERAL COUNSEL,
THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Mr. Jones, seconded by Mr. Nye with the inclusion of his comment as shown on page 29 on record, and by a majority vote of five in favor, and two opposed (Mr. White polled the Regents and their votes are shown as follows: Jones – aye, Nye – aye, Fraga – aye, Steen – aye, Stallings – nay, Gramm – nay, White – aye), the following minute order was approved.

(Secretary's Note: Mr. Mays and Mr. Adams were not present for this vote.)

Mr. Cullen Michael Godfrey is hereby named as the General Counsel of The Texas A&M University System. The Chairman of the Board is authorized to negotiate the salary and effective date.

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Mr. White said they would contact Mr. Godfrey and have the discussion with him regarding the other candidate.

Mr. White asked if there was any further discussion. Mr. Stallings asked that assuming the other candidate was not interested, would they look elsewhere. Mr. Nye said that his motion was predicated on his strong belief based on what he had heard, that the other candidate, who should remain unnamed, would be interested. He said that he

did not make his motion conditional upon the hiring of the other candidate because he did not think that practically the Board could do that. He said that his motion was on the basis that Mr. Godfrey would understand that this was what the Board wanted.

Mr. Stallings said that he thought that they were both good candidates and he thought that an excellent group was brought forth to be discussed.

Mr. White asked if there were any other comments. There were none.

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REPORT FROM THE SYSTEM ATHLETIC LIAISON

Mr. Jones said that he had a telephone conference meeting with all of System athletic directors and they discussed something that he wanted them to do for the next meeting. He said that he asked them to provide him, so that he could bring it before the Board, a brief listing of the challenges they had during the past year, their major successes, the challenges that they anticipate for the upcoming year and what plans they have to address those issues. Mr. Jones said that this was purely for informational purposes and to help share solutions among the athletic directors. He said that this would also keep the Board informed of what was going on in all the System athletic programs. Mr. Jones said that he would share this information with the Board at the July meeting.

Mr. Jones announced that PVAMU won the Southwestern Athletic Conference (SWAC) in baseball and has been invited to the National Collegiate Athletic Association (NCAA) College World Series.

Mr. Stallings asked if the report would include all sports on all campuses. Mr. Jones responded in the affirmative and that he had left the discretion up to them (athletic directors). He said that they were not looking for any particular program or problem, but they know what issues and challenges they have. He said that at some schools their challenge may be attendance, at another it may be income in the program and for others it may be to have a winning season. Mr. Stallings suggested that they include the athletic directors in the program and what they expect from their sports. Mr. Jones responded that the athletic directors were the ones that he has been talking with. Mr. Stallings said that the athletic directors would ask the other coaches. He said that he would like to know what type of job the athletic directors think they did, since it is easy to point to the others.

OTHER BUSINESS

Mr. White announced that the next regular meeting was scheduled for July 27-28, 2006, in College Station.

Mr. Nye said that he felt that we have made real strides in the intellectual property commercialization area and he commended everyone, including Mr. White and

Mr. Jones. He said it takes him back to an issue which we have had for a long time, and it probably grows out of the fact that we continue to have to get additional authorizations for intellectual property (IP) counsel. Mr. Nye said that they are great and he appreciated them, but when there was so much business going through one law firm, it was hard to judge the quality of the work and the cost. He said he wanted to know two things: Is it time for us to consider an additional parallel firm to do some of our IP work and if so, how could some of these other firms offer their services? What is the process for another big IP firm to offer their services? Dr. McTeer responded that in the search for the general counsel position, they ran across one outstanding lawyer in that area. He said that they did not think that person was the right person to be general counsel, but he was somebody that they were thinking of going back to use him for that purpose. Mr. Nye responded that he had heard that and was comfortable with it, but felt that they needed to continue to use firms that have this specialty. He said that as much as he admires the firm that they currently use, he believes that a little competition helps everybody. He said he does not want the System to take inferior work in order to get two providers. Mr. Nye said that if in fact what we've done portends a lot more activity, and he hopes it does, he thinks that we would be well advised to consider at least two firms where we could see how two "horses" run. In that regard, he said if we are inclined to consider that, he thought there ought to be a process by which we could solicit other firms and invite proposals concerning their qualifications and at least look at them. Dr. McTeer responded that the new general counsel was very experienced in this area and he would be qualified to lead this effort.

Mr. Nye said that the San Antonio campus was something in which he has a great interest. He said that there have been a lot of events in recent months. We have a little better definition; we know who the state senator is from that area; we know more or less where we stand with the council, and we have some direction from the legislature. He said he would like to see a statement, maybe with a time line of where we are and where do we hope to be at the end of six months. He said he would like to see a critical path, two-page definition of what we want to do to get that campus up and running. He said he presumed that someone was working on that and has it in place, but if they don't, he thought it was fair for the Board to ask for a summary statement of where we are, what we need to do, and when we hope to get there. Dr. McTeer responded that they would do that. He said there was an additional complication added with the TRB bill, in that the TRBs were contingent on 1,500 full-time equivalent students by the year 2010. Mr. Nye said that when he talked to his friends in San Antonio they suggested that if we had more programs, more courses available, better faculty on site, and we gave a little bit of the same effort that Dr. Gates gave to encourage students, that we could build that student body faster than if we wait for them to come to us. He said that their view was that we needed to make a stir; we need to make a presence, maybe rent or lease a building, put up a sign, send the faculty to talk to the rotary club or whatever else it takes. He said if we were in a business, we would go about getting those customers, or students, and we would not wait for them to find their way to us. He said that he was not suggesting that we are not aggressive, but we could be more aggressive. He said he would like to see our plan. He said he thinks that we have an opportunity here, and if we don't follow up on it

in a timely and effective fashion, somebody would be sitting here ten years from now saying “that was too bad that did not work out.”

There were no further comments or questions.

ADJOURNMENT

There being no further business, Mr. White asked for a motion to adjourn. On motion of Mr. Nye, seconded by Mr. Jones and by a unanimous vote, the meeting was adjourned at 1:54 p.m.

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

VBS:jb