MINUTES

OF THE

MEETING OF THE

BOARD OF REGENTS

OF

THE TEXAS A&M UNIVERSITY SYSTEM

HELD IN

COLLEGE STATION, TEXAS

September 24-25, 2009

(Approved December 3-4, 2009)
# TABLE OF CONTENTS

**MINUTES OF THE**
**MEETING OF THE BOARD OF REGENTS**
**September 24-25, 2009**

- CONVENE – THURSDAY, SEPTEMBER 24, 2009 ................................................................. 1
- RECESS TO EXECUTIVE SESSION .................................................................................. 1
- RECONVENE IN OPEN SESSION AND RECESS .......................................................... 1
- RECONVENE .................................................................................................................. 2
- INVOCATION .................................................................................................................. 2
- CHAIRMAN’S REMARKS ............................................................................................... 2
- UPDATE ON TAMU PRESIDENTIAL SEARCH ............................................................... 3
- CHANCELLOR’S REMARKS ............................................................................................ 4
- SHARED SERVICES OPTIMIZATION REPORT ............................................................... 5
- PANDEMIC FLU PREPARATIONS ................................................................................... 10
- RECESS .......................................................................................................................... 11
- RECONVENE – FRIDAY, SEPTEMBER 25, 2009 ............................................................ 11

<table>
<thead>
<tr>
<th>Minute Order</th>
<th>Resolution/Action</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>199-2009 (Item 26)</td>
<td>Adoption of a Resolution Honoring South San Antonio Independent School District Superintendent Ronald Durbon and the Board of Trustees, Texas A&amp;M University-San Antonio</td>
<td>12</td>
</tr>
<tr>
<td>200-2009 (Item 34)</td>
<td>Adoption of a Resolution Celebrating the Life of Dr. Norman E. Borlaug, Texas A&amp;M University/Texas AGRILIFE</td>
<td>14</td>
</tr>
<tr>
<td>201-2009 (Item 33-E)</td>
<td>Adoption of a Resolution Honoring the Men’s and Women’s Track and Field Teams for Their Outstanding Achievements in the 2009 Season, Texas A&amp;M University</td>
<td>18</td>
</tr>
<tr>
<td>202-2009 (Item 33-F)</td>
<td>Adoption of a Resolution Honoring the Men’s Golf Team for Its Outstanding Achievements in the 2009 Season, Texas A&amp;M University</td>
<td>19</td>
</tr>
<tr>
<td>203-2009 (Item 33-G)</td>
<td>Adoption of a Resolution to Express Appreciation to the 2009 Women’s Golf Team, Texas A&amp;M University-Corpus Christi</td>
<td>21</td>
</tr>
<tr>
<td>204-2009 (Item 33-H)</td>
<td>Adoption of a Resolution to Express Appreciation to the 2009 Men’s Tennis Team, Texas A&amp;M University-Corpus Christi</td>
<td>22</td>
</tr>
<tr>
<td>205-2009 (Item 33-I)</td>
<td>Adoption of a Resolution to Express Appreciation to Hickel Woolery, Texas A&amp;M University-Corpus Christi</td>
<td>23</td>
</tr>
<tr>
<td>206-2009 (Item 33-J)</td>
<td>Adoption of a Resolution to Recognize the Outstanding Accomplishments of the 2008-2009 Women’s Golf Team, Tarleton State University</td>
<td>23</td>
</tr>
<tr>
<td>207-2009 (Item 33-K)</td>
<td>Adoption of a Resolution to Express Appreciation to the 2008-09 Sports Information Staff, Tarleton State University</td>
<td>24</td>
</tr>
<tr>
<td>208-2009 (Item 33-M)</td>
<td>Adoption of a Resolution Honoring the Women’s Western Equestrian Team for Its Outstanding Achievements in the 2009 Season, Texas A&amp;M University</td>
<td>25</td>
</tr>
</tbody>
</table>
REPORT FROM THE CHANCELLOR’S STUDENT ADVISORY BOARD (CSAB) ............................................... 26
RECESS ......................................................................................................................................... 28
RECONVENE .............................................................................................................................. 28
REPORT FROM THE COMMITTEE ON AUDIT.............................................................................. 28
REPORT FROM THE COMMITTEE ON FINANCE ........................................................................... 28

MINUTE ORDER 209-2009 (ITEM 1) AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE PATENT LAW FIRM OF BAKER BOTTs, LLP, IN EXCESS OF $299,999, THE TEXAS A&M UNIVERSITY SYSTEM ................................................................................................................................. 29

MINUTE ORDER 210-2009 (ITEM 2) ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE OF THE BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM REVENUE FINANCING SYSTEM BONDS, SERIES 20__, THE TEXAS A&M UNIVERSITY SYSTEM ................................................................................................................................. 29

REPORT FROM THE COMMITTEE ON BUILDINGS AND PHYSICAL PLANT ........................................ 30


MINUTE ORDER 214-2009 (ITEM 6) APPROVAL OF THE PROJECT SCOPE AND BUDGET, APPROPRIATION FOR CONSTRUCTION SERVICES, AND APPROVAL FOR CONSTRUCTION FOR THE NEW STUDENT HOUSING PROJECT, TARLETON STATE UNIVERSITY, STEPHENVILLE, TEXAS, THE TEXAS A&M UNIVERSITY SYSTEM ................................................................................................................................. 33

MINUTE ORDER 215-2009 (ITEM 7) APPROVAL OF REVISIONS TO SYSTEM POLICY 41.01 (REAL PROPERTY), THE TEXAS A&M UNIVERSITY SYSTEM ................................................................................................................................. 33

MINUTE ORDER 216-2009 (ITEM 8) APPROVAL OF REVISIONS TO SYSTEM POLICY 51.01 (CAPITAL PLANNING), THE TEXAS A&M UNIVERSITY SYSTEM ................................................................................................................................. 34

MINUTE ORDER 217-2009 (ITEM 9) APPROVAL OF REVISIONS TO SYSTEM POLICY 51.04 (DELEGATIONS OF AUTHORITY ON CONSTRUCTION PROJECTS), THE TEXAS A&M UNIVERSITY SYSTEM ................................................................................................................................. 34

MINUTE ORDER 218-2009 (ITEM 10) AUTHORIZATION TO PURCHASE RESIDENTIAL LOT WITH A SINGLE FAMILY RESIDENCE AT 1560 W. TARLETON STREET, CITY OF STEPHENVILLE, ERATH COUNTY, TARLETON STATE UNIVERSITY ................................................................................................................................. 34

MINUTE ORDER 219-2009 (ITEM 11) AUTHORIZATION TO EXECUTE A GROUND LEASE FOR AN ADDITIONAL PHASE OF ON-CAMPUS HOUSING, TEXAS A&M UNIVERSITY-CORPUS CHRISTI ......................................................................................................................................... 35

MINUTE ORDER 220-2009 (ITEM 12) AUTHORIZATION TO EXECUTE A WORKING FOREST CONSERVATION EASEMENT COVERING 2,907 ACRES, MORE OR LESS, OF PRIVATELY-OWNED FOREST LAND IN SMITH COUNTY, TEXAS FOREST SERVICE ......................................................................................................................................... 35

MINUTE ORDER 221-2009 (ITEM 13) AUTHORIZATION TO EXCHANGE TWO TRACTS OF LAND IN WILBARGER COUNTY, TEXAS AGRILIFE RESEARCH ......................................................................................................................................... 36

MINUTE ORDER 222-2009 (ITEM 14) AUTHORIZATION TO SELL 24.718 ACRES OF LAND, MORE OR LESS, IN WILLIAMSON COUNTY, TEXAS AGRILIFE EXTENSION SERVICE ......................................................................................................................................... 36
MINUTE ORDER 223-2009 (ITEM 15) AUTHORIZATION TO EXECUTE A GROUND LEASE ON THE HEALTH SCIENCE CENTER CAMPUS IN BRYAN, TEXAS, AND A LEASE OF SPACE IN A BUILDING TO BE CONSTRUCTED, THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER.................................................................................................................. 36

MINUTE ORDER 224-2009 (ITEM 16) AUTHORIZATION TO LEASE CLINICAL SPACE IN THE HEALTH SCIENCE CENTER FACILITY IN ROUND ROCK, TEXAS, TO LONE STAR CIRCLE OF CARE, THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER................................................................. 37

MINUTE ORDER 225-2009 (ITEM 17) AUTHORIZATION TO PURCHASE A BUILDING AND OTHER IMPROVEMENTS AT 3930 NORTH A.W. GRIMES BOULEVARD, ROUND ROCK, WILLIAMSON COUNTY, THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER...................................................................................................... 37

MINUTE ORDER 226-2009 (ITEM 18) NAMING OF THE “KIM ’79 & LAURA EUBANKS INDOOR BASEBALL FACILITY,” TEXAS A&M UNIVERSITY.......................................................................................................................... 38

MINUTE ORDER 227-2009 (ITEM 18) NAMING OF THE “BILLY PICKARD PEDESTRIAN PASSAGEWAY,” TEXAS A&M UNIVERSITY........................................................................................................................ 38

MINUTE ORDER 228-2009 (ITEM 18) NAMING OF THE “WILDER GRADUATE ROOM,” WEST TEXAS A&M UNIVERSITY.......................................................................................................................... 39

MINUTE ORDER 229-2009 (ITEM 18) NAMING OF THE “STAN AND GRET A LILES CLASSROOM,” WEST TEXAS A&M UNIVERSITY.................................................................................................................. 39


MINUTE ORDER 231-2009 (ITEM 18) NAMING OF THE “NEIL AND ANNE TERRY CLASSROOM,” WEST TEXAS A&M UNIVERSITY.................................................................................................................. 40

MINUTE ORDER 232-2009 (ITEM 18) NAMING OF THE “FIRSTBANK SOUTHWEST CLASSROOM,” WEST TEXAS A&M UNIVERSITY.................................................................................................................. 40

MINUTE ORDER 233-2009 (ITEM 35) AUTHORIZATION TO EXECUTE A SETTLEMENT AGREEMENT BY AND BETWEEN THE TEXAS A&M UNIVERSITY SYSTEM AND JE DUNN OF TEXAS, INC., THE TEXAS A&M UNIVERSITY SYSTEM.................................................................................. 40

REPORT FROM THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS................................................................................................................................. 41


MINUTE ORDER 235-2009 (ITEM 20) ESTABLISHMENT OF THE ROBERT A. MOSBACHER INSTITUTE FOR TRADE, ECONOMICS, AND PUBLIC POLICY, TEXAS A&M UNIVERSITY.............................................................................. 41

MINUTE ORDER 236-2009 (ITEM 21) ESTABLISHMENT OF THE NATIONAL CENTER FOR THERAPEUTICS MANUFACTURING (NCTM), A JOINT TEES AND TAMU CENTER, TEXAS ENGINEERING EXPERIMENT STATION/TEXAS A&M UNIVERSITY .................................................................................. 42

MINUTE ORDER 237-2009 (ITEM 22) APPROVAL TO AMEND TABLE OF PROGRAMS FOR PRELIMINARY AUTHORITY FOR FOUR NEW PROGRAMS (BACHELOR OF SCIENCE IN SOCIOLOGY, BACHELOR OF SCIENCE IN DRAMA WITH OPTIONAL DRAMA EC-12 TEACHER CERTIFICATION, BACHELOR OF SCIENCE IN VISUAL ARTS WITH OPTIONAL ART EC-12, AND BACHELOR OF SCIENCE IN MUSIC WITH OPTIONAL MUSIC EC-12 TEACHER CERTIFICATION), AND AUTHORIZATION TO REQUEST APPROVAL FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD, TEXAS A&M UNIVERSITY-TEXARKANA .................................................................................................. 42

REPORT FROM THE POLICY REVIEW COMMITTEE................................................................................................................................. 43


MINUTE ORDER 239-2009 (ITEM 25) APPROVAL OF NEW SYSTEM POLICY 15.02 (EXPORT CONTROLS), THE TEXAS A&M UNIVERSITY SYSTEM ............................................................................................................... 44
ADDITIONAL ITEMS TO BE CONSIDERED BY THE BOARD................................................................. 44

MINUTE ORDER 240-2009 (ITEM 27) APPROVAL OF ACADEMIC TENURE, SEPTEMBER 2009, THE TEXAS A&M UNIVERSITY SYSTEM ................................................................. 44

MINUTE ORDER 241-2009 (ITEM 28) AUTHORIZATION TO EXECUTE EMPLOYMENT CONTRACT WITH J. T. HIGGINS, HEAD MEN’S GOLF COACH, TEXAS A&M UNIVERSITY ....... 44

MINUTE ORDER 242-2009 (ITEM 29) APPOINTMENT OF MR. DAVID SCOTT GINES AS VICE PRESIDENT FOR INSTITUTIONAL ADVANCEMENT, TEXAS A&M UNIVERSITY-KINGSVILLE ................................................................. 45

MINUTE ORDER 243-2009 (ITEM 30) APPOINTMENT OF DR. ANGELA SPAULDING AS DEAN OF THE GRADUATE SCHOOL AND RESEARCH, WEST TEXAS A&M UNIVERSITY .... 45

MINUTE ORDER 244-2009 (ITEM 31) APPOINTMENT OF DR. CRAIG H. BLAKELY AS DEAN OF THE SCHOOL OF RURAL PUBLIC HEALTH, THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER ................................................................. 45


MINUTE ORDER 246-2009 (ITEM 33-A) GRANTING OF FACULTY DEVELOPMENT LEAVE FOR FY 2010, TEXAS A&M INTERNATIONAL UNIVERSITY ......................... 46

MINUTE ORDER 247-2009 (ITEM 33-B) CONFIRMATION OF APPOINTMENT AND COMMISSIONING OF A PEACE OFFICER, TEXAS FOREST SERVICE ................................. 46

MINUTE ORDER 248-2009 (ITEM 33-C) CONFIRMATION OF APPOINTMENT AND COMMISSIONING OF PEACE OFFICERS, THE TEXAS A&M UNIVERSITY SYSTEM .................. 47


ANNOUNCEMENTS ................................................................................................................ 48

ADJOURNMENT..................................................................................................................... 48
MINUTES OF THE
MEETING OF THE BOARD OF REGENTS
September 24-25, 2009

CONVENE – THURSDAY, SEPTEMBER 24, 2009

Chairman Morris Foster convened a regular meeting of the Board of Regents of The Texas A&M University System (TAMUS) at 10:16 a.m., Thursday, September 24, 2009, 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. Morris Foster, Chairman
Mr. Jim Wilson, Vice Chairman
Mr. Phil Adams
Dr. Richard A. Box
Mr. Lupe Fraga
Mr. Bill Jones
Mr. Jim Schwertner
Mr. Gene Stallings
Ms. Ida Clement Steen
Mr. Hunter Bollman, Student Regent

Chairman Foster announced that a quorum of the Board was present.

RECESS TO EXECUTIVE SESSION

Chairman Foster announced that the Board would recess to executive session to consider matters as permitted by Chapter 551, Sections 71, 72 and 74 of the Texas Government Code. Chairman Foster said 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 met in executive session from 10:18 a.m. until 12:15 p.m.)

RECONVENE IN OPEN SESSION AND RECESS

Chairman Foster reconvened the meeting in open session at 12:16 p.m. He announced that the Board met in executive session from 10:18 a.m. until 12:15 p.m. and considered executive session agenda items and conferred with the Chancellor, several system and university administrators, and system attorneys on personnel, land/real property and legal matters. Chairman Foster said the Board would recess and reconvene at 2:00 p.m., in Room 1011C of the Annenberg Presidential Conference Center (PCC), on the campus of TAMU.
RECONVENE

At 2:00 p.m., Chairman Foster reconvened the meeting in Room 1011C of the PCC and announced that a quorum was present. He said the Board met in executive session earlier that day from 10:18 a.m. until 12:15 p.m., considered executive session items and conferred with the Chancellor, several system and university administrators, and system attorneys on personnel, land/real property and legal matters. Chairman Foster said action on the agenda items would be taken the next day, Friday, September 25, 2009.

INVOCATION

Chairman Foster called on Ms. Miranda Knippers of Montalba, Texas, a West Texas A&M University (WTAMU) Business Administration major, who presented the invocation.

CHAIRMAN’S REMARKS

Chairman Foster said it was a pleasure to be part of this great university system which does so much for Texas, America, the world, and most importantly, the students and future leaders of this great state and country. He said this was the first Board meeting since the fall semester began. He said across the State and system, the number of applicants and students at our system universities continues to grow and set records. Chairman Foster said Chancellor McKinney and others would provide enrollment numbers for the universities. He said they were proud, but also challenged by these numbers. He said as we look forward to records and challenges, it was about more than numbers and statistics, it was about the individual students who attend the institutions and what we are part of that matters to the well-being of our future.

Chairman Foster said as the Board discussed the future and the impact that the System universities and agencies had around the world, it would be appropriate to honor the memory of Dr. Norman Borlaug. He said Dr. Borlaug was known worldwide for saving millions of lives and contributing to the well-being of mankind through his research and dedicated work. A distinguished professor of international agriculture at TAMU, Dr. Borlaug received many honors and recognitions, including the Nobel Peace Prize in 1970 and the Congressional Gold Medal in 2007. Chairman Foster said a Board resolution would be presented honoring him, but he did not want to start the meeting without first honoring Dr. Borlaug and all he did for the world. He asked everyone to join him in a moment of silence to honor Dr. Borlaug’s memory.

Chairman Foster said they would review and discuss important matters for the continued growth and opportunity for TAMUS to continue its positive contribution to the state and the country. He said the bottom line, the agenda and the motive for serving on this board surrounded the well-being of the students and providing them a high quality education.
Chairman Foster said the presidential search process continued. Numerous meetings, internet surveys and input from students, alumni, faculty and others add value to this very important task. He said he looked forward to hearing in more detail about the process and was confident in the outcome, a new president for A&M who would serve the students and university in the highest tradition.

Chairman Foster said a report regarding shared services would be presented. He said the motive and goal in this endeavor was to better serve the students, today and in the future, so tuition costs could be managed in a responsible manner and more students could attend these great universities. Chairman Foster said reports from all around the state indicate increased enrollments in higher education and as this trend continued, it was “a must” to focus on managing overhead costs to manage the cost of tuition.

Chairman Foster said The White House recently announced that President Barack Obama would hold a presidential forum on community service hosted by former President George H.W. Bush and the Points of Light Institute at the George Bush Library Center on October 16. He said it was an honor to have a sitting president visit one of our campuses.

Chairman Foster reported that the investiture of Dr. Dominic Dottavio as the 15th President of Tarleton State University (TSU) was scheduled for October 2, 2009.

Chairman Foster welcomed back the students at the System universities. He said the presence of students helped everyone focus on the objective -- their success and ultimate graduation.

Chairman Foster called on Regent Box, Chairman of the TAMU Presidential Search Committee, for an update on the search process.

**UPDATE ON TAMU PRESIDENTIAL SEARCH**

Regent Box said that in the spirit of being as transparent as possible in this process, a presidential search website had been installed on TAMU’s home page. The website listed the members of the search committee appointed at the July 16-17, 2009, meeting. Regent Box said they had added one more student member, Cadet Colonel Brent Lanier, Corps Commander, resulting in a 16-member committee. The website also showed the charge for the committee, detailing the search process outline. Regent Box discussed the presidential search prospectus and the search firm that had been hired. Regent Box said the first thing that the committee must do was to contact those individuals nominated to see if they were interested in becoming a candidate for the position. He said they would go through a detailed mechanism to get to the individuals and find out if they wanted to be candidates. He said they had an open forum on the A&M campus and spoke at several sites across the state. Regent Box said they welcomed feedback and during the A&M open
forum, they had good attendance and dialog with the faculty and students. He said the “News and Update” portion of the website was a timeline of the process.

Regent Box said they posted a preliminary report on the presidential search survey a few weeks ago. He introduced Mr. Jason Cook, Vice President for Marketing and Communications at TAMU, who reported that the survey launched on August 10, 2009, and had a September 30, 2009, deadline. Mr. Cook said this survey was a mechanism of feedback, not a scientific survey, but one that provided an opportunity to supplement the work of the search committee and search firm. He said to date they had received over 7,500 survey responses, which was a large sample given a survey of this type. Mr. Cook discussed the survey responses (a copy of which is on file in the Office of the Board of Regents). Regent Box thanked Mr. Cook and the information technology staff for their assistance.

Chairman Foster thanked Mr. Cook and Regent Box for accepting this difficult job with a lot of enthusiasm. He said the members of the Board appreciated the dedication, effort and leadership of this committee.

**CHANCELLOR’S REMARKS**

Chancellor McKinney said that the preliminary 12th class day enrollment for the entire system was 115,054 students, a 5.5% increase, which was greater than the statewide average. He said 10 of the 11 universities showed an increase. TAMU’s enrollment was 48,913, a 1.8% increase from the previous year. Chancellor McKinney said this was the result of an excellent job of retaining students, transfer students and the largest freshman class to date. Prairie View A&M University (PVAMU) grew by 4.6%, or 8,582 students; Texas A&M University-San Antonio (TAMU-SA) increased 62.1%, for a total enrollment of 2,334; Texas A&M University-Central Texas (TAMU-CT) grew by 15.7%, or 2,173; and Texas A&M University at Galveston (TAMUG) had a total enrollment of 1,792, an 11.2% increase over enrollment prior to Hurricane Ike.

Chancellor McKinney said that all of the System universities were now recognized as “military friendly.” He said there was another program recognizing the opportunities that exist for students seeking careers in medical-related fields. He said there were scholarships [previously through the TAMUS Health Science Center (HSC)] up to $300,000 available which ensured students could take advantage of the opportunities for training, education and a career in medical services in the Army, Navy, and Air Force. Chancellor McKinney said those scholarships would now be expanded to all universities and they were going to deal with the nursing programs that were outside of the HSC. They were also going to increase the awareness to undergraduate students that this opportunity was available. He said it was an opportunity to be in the medical service and give back to the country. Chancellor McKinney said there were three positives resulting from this program: 1) financial assistance for the student; 2) an advantage for the armed services who were in dire need of medical personnel; and 3) a great benefit to the universities
because this provides an education, an opportunity and furthers efforts in fulfilling the mission to develop leaders for this country. Chancellor McKinney said this was a result of the “military friendly” designation and the System’s dedication to service.

Chancellor McKinney said he had discussed with several members of the Board concerns regarding higher education reforms, statistics and data that were useful in developing information and an understanding of what was going on. He said Ms. B. J. Crain, Associate Vice Chancellor of Budget and Accounting, was currently working to provide data by college and department on who generated the income for the universities. He said they were also working on another list that would show how the funds were allocated within the university. He said this list did not extend to the professor’s level but college-by-college and perhaps department-by-department would be in the future. He said the meaningful information obtained would be college-by-college and department-by-department. Chancellor McKinney said these were further steps toward transparency and would add transparency at each of the System universities.

Chancellor McKinney said they had a web-based dimensions video series on the A&M System home page. He said plans were to visit every system campus and agency to video some of their accomplishments. A video showcasing TAMU’s press was shown.

Chancellor McKinney asked the Board to recognize Ms. Joan Beckham, Vice President for Administrative Services at Texas A&M University-Texarkana (TAMU-T), who was retiring after 34 years of service.

Chairman Foster read excerpts from a recent letter Chancellor McKinney received from Dr. Judith Zaffirini, Senator and Chair of the Higher Education Committee. Chairman Foster thanked Chancellor McKinney for his leadership.

**SHARED SERVICES OPTIMIZATION REPORT**

Dr. Frank Ashley, Vice Chancellor for Academic Affairs, thanked Mr. Greg Anderson, Associate Vice Chancellor/Treasurer and co-chair of the Shared Services Initiative. He also thanked the team chairs and members of the teams for their hard work.

Dr. Ashley said the Shared Services Initiative developed three guiding principles: 1) increase efficiencies without sacrificing quality; 2) all stakeholders be identified and ensure that they had input; and 3) be certain that there would be no impact on classrooms or research laboratories. He said the $16.7 million cost savings mentioned had no impact on faculty, students or any areas such as admissions or financial aid. Dr. Ashley said in addition to financial findings, other outcomes included the increased visibility of the existing shared services. He said there were some things that were being done very well across the System and many team reports included examples of these shared services. He said they also found a way to increase communication of best practices to all system
member institutions. Dr. Ashley said all members were committed to continuously examining the opportunities to improve the processes that would heighten efficiencies and effectiveness.

Dr. Ashley presented the Shared Services Optimization Report and Executive Summary (on file in the Office of the Board of Regents). He said, in summary, the teams found a total of $16.7 million in cost savings and Internal Audit agreed to the reasonableness of these savings. He said this figure does not include findings from the research team, who were still working on their report.

Dr. Ashley said that the team findings for annual savings included $298,000 in federal relations, $243,000 in information technology, $900,000 in business services, $365,000 in training, and $500,000 in risk management. He said at TAMU +/- $190,000 in facilities, +/- $6.1 million in business services, $2.5 million in purchase of computers and $600,000 in marketing and communications. He said by restructuring the facilities planning and construction fees, $4.6 million was saved in FY 2010 and $3.5 million in FY 2011, which was not included in the $16.7 million cost savings as those funds could only be used for capital projects. He said there were some findings that required including the regional institutions for further study. He said if this was to be expanded throughout the System (Phase II), some findings that might be discovered once the regional institutions were involved included the following: expanding video or web-conferencing to reduce travel costs; eliminating individual printers in favor of shared printers, copiers and scanners; system-wide contracts for printers and copier management; consolidation of human resources processes; expanding shared accounting procurement; contracting IT (information technology) and HR (human resources) benefits for the small universities and establishing the best practices exchange through a website and meetings. Dr. Ashley said the teams suggested adoption of shared services as a core value of the System. He said they believed that coupling the shared services, as a core value, would facilitate the creation of more strategic approaches to achieving efficiencies and delivering the services.

Dr. Ashley said, in summary, the findings included increased visibility of existing shared services, increased communication of best practices, $16.7 million per year cost savings, and if facilities planning were added, it would be $21.3 million cost savings for FY 2010 not including the research team. He said when the process began they talked about cost avoidances where, by looking at the process, ways were found to avoid $5.7 million, but it was not money that would be deposited into the bank.

Chairman Foster asked regarding the $21.3 million, if $20 million was found in cost savings, was that enough to hold tuition flat year-to-year? Dr. Ashley replied that when they originally looked at the tuition increase, probably $17 million was needed for the two-year increase in tuition and then they spoke of saving $20 million and not having to increase for two years.
Student Regent Bollman asked the status of the research shared services report. Dr. Ashley said he received a preliminary report from research and there were no actual figures but a couple different scenarios.

Regent Jones said the research portion of the Shared Services Committee had met numerous times with and without him and completed a lot of work in their arena. He said a little setback occurred because it was slightly different in the area of research. He said they were asked to look at a more global environment than just TAMU and to include other system member institutions in the process.

Regent Jones said he had some history with the research issue as he was the liaison to the Research Foundation his first year as a member of the Board. He said there had been issues incubating for years, even from the inception of the Foundation, with other organizations, colleges and universities using their own individuals for grant management. He said he told the committee that a holistic view of everything research should be taken, not just TAMU. Regent Jones said the committee has had to re-examine this with a different approach and they did not have hard data information that the Board needed in order to make decisions on research. He said that they were looking to make some substantial increases in research and research grant dollars within the System, particularly at TAMU, and wanted to be sure that their decision was not going to hurt research, but accommodate the direction they wanted to go. Regent Jones said they did not feel they had the data to make that decision. He recommended that they bring in a third party to analyze their research, bringing to the table some of the best practices in other systems throughout the nation and gather the data needed to make that decision. Regent Jones said the research committee had been diligently working and very helpful and informative regarding nuances to be aware of in the research arena, but more data needed to be gathered and asked permission to consult with Chancellor McKinney about acquiring a third party consultant.

Chairman Foster said they recognized that research would be the most difficult portion of shared services and possibly would require more time. He said one regent was the liaison between each of these task forces and he certainly respected and appreciated Regent Jones’ leadership in research because it was more difficult. Chairman Foster agreed that more time was needed and a more global view was an excellent approach. He said Regent Jones had the support of the members of the Board in moving this important task forward.

Regent Jones said several state agencies were recipients of substantial grant monies from the state and federal government and they had specific nuances that must be addressed. He said it was important that they take a good look at all of these before decisions were made about research grant procedures moving forward.
Chairman Foster asked if they would be able to complete this before the next Board meeting. Regent Jones replied that it would depend upon what was determined on the information side in the next few weeks.

Chairman Foster agreed and said they had the regents’ support. He said this was not a situation where they were trying to save money to be distributed somewhere else. He said this was an effort to put additional money into the research activities and less in the administrative phase.

Vice Chairman Wilson asked for an explanation of the Facilities Planning & Construction (FP&C) savings for FY 2010-2011. Mr. Anderson said this was a savings to each of the institutions where they were able to utilize more of their money toward capital projects. He said it was not an operational savings, but a savings of a fee they were paying to FP&C that could be used for capital. Mr. Anderson said they were reducing the fee to FP&C from 3.75% to 2.65%, or a 1.1% savings. Vice Chairman Wilson said that would not affect tuition. He asked if this was a recommendation to implement all the shared services decisions and if so, what the next step was. Dr. Ashley said their findings were being presented to the Board.

Regent Box asked if any component of the survey had energy savings at FP&C, either within the confines of the campuses or that, which came into the campuses. Mr. Anderson replied in the negative. Chairman Foster said that was another major area.

Chancellor McKinney asked Mr. Anderson to explain how FP&C was able to save $5.7 million, which was real money that stayed at the university. Mr. Anderson said over the past few years there had been a great increase for construction across the campuses. He said this increased because approximately $600 million in Tuition Revenue Bonds (TRBs) was received and $500 million in Permanent University Fund (PUF) projects. He said they were at the peak of that increase and with the increased construction, Mr. Vergel Gay, Associate Vice Chancellor for Facilities, had kept his costs low, which allowed them to lower the fee.

Regent Adams asked if the 3.75% fee had been a fixed rate for the past 10 years. Mr. Anderson said the rate was based on the type and amount of construction. Regent Adams asked if they felt certain they could knock off 110 basis points. Mr. Anderson replied in the affirmative for the next two years, but then that peak would start declining. Vice Chairman Wilson said they had built up a cash reserve within that group. Mr. Anderson said they were able to build up a balance last year. Vice Chairman Wilson said it brings up the question; do you evaluate the methodology that you have been using?

Student Regent Bollman said he read the report and TAMU student leaders had questioned if this would affect undergraduate or graduate students’ educational experience
and was this administrative overhead. Dr. Ashley answered in the affirmative. He said that was the basic understanding when the committee had been given its charge.

Regent Schwertner commended the committee for what they had done but believed they could still do more and understood that was what Regent Jones was trying to accomplish. He said the faculty, staff and students were nervous about cutbacks when this began and wanted to remind everyone that no one had been laid off and no programs had been cut. He said they were trying to be prudent with the Texas taxpayers’ money to avoid that. He said the McCombs School of Business in Austin recently had to let some people go and TAMUS was not doing that. He said we were still going to have to work hard, but were attempting to move this money into a “rainy day fund” to be prepared for future economic hardships. Regent Schwertner said they wanted everyone to understand that they wanted to keep the quality of education and avoid layoffs.

Chairman Foster thanked the committee and those participating for their effort. He said there had been outstanding results and suggested to the members of the Board that the committee’s recommendations be accepted. He said the work had just begun and it was one thing to identify what must be done but a more difficult task to deliver these recommendations. Chairman Foster said he would to turn the findings over to Chancellor McKinney for the next step in working with his office, the council of presidents and Dr. Bowen Loftin, Interim President of TAMU, to determine the best way to organize and develop a stewardship system so that everyone would know that there was forward movement and achievement in each element of these task forces.

Vice Chairman Wilson said he would like to see a way to measure the results a year from now. Chairman Foster said that was the stewardship process and as this was executed, at each Board meeting, there would be a summary of what was accomplished. He said if it appeared there was something they could not do, the Board needed to hear about that as well. Chairman Foster said other universities have had to take measures, including cutting out scholarships, which this Board does not want to take. He said they wanted to look at four elements that would allow improved efficiencies, accomplish the same results, have the high quality education and not have to take some of the drastic steps that other universities have had to take. Chairman Foster said this was the first step and looking forward, Governor Rick Perry and a number of senators have said that regarding the next legislative session, they were starting in the red by at least $12 billion, or could be as much as $20 billion. He said, therefore, the allocations that the System would be getting would challenge us. Chairman Foster said they needed to develop the “next generation” of things, evaluate and get ahead of the potential legislative numbers in order to keep tuition affordable for the next generation. He asked for some ideas by the next Board meeting so the Board could begin deciding where to take additional steps.

Chancellor McKinney said the Shared Services Committee had recommended that he, Dr. Loftin, the other university presidents and agency directors commit to figuring out
how to implement what had been discovered and continuously be looking for other areas of efficiency.

**PANDEMIC FLU PREPARATIONS**

Mr. Kevin McGinnis, Director of Risk Management and Safety, said he appreciated being able to talk about taking care of employees and students as H1N1 (swine flu) spreads across Texas and the nation. He said much planning had been required to readjust for H1N1 and estimates ranged from mildly severe to 40% of the public becoming infected. Mr. McGinnis said there had been very little impact on system members.

Mr. McGinnis said the swine flu vaccine had been approved by the FDA, was in production and should be available by mid-October with a hierarchy established for vaccine recipients. He said that students were second behind pregnant women, because it was an influenza that targeted that age group. The Center for Disease Control (CDA) had provided guidance specific to higher education universities, most of which was common sense, i.e. washing hands, practice good hygiene and self-isolation if one was sick. He said if the severity increased, they also provided guidance of protecting high-risk individuals (those with immune deficiencies and pregnant women) and increasing social distancing, including consideration of suspension of classes or other events.

Mr. McGinnis said regarding the pandemic flu preparation, TAMUS did not have to look far for expertise. The National Center for Emergency Medical Preparedness and Response (NCEMPR) was a group under Texas Engineering Extension Service (TEEX). Three of their epidemiologists have been working with Risk Management to review their plans to develop a model plan for their members to follow or incorporate some aspects into their plan. He said the agencies had an important role in servicing Texas and while they were primarily on the TAMU campus, they were expected to follow TAMU’s plan.

Mr. McGinnis said our members had been working with local authorities since H1N1 began, working with their council of governments (COG) to ensure they were prepared and looped into the area’s response. He said each campus was having meetings, discussing with student health services and other groups how to be prepared if the flu increased on the campus. He said the System, under Chancellor McKinney’s lead, had provided guidance regarding leave and other large-scale decisions to make them as universal as possible across the System member institutions. He said they were taking an active role and TSU received some press about hosting the COGs in their area for distribution planning for when the swine flu vaccine was available. He said the biggest concern was our students and education to help prevent the swine flu. He said the System student health services and student affairs groups were all making that possible. Mr. McGinnis said housing was paramount. If students were ill, they should be isolated and most campuses were encouraging students to go home until they recovered; but some, i.e. the international students, could not go home.
Mr. McGinnis said regarding faculty and staff, there was a continued education process and community vaccine programs. He said that it was difficult to mandate state employees to stay home because they were dedicated, but when employees with flu-like symptoms came to the office, they were asked to go home. Mr. McGinnis said they were encouraging employees to exercise their continuity plans and ability to work remotely so that, if H1N1 increased, they would be ready to respond.

Regent Jones asked if any part of the plan included the ability to get a prescription for “Tamiflu.” Mr. McGinnis said the state allowed higher education to purchase Tamiflu at a 25% discount and most student health services had it in stock. Regent Jones asked if the student health center could issue the prescription and Mr. McGinnis said they had doctors on site that could issue a prescription. Regent Jones asked if part of the plan was to educate the students that if their roommates or friends got sick, should they go to the health center to get a prescription for Tamiflu. Mr. McGinnis said the CDC was not currently recommending prophylactic care such as taking Tamiflu just because a spouse or roommate had the flu, unless you were a high-risk individual. Regent Jones asked if the physicians at the meeting agreed with that. Chancellor McKinney replied in the affirmative and said it was a very different performing flu. He said very young children and the elderly were at less risk than with the regular flu. Mr. McGinnis said much of this was precautionary and they were encouraging people, unless they were seriously ill, to stay at home for the duration of the illness.

Student Regent Bollman said students were concerned about missing class, which was a CDC recommendation for those with flu-like symptoms. He said Dr. Loftin had sent a message to faculty to relax their requirements for a doctor’s note. He said he wondered if that would be the case at the other system member universities. Mr. McGinnis said the Chancellor’s letter recommended that all system member institutions relax their requirements for students and employees.

RECESS

Chairman Foster recessed the meeting at 3:35 p.m.

(Secretary’s Note: The Committee on Finance convened at 3:35 p.m. and adjourned at 3:40 p.m. The Committee on Buildings and Physical Plant convened at 3:40 p.m. and adjourned at 4:36 p.m.)

RECONVENE – FRIDAY, SEPTEMBER 25, 2009

Chairman Foster reconvened the meeting at 9:00 a.m. on Friday, September 25, 2009, in Room 1011C of the PCC.
The following members of the Board were present:

Mr. Morris Foster, Chairman
Mr. Jim Wilson, Vice Chairman
Mr. Phil Adams (joined the meeting at 9:07 a.m.)
Dr. Richard A. Box
Mr. Lupe Fraga
Mr. Bill Jones
Mr. Jim Schwertner
Mr. Gene Stallings
Ms. Ida Clement Steen
Mr. Hunter Bollman, Student Regent

Chairman Foster announced that a quorum of the Board was present. He announced that the Board had not received any requests for public testimony.

Chairman Foster called on Regent Steen to present Item 26. Regent Steen thanked Superintendent Ronald Durbon and the Board of Trustees of South San Antonio Independent School District for opening their doors and hearts to provide TAMU-SA a temporary location.

Regent Steen called on Dr. Maria Hernandez Ferrier, Interim President of TAMU-SA, to present the resolution. Dr. Ferrier recognized and thanked Dr. Carolyn Green, Interim Provost at TAMU-SA, for her assistance. The Board took action as set forth below:

~~~~~

MINUTE ORDER 199-2009 (ITEM 26)

ADOPTION OF A RESOLUTION
HONORING SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT
SUPERINTENDENT RONALD DURBON AND THE BOARD OF TRUSTEES,
TEXAS A&M UNIVERSITY-SAN ANTONIO

On motion of Regent Steen, seconded by Regent Box and by a unanimous vote, the following minute order was adopted:

Whereas, Superintendent Ronald Durbon and the Board of Trustees generously provided Texas A&M University-San Antonio with the keys to Olivares Elementary School to use as a temporary campus; and

Whereas, Superintendent Ronald Durbon and the Board of Trustees approved significant modifications to this temporary Texas A&M University-San Antonio campus allowing it to now serve over 2,000 college students on the South Side of San Antonio; and
Whereas, in addition to the outstanding facilities at Olivares Elementary School, South San Antonio Independent School District granted Texas A&M University-San Antonio the use of classroom space at Kazen Middle School and the Anna Marie Hernandez Learning Center to accommodate the University's rapidly increasing enrollment; and

Whereas, Superintendent Ronald Durbon and the Board of Trustees exemplify the importance of building collaborative relationships that reflect their commitment to higher education; and

Whereas, Texas A&M University-San Antonio is exceedingly grateful to Superintendent Ronald Durbon and the Board of Trustees for their steadfast support that has facilitated the unprecedented growth and development of the University; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, gratefully recognize the dedication and support of South San Antonio Independent School District Superintendent Ronald Durbon and the Board of Trustees for their role in furthering the vision of excellence for Texas A&M University-San Antonio and The Texas A&M University System; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be signed by the Chairman of the Board of Regents of The Texas A&M University System, and be presented to South San Antonio Independent School District Superintendent Ronald Durbon and the Board of Trustees and to the Archives of Texas A&M University-San Antonio as an expression of appreciation and respect for South San Antonio Independent School District Superintendent Ronald Durbon and the Board of Trustees.

Chairman Foster called on Dr. Mark Hussey, Vice Chancellor and Dean of Agriculture and Life Sciences, to present Item 34. Dr. Hussey said that he and Dr. Loftin requested that the Board adopt a resolution celebrating the life of Dr. Norman Borlaug, Nobel Laureate and Distinguished Professor of International Agriculture at TAMU. He said the family was unable to attend but the resolution would be presented to them following a memorial service honoring Dr. Borlaug’s life on October 6, 2009 on the campus of TAMU.

Dr. Hussey said Texas A&M, the state, nation and the world had lost an internationally recognized humanitarian with the passing of Dr. Borlaug, who died on September 12, 2009, at the age of 95. Dr. Borlaug was one of only a very few people who had won the Nobel Peace Prize, the Presidential Medal of Freedom and the Congressional Gold Medal. We lost a compassionate, accomplished and humble servant whose life was
inspired by selfless service and who encouraged many to follow his example by advancing international agriculture, fighting world hunger and accepting the call to serve. He said many of us here at TAMU have lost a mentor and a dear friend. He said Dr. Borlaug’s ability to inspire through his passion for service to the world’s hungry would stand as a beacon for improving the human condition for all. The Board took action as set forth below:

~~~~~

MINUTE ORDER 200-2009 (ITEM 34)

ADOPTION OF A RESOLUTION CELEBRATING THE LIFE OF
DR. NORMAN E. BORLAUG,
TEXAS A&M UNIVERSITY/TEXAS AGRILIFE

On motion of Regent Schwertner, seconded by Regent Box and by a unanimous vote, the following minute order was adopted:

Whereas, the World, the United States, Texas, The Texas A&M University System, and Texas A&M University lost an international humanitarian of legendary proportions with the death of Dr. Norman E. Borlaug on September 12, 2009, at the age of 95; and

Whereas, Dr. Norman E. Borlaug was a Distinguished Professor of International Agriculture at Texas A&M University and was one of only six people to have won the Nobel Peace Prize, the Presidential Medal of Freedom and the Congressional Gold Medal; and

Whereas, Dr. Borlaug was a graduate of the University of Minnesota with degrees in forestry and plant pathology and advanced science through his research contributions at the du Pont de Nemours Foundation, the Mexico/Rockefeller Foundation’s Wheat Improvement in Cooperative Mexican Agricultural Program, and the International Maize and Wheat Improvement Center in Mexico and, up until recently, Dr. Borlaug continued to serve as a role model and mentor at Texas A&M University and at the International Maize and Wheat Improvement Center [CIMMYT]; and

Whereas, Dr. Borlaug, the humanitarian and world-renowned agronomist, was recognized as the Father of the “Green Revolution” for developing a high-yielding, short-strawed, day-length insensitive, disease-resistant wheat that he introduced on the vast acreage of wheat planted and harvested in Mexico, India and Pakistan, while also advancing new wheat varieties in six Latin American countries, six countries in the Near and Middle East, and several African countries; and
Whereas, in recognition of his work, Dr. Norman Borlaug was awarded the Nobel Peace Prize in 1970 for his research on breeding hardier and more nutritious dwarf varieties of wheat in Mexico, and introducing these crops in less-advanced, agricultural regions of the world and reducing world hunger; thus, saving millions from starvation; and

Whereas, as a result of his distinguished scholarship, scientific achievements, collegial mentoring, international leadership, and tireless efforts to extend science and technology to end world hunger, Dr. Borlaug received the Presidential Medal of Freedom, the Congressional Gold Medal, the National Medal of Science, the Rotary International Award, and the Padma Vibhushan, India’s second-highest civilian honor; and

Whereas, the world has truly lost a passionate, accomplished, honored and humble servant whose life was inspired to selfless service as he fought to disprove the 1960s doomsday predictions of mass famine throughout South and East Asia, and encouraged many to follow in his footsteps by advancing international agriculture, fighting world hunger, and accepting the call to serve; and

Whereas, Dr. Borlaug’s ability to inspire through his passion for service to the world’s hungry, his vast and deep knowledge of possible solutions, and his legacy of advancing the ability to produce food across the hungry world will stand as a beacon of hope for improving the human condition of all; now, therefore, be it

Resolved, that the Administration of Texas A&M University and Texas A&M AgriLife, and the Board of Regents of The Texas A&M University System wish to express their sympathy to members of Dr. Borlaug’s family in their loss of a loved one whose life was so exemplary and whose impact reached around the globe by saving the lives of millions; and, be it, further

Resolved, that this Board wishes to express its profound respect and admiration for the life of Dr. Norman E. Borlaug, and celebrates his legendary accomplishments in tribute to his research prowess, visionary leadership, and fearless and passionate call to international diplomacy through science and technology with countries around the world; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be signed by the Chairman of the Board of Regents of The Texas A&M University System, and be presented to members of Dr. Borlaug’s family, and to the Archives of Texas A&M University as a permanent expression of respect, admiration and appreciation for the life and contributions of Dr. Norman E. Borlaug.
Chairman Foster called on Regent Stallings, Athletic Liaison. Regent Stallings said as the emergency room is the front door to a hospital; athletics is the front door to the university.

Regent Stallings said he planned to visit the System member universities and explain to the athletic departments what the National Collegiate Athletic Association (NCAA) indicated was important. He said they must be in compliance and stay within their budgets, just like when he was young and his parents warned him not to spend more than he made.

Regent Stallings reported that the PVAMU Women’s Golf Team recorded the highest finish in the school’s history at the Southwestern Atlantic Conference (SWAC) tournament. He said they finished third place and two team members, Penny Sanjoto and Aziza Glass, participated in the Professional Golf Association (PGA) Minority Challenge in Florida. He said the PVAMU Women’s Basketball Team won their third straight championship, second straight tournament title in school history and earned a NCAA tournament bid for the second time in school’s history under Coach Cynthia Cooper-Dyke.

Regent Stallings said the Texas A&M University-Kingsville (TAMU-K) football team had won four with no losses for the first time since 2004, and recently defeated the Lone Star Conference (LSC) divisional rival, Northeastern State with a score of 31-14. They ranked 10th in the American Football Coaches Association (AFCA) poll and 7th in the D2football.com poll.

Regent Stallings said the WTAMU Women’s Golf Team finished 9th in the country in the 2009 NCAA Championship and recently was selected to host the 2010 NCAA Division II Women’s Golf Super Regional Championships. The Women’s Volleyball and Soccer Teams were currently ranked 7th in the country. The men’s and women’s Head Coach, Butch Lauffer, recently achieved his 400th career collegiate win, which was 40 years of winning 10 games per year.

Regent Stallings said the Texas A&M University-Commerce’s (TAMU-C) Women’s Volleyball Team had won 10 consecutive matches for the first time since 1986 and their success was built on a work ethic of practicing each morning at 6:00 am. The Women’s Soccer Team record was five wins and three losses, following a good 2008 season. He said they had a trip to the NCAA Sweet Sixteen Tournament and the team had nine players in their Honor College.

Next, Regent Stallings presented Item 33-f. He said TAMU’s golf championship came down to the final match and their ability to perform under pressure, which defined a champion. Regent Stallings introduced Head Coach J.T. Higgins and Bronson Burgoon, All American, the player that made the winning shot allowing his team to win the NCAA National Golf Championship.
Regent Stallings said the members of the Board wanted to thank TAMU Athletic Director Byrne for his part in bringing four national championships to TAMU.

Regent Stallings presented Item 33-e. He said both teams won the 2009 NCAA Men’s and Women’s Track and Field National Championship, which was quite an accomplishment. He introduced Mr. Pat Henry, Track and Field Head Coach, and the members of the track team in attendance.

Regent Stallings presented Item 33-m. He said the TAMU Women’s Western Equestrian Team won the 2009 Varsity Equestrian National Championship for the second time in three years. Ms. Tana McKay, Equestrian Team Head Coach, introduced Ms. Maggie Gratny, a small portion of the team, a senior and team captain who was instrumental in the last two national championships. She said the team consists of 70 girls and last year was recognized as having the highest grade point average (GPA) in the athletic department.

Regent Stallings presented Item 33-g. He said the 2009 TAMU-CC Women’s Golf Team won the first Southland Conference Title in May and congratulated the team on that accomplishment.

Regent Stallings presented Item 33-h. He said the 2009 TAMU-CC Men’s Tennis Team won the second straight Southland Conference Championship and made back-to-back NCAA tournament appearances.

Regent Stallings presented Item 33-i. He said TAMU-CC men’s discus competitor, Hickel Woolery, won All-America honors at the June 2009 NCAA Outdoor National Championship in Fayetteville, Arkansas, with a fifth place finish in discus.

Regent Stallings presented Item 33-j. He said the 2008-2009 TSU Women’s Golf Team claimed the last three Super Region Four titles and finished tied for sixth place at the 2009 Division II National Championships. He said the TexAnns were currently ranked fifth in the Golf World National Coaches Association pre-season poll. The Board took action as set forth below:

Regent Stallings presented Item 33-k, honoring the nationally recognized 2008-2009 TSU Sports Information Staff.

The Board took action as set forth below:

~~~
MINUTE ORDER 201-2009 (ITEM 33-e)

ADOPTION OF A RESOLUTION HONORING THE
MEN’S AND WOMEN’S TRACK AND FIELD TEAMS FOR THEIR
OUTSTANDING ACHIEVEMENTS IN THE 2009 SEASON,
TEXAS A&M UNIVERSITY

On motion of Regent Stallings, seconded by Regent Jones and by a unanimous
vote, the following minute order was adopted:

Whereas, the Texas A&M University Men’s and Women’s Track and Field Teams
distinguished themselves by winning the 2009 NCAA Outdoor Championships; and

Whereas, both of the team championships were the first ever track and field
national titles in school history and Texas A&M University became the first school to
capture the Men’s and Women’s NCAA Outdoor Championships in the same meet since
1990; and

Whereas, the Women’s team also claimed its third consecutive team titles in Big 12
Indoor, Big 12 Outdoor and Midwest Region championships, while the men won a second
straight Midwest Region title; and

Whereas, the Texas A&M University women’s 4-by-100 relay team broke a
20-year-old collegiate record of 42.36 seconds in winning a third consecutive NCAA title,
while Porscha Lucas claimed an individual NCAA title in the 200 meters; and

Whereas, the Texas A&M University men’s 4-by-100 relay squad broke a
20-year-old school record with its collegiate-leading time of 38.51 seconds in the NCAA
semifinal, while the Aggie men’s 4-by-400 relay equaled a 20-year-old school record of
3:00.91 as the NCAA silver medalist; and

Whereas, Head Coach Pat Henry is to be highly commended for providing
outstanding leadership in guiding the teams to championships and national recognition; and

Whereas, Coach Henry was named the Men’s and Women’s National Head Coach
of the Year by his peers as well as the Women’s Big 12 Coach of the Year; and

Whereas, Assistant Coach Vince Anderson and Assistant Coach Jim VanHootegem
each were honored as National Assistant Coach of the Year; and

Whereas, 21 Texas A&M University athletes were honored with 30 All-America
honors from NCAA Championship performances; and
Whereas, the Men’s team members competing at the NCAA Championships included Morquise Cleveland, Chris Dykes, Kyle Dykhuizen, Melvin Echard, Tran Howell, De’Lon Isom, Byran Miller, Justin Oliver, Trinity Otto, Gerald Phiri, Julian Reid, Zuheir Sharif, and Tyron Stewart; and

Whereas, the Women’s team members competing at the NCAA Championships included Elizabeth Adeoti, Laura Asimakis, Jessica Beard, Khrystal Carter, Ashika Charan, Dominique Duncan, Allison George, Emalie Humphreys, Anteneshia Lindsey, Porscha Lucas, Britanny Machacek, Gabby Mayo, Christina Munoz, Tiffany Peters, Yasmine Regis, Tiffany Singleton, Angela Thomas, Vashti Thomas, and Sandy Wooten; and

Whereas, Coach Henry received valuable support from Assistant Coaches Vince Anderson, Alleyene Francique, Juan De La Garza, Jim VanHootegem, Dan Waters, as well as Director of Athletics Bill Byrne; and

Whereas, the Texas A&M University Track and Field support staff composed of Team Administrator Brian Bancroft, and volunteer assistant coaching staff including Andreas Behm, Muna Lee, Aries Merritt, Wallace Spearmon, and Kelly Willie, along with support staff including Cathy Capps, Chris Barttelbort, Saul Luna, Vincent Henderson, Josh Cohen, Maddie Mauritz, Shawn Price, Zach Alfier, Britanny Derks, and Jake Halfmann, also provided valuable support; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, desire to express our hearty congratulations to Head Coach Pat Henry and to everyone associated with the Texas A&M University Men’s and Women’s Track and Field Program for their contributions to Texas A&M University; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be signed by the Chairman of the Board of Regents of The Texas A&M University System, and be presented to Coach Henry, to the assistant coaches and support staff, and to each member of the team, and to the Archives of 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 202-2009 (ITEM 33-F)

ADOPTION OF A RESOLUTION HONORING THE MEN’S GOLF TEAM
FOR ITS OUTSTANDING ACHIEVEMENTS IN THE 2009 SEASON,
TEXAS A&M UNIVERSITY

On motion of Regent Stallings, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:
Whereas, the Texas A&M University Men’s Golf Team distinguished itself by winning the 2009 NCAA Championships; and

Whereas, the Texas A&M University Men’s Golf Team distinguished itself by winning the 2009 NCAA Championships; and

Whereas, this marked the first Texas A&M University national championship under the direction of Director of Athletics Bill Byrne and the first Texas A&M University men’s national championship since the 1939 Aggie football team; and

Whereas, this marked the first NCAA Championship in the history of the Texas A&M University Men’s Golf Program by defeating the University of Arkansas, 3-2, in match play finals; and

Whereas, Bronson Burgoon should be recognized for winning all three of his matches, and for making a clutch birdie on the 18th hole under extreme pressure as the final match remaining on the course to provide the winning margin; and

Whereas, Bronson Burgoon and Conrad Shindler are to be recognized for earning All-America honors; and

Whereas, Bronson Burgoon and Andrea Pavan earned All-Region honors as well as first-team All-Big 12 honors; and

Whereas, Matt Van Zandt was a finalist for the Byron Nelson Award which is presented to a graduating senior who achieves excellence in areas such as academics, athletics, and citizenship as well as having high character and integrity much like Byron Nelson; and

Whereas, Head Coach J.T. Higgins is to be highly commended for providing outstanding leadership in guiding the team to the national championship and national recognition; and

Whereas, Assistant Coach Jonathan Dismuke provided valuable assistance throughout the season; and

Whereas, the team members competing at the NCAA Championships included Bronson Burgoon, John Hurley, Andrea Pavan, Conrad Shindler, and Matt Van Zandt; and

Whereas, other team members included Case Cochran, Ignacio Elvira, Drew Evans, (VBS) Clay Hodge, Bryant Lach, Jordan Russell, Geoff Shaw, and Austin Schauer; and

Whereas, Coach Higgins received valuable support from Director of Athletics Bill Byrne and Senior Associate Athletic Director Jeff Schmahl; and
Whereas, the Texas A&M University Men’s Golf support staff composed of Team Academic Advisor Garry Gibson, Athletic Trainer Matt Doles, Psychologist John Eliot, Media Relations Director Colin Killian, and Videographer Brent Elliott, also provided valuable support; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, desire to express our hearty congratulations to Head Coach J.T. Higgins and to everyone associated with the Texas A&M University Men’s Golf Program for their contributions to Texas A&M University; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be signed by the Chairman of the Board of Regents of The Texas A&M University System, and be presented to Coach Higgins, to the assistant coach and support staff, and to each member of the team, and to the Archives of 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 203-2009 (ITEM 33-g)

ADOPTION OF A RESOLUTION TO EXPRESS APPRECIATION TO THE 2009 WOMEN’S GOLF TEAM,
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

On motion of Regent Stallings, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Whereas, the Texas A&M University-Corpus Christi Women’s Golf Team won its first-ever Southland Conference Championship in 2009; and

Whereas, Head Coach Carol Blackmar was named the Southland Conference Coach of the Year and junior Ashley Watkins earned second team All-Southland Conference honors; and

Whereas, the Women’s Golf Team competed in the NCAA Regional for the first time in the university’s history; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, express our sincere congratulations to the members of the Texas A&M University-Corpus Christi Islanders Women’s Golf Team for the honor and recognition their accomplishments have brought to Texas A&M University-Corpus Christi and The Texas A&M University System; and, be it, further
Resolved, that this resolution be spread upon the minutes, and copies thereof be signed by the Chairman of the Board of Regents of The Texas A&M University System, and be presented to the coach and to each member of the team and to the Archives of Texas A&M University-Corpus Christi as a remembrance of this Board’s appreciation.

**MINUTE ORDER 204-2009 (ITEM 33-h)**

**ADOPTION OF A RESOLUTION TO EXPRESS APPRECIATION TO THE 2009 MEN’S TENNIS TEAM, TEXAS A&M UNIVERSITY-CORPORUS CHRISTI**

On motion of Regent Stallings, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Whereas, the Texas A&M University-Corpus Christi Men’s Tennis Team repeated as the Southland Conference Regular-Season and Tournament Champions in 2009; and

Whereas, the Men’s Tennis Team advanced to the NCAA Tournament and remains unbeaten in the Southland Conference Tournament under Head Coach Steve Moore; and

Whereas, Dmitry Novikov, Laurent Montoisy, and Jose Zunino earned first-team All-Southland Conference honors in singles tennis; and

Whereas, the doubles pairs of Mikhail Pavlov and Dmitry Novikov, and Laurent Montoisy and Jose Zunino earned first-team All-Southland Conference honors in doubles tennis; and

Whereas, Steve Moore was named the Southland Conference Coach of the Year for the second straight season; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, express our sincere congratulations to the members of the Texas A&M University-Corpus Christi Islanders Men’s Tennis Team for the honor and recognition their accomplishments have brought to Texas A&M University-Corpus Christi and The Texas A&M University System; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be signed by the Chairman of the Board of Regents of The Texas A&M University System, and be presented to the coach and to each member of the team and to the Archives of Texas A&M University-Corpus Christi as a remembrance of this Board’s appreciation.
MINUTE ORDER 205-2009 (ITEM 33-i)

ADOPTION OF A RESOLUTION TO EXPRESS APPRECIATION TO HICKEL WOOLERLY,
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

On motion of Regent Stallings, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Whereas, Texas A&M University-Corpus Christi men’s discus competitor Hickel Woolery competed in the NCAA Outdoor Track and Field Championship for the third straight season; and

Whereas, Mr. Woolery had the top individual finish of any Southland Conference athlete at the meet; and

Whereas, Mr. Woolery’s seventh-place finish in the finals earned him All-America honors making him the second All-American in track in school history; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, express our sincere congratulations to Hickel Woolery for the honor and recognition his accomplishments have brought to Texas A&M University-Corpus Christi and The Texas A&M University System; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be signed by the Chairman of the Board of Regents of The Texas A&M University System, and be presented to Hickel Woolery and to the Archives of Texas A&M University-Corpus Christi as a remembrance of this Board’s appreciation.

MINUTE ORDER 206-2009 (ITEM 33-j)

ADOPTION OF A RESOLUTION TO RECOGNIZE THE OUTSTANDING ACCOMPLISHMENTS OF THE 2008-2009 WOMEN’S GOLF TEAM,
TARLETON STATE UNIVERSITY

On motion of Regent Stallings, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Whereas, the 2008-2009 Tarleton State University Women’s Golf Team became the first university team in Super Region Four, formerly known as the West Region, to win three straight regional titles; and


Whereas, the 2008-2009 Tarleton State University Women’s Golf Team advanced to the program’s third straight NCAA Division II National Championship Tournament and finished tied for sixth; and

Whereas, the 2008-2009 Tarleton State University Women’s Golf Team won the program’s second straight, and third overall, Lone Star Conference Championship; and

Whereas, the 2008-2009 Tarleton State University Women’s Golf Team is the most successful women’s golf program in the past three seasons in any of the three NCAA levels after winning 18 tournaments dating back to the 2006-2007 season and have finished in the top five in all but one of their 28 tournaments in that time; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, express our heartfelt congratulations to all the members of the 2008-2009 Tarleton State University Women’s Golf Team for their contributions to Tarleton State University; and, be it, further

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

MINUTE ORDER 207-2009 (ITEM 33-k)

ADOPTION OF A RESOLUTION TO EXPRESS APPRECIATION TO THE 2008-09 SPORTS INFORMATION STAFF, TARLETON STATE UNIVERSITY

On motion of Regent Stallings, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Whereas, the 2008-09 Tarleton State University Sports Information Staff received the Best in the Nation award by the College Sports Information Directors of America (CoSIDA) for the men’s basketball media guide; and

Whereas, the 2008-09 Tarleton State University Sports Information Staff received the Best Cover in the Nation award by CoSIDA for the women’s basketball media guide; and

Whereas, the 2008-09 Tarleton State University Sports Information Staff received a No. 2 national ranking for the women’s basketball media guide and a No. 3 national ranking for the football media guide, both by CoSIDA; now, therefore, be it
Resolved, that we, the members of the Board of Regents of The Texas A&M University System, express our heartfelt congratulations to all the members of the 2008-09 Tarleton State University Sports Information Staff for their contributions to Tarleton State University; and, be it, further

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

**MINUTE ORDER 208-2009 (ITEM 33-m)**

**ADOPTION OF A RESOLUTION**

**HONORING THE WOMEN’S WESTERN EQUESTRIAN TEAM FOR ITS OUTSTANDING ACHIEVEMENTS IN THE 2009 SEASON, TEXAS A&M UNIVERSITY**

On motion of Regent Stallings, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Whereas, the Texas A&M University Women’s Western Equestrian Team distinguished itself by winning the 2009 Varsity Equestrian Western National Championship (VENC) by defeating the defending Western national champion TCU squad by a 7-1 mark; and

Whereas, this marked the seventh national championship for the equestrian team in the past 10 years; and

Whereas, the western team finished the season with a 14-1 overall record; and

Whereas, the horsemanship group, which included Caroline Gunn, Katie Lisabeth, Sibyl Parsons and Randi Standlee, did not lose a single match in the week-long national championship competition; and

Whereas, Caroline Gunn repeated as the individual national champion in horsemanship with the best score of any rider all-time in the VENC event; and

Whereas, Head Coach Tana McKay is to be highly commended for providing outstanding leadership in guiding the team to championships and national recognition; and

Whereas, Associate Head Coach and Hunter Seat Coach Linzy Woolf, along with Assistant Coach and Horsemanship Coach Beth Bass also provided outstanding instruction and leadership; and
Whereas, the Brazos County Expo Center became the home of the Texas A&M University Equestrian Team in fall 2008 and was instrumental in the commitment of several team members to Texas A&M University; and

Whereas, the team members competing at the VENC included Tara Christiansen, Genna Fishgold, Maggie Gratny, Caroline Gunn, Katie Lisabeth, Sibyl Parsons, Amanda Ryan and Randi Standley; and

Whereas, Coach McKay received valuable support from Director of Athletics Bill Byrne and Associate Athletic Director Kevin Hurley; and

Whereas, the Texas A&M University Equestrian support staff composed of Director of Operations Katie Cahill, Facility Manager Steve Canon, Media Relations Director Chris Harrell, Academic Supervisor Nicole Melton, Athletic Trainers Stephanie Kee and Contanya Robertson, and Videographers Whitney Moreland and Becca Halbert also provided valuable support; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, desire to express our hearty congratulations to Head Coach Tana McKay and to everyone associated with the Texas A&M University Women’s Equestrian Program for their contributions to Texas A&M University; and, be it, further

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

~~~~~~~~

Chancellor McKinney said that the Chancellor’s Student Advisory Board (CSAB) was comprised of representatives from the universities and the HSC. He said they work collaboratively on issues of concern to students and the impact of social outreach programs. He said the CSAB had been helpful in advising him about items of interest and concerns of students in the System member institution and around the state.

**REPORT FROM THE CHANCELLOR’S STUDENT ADVISORY BOARD (CSAB)**

Mr. Kenny Nelson, an engineering major at TAMU-K and CSAB chair for the 2009-2010 academic year, thanked the members of the Board for the opportunity to present reports from each university. He said the CSAB had three main goals for the year: a textbook policy review and recommendations, a CSAB newsletter, and a coordinated system-wide community service event.
Mr. Nelson said textbooks account for the second highest cost in pursuing post-secondary education, next to tuition and fees. He said they were looking to reduce the cost to students and open the door to textbook rental programs by establishing a minimum length of time for textbooks to be used for core curriculum courses. Studies show that textbooks must be in circulation for three years for a textbook rental program to be viable. Mr. Nelson said a long-term textbook adoption standard would also allow lower prices to students with the large pool of used textbooks. He said “E textbooks” were popular but the initial lower price ended up costing the student more, since they were unable to sell the book back. He said the CSAB would present a resolution to the System administration and introduce the legislation to each of the System member universities student government associations (SGA) for approval and distribution to their faculty, staff and faculty senate.

Mr. Nelson said a CSAB newsletter was being established to inform students that a group was representing them at the highest level and to promote communication between the campuses and the System. They were also planning to coordinate blood drives on each campus throughout the System to increase the interaction between campuses. Mr. Nelson said they hoped the students would realize the difference they could make when working together.

In closing, Mr. Nelson said the CSAB would be representing students in the System regarding the textbook policy and stimulating student involvement through the newsletter and service events.

The following members of the CSAB presented remarks specific to their respective universities: Mr. Robert Powell, PVAMU; Ms. Maggie Moore, TSU; Ms. Christine Cortez, TAMU; Mr. Kolin Loveless, TAMU; Ms. Michelle Talbert, TAMU-C; Ms. Erin Nuckols, TAMU-CC; Mr. Michael Spiers, TAMUG; Mr. Kenny Nelson, TAMU-K; Ms. Lindsey Frankovich, TAMU-T; Mr. Kirk Scarchbough, WTAMU; Ms. Cassidy Johnson, TAMUS HSC; Mr. Corey Allen, TAMU-CT; and Mr. Cresencio Davila, TAMU-SA.

Mr. Nelson said it had been an honor to present activities of the System schools to the Board. He thanked Student Regent Bollman for facilitating ideas between CSAB and the Board and for being an ambassador to the TAMUS. He also thanked Ms. Vema Dewees, Assistant Vice Chancellor for Academic Affairs and Liaison to the CSAB. Mr. Nelson said she would be retiring and they would miss her, but wished her luck in this new chapter of her life.

Regent Stallings said to hear the student leaders express their appreciation for what the members of the Board were doing was the highlight of the meeting. He said he was impressed with the students’ knowledge of their universities and campus activities.

Chairman Foster agreed, saying this was the reason regents volunteer to participate in assisting the System member universities.
Chancellor McKinney recognized the student affairs directors from each of the universities. He said they coordinated the students’ activities. He said the future was bright with these student leaders who were optimistic about the future.

**RECESS**

Chairman Foster recessed the meeting at 10:47 a.m.

*(Secretary’s Note: The Committee on Academic and Student Affairs convened at 10:47 a.m. and adjourned at 11:18 a.m. The Policy Review Committee convened at 11:18 a.m. and adjourned at 11:39 a.m.)*

**RECONVENE**

Chairman Foster reconvened the meeting at 11:39 a.m. He announced that the Board had not received any requests for public testimony in the Board Office.

Regent Stallings said that the previous day the Board had approved the naming of a facility for Mr. Billy Pickard. He recognized Mr. Pickard who had spent 45 years taking care of student athletes and his importance as a trainer.

Mr. Pickard said it was an honor to have the pedestrian passageway named the “Billy Pickard Pedestrian Passageway.” Chairman Foster thanked Mr. Pickard for all he had done for TAMU.

**REPORT FROM THE COMMITTEE ON AUDIT**

Chairman Foster called on Vice Chairman Wilson to present the report from the Committee on Audit.

Vice Chairman Wilson, Chairman of the Committee on Audit, reported that the Committee met on Thursday, September 24, 2009, and discussed the Fourth Quarter Audit Report, the Audit Tracking Report, Management’s Responses to the Audit Tracking Report, Update on the EthicsPoint Hotline and the results of the Quality Assurance Review of the Internal Audit Department. He said there were no agenda items and no action required by the Board.

**REPORT FROM THE COMMITTEE ON FINANCE**

Chairman Foster called on Regent Adams to present the report from the Committee on Finance.

Regent Adams, Chairman of the Committee on Finance, reported that the Committee met on Thursday, September 24, 2009, and approved Items 1 and 2 and the
Committee recommended approval to the full Board. The Board took action as set forth below:

~~~~

**MINUTE ORDER 209-2009 (ITEM 1)**

**AUTHORIZATION TO ENTER INTO A CONTRACT**
**WITH THE PATENT LAW FIRM OF BAKER BOTTS, L.L.P.**
**IN EXCESS OF $299,999,**
**THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Regent Adams, seconded by Regent Schwertner and by a unanimous vote, the following minute order was adopted:

The Board of Regents of The Texas A&M University System requests that the Attorney General of Texas amend the contract with the law firm of Baker Botts, L.L.P. to increase the current cap amount in excess of $299,999 to no more than a proposed cap of $1,000,000 to provide patent prosecution related to legal services to The Texas A&M University System for FY10.

The Board of Regents of The Texas A&M University System, subject to approval by the Attorney General of Texas, authorizes The Texas A&M University System to expend up to $1,000,000 with the law firm of Baker Botts, L.L.P. in exchange for legal fees and expenses in the area of patent prosecution for FY10.

**MINUTE ORDER 210-2009 (ITEM 2)**

**ADOPTION OF A RESOLUTION**
**AUTHORIZING THE ISSUANCE OF THE BOARD OF REGENTS**
**OF THE TEXAS A&M UNIVERSITY SYSTEM**
**REVENUE FINANCING SYSTEM BONDS, SERIES 20\_,**
**THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Regent Adams, seconded by Regent Schwertner and by a unanimous vote, the following minute order was adopted:
The resolution authorizing the issuance of the Board of Regents of The Texas A&M University System Revenue Financing System Bonds, Series 20__, substantially in the form of Exhibit A, is adopted. 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 issuance, sale, security, and delivery of the Bonds, all in accordance with the provisions of the resolution and to submit, as required, a notice of intent to the Texas Bond Review Board relating to the bonds.

~~~

Chairman Foster called on Regent Box to present the report from the Committee on Buildings and Physical Plant.

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

Regent Box, Chairman of the Committee on Buildings and Physical Plant, reported that the Committee met on Thursday, September 24, 2009, and the Committee recommended approval of Items 3 through 18 and Item 35 as presented. He said in consideration of Item 14, the Board of Regents was acting in its capacity as trustees of the Stiles Farm Foundation. He said the Committee also approved the naming of the Billy Pickard Pedestrian Passageway.

*(Secretary's Note: Item 35 was considered in executive session.)*

The Board took action as set forth below:

~~~

**MINUTE ORDER 211-2009 (ITEM 3)**

**APPROVAL TO AMEND THE FY 2010-FY 2014 CAPITAL PLAN TO ADD THE NEW STUDENT HOUSING PHASE II PROJECT FOR TEXAS A&M UNIVERSITY-KINGSVILLE WITH A FY 2010 START DATE, THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The request to amend the Fiscal Year FY 2010–FY 2014 The Texas A&M University System Capital Plan to add the New Student Housing Phase II project for Texas A&M University-Kingsville with a FY 2010 start date and a total planning amount of $18,000,000 is approved.
The amount of $1,000,000 is appropriated from Account No. 17-218090, Designated Tuition, for pre-construction services and related project costs.

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.

MINUTE ORDER 212-2009 (ITEM 4)

APPROVAL OF THE PROJECT SCOPE AND BUDGET,
APPROPRIATION FOR CONSTRUCTION SERVICES, AND
APPROVAL FOR CONSTRUCTION FOR THE FIRST PHASE OF THE
GENERAL AVIATION RAMP REHABILITATION,
TEXAS A&M UNIVERSITY, COLLEGE STATION, TEXAS,
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The project scope along with a project budget of $1,234,000 for the First Phase of the General Aviation Ramp Rehabilitation Project is approved.

The amount of $728,820 is appropriated from Account No. 02-425412, FAA Grant, for construction services and related project costs and the amount of $194,820 is reverted to Account No. 02-030002 Airport Operations.

The First Phase of the General Aviation Ramp Rehabilitation Project, Texas A&M University, College Station, Texas, is approved for construction.
MINUTE ORDER 213-2009 (ITEM 5)

APPROVAL OF THE PROJECT SCOPE AND BUDGET,
APPROPRIATION FOR CONSTRUCTION SERVICES, AND
APPROVAL FOR CONSTRUCTION FOR THE
COMBINED HEAT AND POWER UPGRADE PROJECT,
TEXAS A&M UNIVERSITY, COLLEGE STATION, TEXAS,
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The project scope along with a project budget of $70,250,000 for the Combined Heat and Power Upgrade Project is approved.

The amount of $70,250,000 is appropriated from Account No. 01-085350, Revenue Financing System Debt Proceeds for pre-construction and construction services and related project costs and the amount of $7,025,000 of previous appropriations is reverted to Account No. 02-027016, University Utility System Revenue, upon approval of the project by the Texas Higher Education Coordinating Board.

Texas A&M University has applied for $10,000,000 in grant funds from the U.S. Department of Energy for this project. Any grant funds received are hereby appropriated and previous appropriations are reverted from Revenue Financing Debt Proceeds.

The Combined Heat and Power Upgrade Project, Texas A&M University, College Station, Texas, is approved for construction.

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.
MINUTE ORDER 214-2009 (ITEM 6)

APPROVAL OF THE PROJECT SCOPE AND BUDGET,
APPROPRIATION FOR CONSTRUCTION SERVICES,
AND APPROVAL FOR CONSTRUCTION FOR
THE NEW STUDENT HOUSING PROJECT,
TARLETON STATE UNIVERSITY, STEPHENVILLE, TEXAS,
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the
following minute order was adopted:

The project scope along with a project budget of $13,800,000 for the New Student
Housing project is approved.

Authorization is given to appropriate the amount of $12,420,000 from Account No.
01-085350, Revenue Financing System Debt Proceeds (Housing), for construction services
and related project costs.

The New Student Housing, Tarleton State University, Stephenville, Texas, is
approved for construction.

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.

MINUTE ORDER 215-2009 (ITEM 7)

APPROVAL OF REVISIONS TO
SYSTEM POLICY 41.01 (REAL PROPERTY),
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the
following minute order was adopted:
The revised System Policy 41.01 (Real Property), as shown in Exhibit B, is approved and effective immediately.

**MINUTE ORDER 216-2009 (ITEM 8)**

**APPROVAL OF REVISIONS TO**
**SYSTEM POLICY 51.01 (CAPITAL PLANNING),**
**THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The revisions to System Policy 51.01 (Capital Planning), as shown in Exhibit C, are approved and effective immediately.

**MINUTE ORDER 217-2009 (ITEM 9)**

**APPROVAL OF REVISIONS TO**
**SYSTEM POLICY 51.04**
**(DELEGATIONS OF AUTHORITY ON CONSTRUCTION PROJECTS),**
**THE TEXAS A&M UNIVERSITY SYSTEM**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The revisions to System Policy 51.04 (Delegations of Authority on Construction Projects), as shown in Exhibit D, are approved and effective immediately.

**MINUTE ORDER 218-2009 (ITEM 10)**

**AUTHORIZATION TO PURCHASE RESIDENTIAL LOT**
**WITH A SINGLE FAMILY RESIDENCE AT 1560 W. TARLETON STREET,**
**CITY OF STEPHENVILLE, ERATH COUNTY,**
**TARLETON STATE UNIVERSITY**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:
The Chancellor of The Texas A&M University System, or designee, after obtaining approval from the Texas Higher Education Coordinating Board, is authorized to execute and deliver all documents, and to take all other actions, necessary to purchase the land and improvements municipally known as 1560 W. Tarleton Street, being described as Part of Lot 5 and the South and East 5' x 21' of the Southeast Corner, Block 29, Park Place Addition in the City of Stephenville, Erath County, Texas. The form of the purchase contract and the documents of conveyance must be approved for legal sufficiency by the Office of General Counsel. The purchase price of $51,000, plus closing costs, is hereby approved.

**MINUTE ORDER 219-2009 (ITEM 11)**

**AUTHORIZATION TO EXECUTE A GROUND LEASE FOR AN ADDITIONAL PHASE OF ON-CAMPUS HOUSING, TEXAS A&M UNIVERSITY-CORPUS CHRISTI**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Chancellor of The Texas A&M University System, or designee, following legal review by the Office of General Counsel, is authorized to negotiate and execute a ground lease agreement with Camden Property Trust for approximately 1.429 acres, more or less, on the campus of Texas A&M University-Corpus Christi for the construction, maintenance and operation of an on-campus housing facility containing 75 beds. The term of the lease will commence upon execution and expire on August 31, 2035.

**MINUTE ORDER 220-2009 (ITEM 12)**

**AUTHORIZATION TO EXECUTE A WORKING FOREST CONSERVATION EASEMENT COVERING 2,907 ACRES, MORE OR LESS, OF PRIVATELY-OWNED FOREST LAND IN SMITH COUNTY, TEXAS FOREST SERVICE**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Chancellor of The Texas A&M University System, or designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to execute a Working Forest Conservation Easement covering 2,907 acres, more or less, of privately-owned forest land in Smith County, Texas.
MINUTE ORDER 221-2009 (ITEM 13)

AUTHORIZATION TO EXCHANGE
TWO TRACTS OF LAND IN WILBARGER COUNTY,
TEXAS AGRILIFE RESEARCH

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Chancellor of The Texas A&M University System, or designee, following a review for legal sufficiency by the Office of General Counsel, is authorized to exchange 1.25 acres of land, more or less, in Wilbarger County, Texas, for 5.37 acres of land, more or less, in said county.

MINUTE ORDER 222-2009 (ITEM 14)

AUTHORIZATION TO SELL 24.718 ACRES OF LAND,
MORE OR LESS, IN WILLIAMSON COUNTY,
TEXAS AGRILIFE EXTENSION SERVICE

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Chancellor of The Texas A&M University System, or designee, following review and approval for legal sufficiency by the Office of General Counsel, is authorized to execute all documents necessary to sell a tract of land containing 24.718 acres, more or less, in Williamson County, Texas, held in the name of the Stiles Farm Foundation, to Thrall Independent School District.

MINUTE ORDER 223-2009 (ITEM 15)

AUTHORIZATION TO EXECUTE A GROUND LEASE
ON THE HEALTH SCIENCE CENTER CAMPUS IN BRYAN, TEXAS,
AND A LEASE OF SPACE IN A BUILDING TO BE CONSTRUCTED,
THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:
The Chancellor of The Texas A&M University System, or designee, following review and approval for legal sufficiency by the Office of General Counsel, is authorized to negotiate, execute and deliver (i) a ground lease of approximately five (5) acres of land on The Texas A&M University System Health Science Center campus in Bryan, Texas, to Brazos Valley Health Realty, LLC, for an initial term of 40 years, with one 10-year renewal, and upon such other terms and conditions as the Chancellor, or designee, shall determine, and (ii) a space lease for approximately 50,000 square feet of space in a building to be constructed on the ground leased land for an initial term of 10 years, with one 10-year renewal, and upon such other terms and conditions as the Chancellor, or designee, shall determine.

**MINUTE ORDER 224-2009 (ITEM 16)**

**AUTHORIZATION TO LEASE CLINICAL SPACE IN THE HEALTH SCIENCE CENTER FACILITY IN ROUND ROCK, TEXAS, TO LONE STAR CIRCLE OF CARE, THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Chancellor of The Texas A&M University System, or designee, following review and approval for legal sufficiency by the Office of General Counsel, is authorized to negotiate and execute an agreement for the purpose of leasing approximately 30,500 square feet of clinical space in the building located on The Texas A&M University System Health Science Center campus in Round Rock, Williamson County, Texas, to Lone Star Circle of Care.

**MINUTE ORDER 225-2009 (ITEM 17)**

**AUTHORIZATION TO PURCHASE A BUILDING AND OTHER IMPROVEMENTS AT 3950 NORTH A.W. GRIMES BOULEVARD, ROUND ROCK, WILLIAMSON COUNTY, THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:
The Chancellor of The Texas A&M University System, or designee, after obtaining approval from the Texas Higher Education Coordinating Board, is authorized to take all actions necessary to purchase the building and other improvements on approximately 12 acres of system land at 3950 North A.W. Grimes Boulevard, Round Rock, Williamson County, Texas. The form of the purchase contract and the documents of conveyance must be approved for legal sufficiency by the Office of General Counsel. The purchase price shall not exceed $55,000,000, plus closing costs.

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.

**MINUTE ORDER 226-2009 (ITEM 18)**

**NAMING OF THE**

**“KIM ’79 & LAURA EUBANKS INDOOR BASEBALL FACILITY,”**

**TEXAS A&M UNIVERSITY**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Indoor Baseball Facility on the Texas A&M University campus is hereby named the “Kim ’79 & Laura Eubanks Indoor Baseball Facility.”

**MINUTE ORDER 227-2009 (ITEM 18)**

**NAMING OF THE**

**“BILLY PICKARD PEDESTRIAN PASSAGeway,”**

**TEXAS A&M UNIVERSITY**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:
The pedestrian passageway from Kyle Field under Wellborn Road on the Texas A&M University campus is hereby named the “Billy Pickard Pedestrian Passageway.”

**MINUTE ORDER 228-2009 (ITEM 18)**

**NAMING OF THE**

**“WILDER GRADUATE ROOM,”**

**WEST TEXAS A&M UNIVERSITY**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

A small seminar room on the second floor of the Classroom Center Building on the West Texas A&M University campus is hereby named the “Wilder Graduate Room.”

**MINUTE ORDER 229-2009 (ITEM 18)**

**NAMING OF THE**

**“STAN AND GRETA LILES CLASSROOM,”**

**WEST TEXAS A&M UNIVERSITY**

On motion of Regent Box, seconded by Regent Adams and by a unanimous vote, the following minute order was adopted:

A standard classroom on the second floor of the Classroom Center Building on the West Texas A&M University campus is hereby named the “Stan and Greta Liles Classroom.”

**MINUTE ORDER 230-2009 (ITEM 18)**

**NAMING OF THE**

**“SCHAEFFER TRADING AND TECHNOLOGY CLASSROOM,”**

**WEST TEXAS A&M UNIVERSITY**

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

A specialty classroom on the second floor of the Classroom Center Building on the West Texas A&M University campus is hereby named the “Schaeffer Trading and Technology Classroom.”
MINUTE ORDER 231-2009 (ITEM 18)

NAMING OF THE
“NEIL AND ANNE TERRY CLASSROOM,”
WEST TEXAS A&M UNIVERSITY

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

A standard classroom on the second floor of the Classroom Center Building on the West Texas A&M University campus is hereby named the “Neil and Anne Terry Classroom.”

MINUTE ORDER 232-2009 (ITEM 18)

NAMING OF THE
“FIRSTBANK SOUTHWEST CLASSROOM,”
WEST TEXAS A&M UNIVERSITY

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

A standard classroom on the second floor of the Classroom Center Building on the West Texas A&M University campus is hereby named the “FirstBank Southwest Classroom.”

MINUTE ORDER 233-2009 (ITEM 35)

AUTHORIZATION TO EXECUTE A SETTLEMENT AGREEMENT
BY AND BETWEEN THE TEXAS A&M UNIVERSITY SYSTEM
AND JE DUNN OF TEXAS, INC.,
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Box, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Chancellor is hereby authorized, upon review of legal form and sufficiency by the Office of General Counsel, to execute a settlement agreement by and between The Texas A&M University System and JE Dunn of Texas, Inc.

~ ~ ~ ~

Chairman Foster called on Regent Fraga to present the report from the Committee on Academic and Student Affairs.
REPORT FROM THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS

Regent Fraga, Chairman of the Committee on Academic and Students Affairs, reported that the Committee met on Friday, September 25, 2009. He said the Committee approved Items 19 through 22 and recommended approval of the Board. The Board took action as set forth below:

~~~

MINUTE ORDER 234-2009 (ITEM 19)

APPROVAL OF CHANGES TO THE ADMISSION REQUIREMENTS FOR SYSTEM MEMBER UNIVERSITIES AND THE HEALTH SCIENCE CENTER FOR THE 2010-11 ACADEMIC YEAR, THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Fraga, seconded by Regent 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 the 2010-11 changes to the admission requirements of the System member universities and the Health Science Center as shown in Exhibits E, F & G.

MINUTE ORDER 235-2009 (ITEM 20)

ESTABLISHMENT OF THE ROBERT A. MOSBACHER INSTITUTE FOR TRADE, ECONOMICS, AND PUBLIC POLICY, TEXAS A&M UNIVERSITY

On motion of Regent Fraga, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Board of Regents of The Texas A&M University System approves the establishment of the Robert A. Mosbacher Institute for Trade, Economics, and Public Policy to be administered as an organizational unit within the George Bush School of Government and Public Service at Texas A&M University, effective October 1, 2009.
MINUTE ORDER 236-2009 (ITEM 21)

ESTABLISHMENT OF THE
NATIONAL CENTER FOR THERAPEUTICS MANUFACTURING (NCTM),
A JOINT TEES AND TAMU CENTER,
TEXAS ENGINEERING EXPERIMENT STATION/TEXAS A&M UNIVERSITY

On motion of Regent Fraga, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The National Center for Therapeutics Manufacturing, a joint TEES and TAMU Center, is hereby established, reporting to the Vice Chancellor and Dean of Engineering and Director of TEES.

MINUTE ORDER 237-2009 (ITEM 22)

APPROVAL TO AMEND TABLE OF PROGRAMS FOR
PRELIMINARY AUTHORITY FOR FOUR NEW PROGRAMS
(BACHELOR OF SCIENCE IN SOCIOLOGY,
BACHELOR OF SCIENCE IN DRAMA WITH OPTIONAL DRAMA EC-12
TEACHER CERTIFICATION, BACHELOR OF SCIENCE IN VISUAL ARTS
WITH OPTIONAL ART EC-12, AND BACHELOR OF SCIENCE IN MUSIC
WITH OPTIONAL MUSIC EC-12 TEACHER CERTIFICATION), AND
AUTHORIZATION TO REQUEST APPROVAL FROM THE
TEXAS HIGHER EDUCATION COORDINATING BOARD,
TEXAS A&M UNIVERSITY-TEXARKANA

On motion of Regent Fraga, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

The Board of Regents approves the amended table of programs for Texas A&M University-Texarkana which seeks preliminary authority for the following four new programs:

Bachelor of Science in Sociology (45.1101.00)
Bachelor of Science in Drama with Optional Drama EC-12 Teacher Certification (50.0501.00)
Bachelor of Science in Visual Arts with Optional Art EC-12 Teacher Certification (50.0701.00)
Bachelor of Science in Music with Optional Music EC-12 Teacher Certification (50.0901.00)
The Board also authorizes the submission of Texas A&M University-Texarkana’s preliminary authority request to amend its table of programs to the Texas Higher Education Coordinating Board for approval.

Chairman Foster called on Regent Schwertner to present the report from the Policy Review Committee.

REPORT FROM THE POLICY REVIEW COMMITTEE

Regent Schwertner, Chairman of the Policy Review Committee, reported that the Committee met on Friday, September 25, 2009. He said the Committee approved Items 7 through 9, 23 and 25. He said Item 24 was withdrawn during the meeting and Items 7 through 9 were previously approved by the full Board through the Committee on Buildings and Physical Plant. Regent Schwertner said the Committee recommended Items 23 and 25 for approval of the Board. The Board took action as set forth below:

MINUTE ORDER 238-2009 (ITEM 23)

APPROVAL OF NEW SYSTEM MEMBER SMOKING RULES FOR TEXAS A&M UNIVERSITY-CENTRAL TEXAS AND TEXAS A&M UNIVERSITY-SAN ANTONIO, THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Fraga, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

New rule 34.05.99.D1 (Smoking and Tobacco Use), for Texas A&M University-Central Texas, as shown in Exhibit H, is approved, effective immediately.

New rule 34.05.99.O1 (Smoking and Tobacco Use), for Texas A&M University-San Antonio, as shown in Exhibit I, is approved, effective immediately.

(Secretary’s Note: Item 24 was withdrawn during the meeting of the Policy Review Committee.)
MINUTE ORDER 239-2009 (ITEM 25)

APPROVAL OF NEW SYSTEM POLICY 15.02 (EXPORT CONTROLS),
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Fraga, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

New System Policy 15.02 (Export Controls), as shown in Exhibit J, is approved, effective immediately.

~~~

ADDITIONAL ITEMS TO BE CONSIDERED BY THE BOARD

Chairman Foster called on Chancellor McKinney who presented Items 27 through 32 and 33-a through 33-d. He said Items 28 through 32 were considered in executive session. The Board took action as set forth below:

~~~

MINUTE ORDER 240-2009 (ITEM 27)

APPROVAL OF ACADEMIC TENURE, SEPTEMBER 2009,
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Schwertner, seconded by Regent 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 12.01 (Academic Freedom, Responsibility and Tenure), hereby authorizes the granting of tenure to the following faculty members as set forth in Exhibit K, Tenure List No. 10-01.

MINUTE ORDER 241-2009 (ITEM 28)

AUTHORIZATION TO EXECUTE EMPLOYMENT CONTRACT WITH
J. T. HIGGINS, HEAD MEN’S GOLF COACH,
TEXAS A&M UNIVERSITY

On motion of Regent Schwertner, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:
Authority is hereby granted to the President of Texas A&M University to execute an employment contract, upon review for legal form and sufficiency by the Office of General Counsel, with the following person:


**MINUTE ORDER 242-2009 (ITEM 29)**

**APPOINTMENT OF MR. DAVID SCOTT GINES AS VICE PRESIDENT FOR INSTITUTIONAL ADVANCEMENT, TEXAS A&M UNIVERSITY-KINGSVILLE**

On motion of Regent Schwertner, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Effective immediately, Mr. David Scott Gines is hereby appointed Vice President for Institutional Advancement at Texas A&M University-Kingsville at an initial salary of $130,000.

**MINUTE ORDER 243-2009 (ITEM 30)**

**APPOINTMENT OF DR. ANGELA SPAULDING AS DEAN OF THE GRADUATE SCHOOL AND RESEARCH, WEST TEXAS A&M UNIVERSITY**

On motion of Regent Schwertner, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Effective immediately, Dr. Angela Spaulding is hereby appointed Dean of the Graduate School and Research at West Texas A&M University, at an initial salary of $117,500.

**MINUTE ORDER 244-2009 (ITEM 31)**

**APPOINTMENT OF DR. CRAIG H. BLAKELY AS DEAN OF THE SCHOOL OF RURAL PUBLIC HEALTH, THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER**

On motion of Regent Schwertner, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Effective immediately, Dr. Craig H. Blakely is hereby appointed Dean of the School of Rural Public Health, The Texas A&M University System Health Science Center, at an initial salary of $235,000.
MINUTE ORDER 245-2009 (ITEM 32)

NAMING OF DR. CRAIG L. NESSLER AS THE SOLE FINALIST FOR THE POSITION OF DIRECTOR OF TEXAS AGRILIFE RESEARCH, THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Schwertner, seconded by Regent Jones and by a unanimous vote, the following minute order was adopted:

Dr. Craig L. Nessler is hereby named the sole finalist for the position of Director of Texas AgriLife Research of The Texas A&M University System. As required by state law, final action may be taken after the 21-day notice is given.

MINUTE ORDER 246-2009 (ITEM 33-a)

GRANTING OF FACULTY DEVELOPMENT LEAVE FOR FY 2010, TEXAS A&M INTERNATIONAL UNIVERSITY

On motion of Regent Schwertner, seconded by Regent 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 31.03, System Regulation 12.99.01 and Sections 51.101-108 of the Texas Education Code, authorizes faculty development leave to the faculty member as shown in Exhibit L, Faculty Development Leave List FY 2010, Texas A&M International University.

MINUTE ORDER 247-2009 (ITEM 33-b)

CONFIRMATION OF APPOINTMENT AND COMMISSIONING OF A PEACE OFFICER, TEXAS FOREST SERVICE

On motion of Regent Schwertner, seconded by Regent 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 confirms the Director of the Texas Forest Service's appointment and commission of Mark W. Elrod as a peace officer for the system, subject to him taking the oath required of peace officers.
MINUTE ORDER 248-2009 (ITEM 33-c)

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

On motion of Regent Schwertner, seconded by Regent 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 confirms the appointment and commissioning of campus peace officers by the Presidents of their respective system member universities, in accordance with the requirements of the law, and as shown in Exhibit M, subject to their taking the oath required of peace officers.

MINUTE ORDER 249-2009 (ITEM 33-d)

GRANTING OF THE TITLE OF EMERITUS/EMERITA, SEPTEMBER 2009,
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Schwertner, seconded by Regent 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 the individuals as shown in Exhibit N, Emeritus/Emerita Title List No. 10-01, and grants all rights and privileges of this title.

MINUTE ORDER 250-2009 (ITEM 33-l)

APPROVAL OF MINUTES OF THE JUNE 15, 2009,
SPECIAL BOARD MEETING AND THE JULY 16-17, 2009,
REGULAR BOARD MEETING, BOARD OF REGENTS,
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Regent Jones, seconded by Regent Schwertner and by a unanimous vote, the following minute order was adopted:

The Minutes of the June 15, 2009, Special Board Meeting and the July 16-17, 2009, Regular Board Meeting are hereby approved.

~~~~
ANNOUNCEMENTS

Chairman Foster announced that the next regular meeting was scheduled for December 3-4, 2009, on the campus of TAMU.

ADJOURNMENT

There being no further business, on motion of Regent Jones, seconded by Regent Stallings and by a unanimous vote, the meeting was adjourned at 11:50 a.m., Friday, September 25, 2009.

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

VBS:gak

(These minutes were transcribed by Gwen Kirby, Senior Office Associate, Office of the Board of Regents.)
TWENTY-FIRST SUPPLEMENTAL RESOLUTION TO THE MASTER RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM REVENUE FINANCING SYSTEM BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF $375,000,000, AND APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO

Adopted September 25, 2009
TWENTY-FIRST SUPPLEMENTAL RESOLUTION TO
THE MASTER RESOLUTION AUTHORIZING THE
ISSUANCE, SALE, AND DELIVERY OF BOARD OF
REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM
REVENUE FINANCING SYSTEM BONDS IN THE
MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF
$375,000,000, AND APPROVING AND AUTHORIZING
INSTRUMENTS AND PROCEDURES RELATING
THERETO

TABLE OF CONTENTS

Section 1. DEFINITIONS ................................................................. 2
   (a) Definitions ........................................................................ 2
   (b) Construction of Terms ...................................................... 2

Section 2. AMOUNT, PURPOSE, AND DESIGNATION OF THE BONDS ......... 2

Section 3. DATE, DENOMINATIONS, NUMBERS, MATURITIES AND TERMS OF
   BONDS .................................................................................. 3
   (a) Terms of Bonds ................................................................. 3
   (b) Award Certificate ............................................................ 3
   (c) Sale of the Bonds ............................................................. 4
   (d) In General ....................................................................... 5
   (e) Build America Bonds ......................................................... 5
   (f) Delegation to Establish a Sinking Fund for Balloon Debt ......... 6
   (g) Finding re Section 1207.008 (b), GovernmentCode .................. 6

Section 4. INTEREST .................................................................... 6

Section 5. REGISTRATION TRANSFER AND EXCHANGE; BOOK-ENTRY-ONLY
   SYSTEM; AUTHENTICATION ............................................... 7
   (a) Paying Agent/Registrar .................................................... 7
   (b) Registration Books ........................................................ 7
   (c) Ownership of Bonds ........................................................ 7
   (d) Payment of Bonds and Interest ........................................ 8
   (e) Authentication .................................................................. 8
   (f) Transfer, Exchange, or Replacement ................................ 8
   (g) Substitute Paying Agent/Registrar ..................................... 9
   (h) Book-Entry-Only System ................................................ 9
   (i) Successor Securities Depository; Transfers Outside Book-Entry-Only System .... 10
   (j) Payments to Cede & Co .................................................. 11
   (k) Notice of Redemption and Defeasance .............................. 11

Section 6. FORM OF BONDS ............................................................. 11

Section 7. ESTABLISHMENT OF FINANCING SYSTEM AND ISSUANCE OF PARITY
   OBLIGATIONS ......................................................................... 12

Section 8. SECURITY AND PAYMENTS ........................................... 12

Section 9. PAYMENTS ................................................................. 12

Section 10. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS ....... 12
Section 11. AMENDMENT OF SUPPLEMENT
(a) Amendments Without Consent
(b) Amendments With Consent
(c) Notice
(d) Receipt of Consent
(e) Effects of Amendments
(f) Consent Irrevocable
(g) Ownership

Section 12. TAX EXEMPTION

Section 13. CONTINUING DISCLOSURE UNDERTAKING
(a) Annual Reports
(b) Material Event Notices
(c) Limitations, Disclaimers & Amendments

Section 14. TWENTY-FIRST SUPPLEMENT TO CONSTITUTE A CONTRACT; EQUAL SECURITY

Section 15. SEVERABILITY OF INVALID PROVISIONS

Section 16. PAYMENT AND PERFORMANCE ON BUSINESS DAYS

Section 17. LIMITATION OF BENEFITS WITH RESPECT TO THE TWENTY-FIRST SUPPLEMENT

Section 18. CUSTODY, APPROVAL, BOND COUNSEL'S OPINION, CUSIP NUMBERS, PREAMBLE AND INSURANCE

Section 19. REFUNDING OF REFUNDED OBLIGATIONS; ESCROW AGREEMENTS

Section 20. APPLICATION OF BOND PROCEEDS

Section 21. FURTHER PROCEDURES

Section 22. APPROVAL OF OFFICIAL STATEMENT

Section 23. DTC LETTER OF REPRESENTATIONS

Section 24. ADDITIONAL DEFEASANCE PROVISIONS

Section 25. REPEAL OF CONFLICTING RESOLUTIONS; RATIFICATION OF CONTINUANCE OF COMMERICAL PAPER NOTE PROGRAM

Section 26. DEFEASANCE OF OUTSTANDING PARITY OBLIGATIONS

Section 27. PUBLIC NOTICE

EXHIBIT A - DEFINITIONS

EXHIBIT B - FORM OF BONDS

EXHIBIT C - CONTINUING DISCLOSURE OF INFORMATION
TWENTY-FIRST SUPPLEMENTAL RESOLUTION TO
THE MASTER RESOLUTION AUTHORIZING THE
ISSUANCE, SALE, AND DELIVERY OF BOARD OF
REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM
REVENUE FINANCING SYSTEM BONDS IN THE
MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF
$375,000,000 MILLION, AND APPROVING AND
AUTHORIZING INSTRUMENTS AND PROCEDURES
RELATING THERETO

WHEREAS, the Board of Regents of The Texas A&M University System (the "Board")
has adopted a Master Resolution Establishing The Texas A&M University System Revenue
Financing System (referred to herein as the "Master Resolution"); and

WHEREAS, unless otherwise defined herein, terms used herein shall have the meaning
given in the Master Resolution; and

WHEREAS, the Master Resolution establishes the Revenue Financing System
comprised of each institution and agency presently in The Texas A&M University System, and
pledges the Pledged Revenues attributable to each Participant of the Revenue Financing System
to the payment of Parity Obligations to be outstanding under the Master Resolution; and

WHEREAS, the Board has previously adopted the First through Twentieth Supplemental
Resolutions to the Master Resolution authorizing Parity Obligations thereunder; and

WHEREAS, the Board has determined to issue Parity Obligations in one or more
installments to (i) finance and refinance the cost of facilities and improvements for the
Participants of the Revenue Financing System, including but not limited to those set forth in The
Texas A&M University System Capital Plan; (ii) provide permanent financing for facilities and
improvements financed with the proceeds of a portion of the outstanding Revenue Financing
System Commercial Paper Notes, Series B (the "Refunded Notes"); (iii) refund a portion of its
Outstanding Parity Obligations as described in the definition of Potential Refunded Bonds herein
and (iv) pay the costs of issuance relating to such Parity Obligations; and

WHEREAS, for such purposes the Board deems it necessary to issue Parity Obligations
pursuant to this Twenty-First Supplement to the Master Resolution; and

WHEREAS, pursuant to the Master Resolution, a Designated Financial Officer, has
delivered to the Board a certificate stating that, to the best of his or her knowledge, the Board is
in compliance with all covenants contained in the Master Resolution and each Supplemental
Resolution and is not in default in the performance and observance of any of the terms,
provisions, and conditions contained therein; and

WHEREAS, the Bonds authorized to be issued by this Twenty-First Supplement are to
be issued and delivered pursuant to Chapter 55, Texas Education Code and Chapters 1207 and
1371, Texas Government Code.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF
THE TEXAS A&M UNIVERSITY SYSTEM THAT:
Section 1. DEFINITIONS.

(a) Definitions. In addition to the definitions set forth in the preamble of this Twenty-First Supplement, the terms used in this Twenty-First Supplement (except in the Form of Bonds) and not otherwise defined shall have the meanings given in the Master Resolution or in Exhibit A to this Twenty-First Supplement attached hereto and made a part hereof.

(b) Construction of Terms. If appropriate in the context of this Twenty-First Supplement, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine, or neuter gender shall be considered to include the other genders.

Section 2. AMOUNT, PURPOSE, AND DESIGNATION OF THE BONDS.

(a) The Board's "BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM REVENUE FINANCING SYSTEM BONDS, SERIES _________," are hereby authorized to be issued and delivered in the maximum principal amount (determined without regard to premium or discount affecting the sale price) of $375 million ($375,000,000), in one or more Series or sub-series (as Tax-Exempt Bonds, Taxable Bonds or any combination thereof) as determined by the Designated Financial Officer pursuant to the terms of this Twenty-First Supplement. The Bonds shall be designated by the year in which they are awarded pursuant to Section 3 below, and each Series within a year may have a letter designation following the year as determined by the Designated Financial Officer. The title of the Bonds may also be revised by a Designated Financial Officer as reflected in the Award Certificate pursuant to Section 3(b) hereof to reflect the status of the Bonds as Tax-Exempt Bonds, Taxable Bonds or Build America Bonds, as applicable. No Bonds shall be issued under this Twenty-First Supplement after August 31, 2010.

(b) The Bonds are to be issued for the purpose of financing and refinancing the costs of acquiring, purchasing, constructing, improving, enlarging, and equipping the property and facilities of the Participants of the Revenue Financing System; refunding all or a portion of the Potential Refunded Bonds; refunding all or a portion of the Board's outstanding Revenue Financing System Commercial Paper Notes, Series B (the "Notes") to provide permanent financing for facilities and improvements financed with the proceeds of the Notes; and paying the costs of issuance related thereto.

(c) To the extent that it is economically reasonable, improvements or facilities to be financed or refinanced pursuant to Sections 55.1711, 55.1721, 55.1731, 55.1741, 55.17411, 55.1751, 55.1771 of the Education Code, or similar provisions currently existing or hereafter enacted by the Legislature ("Section 55.17 Projects") shall be financed in separate Series of Bonds and the Award Certificate relating to each such Series of Bonds shall show the principal amount of Parity Obligations, including the Bonds, issued for each Participant to finance or refinance Section 55.17 Projects and the additional Parity Obligations that may be issued pursuant to such sections. Each Series of Bonds issued to refund portions of the Potential Refunded Bonds that were issued pursuant to such sections of the Education Code or issued to refund Parity Obligations issued pursuant to such sections, or any similar section, may also be included in that separate Series of Bonds.
(d) Each Series of Bonds herein authorized, unless otherwise indicated, are hereinafter referred to as the "Bonds," which may be in the form of fixed rate bonds as either Current Interest Bonds or Capital Appreciation Bonds.

Section 3. DATE, DENOMINATIONS, NUMBERS, MATURITIES AND TERMS OF BONDS.

(a) Terms of Bonds. The Bonds shall initially be issued, sold, and delivered hereunder as fully registered bonds, without interest coupons, in the form of Current Interest Bonds or Capital Appreciation Bonds, numbered consecutively for each Series of Bonds from R-1 upward (or CR-1 upward, in the case of Capital Appreciation Bonds) (except the Initial Bond which shall be numbered T-1 for the Current Interest Bonds and TR-1 for the Capital Appreciation Bonds), payable to the respective initial registered owners thereof, or to the registered assignee or assignees of said bonds or any portion or portions thereof (in each case, the "Registered Owner"), in Authorized Denominations, maturing on the dates, in the years and in the principal amounts, respectively, and dated, all as set forth in the Award Certificate.

(b) Award Certificate. As authorized by Chapter 1371, Government Code, as amended, the Designated Financial Officer is hereby authorized, appointed, and designated to act on behalf of the Board in selling and delivering the Bonds and carrying out the other procedures specified in this Resolution, including determining and fixing: (i) the date of the Bonds, (ii) any additional or different designation or title by which the Bonds shall be known, (iii) the price at which the Bonds will be sold, (iv) the years in which the Bonds will mature, (v) the principal amount of the Bonds to mature in each of such years, (vi) the aggregate principal amount of the Bonds, including the aggregate principal amount of Current Interest Bonds and Capital Appreciation Bonds, (vii) the rate of interest to be borne by each maturity, (viii) the interest payment periods, (ix) the dates, price, and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the Board, as well as any mandatory sinking fund redemption provisions, if any, (x) the designation of which notes shall constitute the Refunded Notes refunded by the Bonds, (xi) the designation of which Potential Refunded Bonds shall constitute the Refunded Bonds, (xii) the Paying Agent/Registrar and Escrow Agent, if applicable, for the Bonds, (xiii) whether the Bonds shall be issued as Tax-Exempt Bonds or Taxable Bonds, (xiv) whether any Taxable Bonds shall be designated as Build America Bonds as further provided in subsection (e) of this Section, (xv) the Authorized Denominations for any Taxable Bonds and (xvi) all other matters relating to the issuance, sale, and delivery of the Bonds, and the refunding of the Refunded Obligations. All such determinations made by the Designated Financial Officer shall be specified in a certificate of the Designated Financial Officer delivered to the Executive Secretary to the Board (the "Award Certificate"). Such determinations shall be limited by the following: (1) the price to be paid for the Bonds shall not be less than 95% of the aggregate original principal amount thereof plus accrued interest thereon from their dated date to their date of initial delivery, (2) none of the Bonds shall bear interest at a rate greater than the maximum rate allowed by law, (3) no stated maturity of any Bond shall be later than June 1, 2041; (4) the aggregate principal amount of the Bonds shall not exceed the amount authorized in Section 2(a) hereof and (5) Bonds shall be issued to refund all or a portion of the Potential Refunded Bonds only if that refunding, assuming that each Series sold and delivered at the same time is one Series, results in a present value savings of at least three percent (3%) on the Annual Debt Service Requirements on the Refunded Bonds, provided further, that in the case of Refunded Bonds being advance refunded more than 90 days prior to
their maturity or earlier redemption date, the present value savings on the Annual Debt Service Requirements on such Refunded Bonds must be at least five percent (5%).

In establishing the aggregate principal amount of a Series of Bonds to be issued to refund Refunded Bonds, the Designated Financial Officer shall establish an amount, not to exceed the amount authorized in Section 2(a) hereof, sufficient to provide for the refunding of the maximum amount of the Potential Refunded Bonds that will result in a reduction in the aggregate amount of the principal and interest that otherwise would be payable from the Pledged Revenues with respect to the Refunded Bonds, calculated on a present value basis, of at least four percent (4%). The amount of the savings to be realized from the refunding shall be shown in the Award Certificate. The Award Certificate for each Series that is issued to refund Refunded Bonds or Refunded Notes shall also identify the Refunded Bonds or Refunded Notes being refunded by that Series.

It is further provided, however, that, notwithstanding the foregoing provisions, the Bonds shall not be delivered unless prior to delivery (i) the Award Certificate has been executed and delivered as required by this Twenty-First Supplement and (ii) the Bonds have been rated by a Nationally-Recognized Rating Agency in one of the four highest rating categories for long-term obligations, as required by Chapter 1371, Texas Government Code, as amended.

The Designated Financial Officer is authorized and directed to determine which facilities and improvements will be financed with the proceeds of the Bonds taking into account (i) the scheduled completion dates of the improvements and facilities financed with the proceeds of the Bonds, (ii) the economic projections for each such facility and improvement and the Participant on whose campus the facility or improvement is located and (iii) which Sections 55.17 Projects are being undertaken and the projected budget impact on the Financing System of such financing. The designation of which improvements or facilities are to be financed or refinanced with the proceeds of the Bonds shall be set forth in the Award Certificate. Before the Designated Financial Officer may determine that any improvement or facility is to be financed or refinanced with the proceeds of the Bonds, (i) the improvement or facility must have been approved for construction and financing by the Board, (ii) the Board must have made the findings required by Section 5 of the Master Resolution with respect to the Parity Obligations to be issued for such improvement or facility, and (iii) the project must have received any required approval or review of the Higher Education Coordinating Board to the extent and as required by the provisions of Section 61.058 of the Texas Education Code.

The Award Certificate is hereby incorporated in and made a part of this Twenty-First Supplement and shall be filed in the minutes of the Board as a part of this Twenty-First Supplement.

(c) Sale of the Bonds. To achieve the lowest borrowing costs for the Participants of the Financing System, each Series of Bonds shall be sold to the public on either a negotiated or competitive basis as determined by the Designated Financial Officer in the Award Certificate for that Series of Bonds. In determining whether to sell a Series of Bonds by negotiated or competitive sale, the Designated Financial Officer shall take into account the financial condition of the State, the System, and the Financing System, any material disclosure issues that might exist at the time, the market conditions expected at the time of the sale, the achievement of the HUB goals of the Board, and any other matters that, in the judgment of the Designated Financial Officer, might affect the net borrowing costs on the Series of Bonds to be sold.
If the Designated Financial Officer determines that a Series of Bonds should be sold at a competitive sale, the Designated Financial Officer shall prepare a notice of sale and official statement in such manner as the Designated Financial Officer deems appropriate, to make the notice of sale and official statement available to those institutions and firms wishing to submit a bid for the Series of Bonds, to receive such bids, and to award the sale of the Series of Bonds to the bidder submitting the best bid in accordance with the provisions of the notice of sale.

If the Designated Financial Officer determines that a Series of Bonds should be sold by a negotiated sale, the Designated Financial Officer shall designate the senior managing underwriter for such Series of Bonds and such additional investment banking firms as he or she deems appropriate to assure that the Bonds are sold on the most advantageous terms to the Financing System. The Designated Financial Officer, acting for and on behalf of the Board, is authorized to enter into and carry out the terms of a Bond Purchase Contract for each Series of the Bonds to be sold by negotiated sale, with the underwriter(s) thereof at such price, with and subject to such terms as determined by the Designated Financial Officer pursuant to subsection (b) above. Each Bond Purchase Contract shall be substantially in the form and substance previously approved by the Board in connection with the authorization of Parity Obligations with such changes as are acceptable to the Designated Financial Officer, including those set forth in this Twenty-First Supplement with respect to disclosure documents and continuing disclosure provisions.

(d) **In General.** The Bonds (i) may and shall be redeemed prior to the respective scheduled maturity dates, (ii) may be assigned and transferred, (iii) may be exchanged for other Bonds, (iv) shall have the characteristics, (v) shall be signed and sealed, and (vi) shall be subject to redemption prior to maturity, and the principal of and interest on the Bonds shall be payable, all as provided, and in the manner required or indicated, in the FORM OF BONDS set forth in Exhibit B to this Twenty-First Supplement and as determined by the Designated Financial Officer as provided herein, with such changes and additions as are required to be consistent with the terms and provisions shown in the Award Certificate relating to the Bonds.

(e) **Build America Bonds.** In the event the Designated Financial Officer determines to issue Bonds as Taxable Bonds pursuant to the authority conferred by subsection (b) of this Section, the Designated Financial Officer is hereby further expressly authorized, acting for and on behalf of the Board, to make an irrevocable election under Section 54AA(d)(1)(C) of the Code, if the Designated Financial Officer determines that it is in the best interest of the Board to designate all or any portion of such Taxable Bonds as "Build America Bonds".

The Designated Financial Officer is hereby further expressly authorized, acting for and on behalf of the Board, to make an irrevocable election pursuant to Section 54AA(g)(2)(B) of the Code to receive direct payment of the credit described in Section 6431 of the Code to the extent the Designated Financial Officer determines that it is in the best interest of the Board to make such election with respect to all or any portion of the Build America Bonds. In the event the Designated Financial Officer elects to receive direct payment of the credit for Build America Bonds provided in Section 6431 of the Code, the Board will, to the extent determined to be in the best interests of the Board by the Designated Financial Officer, use its best efforts to take all actions necessary to ensure the future collection of such direct payment while such Build America Bonds are outstanding; provided that a failure to collect such credit shall not constitute an event of default hereunder. Any such moneys received by the Board constitute Pledged Revenues of the Board and may be used for any lawful purpose of the Board, including but not limited to, the payment of the Board's obligations with respect to Parity Obligations, including
the Bonds. In order to ensure the future collection of such direct payment, a "Build America Bonds Rebate Fund" is hereby established by the Board for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other person, including without limitation the bondholders.

In the event the Designated Financial Officer makes any such election or elections, the Designated Financial Officer is hereby expressly authorized, empowered and directed from time to time and at any time to perform all such acts and things deemed necessary or desirable and to execute and deliver any agreements, certificates, documents or other instruments, whether or not herein mentioned, to carry out the terms and provisions of this subsection, including but not limited to, (i) the preparation and making of any filings with the Internal Revenue Service, (ii) establishing any such funds or accounts as necessary to evidence compliance the provisions of the Code applicable to Build America Bonds, including a construction fund and a cost of issuance fund for such Build America Bonds, and (iii) taking any actions deemed necessary to obtain any moneys from the Federal government that may be available to the Board.

(f) Delegation to Establish Sinking Fund for Balloon Debt. In the event that the Designated Financial Officer determines to issue Bonds that constitute Balloon Debt, the Designated Financial Officer may upon determining that it is in the best interests of the Board provide in the Award Certificate for (i) the establishment of a sinking fund for such Balloon Debt, (ii) the accumulation of amounts in such sinking fund either by a fixed schedule stated in such Award Certificate or by a formula setting forth the amount and timing of required contributions that in each case is sufficient to provide for the payment of all amounts due on such Balloon Debt, and (iii) any restrictions with respect to such sinking fund, including the investment thereof, necessary to ensure compliance with any applicable provisions of the Code.

(g) Finding re Section 1207.008 (b), Government Code. Pursuant to Section 1207.008 (b), Government Code, it is hereby found that it is not practicable or possible to make the determination required by Section 1207.008(a), Government Code, in connection with the issuance of the Bonds to refund the Refunded Obligations. A portion of the Bonds is being issued to refund the Refunded Notes to provide permanent financing for the improvements and facilities financed by the Refunded Notes. It is not possible to determine what the difference in debt service would be if the Refunded Notes were not refunded.

Section 4. INTEREST. The Current Interest Bonds of each Series of Bonds shall bear interest calculated on the basis of a 360-day year composed of twelve 30-day months from the dates specified in the FORM OF BONDS and in the Award Certificate to their respective dates of maturity at the rates set forth in the Award Certificate; provided that interest on any Taxable Bonds may be computed as determined by the Designated Financial Officer in the Award Certificate either (i) on the basis of a 365- or 366-day year, as applicable for the number of days actually elapsed based upon the calendar year in which the interest rate period for such Bonds commences, (ii) on the basis of a 360-day year of twelve 30-day months or (iii) as otherwise determined by the Designated Financial Officer to be necessary to achieve the most beneficial pricing terms for such Bonds.

The Capital Appreciation Bonds of each Series of Bonds shall bear interest from the Issuance Date for such Series of Bonds, calculated on the basis of a 360-day year composed of twelve 30-day months (subject to rounding to the Compounded Amounts thereof), compounded semianually on the dates set forth in the Award Certificate (the "Compounding Dates")
commencing on the date set forth in the Award Certificate, and payable, together with the principal amount thereof, in the manner provided in the FORM OF BONDS at the rates set forth in the Award Certificate. Attached to the Award Certificate if Capital Appreciation Bonds are to be issued shall be an Exhibit (the "Compounded Amount Table") which will set forth the rounded original principal amounts at the Issuance Date for the Capital Appreciation Bonds and the Compounded Amounts and Maturity Amounts thereof (per $5,000 Maturity Amount) as of each Compounding Date, commencing the date set forth in the Award Certificate, and continuing until the final maturity of such Capital Appreciation Bonds. The Compounded Amount with respect to any date other than a Compounding Date is the amount set forth on the Compounded Amount Table with respect to the last preceding Compounding Date, plus the portion of the difference between such amount and the amount set forth on the Compounded Amount Table with respect to the next succeeding Compounding Date that the number of days (based on 30-day months) from such last preceding Compounding Date to the date for which such determination is being calculated bears to the total number of days (based on 30-day months) from such last preceding Compounding Date to the next succeeding Compounding Date.

Section 5. REGISTRATION TRANSFER AND EXCHANGE; BOOK-ENTRY-ONLY SYSTEM; AUTHENTICATION.

(a) Paying Agent/Registrar. The Designated Financial Officer is authorized to solicit bids for and to select a Paying Agent/Registrar for the Bonds. The Designated Financial Officer is also authorized to enter into and carry out a Paying Agent/Registrar Agreement with the Paying Agent/Registrar with respect to the Bonds in substantially the form previously approved by the Board.

(b) Registration Books. The Board shall keep books or records for the registration of the transfer, exchange, and replacement of Bonds (the "Registration Books"), and the Board hereby designates the Paying Agent/Registrar as the initial registrar and transfer agent to keep such books or records and make such registrations of transfers, exchanges, and replacements under such reasonable regulations as the Board may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, exchanges, and replacements as herein provided. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Board, if not the Paying Agent/Registrar, shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity.

(c) Ownership of Bonds. The entity in whose name any Bond shall be registered in the Registration Books at any time shall be deemed and treated as the absolute owner thereof for all purposes of this Twenty-First Supplement, whether or not such Bond shall be overdue, and, to the extent permitted by law, the Board and the Paying Agent/Registrar shall not be affected by any notice to the contrary; and payment of, or on account of, the principal of, premium, if any, and interest on any such Bond shall be made only to such registered owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.
(d) **Payment of Bonds and Interest.** The Board hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Twenty-First Supplement. The Paying Agent/Registrar shall keep proper records of all payments made by the Board and the Paying Agent/Registrar with respect to the Bonds.

(e) **Authentication.** The Initial Bond shall be delivered to the initial purchaser and is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each Bond issued in exchange for the Initial Bond or any Bond or Bonds issued under this Twenty-First Supplement the Paying Agent/Registrar shall execute the Paying Agent/Registrar’s Authentication Certificate, in the form set forth in the FORM OF BONDS set forth in this Resolution.

(f) **Transfer, Exchange, or Replacement.** Each Bond issued and delivered pursuant to this Twenty-First Supplement, to the extent of the unpaid or unredeemed principal amount or Maturity Amount thereof, may, upon surrender of such Bond at the corporate trust office of the Paying Agent/Registrar, together with a written request therefor duly executed by the registered owner or the assignee or assignees thereof, or its or their duly authorized attorneys or representatives, with guarantee of signatures satisfactory to the Paying Agent/Registrar, may, at the option of the registered owner or such assignee or assignees, as appropriate, be exchanged for fully registered bonds, without interest coupons, in the appropriate form prescribed in the FORM OF BONDS set forth in this Twenty-First Supplement, in the denomination of any Authorized Denominations (subject to the requirement hereinafter stated that each substitute Bond shall be of the same series and have a single stated maturity date) as requested in writing by such registered owner or such assignee or assignees, in an aggregate principal amount or Maturity Amount equal to the unpaid or unredeemed principal amount or Maturity Amount of any Bond or Bonds so surrendered, and payable to the appropriate registered owner, assignee, or assignees, as the case may be. If a portion of any Bond shall be redeemed prior to its scheduled maturity as provided herein, a substitute Bond or Bonds having the same series designation and maturity date, bearing interest at the same rate, and payable in the same manner, in Authorized Denominations at the request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon surrender thereof for cancellation. If any Bond or portion thereof is assigned and transferred, each Bond issued in exchange therefor shall have the same series designation and maturity date and bear interest at the same rate and payable in the same manner as the Bond for which it is being exchanged. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond. The Paying Agent/Registrar shall exchange or replace Bonds as provided herein, and each fully registered bond delivered in exchange for or replacement of any Bond or portion thereof as permitted or required by any provision of this Twenty-First Supplement shall constitute one of the Bonds for all purposes of this Twenty-First Supplement, and may again be exchanged or replaced. On each substitute Bond issued in exchange for or replacement of any Bond or Bonds issued under this Twenty-First Supplement there shall be printed an Authentication Certificate, in the form set forth in Exhibit B to this Twenty-First Supplement. An authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign the above Authentication Certificate, and, except as provided in (e) above, no such Bond shall be deemed to be issued or outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all Bonds surrendered for transfer, exchange, or replacement. No additional resolutions need be passed or adopted by the Board or any other
body or person so as to accomplish the foregoing transfer, exchange, or replacement of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Chapter 1203, Texas Government Code, as amended, the duty of transfer, exchange, or replacement of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of the above Paying Agent/Registrar's Authentication Certificate, the exchanged or replaced Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which were originally issued pursuant to this Twenty-First Supplement. The Board shall pay the Paying Agent/Registrar's standard or customary fees and charges, if any, for transferring, and exchanging any Bond or any portion thereof, but the one requesting any such transfer and exchange shall pay any taxes or governmental charges required to be paid with respect thereto as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, exchange, or replacement of Bonds or any portion thereof during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following interest payment date. To the extent possible, any new Bond issued in an exchange, replacement, or transfer of a Bond will be delivered to the registered owner or assignee of the registered owner not more than three business days after the receipt of the Bonds to be cancelled and the written request as described above.

(g) Substitute Paying Agent/Registrar. The Board covenants with the registered owners of the Bonds that at all times while the Bonds are outstanding the Board will provide a competent and legally qualified bank, trust company, financial institution, or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Twenty-First Supplement. The Board reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 60 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Board covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Twenty-First Supplement. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Board. Upon any change in the Paying Agent/Registrar, the Board promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Twenty-First Supplement, and a certified copy of this Twenty-First Supplement shall be delivered to each Paying Agent/Registrar.

(h) Book-Entry-Only System. The Definitive Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York ("DTC"), and except as provided in subsection (i) hereof, all of the Outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.
With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Board and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest on the Bonds. Without limiting the immediately preceding sentence, the Board and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Bondholder, as shown on the Registration Books, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a Bondholder, as shown in the Registration Books of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Twenty-First Supplement to the contrary, but to the extent permitted by law, the Board and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal, premium, if any, and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective owners, as shown in the Registration Books as provided in this Twenty-First Supplement, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Board's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Board to make payments of principal, premium, if any, and interest pursuant to this Twenty-First Supplement. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Twenty-First Supplement with respect to interest checks being mailed to the registered owner at the close of business on the Record Date, the word "Cede & Co." in this Twenty-First Supplement shall refer to such new nominee of DTC.

(i) **Successor Securities Depository: Transfers Outside Book-Entry-Only System.** In the event that the Board determines to discontinue the use of the Book-Entry-Only System through DTC, or DTC determines to discontinue providing its services with respect to the Bonds the Board shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Bondholders transferring or exchanging Bonds shall designate, in accordance with the provisions of this Twenty-First Supplement. Whenever a successor securities depository has been appointed pursuant to this paragraph, the terms DTC and DTC Participant as used in this Twenty-First Supplement shall refer to such successor securities depository and its participants, respectively.
(j) Payments to Cede & Co. Notwithstanding any other provision of this Twenty-First Supplement to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representation letter of the Board to DTC.

(k) Notice of Redemption and Defeasance. (i) In addition to the Notice of Redemption set forth in the FORM OF BONDS, the Designated Financial Officer shall give notice of redemption or defeasance to the Paying Agent/Registrar at least 45 days prior to a redemption date in the case of a redemption and on the defeasance date in the case of a defeasance and the Paying Agent/Registrar shall give notice of redemption or of defeasance of Bonds by mail, first-class postage prepaid at least thirty (30) days prior to a redemption date and within thirty (30) days after a defeasance date to each registered securities depository and to any national information service that disseminates such notices. In addition, in the event of a redemption caused by an advance refunding of the Bonds, the Paying Agent/Registrar shall send a second notice of redemption to the persons specified in the immediately preceding sentence at least thirty (30) days but not more than ninety (90) days prior to the actual redemption date. Any notice sent to the registered securities depositories or such national information services shall be sent so that they are received at least two (2) days prior to the general mailing or publication date of such notice. The Paying Agent/Registrar shall also send a notice of prepayment or redemption to the registered owner of any Bond who has not sent the Bonds in for redemption sixty (60) days after the redemption date.

(ii) Each Notice of Redemption or Defeasance, whether required in the FORM OF BONDS or in this Section, shall contain a description of the Bonds to be redeemed or defeased including the complete name of the Bonds, the date of issue, the interest rate, the maturity date, the CUSIP number, the certificate numbers, the amounts called of each certificate, the publication and mailing date for the notice, the date of redemption or defeasance, the redemption price, if any, the name of the Paying Agent/Registrar and the address at which the Bonds may be redeemed or paid, including a contact person and telephone number.

(iii) All redemption payments made by the Paying Agent/Registrar to the registered owners of the Bonds shall include a CUSIP number relating to each amount paid to such registered owner.

(iv) If at the time of mailing of notice of any optional redemption in connection with a refunding of the Bonds, the Board shall not have deposited with the Paying Agent/Registrar or an eligible financial institution moneys sufficient to redeem all of the Bonds called for redemption, such notice may state that it is conditional in that it is subject to the deposit of the proceeds of refunding bonds with the Paying Agent/Registrar or an eligible financial institution not later than the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

Section 6. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar’s Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas, if needed with respect to the Bonds initially issued and delivered pursuant to this Twenty-First Supplement, shall be, respectively, substantially as set forth in Exhibit B, with such appropriate variations, omissions, or insertions as are permitted or required by this Twenty-First Supplement and the Award Certificate, including specifically information relating to Capital Appreciation.
Bonds and Current Interest Bonds, redemption provisions, and the information to be included in the purpose clause.

Section 7. ESTABLISHMENT OF FINANCING SYSTEM AND ISSUANCE OF PARITY OBLIGATIONS. (a) By adoption of the Master Resolution the Board has established The Texas A&M University System Revenue Financing System for the purpose of providing a financing structure for revenue supported indebtedness of the institutions and agencies of The Texas A&M University System which are from time to time included as Participants of the Financing System. The Master Resolution is intended to establish a master plan under which revenue supported debt of the Financing System can be incurred. This Twenty-First Supplement provides for the authorization, issuance, sale, delivery, form, characteristics, provisions of payment and redemption, and security of the Bonds as Parity Obligations. The Master Resolution is incorporated herein by reference and as such made a part hereof for all purposes, except to the extent modified and supplemented hereby, and the Bonds are hereby declared to be Parity Obligations under the Master Resolution. As required by Section 5(a) of the Master Resolution, the Board hereby determines that, upon the issuance of the Bonds, 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 Financing System and to meet all financial obligations of the Board relating to the Financing System and that the Participants on whose behalf the Bonds are to be issued possess the financial capacity to satisfy their Direct Obligations after taking the Bonds into account.

(b) In accordance with Section 7(c) of the Master Resolution, the Board pursuant to this Twenty-First Supplement hereby finds and reaffirms that Texas A&M University - San Antonio and Texas A&M University - Central Texas constitute Participants of the Financing System under the terms of the Master Resolution.

Section 8. SECURITY AND PAYMENTS. The Bonds are special obligations of the Board payable from and secured solely by the Pledged Revenues pursuant to the Master Resolution and this Twenty-First Supplement. The Pledged Revenues are hereby pledged, subject to the liens securing Prior Encumbered Obligations, to the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable. The Board agrees to pay the principal of, premium, if any, and the interest on the Bonds when due, whether by reason of maturity or redemption.

Section 9. PAYMENTS. (a) Immediately after the delivery of the Bonds, the Board shall deposit all accrued interest received from the sale and delivery of the Bonds to the credit of a special account to be held to pay interest on the Bonds on the first interest payment date.

(b) Semiannually on or before each principal, redemption, or interest payment date while any of the Bonds are outstanding and unpaid, commencing on the first interest payment date for the Bonds as provided in the Award Certificate, the Board shall make available to the Paying Agent/Registrar, money sufficient to pay such interest on and such principal of the Bonds as will accrue or mature, or be subject to mandatory redemption prior to maturity, on such principal, redemption, or interest payment date. The Paying Agent/Registrar shall cancel all paid Bonds and shall furnish the Board with an appropriate certificate of cancellation.

Section 10. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS. (a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated,
lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new bond of the same Series, principal amount, maturity, and interest rate, and in the same form, as the damaged, mutilated, lost, stolen, or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen, or destroyed Bonds shall be made to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Bond, the applicant for a replacement bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Bond, the applicant shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the applicant shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) Payment in Lieu of Replacement. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement bond, the Paying Agent/Registrar shall charge the owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen, or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen, or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Twenty-First Supplement equally and proportionately with any and all other Bonds duly issued under this Twenty-First Supplement.

(e) Authority for Issuing Replacement Bonds. In accordance with Chapter 1203, Texas Government Code, as amended, this Section shall constitute authority for the issuance of any such replacement bond without the necessity of further action by the Issuer or any other body or person, and the duty of the replacement of such Bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 5(e) of this Twenty-First Supplement for Bonds issued in exchange and replacement for other Bonds.

Section 11. AMENDMENT OF SUPPLEMENT. (a) Amendments Without Consent. This Twenty-First Supplement and the rights and obligations of the Board and of the owners of the Bonds may be modified or amended at any time without notice to or the consent of any owner of the Bonds or any other Parity Obligations, solely for any one or more of the following purposes:

(i) To add to the covenants and agreements of the Board contained in this Twenty-First Supplement, other covenants and agreements thereafter to be observed, or to surrender any right or power reserved to or conferred upon the Board in this Twenty-First Supplement;
(ii) To cure any ambiguity or inconsistency, or to cure or correct any defective provisions contained in this Twenty-First Supplement, upon receipt by the Board of an opinion of Bond Counsel that the same is needed for such purpose and will more clearly express the intent of this Twenty-First Supplement;

(iii) To supplement the security for the Bonds, replace or provide additional credit facilities, or change the form of the Bonds or make such other changes in the provisions hereof as the Board may deem necessary or desirable and which shall not, in the judgment of the Board, materially adversely affect the interests of the owners of the Outstanding Bonds;

(iv) To make such other changes in the provisions of this Twenty-First Supplement as the Board may deem necessary or desirable and which does not, in the judgment of the Board, materially adversely affect the interests of the owners of Parity Obligations; or

(v) To make any changes or amendments requested by any bond rating agency then rating or requested to rate Bonds, as a condition to the issuance or maintenance of a rating, which changes or amendments do not, in the judgment of the Board, materially adversely affect the interests of the owners of the Outstanding Bonds.

(b) Amendments With Consent. Subject to the other provisions of this Twenty-First Supplement, the owners of Outstanding Bonds aggregating 51 percent in Outstanding Principal Amount shall have the right from time to time to approve any amendment, other than amendments described in subsection (a) of this Section, to this Twenty-First Supplement which may be deemed necessary or desirable by the Board; provided, however, that nothing herein contained shall permit or be construed to permit, without the approval of the owners of all of the Outstanding Bonds, the amendment of the terms and conditions in this Twenty-First Supplement or in the Bonds so as to:

1. Make any change in the maturity of the Outstanding Bonds;

2. Reduce the rate of interest borne by Outstanding Bonds;

3. Reduce the amount of the principal payable on Outstanding Bonds;

4. Modify the terms of payment of principal of or interest on the Outstanding Bonds, or impose any conditions with respect to such payment;

5. Affect the rights of the owners of less than all Bonds then Outstanding; or

6. Change the minimum percentage of the Outstanding Principal Amount of Bonds necessary for consent to such amendment.

(c) Notice. If at any time the Board shall desire to amend this Twenty-First Supplement pursuant to (b) above, the Board shall cause notice of the proposed amendment to be published in a financial newspaper or journal of general circulation in the City of New York, New York, once during each calendar week for at least two successive calendar weeks. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the principal office of the Registrar for inspection by all owners of Bonds. Such publication is not required, however, if the Board gives or causes to be given such notice in writing to each owner of Bonds.
(d) Receipt of Consents. Whenever at any time not less than thirty days, and within one year, from the date of the first publication of said notice or other service of written notice of the proposed amendment the Board shall receive an instrument or instruments executed by all of the owners or the owners of at least 51 percent in Outstanding Principal Amount of Bonds, as appropriate, which instrument or instruments shall refer to the proposed amendment described in said notice and which specifically consent to and approve such amendment in substantially the form of the copy thereof on file as aforesaid, the Board may adopt the amendatory resolution in substantially the same form.

(e) Effect of Amendments. Upon the adoption by the Board of any resolution to amend this Twenty-First Supplement pursuant to the provisions of this Section, this Twenty-First Supplement shall be deemed to be amended in accordance with the amendatory resolution, and the respective rights, duties, and obligations of the Board and all the owners of then Outstanding Bonds and all future Bonds shall thereafter be determined, exercised, and enforced under the Master Resolution and this Twenty-First Supplement, as amended.

(f) Consent Irrevocable. Any consent given by any owner of Bonds pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the first publication or other service of the notice provided for in this Section, and shall be conclusive and binding upon all future owners of the same Bonds during such period. Such consent may be revoked at any time after six months from the date of the first publication of such notice by the owner who gave such consent, or by a successor in title, by filing notice thereof with the Registrar and the Board, but such revocation shall not be effective if the owners of 51 percent in Outstanding Principal Amount of Bonds, prior to the attempted revocation, consented to and approved the amendment.

(g) Ownership. For the purpose of this Section, the ownership and other matters relating to all Bonds registered as to ownership shall be determined from the registration books kept by the Registrar therefor. The Registrar may conclusively assume that such ownership continues until written notice to the contrary is served upon the Registrar.

Section 12. TAX EXEMPTION. (a) The Board covenants to refrain from any action that would adversely affect, or to take such action to assure, the treatment of the Tax-Exempt Bonds as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Board covenants as follows:

(i) to take any action to assure that no more than 10 percent of the proceeds of the Tax-Exempt Bonds sold as one issuance (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the Tax-Exempt Bonds proceeds are so used, that amounts, whether or not received by the Board, with respect to such private business use, do not, under the terms of this Twenty-First Supplement or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Tax-Exempt Bonds sold as one issuance, in contravention of section 141(b)(2) of the Code;

(ii) to take any action to assure that in the event that the "private business use" described in subsection (a) hereof exceeds 5 percent of the proceeds of the Tax-Exempt Bonds sold as one issuance (less amounts deposited into a reserve fund, if any) then the
amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(iii) to take any action to assure that no amount that is greater than the lesser of $5,000,000, or 5 percent of the proceeds of the Tax-Exempt Bonds sold as one issuance (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(iv) to refrain from taking any action that would otherwise result in the Tax-Exempt Bonds being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(v) to refrain from taking any action that would result in the Tax-Exempt Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(vi) to refrain from using any portion of the proceeds of the Tax-Exempt Bonds, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of such Tax-Exempt Bonds, other than investment property acquired with

1) proceeds of the Tax-Exempt Bonds invested for a reasonable temporary period until such proceeds are needed for the purpose for which the Tax-Exempt Bonds are issued,

2) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

3) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Tax-Exempt Bonds;

(vii) to otherwise restrict the use of the proceeds of the Tax-Exempt Bonds or amounts treated as proceeds of the Tax-Exempt Bonds, as may be necessary, so that the Tax-Exempt Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(viii) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Tax-Exempt Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Tax-Exempt Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

The Board understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the Refunded Obligations expended prior to the date of issuance of the Tax-Exempt Bonds. It is the understanding of the Board that the covenants contained herein are intended to assure compliance with the Code and any
regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Tax-Exempt Bonds, the Board will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally-recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Tax-Exempt Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements that are applicable to the Tax-Exempt Bonds, the Board agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Tax-Exempt Bonds under section 103 of the Code. In furtherance of such intention, the Board hereby authorizes and directs the Designated Financial Officer to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Board, that may be permitted by the Code as are consistent with the purpose for the issuance of the Tax-Exempt Bonds.

In order to facilitate compliance with the above covenant (viii), a "Rebate Fund" is hereby established by the Board for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(b) The Board covenants to account for the expenditure of sale proceeds and investment earnings to be used for the purposes described in Section 2 of this Twenty-First Supplement on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the purposes for which the Tax-Exempt Bonds of are issued have been accomplished. The foregoing notwithstanding, the Board shall not expend sale proceeds or investment earnings thereon more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Tax-Exempt Bonds, or (2) the date the Tax-Exempt Bonds are retired, unless the Board obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the tax-exempt status of the Tax-Exempt Bonds. For purposes hereof, the Board shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(c) The Board covenants that the property financed with the proceeds of the Refunded Obligations or the Tax-Exempt Bonds will not be sold or otherwise disposed in a transaction resulting in the receipt by the Board of cash or other compensation, unless the Board obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Tax-Exempt Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Board shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest on the Refunded Obligations or the Tax-Exempt Bonds.
Section 13. CONTINUING DISCLOSURE UNDERTAKING. (a) **Annual Reports.** To the extent that such financial information and operating data is reasonably obtainable under generally acceptable accounting principles applicable to the Board, as modified by the laws of the State of Texas and the rules and regulations of the Comptroller of Public Accounts of the State of Texas, the Board shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within six months after the end of each Fiscal Year, financial information and operating data with respect to The Texas A&M University System, including the Annual Financial Report of The Texas A&M University System, as determined by the Designated Financial Officer at the time the Bonds are sold. The Award Certificate shall specify the financial information and operating data to be provided pursuant to this Section. In the event that financial information and operating data of such general type is not reasonably available, financial information and operating data will be provided as prescribed by the applicable accounting principles and the governing laws, rules, and regulations applicable to the Board. The undertaking of the Board contained in the preceding sentence may be modified by the Designated Financial Officer in the Award Certificate upon advice of counsel. Any financial statements so to be provided shall be (1) prepared in accordance with the accounting principles described in Exhibit C hereto, as may be modified in the Award Certificate, and (2) audited, if the Board commissions an audit of such statements and the audit is completed within the period during which they must be provided. If audited financial statements are not so provided within the required period, then the Board shall provide unaudited financial statements for the applicable Fiscal Year to the MSRB, in an electronic format as prescribed by the MSRB, and shall file audited financial statements when and if audited financial statements become available. If audited financial statements are not prepared for any Fiscal Year and audited financial statements are prepared with respect to the State of Texas for such Fiscal Year, the Board shall provide, or cause to be provided, the audited financial statements of the State of Texas for the applicable Fiscal Year to the MSRB, in an electronic format as prescribed by the MSRB, within six months after the end of said Fiscal Year or as soon thereafter as such audited financial statements become available from the State Auditor of the State of Texas. Any such audited financial statements of the State of Texas so provided shall be prepared in accordance with generally accepted accounting principles for state governments, as such principles may be changed from time to time to comply with state law.

If the Board changes the Fiscal Year, the Board will notify the MSRB of the change (and of the date of the new Fiscal Year end) prior to the next date by which the Board otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this subsection may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet web site or filed with the SEC. All documents provided to the MSRB pursuant to this subsection shall be accompanied by identifying information as prescribed by the MSRB.

(b) **Material Event Notices.** The Board shall notify the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner, of any of the following events with respect to the Bonds, if such event is material within the meaning of the federal securities laws:

A. Principal and interest payment delinquencies;

B. Non-payment related defaults;
C. Unscheduled draws on debt service reserves reflecting financial difficulties;
D. Unscheduled draws on credit enhancements reflecting financial difficulties;
E. Substitution of credit or liquidity providers, or their failure to perform;
F. Adverse tax opinions or events affecting the tax-exempt status of the Tax-Exempt Bonds;
G. Modifications to rights of holders of the Bonds;
H. Bond calls;
I. Defeasances;
J. Release, substitution, or sale of property securing repayment of the Bonds; and
K. Rating changes.

The Board shall notify the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner, of any failure by the Board to provide financial information or operating data in accordance with this subsection by the time required. All documents provided to the MSRB pursuant to this subsection shall be accompanied by identifying information as prescribed by the MSRB.

(c) Limitations, Disclaimers, and Amendments. The Board shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Board remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the Board in any event will give the notice required by this Twenty-First Supplement of any Bond calls and defeasance that cause the Bonds to be no longer outstanding.

The provisions of this Section are for the sole benefit of the holders and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Board undertakes to provide only the financial information, operating data, financial statements, and notices that it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Board's financial results, condition, or prospects relating to the Financing System or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Board does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE BOARD BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE BOARD, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.
No default by the Board in observing or performing its obligations under this Section shall constitute a breach of or default under this Twenty-First Supplement for purposes of any other provision of this Twenty-First Supplement.

Should the Rule be amended to obligate the Board to make filings with or provide notices to entities other than the MSRB, the Board hereby agrees to undertake such obligation with respect to the Bonds in accordance with the Rule as amended.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Board under federal and state securities laws.

The provisions of this Section may be amended by the Board from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Board, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (A) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Twenty-First Supplement that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (B) a person that is unaffiliated with the Board (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the holders and beneficial owners of the Bonds. If the Board so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with this Section an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided. The Board may also amend or repeal the provisions of this continuing disclosure requirement if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling the Bonds in the primary offering of the Bonds.

Section 14. TWENTY-FIRST SUPPLEMENT TO CONSTITUTE A CONTRACT; EQUAL SECURITY. In consideration of the acceptance of the Bonds, the issuance of which is authorized hereunder, by those who shall hold the same from time to time, this Twenty-First Supplement shall be deemed to be and shall constitute a contract between the Board and the Holders from time to time of the Bonds and the pledge made in this Twenty-First Supplement by the Board and the covenants and agreements set forth in this Twenty-First Supplement to be performed by the Board shall be for the equal and proportionate benefit, security, and protection of all Holders, without preference, priority, or distinction as to security or otherwise of any of the Bonds authorized hereunder over any of the others by reason of time of issuance, sale, or maturity thereof or otherwise for any cause whatsoever, except as expressly provided in or permitted by this Twenty-First Supplement.
Section 15. SEVERABILITY OF INVALID PROVISIONS. If any one or more of
the covenants, agreements, or provisions herein contained shall be held contrary to any express
provisions of law or contrary to the policy of express law, though not expressly prohibited, or
against public policy, or shall for any reason whatsoever be held invalid, then such covenants,
agreements, or provisions shall be null and void and shall be deemed separable from the
remaining covenants, agreements, or provisions and shall in no way affect the validity of any of
the other provisions hereof or of the Bonds issued hereunder.

Section 16. PAYMENT AND PERFORMANCE ON BUSINESS DAYS. Except
as provided to the contrary in the FORM OF BONDS, whenever under the terms of this Twenty-
First Supplement or the Bonds, the performance date of any provision hereof or thereof,
including the payment of principal of or interest on the Bonds, shall occur on a day other than a
Business Day, then the performance thereof, including the payment of principal of and interest
on the Bonds, need not be made on such day but may be performed or paid, as the case may be,
on the next succeeding Business Day with the same force and effect as if made on the date of
performance or payment.

Section 17. LIMITATION OF BENEFITS WITH RESPECT TO THE
TWENTY-FIRST SUPPLEMENT. With the exception of the rights or benefits herein
expressly conferred, nothing expressed or contained herein or implied from the provisions of this
Twenty-First Supplement or the Bonds is intended or should be construed to confer upon or give
to any person other than the Board, the Holders, and the Paying Agent/Registrar, any legal or
equitable right, remedy, or claim under or by reason of or in respect to this Twenty-First
Supplement or any covenant, condition, stipulation, promise, agreement, or provision herein
contained. This Twenty-First Supplement and all of the covenants, conditions, stipulations,
promises, agreements, and provisions hereof are intended to be and shall be for and inure to the
sole and exclusive benefit of the Board, the Holders, and the Paying Agent/Registrar as herein
and therein provided.

Section 18. CUSTODY, APPROVAL, BOND COUNSEL'S OPINION, CUSIP
NUMBERS, PREAMBLE AND INSURANCE. The Associate Vice Chancellor and Treasurer
of the Issuer, or other Designated Financial Officer, is hereby authorized to have control of the
Bonds issued hereunder and all necessary records and proceedings pertaining to the Bonds
pending their delivery and approval by the Attorney General of the State of Texas of the
proceedings authorizing the Bonds in accordance with Chapter 1371, Texas Government Code,
as amended. The Associate Vice Chancellor and Treasurer, or other Designated Financial
Officer, is also authorized to request that the Attorney General approve the Bonds and that the
Comptroller of Public Accounts register the Bonds, and to cause an appropriate legend reflecting
such approval and registration to appear on the Bonds and the substitute Bonds. The approving
legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option
of the Issuer, be printed on the Bonds and on any Bonds issued and delivered in exchange or
replacement of any Bond, but neither shall have any legal effect, and shall be solely for the
convenience and information of the registered owners of the Bonds. The preamble to the
Twenty-First Supplement is hereby adopted and made a part of this Twenty-First Supplement for
all purposes. If insurance is obtained on any of the Bonds, the Bonds shall bear, as appropriate
and applicable, a legend concerning insurance as provided by the Insurer.

Section 19. REFUNDING OF REFUNDED OBLIGATIONS; ESCROW
AGREEMENTS. (a) Concurrently with the delivery of the Bonds issued to refund Refunded
Notes, the Associate Vice Chancellor and Treasurer or other Designated Financial Officer shall cause to be deposited with the Issuing and Paying Agent for the Refunded Notes or with an Escrow Agent, from the proceeds from the sale of the Bonds and other legally available funds, an amount sufficient to provide for the refunding and defeasance of such Refunded Notes. The Associate Vice Chancellor and Treasurer or other Designated Financial Officer is further authorized and directed to apply and there is hereby appropriated such moneys of the Board as are necessary to provide for the defeasance of such Refunded Notes on the date of delivery of the Bonds. In the event that it is deemed necessary, the Associate Vice Chancellor and Treasurer or other Designated Financial Officer is authorized to enter into one or more Escrow Agreements in the standard form previously approved by the Board. In such event, the Associate Vice Chancellor and Treasurer or other Designated Financial Officer is authorized hereby to take such steps as may be necessary to purchase the Escrowed Securities, as defined in the Escrow Agreement, on behalf of the Board, and is authorized to create and fund the Escrow Fund contemplated by the Escrow Agreement through the use of the proceeds of the Bonds, the monies and investments held in the fund securing the Refunded Notes, and other lawfully available monies of the Board.

(b) Concurrently with the delivery of each Series of Bonds issued to refund Refunded Bonds, the Associate Vice Chancellor and Treasurer or other Designated Financial Officer shall cause to be deposited with the Escrow Agent, from the proceeds from the sale of such Series of Bonds and other legally available funds, an amount sufficient to provide for the refunding and defeasance of such Refunded Bonds. The Associate Vice Chancellor and Treasurer or other Designated Financial Officer is further authorized to execute and deliver an Escrow Agreement with the Escrow Agent, in the standard form previously approved by the Board. The Associate Vice Chancellor and Treasurer or other Designated Financial Officer is further authorized and directed to apply and there is hereby appropriated such moneys of the Board as are necessary to fund the Escrow Fund to be created pursuant to the Escrow Agreement with amounts sufficient to provide for the defeasance of the Refunded Bonds on the date of delivery of the Bonds. The Associate Vice Chancellor and Treasurer or other Designated Financial Officer is authorized hereby to take such steps as may be necessary to purchase the Escrowed Securities, as defined in the Escrow Agreement, on behalf of the Board and is authorized to create and fund the Escrow Fund contemplated by the Escrow Agreement through the use of the proceeds of the Bonds, the monies and investments held in the fund securing the Refunded Bonds, and other lawfully available monies of the Board.

(c) Subject to the execution of an Award Certificate by the Associate Vice Chancellor and Treasurer or other Designated Financial Officer, the Refunded Bonds are hereby called for redemption and shall be redeemed on the first optional redemption date following the delivery of the Bonds, for which all of the notice requirements for redemption can reasonably be met, at a redemption price equal to the principal amount of such bonds to be redeemed plus accrued interest to the date of redemption. The Associate Vice Chancellor and Treasurer or other Designated Financial Officer shall take such actions as are necessary to redeem the Refunded Bonds, including causing the required notices of redemption to be given.

(d) The Associate Vice Chancellor and Treasurer or other Designated Financial Officer is authorized to solicit bids for and to select one or more Escrow Agents with respect to each Series of Bonds issued to refund Refunded Obligations.
Section 20. APPLICATION OF BOND PROCEEDS. (a) Proceeds from the sale of the Bonds shall, promptly upon receipt thereof, be applied by the Associate Vice Chancellor and Treasurer, or other Designated Financial Officer, as follows:

(i) accrued interest for the Bonds shall be deposited as provided in Section 9 hereof;

(ii) an amount sufficient to accomplish the purposes of Section 19 hereof shall be so applied;

(iii) an amount sufficient to pay the cost of acquiring, purchasing, constructing, improving, enlarging, and equipping the improvements being financed with the proceeds of the Bonds shall be deposited in the Board's accounts to be used for such purposes; and

(iv) the amount of any premium received as a portion of the purchase price of the Bonds issued to finance or refinance through the refunding of the Refunded Notes, improvements or facilities to be financed or refinanced pursuant to Section 55.17 Authorization, that is not to be counted against the authorized amount of bonds that can be issued pursuant to such Section 55.17 Authorization, shall, except as otherwise allowed by state law, including Sections 1201.042 and 1201.029 of the Texas Government Code, be credited to a special account to be held to pay interest on the Bonds on the first interest payment date; and

(v) any proceeds from the sale of the Bonds remaining after the deposits provided for in clauses (i) through (iv) above, shall be applied to pay expenses arising in connection with the issuance of the Bonds and the refunding of the Refunded Obligations.

Any sale proceeds of Bonds remaining after making all deposits and payments provided for above shall be applied to the payment of principal of and interest on the Bonds.

(b) Additional projects may be added to the list of projects included in the Award Certificate pursuant to Section 3 hereof and the amount of the proceeds of the Bonds allocated to each project may be reallocated to other projects in the list, and therefore be financed or refinanced with the proceeds of the Bonds upon satisfaction of the following conditions:

(i) the project has received the required approval or review of the Higher Education Coordinating Board to the extent and as required by the provisions of Section 61.058 of the Texas Education Code;

(ii) the Board shall have approved the construction of the project and made the findings required by Section 5 of the Master Resolution relating to the issuance of Parity Obligations to finance the cost of the project;

(iii) the Board shall have received an opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Board with respect to the Revenue Financing System, to the effect that the amendment of the exhibit, or the financing or refinancing of the project, and the expenditure of the proceeds of the Bonds to pay the cost of project will not adversely affect the treatment of interest on the Bonds for federal income tax purposes; and
the Designated Financial Officer shall execute and deliver a certificate to
the Executive Secretary to the Board certifying (a) that the requirements of subsection
(b)(i), (ii), and (iii) of this Section have been satisfied and having attached to such
certificate copies of the documents referred to in those subsections and (b) that, to the
extent that the list of projects set forth in the Award Certificate or the allocation of
proceeds set forth in the Award Certificate to finance or refinance improvements and
facilities pursuant to Section 55.17 Authorization have been changed, the Board is in
compliance with the requirements and limitations of such sections of the Education Code.
A copy of the certificate shall be filed in the minutes of the Board with the Award
Certificate.

Section 21. FURTHER PROCEDURES. The Chairman, Vice Chairman and
Executive Secretary to the Board, and each member of the Board, the Designated Financial
Officer, and all other officers, employees, and agents of the Issuer, and each of them, shall be
and they are hereby expressly authorized, empowered, and directed from time to time and at any
time to do and perform all such acts and things and to execute, acknowledge, and deliver in the
name and under the corporate seal and on behalf of the Board all such instruments, whether or
not herein mentioned, as may be necessary or desirable in order to carry out the terms and
provisions of this Twenty-First Supplement, the Award Certificate, the Blanket Letter of
Representation with DTC regarding the Book-Entry-Only System, the Bonds, the sale and
delivery of the Bonds and fixing all details in connection therewith, and the refunding of the
Refunded Obligations. Notwithstanding anything to the contrary contained herein, while the
Bonds are subject to DTC's Book-Entry-Only System and to the extent permitted by law, the
Blanket Letter of Representation is hereby incorporated herein and its provisions shall prevail
over any other provisions of this Twenty-First Supplement in the event of conflict. In addition,
the Designated Financial Officer is authorized to submit a notice of intent to the Texas Bond
Review Board requesting the approval of the issuance of the Bonds. In case any officer whose
signature shall appear on the Bonds shall cease to be such officer before the delivery of the
Bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if
such officer had remained in office until such delivery. In addition, the Designated Financial
Officer, General Counsel, and Bond Counsel are hereby authorized to approve, subsequent to the
date of the adoption of this Twenty-First Supplement, any amendments to the above named
documents, and any technical amendments to this Twenty-First Supplement as may be required
by a Nationally-Recognized Rating Agency as a condition to the granting of a rating on the
Bonds or as required by the office of the Texas Attorney General as a condition to the approval
of the Bonds.

Section 22. APPROVAL OF OFFICIAL STATEMENT. The Designated Financial
Officer is authorized and directed to provide for and oversee the preparation of a preliminary and
final official statement in connection with the issuance of each Series of the Bonds, and to
approve such official statement and deem it final in compliance with the Rule and to provide it to
the Purchasers of the Bonds in compliance with such Rule.

Section 23. DTC LETTER OF REPRESENTATIONS. The Designated Financial
Officer is authorized to implement the Book-Entry-Only System of Bond registration with
respect to the Bonds pursuant to the Blanket Letter of Representation with DTC. The Designated
Financial Officer is authorized and directed to enter into any amendments to the Blanket Letter
of Representation with DTC necessary to implement the Book-Entry-Only System.
Section 24. ADDITIONAL DEFEASANCE PROVISIONS. (a) In addition to the defeasance provisions set forth in Section 12 of the Master Resolution, it is hereby provided that, to the extent that the Bonds are treated as Defeased Debt for purposes of Section 12 of the Master Resolution, any determination not to redeem Defeased Debt that is made in conjunction with the payment arrangements specified in Section 12(a)(i) or (ii) of the Master Resolution shall not be irrevocable, provided that: (1) in the proceedings providing for such defeasance, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the defeasance; (3) directs that notice of the reservation be included in any redemption notices that it authorizes; and (4) at or prior to the time of the redemption, satisfies the conditions of subsection (a) of Section 12 of the Master Resolution with respect to such Defeased Debt as though it was being defeased at the time of the exercise of the option to redeem the Defeased Debt, after taking the redemption into account in determining the sufficiency of the provisions made for the payment of the Defeased Debt.

(b) Notwithstanding the provisions of Section 12(c) of the Master Resolution, in connection with the defeasance of the Bonds pursuant to Section 12 of the Master Resolution, the term Government Obligations shall mean (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date of the purchase thereof are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the Board adopts or approves the proceedings authorizing the financial arrangements are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

(c) Notwithstanding the provisions of Section 12 of the Master Resolution, the Board may provide for the irrevocable deposit contemplated by Section 12 of the Master Resolution to be made with the Paying Agent/Registrar or with any other eligible bank or trust company as then authorized by state law.

Section 25. REPEAL OF CONFLICTING RESOLUTIONS; RATIFICATION OF CONTINUANCE OF COMMERCIAL PAPER NOTE PROGRAM. All resolutions and all parts of any resolutions which are in conflict or are inconsistent with this Twenty-First Supplement are hereby repealed and shall be of no further force or effect to the extent of such conflict or inconsistency. The Amended and Restated Second Supplemental Resolution to the Master Resolution, authorizing the Revenue Financing System Commercial Paper Notes, Series B (the "Second Supplement") is hereby ratified and reaffirmed and it is recognized that notes will be issued thereunder in the future pursuant to, in accordance with, and subject to the conditions contained in the Second Supplement.

Section 26. DEFEASANCE OF OUTSTANDING PARITY OBLIGATIONS. The Board desires to authorize the use of certain lawfully available funds of the Board, as determined by the Designated Financial Officer, to defease and refund, from time to time, certain outstanding Parity Obligations previously issued by the Board pursuant to the First through the Twentieth Supplemental Resolutions to the Master Resolution. The Designated Financial Officer is hereby authorized to determine and retire, from time to time, the various portions of such
outstanding Parity Obligations which are economically advantageous for Board to retire by the
defeasance of such debt. The Designated Financial Officer is authorized to enter into one or more
Escrow Agreements in substantially the standard form previously approved by the Board to
accomplish such defeasances. In the event of such a defeasance, the Designated Financial Officer
is authorized hereby to take such steps as may be necessary to purchase the escrowed securities
identified in such Escrow Agreements on behalf of the Board and is authorized to create and
fund the escrow funds contemplated by the Escrow Agreements through the use of the lawfully
available funds of the Board. The Designated Financial Officer is authorized to call for
redemption such Parity Obligations defeased pursuant to this Section and is hereby authorized to
provide and complete an appropriate Notice of Redemption to the paying agent(s) for such Parity
Obligations upon the deposit with the Escrow Agent of such available funds and compliance
with the conditions set forth in the Escrow Agreements.

Section 27. PUBLIC NOTICE. It is hereby found and determined that each of the
officers and members of the Board was duly and sufficiently notified officially and personally, in
advance, of the time, place, and purpose of the Meeting at which this Twenty-First Supplemental
Resolution was adopted, and that this Twenty-First Supplemental Resolution would be
introduced and considered for adoption at said meeting; that said meeting was open to the public,
and public notice of the time, place, and purpose of said meeting was given, all as required by
Chapter 551, Texas Government Code.
EXHIBIT A

DEFINITIONS

As used in this Twenty-First Supplement the following terms and expressions shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:


The term "Authorized Denominations" means $5,000 or any integral multiple thereof with respect to Current Interest Bonds and $5,000 in Maturity Amount or any integral multiple thereof with respect to Capital Appreciation Bonds; provided that with respect to any Taxable Bonds, such term shall mean any authorized denomination for such Taxable Bonds established in the Award Certificate.

The term "Award Certificate" means the certificate executed by the Designated Financial Officer in connection with each Series of Bonds which establishes the terms of the Bonds delivered pursuant to Section 3 of this Twenty-First Supplement.

The terms "Board" and "Issuer" mean the Board of Regents of the Texas A&M University System or any successor thereto.

The term "Bonds" means, collectively, the Bonds issued pursuant to this Twenty-First Supplement, and all substitute bonds exchanged therefor, and all other substitute and replacement bonds issued pursuant to this Twenty-First Supplement; and the term "Bond" means any of the Bonds.

The term "Build America Bonds" means any Taxable Bonds designated by the Designated Financial Officer in the Award Certificate as Build America Bonds pursuant to Section 3(e) hereof.

The term "Business Day" means any day (a) when banks are open for business in Dallas, Texas, and Austin, Texas, and (b) when banks are not authorized to be closed in New York, New York.

The term "Capital Appreciation Bonds" means the Bonds on which no interest is paid prior to maturity, maturing variously in each of the years and in the aggregate principal amount as set forth in the Award Certificate.

The term "Code" means the Internal Revenue Code of 1986, as amended.

The term "Compounded Amount" means, with respect to a Capital Appreciation Bond, as of any particular date of calculation, the original principal amount thereof, plus all interest accrued and compounded to the particular date of calculation, as determined in accordance with Section 4 of this Twenty-First Supplement and the Compounded Amount Table relating to such Bonds.

The term "Compounded Amount Table" means, with respect to the Capital Appreciation Bonds, the table attached as an Exhibit to the Award Certificate which shows the Compounded Amounts per $5,000 Maturity Amount on the Compounding Dates for each maturity to its Stated Maturity.
The term "Compounding Dates" means Compounding Dates as defined in Section 4 of this Twenty-First Supplement.

The term "Current Interest Bonds" means the Bonds paying current interest and maturing in each of the years and in the aggregate principal amounts set forth in the Award Certificate.

The term "Definitive Bonds" means the Bonds issued in exchange for the Initial Bond.

The term "Designated Financial Officer" means each Designated Financial Officer under the Master Resolution and shall include the Chancellor, the Associate Vice Chancellor and Treasurer, the Director of Treasury Services, or such other officer or employee of the System authorized by the Board to act as a Designated Financial Officer.

The term "DTC" means The Depository Trust Company of New York, New York, New York, or any successor securities depository.

The term "DTC Participant" means securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

The term "Escrow Agent" means each Escrow Agent selected pursuant to Section 19 hereof.

The term "Initial Bond" means the Bond initially delivered hereunder and upon which the registration certificate, manually executed by or on behalf of the Comptroller of Public Accounts of the State of Texas, has been placed.

The term "Issuance Date" means the date of delivery of Bonds to the initial purchaser or purchasers thereof against payment therefor.

The term "MSRB" shall mean the Municipal Securities Rulemaking Board.


The term "Maturity" means the date on which the principal of a Bond becomes due and payable as therein and herein provided, whether at Stated Maturity, by redemption, declaration of acceleration or otherwise.

The term "Maturity Amount" means the Compounded Amount of a Capital Appreciation Bond due on its Stated Maturity.

The term "Nationally-Recognized Rating Agency" means any nationally-recognized securities rating agency that provides a rating on the Bonds at the request of the Board.

The term "Paying Agent/Registrar," "Paying Agent" or "Registrar" means the agent appointed pursuant to Section 5 hereof, or any successor to such agent.

The term "Potential Refunded Bonds" means the outstanding Parity Obligations previously issued by the Board pursuant to the Third through the Twentieth Supplemental Resolutions to the Master Resolution.
The term "Record Date" means, with respect to the Bonds, the last calendar day of each month preceding an interest payment date.

The term "Refunded Bonds" means the Potential Refunded Bonds refunded by a Series of Bonds.

The term "Refunded Notes" means the Board's Revenue Financing System Commercial Paper Notes, Series B to be refunded with the proceeds of the Bonds.

The term "Refunded Obligations" means, collectively, the Refunded Notes, if any, and the Refunded Bonds, if any, refunded by each Series.

The term "Registration Books" means the books or records relating to the registration, payment and transfer or exchange of the Bonds maintained by the Paying Agent/Registrar pursuant to Section 5 hereof.

The term "Rule" means SEC Rule 15c2-12, as amended from time to time.

The term "SEC" means the United States Securities and Exchange Commission.

The term "Series" means any designated series of Bonds issued pursuant to this Twenty-First Supplement.

The term "Section 55.17 Authorization" means the statutory authorization provided by the Legislature for Section 55.17 Projects.

The term "Section 55.17 Projects" means the improvements or facilities to be financed or refinanced with Bonds pursuant to Sections 55.1711, 55.1721, 55.1731, 55.1741, 55.17411, 55.1751, 55.1771 of the Education Code, or similar provisions currently existing or hereafter enacted by the Legislature.

The term "Taxable Bonds" means any Bonds designated by the Designated Financial Officer in the Award Certificate as Taxable Bonds, the interest on which is includable in the gross income of the owners thereof for federal income tax purposes.

The term "Tax-Exempt Bonds" means any Bonds designated by the Designated Financial Officer in the Award Certificate as Tax-Exempt Bonds, the interest on which is excludable from the gross income of the owners thereof for federal income tax purposes, pursuant to section 103 of the Code.

The term "Twenty-First Supplement" means this resolution authorizing the Bonds.
EXHIBIT B

FORM OF BONDS

#FORM OF FIRST TWO PARAGRAPHS OF CURRENT INTEREST BONDS#

R-
UNITED STATES OF AMERICA PRINCIPAL AMOUNT
STATE OF TEXAS $ 
BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM
REVENUE FINANCING SYSTEM BOND,
SERIES _____

INTEREST RATE MATURITY DATE [BOND DATE] CUSIP NO.
[ISSUANCE DATE]
____% _____, 20__

REGISTERED OWNER:
PRINCIPAL AMOUNT: DOLLARS

ON THE MATURITY DATE specified above the BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM (the "Issuer"), being an agency of the State of Texas, hereby promises to pay to the registered owner, specified above, or to the registered assignee hereof (either being hereinafter called the "registered owner") the principal amount, specified above, and to pay interest thereon, calculated on the basis of a 360-day year composed of twelve 30-day consecutive months, from the [Bond Date] [Issuance Date], specified above, to the Maturity Date, specified above, or the date of redemption prior to maturity, at the interest rate per annum, specified above, with interest being payable on ______________, and semiannually on each _______ and _______ thereafter, except that if the date of authentication of this Bond is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date.
THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges, solely from funds of the Issuer required by the Bond Resolution (hereinafter defined) to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided. The principal of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity or upon the date fixed for its redemption prior to maturity, at the corporate trust office of in , which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the Bond Resolution (hereinafter defined), to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at the address of the registered owner, as it appeared on the last calendar day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described; provided, that upon the written request of any owner of no less than $1,000,000 in aggregate principal amount of the Bonds, delivered to the Paying Agent/Registrar not later than the Record Date immediately preceding an interest payment date, interest due on such interest payment date shall be made by wire transfer to any designated account within the United States of America. In addition, interest may be paid by such other method acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. Any accrued interest due upon the redemption of this Bond prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Bond for redemption and payment at the corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Bond that on or before each principal payment date, interest payment date, and accrued interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the Pledged Revenues, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due. Notwithstanding the foregoing, during any period in which ownership of the Bonds is determined by a book entry at a securities depository for the Bonds, payments made to the securities depository, or its nominee, shall be made in accordance with arrangements between the Issuer and the securities depository. Terms used herein and not otherwise defined have the meanings given in the Bond Resolution.
CR- UNITED STATES OF AMERICA  PRINCIPAL AMOUNT
STATE OF TEXAS  
BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM  
REVENUE FINANCING SYSTEM BOND  
SERIES ___  

INTEREST RATE  MATURITY DATE  ISSUANCE DATE  CUSIP NO.  
______%  ______, 20___  ________  

REGISTERED OWNER:  
PRINCIPAL AMOUNT:  DOLLARS  

ON THE MATURITY DATE specified above, the BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM (the "Issuer"), being an agency and political subdivision of the State of Texas, hereby promises to pay to the Registered Owner specified above or the registered assignee hereof (either being hereinafter called the "registered owner") the Maturity Amount specified above representing the original principal amount specified above and accrued and compounded interest thereon. Interest shall accrue on the original principal amount hereof from the Issuance Date at the interest rate per annum specified above (subject to rounding to the Compounded Amounts as provided in the Bond Resolution), compounded semi-annually on ________ and ________ of each year, commencing ________, 20___. For convenience of reference, a table appears on the back of this Bond showing the "Compounded Amount" of the original principal amount per $5,000 Maturity Amount compounded semiannually at the yield shown on such table.

THE MATURITY AMOUNT OF this Bond is payable in lawful money of the United States of America, without exchange or collection charges, solely from funds of the Issuer required by the Bond Resolution to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided. The Maturity Amount or Compounded Amount of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity or upon the date fixed for its redemption prior to maturity, as the case may be, at the corporate trust office of ___________ in __________, which is the "Paying Agent/Registrar" for this Bond. The Issuer covenants with the registered owner of this Bond that on or before the Maturity Date for this Bond it will make available to the Paying Agent/Registrar, the amount required to provide for the payment, in immediately available funds,
of the Maturity Amount when due. Notwithstanding the foregoing, during any period in which ownership of the Bonds is determined by a book entry at a securities depository for the Bonds, payments made to the securities depository, or its nominee, shall be made in accordance with arrangements between the Issuer and the securities depository. Terms used herein and not otherwise defined have the meaning given in the Bond Resolution.

[FORM OF REMAINDER OF CURRENT INTEREST BONDS AND CAPITAL APPRECIATION BONDS]

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, a Sunday, a legal holiday, or a day on which banking institutions in The City of New York, New York, or in the city where the corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of an issue of Bonds dated ________, 2009, authorized by resolution of the Issuer adopted on _______________ (the "Bond Resolution") in the aggregate principal amount of $_______________, FOR THE PURPOSE OF (i) REFUNDING THE REFUNDED NOTES AND THE REFUNDED BONDS; (ii) PROVIDING $______________, TO PAY THE COST OF ACQUIRING, PURCHASING, CONSTRUCTING, IMPROVING, ENLARGING, AND EQUIPPING THE PROPERTY AND FACILITIES OF THE PARTICIPANTS OF THE REVENUE FINANCING SYSTEM; AND (iii) PAYING THE COSTS RELATED THERETO, #[(and comprised of (i) Bonds in the aggregate principal amount of $_______________ that pay interest only at maturity (the "Capital Appreciation Bonds") and (ii) Bonds in the aggregate principal amount of $_______________ that pay interest semiannually until maturity (the "Current Interest Bonds")]

*On ______________, or on any date thereafter, the Bonds scheduled to mature on and after ______________ may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of $5,000), at a redemption price equal to ________________ and accrued interest to date fixed for the redemption; provided, that during any period in which ownership of the Bonds is determined by a book entry at a securities depository for the Bonds, if fewer than all of the Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Bonds of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the Issuer and the securities depository.

*The Bonds of this issue scheduled to mature on ______________, are subject to mandatory sinking fund redemption prior to their scheduled maturity and shall be redeemed by the Issuer, in part, prior to their scheduled maturity, with the particular Bonds or portions thereof to be redeemed to be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of $5,000), at a redemption price equal to the par
or principal amount thereof and accrued interest to the date of redemption, on the dates, and in the principal amounts, respectively, as set forth in the following schedule:

<table>
<thead>
<tr>
<th>Bonds Maturing</th>
<th>Redemption Date</th>
<th>Principal Amount</th>
</tr>
</thead>
</table>

*The principal amount of the Bonds required to be redeemed on each such redemption date pursuant to the foregoing operation of the mandatory sinking fund shall be reduced, at the option of the Issuer, by the principal amount of any Bonds, which, at least 45 days prior to the mandatory sinking fund redemption date, (1) shall have been acquired by the Issuer and delivered to the Paying Agent/Registrar for cancellation, or (2) shall have been acquired and canceled by the Paying Agent/Registrar at the direction of the Issuer, in either case of (1) or (2) at a price not exceeding the par or principal amount of such Bonds or (3) have been redeemed pursuant to the optional redemption provisions set forth above and not theretofore credited against a mandatory sinking fund redemption. During any period in which ownership of the Bonds is determined by a book entry at a securities depository for the Bonds, if fewer than all of the Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Bonds of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the Issuer and the securities depository.

*AT LEAST 30 days prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be published once in a financial publication, journal, or report of general circulation among securities dealers in The City of New York, New York (including, but not limited to, The Bond Buyer and The Wall Street Journal), or in the State of Texas (including, but not limited to, The Texas Bond Reporter). Such notice also shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, not less than 30 days prior to the date fixed for any such redemption, to the registered owner of each Bond to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure to send, mail, or receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond, and it is hereby specifically provided that the publication of such notice as required above shall be the only notice actually required in connection with or as a prerequisite to the redemption of any Bonds or portions thereof. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof which are to be so redeemed. If such written notice of redemption is published and if due provision for such payment is made, all as provided above, the Bonds or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed, a substitute Bond or Bonds having the same maturity

B-8
date, bearing interest at the same rate, payable in the same manner, in any authorized denomination at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Resolution.

THIS BOND OR ANY PORTION OR PORTIONS HEREOF IN ANY AUTHORIZED DENOMINATION may be assigned and shall be transferred only in the Registration Books of the Issuer kept by the Paying Agent/Registrar acting in the capacity of registrar for the Bonds, upon the terms and conditions set forth in the Bond Resolution. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any authorized denomination to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be transferred and registered. The Form of Assignment printed or endorsed on this Bond shall be executed by the registered owner, or its duly authorized attorney or representative, to evidence the assignment hereof. A new Bond or Bonds payable to such assignee or assignees (which then will be the new registered owner or owners of such new Bond or Bonds), or to the previous registered owner in the case of the assignment and transfer of only a portion of this Bond, may be delivered by the Paying Agent/Registrar in exchange for this Bond, all in the form and manner as provided in the next paragraph hereof for the exchange of other Bonds. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges, if any, for making such transfer or exchange as provided below, but the one requesting such transfer or exchange shall pay any taxes or other governmental charges required to be paid with respect thereto. The Paying Agent/Registrar shall not be required to make transfers of registration or exchange of this Bond or any portion hereof # [(i) with respect to Current Interest Bonds,] during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or, (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date. The registered owner of this Bond shall be deemed and treated by the Issuer and the Paying Agent/Registrar as the absolute owner hereof for all purposes, including payment and discharge of liability upon this Bond to the extent of such payment, and, to the extent permitted by law, the Issuer and the Paying Agent/Registrar shall not be affected by any notice to the contrary.

ALL BONDS OF THIS SERIES are issuable solely as fully registered bonds, without interest coupons, #[(with respect to the Current Interest Bonds,] in the denomination of any integral multiple of $5,000 #][, with respect to Capital Appreciation Bonds, in the denomination of $5,000 Maturity Amounts or any integral multiple thereof.] As provided in the Bond Resolution, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be exchanged for a like aggregate principal amount of fully registered bonds, without interest coupons, payable to the appropriate registered owner, assignee, or assignees, as the case may be, having the same maturity date, in the same form, and bearing interest at the same rate, in any authorized denomination as requested in writing by the appropriate registered owner, assignee, or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Resolution. Whenever the beneficial ownership of this Bond is determined by a book
entry at a securities depository for the Bonds, the foregoing requirements of holding, delivering, or transferring this Bond shall be modified to require the appropriate person or entity to meet the requirements of the securities depository as to registering or transferring the book entry to produce the same effect.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Resolution that it promptly will appoint a competent and legally qualified substitute therefor, and promptly will cause written notice thereof to be mailed to the registered owners of the Bonds.

IT IS HEREBY certified, recited, and covenanted that this Bond has been duly and validly authorized, issued, and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the authorization, issuance, and delivery of this Bond have been performed, existed, and been done in accordance with law; that the Series of Bonds of which this Bond is one constitute Parity Obligations under the Master Resolution; and that the interest on and principal of this Bond, together with the other Bonds of this Series and the other outstanding Parity Obligations are equally and ratably secured by and payable from a lien on and pledge of the Pledged Revenues, subject only to the provisions of Prior Encumbered Obligations, if any.

THE ISSUER has reserved the right, subject to the restrictions referred to in the Bond Resolution, (i) to issue additional Parity Obligations which also may be secured by and made payable from a lien on and pledge of the aforesaid Pledged Revenues, in the same manner and to the same extent as this Bond, and (ii) to amend the provisions of the Bond Resolution under the conditions provided in the Bond Resolution.

THE REGISTERED OWNER hereof shall never have the right to demand payment of this Bond or the interest hereon out of any funds raised or to be raised by taxation or from any source whatsoever other than specified in the Bond Resolution.

BY BECOMING the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Resolution, agrees to be bound by such terms and provisions, acknowledges that the Bond Resolution is duly recorded and available for inspection in the official minutes and records of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Resolution constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Chairman of the Issuer and countersigned with the manual or facsimile signature of the Executive Secretary of the Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

____________________  ____________________
Executive Secretary to the Board of  Chairman, Board of Regents of
Regents of The Texas A&M University  The Texas A&M University System
System

B-10
The redemption provisions shall be conformed to the language relating to redemption in the Award Certificate. Provisions of Bonds related to redemption are to be deleted if the Bonds are not subject to redemption. Any inconsistencies in such provisions shall be resolved in favor of the Award Certificate.

For inclusion in Current Interest Bonds if some of the Bonds are issued as Capital Appreciation Bonds.

For inclusion in Capital Appreciation Bonds.

[INSERTIONS FOR THE INITIAL BOND]

The Initial Bond shall be in the form set forth in this exhibit, except that:

A. Immediately under the name of the Bond, the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As shown below", and the heading "CUSIP NO." shall be deleted.

B. The first paragraph of the Bond shall be deleted and the following will be inserted (with all blanks and bracketed items to be completed with information contained in the Award Certificate):

"The BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY (the "Issuer"), being an agency of the State of Texas, hereby promises to pay to the registered owner specified above or the registered assignee hereof (either being hereinafter called the "registered owner") on _______ in each of the years in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<table>
<thead>
<tr>
<th>Principal Installments</th>
<th>Years of Stated Maturities</th>
<th>Interest Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Information from Award Certificate to be inserted)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Issuer promises to pay interest on the unpaid principal amount hereof from the Bond Date specified above at the respective per annum rate of interest specified above, calculated on the basis of a 360-day year composed of twelve 30-day months, to the Maturity Date specified above, or the date of redemption prior to maturity; with interest being payable on _______.

B-11
200_, and semi-annually on each _______________ and __________ thereafter, except that if the date of authentication of this Bond is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date."

C. The Initial Bond shall be numbered "T-1".

FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

It is hereby certified that this Bond has been issued under the provisions of the Bond Resolution described in this Bond and that this Bond has been issued in conversion of and exchange for or replacement of a bond, bonds, or a portion of a bond or bonds of an issue which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

________________________

Paying Agent/Registrar

Dated

________________________

Authorized Representative

Address: ____________________

________________________
FORM OF REGISTRATION CERTIFICATE
OF THE COMPTROLLER OF PUBLIC ACCOUNTS

COMPTROLLER'S REGISTRATION CERTIFICATE

REGISTER NO.

I hereby certify that this Bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

(COMPTROLLER'S SEAL) Comptroller of Public Accounts of the State of Texas
ASSIGNMENT

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common
TEN ENT -- as tenants by the entireties
JT TEN -- as joint tenants with right
          of survivorship and not as
          tenants in common

Additional abbreviations may also be used though not in the above list.

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

Please insert Social Security or

Other Identification Number of Assignee

/________________________________________/

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitutes and appoints

________________________________________

to transfer said Bond on the books kept for registration thereof with full power of substitution in
the premises.

Dated: ___________________

________________________________________

Signature Guaranteed: _______________________________________

NOTICE: The signature to this assignment must correspond with the name as it appears upon
the face of the within Bond in every particular, without alteration or enlargement or any change
whatever; and

NOTICE: Signature(s) must be guaranteed by the Securities Transfer Association signature
guarantee program.
EXHIBIT C
CONTINUING DISCLOSURE OF INFORMATION
Accounting Principles

The financial statements of The Texas A&M University System will be prepared in accordance with the Texas Comptroller of Public Accounts' Annual Financial Reporting Requirements or such other accounting principles as the Board may be required to employ from time to time pursuant to state law or regulation. Historically, these requirements followed, as near as practicable, the American Institute of Certified Public Accounts ("AICPA") Industry Audit Guide, Audits of Colleges and Universities, 1996 Edition, as amended by AICPA Statement of Position (SOP) 74-8, Financial Accounting and Reporting by Colleges and Universities, and as modified by applicable Financial Accounting Standards Board pronouncements issued through November 30, 1989, and as modified by all applicable Governmental Accounting Standards Board pronouncements cited in Codification Section Co5, Colleges and Universities. The requirements were also in substantial conformity with the Financial Accounting Reporting Manual for Higher Education published by the National Association of College and University Business Officers.
41.01 Real Property

Approved December 5, 2008 (MO 395-2008)
Revised September 25, 2009 (MO -2009)
Next Scheduled Review: September 25, 2011

Policy Statement

The Board of Regents (board) of The Texas A&M University System (system) shall have the sole and exclusive management and control of all real property and real property interests. All real property, including leasehold and mineral interests, shall be held in the name of the board.

Reason for Policy

This policy governs the acquisition, disposal, management, and leasing of real property.

Procedures and Responsibilities

1. GENERAL PROVISIONS

1.1 Delegation of Authority. Except as otherwise provided in this policy, the board delegates to the chancellor authority to manage and maintain all system real property owned or controlled by the board. The chancellor is granted authority to execute and deliver, on behalf of the board, all contracts, agreements, closing documents, deeds, assignments, leases, easements, permits, licenses, listing agreements, division orders and all other documents necessary to carry out the powers granted to the chancellor by this policy, and to perform other specific real property transactions authorized by the board.

Any authority delegated to the chancellor in this policy may be further delegated by the chancellor in writing.

1.2 Responsibility for Care, Maintenance and Safekeeping. The chancellor is responsible for ensuring the care, maintenance, and safekeeping of all system real property. The chancellor may delegate these responsibilities to system member chief executive officers (CEOs) or an employee or department of the system member. Any such delegations must be in writing.

1.3 Regulations. The chancellor shall establish regulations implementing this policy.

2. ACQUISITION OF REAL PROPERTY
2.1 Except as provided in Sections 2.2 and 2.3, all acquisitions of real property, including through the power of eminent domain under Section 85.32 of the Texas Education Code, must be approved by the board.

2.2 Following a due diligence review by the System Real Estate Office (SREO), gifts and bequests of real property, including mineral interests, may be accepted by a system member CEO on behalf of the board in accordance with System Policy 21.05, Gifts, Donations, Grants and Endowments, and this policy. Unless waived by the Office of General Counsel (OGC), the due diligence review must include an environmental site assessment, a survey, an examination of title, and a property condition inspection, and an owner’s policy of title insurance covering the real property gift or bequest must be obtained in an amount determined by the SREO.

2.3 The chancellor shall have authority to approve acquisitions, other than through the power of eminent domain, in which the consideration payable by the system or system member, exclusive of closing costs, is $1,000,000 or less.

3. DISPOSITION OF REAL PROPERTY

All dispositions of fee title to system real property must be approved by the board.

4. LEASE OF REAL PROPERTY

4.1 All leases of system real property to third parties having a term that exceeds five (5) years must be approved by the board. Renewal periods that may be exercised in the sole discretion of the third-party tenant shall be included in computing the term of the lease. The chancellor is delegated authority to approve all other leases of system real property to third parties.

4.2 All leases of real property from third parties for the benefit of the system or a system member must be approved by the board if either

(a) the term of the lease, including renewal periods, exceeds ten (10) years; or

(b) the total consideration payable by the system or system member for the term of the lease, including renewal periods, exceeds $1,000,000.

The chancellor is delegated authority to approve all other leases of real property from third parties. The term “total consideration” shall mean all rent, tenant improvement costs, and other expenses payable by the system or a system member, the amounts of which can be determined at the inception of the lease term, including base rent, security deposits, and common area maintenance and other charges, but excluding the costs of insurance, taxes, and maintenance under a “triple net” lease and rent escalations, unless the amount of those costs and/or rent escalations can be determined at the inception of the lease.

5. MINERAL LEASES
5.1 **Process.** System real property may be leased for oil, gas, sulphur, mineral ore, and other mineral development by public auction, sealed bid, or negotiated agreement.

5.2 **Delegation.** The board delegates to the chancellor authority to approve mineral leases having:

(a) a primary term of three (3) years or less;
(b) a royalty of at least 25%; **and**
(c) a drilling requirement during the primary term, as well as those mineral leases in which the board does not own or control the executive rights.

All other mineral leases must be approved by the board.

6. **EASEMENTS**

6.1 **Granting of Easements.** The board must approve easements on system real property granted for highway or roadway purposes having an indefinite term. The chancellor shall have authority to approve all other easements over, across or under system real property, provided that the term of the easement does not exceed ten (10) years. The chancellor shall periodically publish a schedule of fees to be charged for easements over, across or under system real property. The chancellor shall have the right, in the public interest, to waive fees for easements granted to governmental entities. Easements on system real property may not exceed ten (10) years, except those granted for highway or roadway purposes which may be indefinite.

6.2 **Easements from Third Parties.** The board must approve easements over, across or under real property owned by third parties and benefiting the system or a system member if the consideration payable to the third party exceeds $300,000.

6.3 **Conservation Easements.** Neither the system nor a system member shall be the holder of a conservation easement as defined in Section 183.001 of the Texas Natural Resources Code without first obtaining approval of the board.

7. **APPRAISALS**

Acquisitions of title to real property must be supported by current appraisal reports in accordance with the rules of the Texas Higher Education Coordinating Board. All transfers of fee title to system real property must be supported by an appraisal prepared in accordance with regulations promulgated by the chancellor.

8. **INCOME FROM SYSTEM REAL PROPERTY**

8.1 **Revenues from System Real Property Acquired Other Than by Gift or Bequest.** Unless otherwise directed by the board, by law, or by an intrasystem agreement between or among system members, and except as set forth in Sections 8.2 and 8.3, all sale proceeds, rents, fees, and other income from the sale, lease or use of system real property, and all surface damages paid by mineral lessees (other than damages to crops or other property of a tenant) shall be credited to the account of the system member to which the property has been assigned.
8.2 **Revenues from System Real Property Acquired by Gift or Bequest.** Unless otherwise directed by the donor, all sale proceeds, rents, fees, royalties, bonuses, damage recoveries, and other income from the sale, lease or use of system real property or mineral interests acquired by gift or bequest, shall be credited to the account of the system member designated as the donee of the gift or bequest; provided that, if the board or the system is designated as the donee, the board shall determine the disposition of all revenues.

8.3 **Mineral Revenues from State Land.** In accordance with Section 85.70 of the *Texas Education Code*:

8.3.1 Except as provided in Section 8.3.2, all income received from mineral leases on system real property that was acquired by any means other than gift or bequest will be deposited into The Texas A&M University System Special Mineral Investment Fund. Income from this fund shall be deposited to the credit of The Texas A&M University System Special Mineral Income Fund, and is appropriated by the legislature exclusively for the system and expended under the direction of the board for the general use of any member of the system.

8.3.2 All income received from mineral leases on system real property that was acquired for the use of Texas A&M University-Kingsville and its divisions will be deposited into the Texas A&M University-Kingsville Special Mineral Investment Fund to be used exclusively for Texas A&M University-Kingsville and its branches and divisions.

9. **PRIVATIZED HOUSING**

9.1 All legal obligations regarding privatization of on-campus housing facilities by third parties which are to be considered by the board must first be reviewed by the OGC for legal sufficiency, and must include, at a minimum, the following terms and conditions:

(a) a term not to exceed forty (40) years;

(b) consideration in the form of a flat rate and/or a sharing of net profits and/or other definable benefits to the system or system member;

(c) reservation of the right to review and approve all construction plans and specifications, including changes;

(d) adequate insurance and appropriate indemnification;

(e) reservation of the right to purchase all leasehold and/or fee interests in the land and improvements for fair market value at any time during the term of the lease;

(f) reservation of the right to review the third party’s financial statements and to approve terms and conditions of the third party’s financing and any subsequent refinancing; and

(g) any commitments, contingencies or other obligations of the system or a system member must be subordinate to system indebtedness under the Master Resolution Indenture.
9.2 Upon recommendation from a system member CEO, the chancellor, or designee, will determine the feasibility of privatization on a case-by-case basis; and if a determination is made to proceed, the chancellor, or designee, will initiate a request for proposals, evaluate responses, select the successful respondent, and negotiate an agreement subject to approval by the board.

10. REPORTING

The chancellor shall report to the board on a quarterly basis all acquisitions approved by the chancellor or designee under the authority of Section 2.3 of this policy and all leases of real property from third parties approved by the chancellor or designee under the authority of Section 4.2 of this policy in which the total consideration payable by the system or system member exceeds $300,000.

Related Statutes, Policies, or Requirements

Texas Education Code § 85.25
Texas Education Code § 85.26
Texas Education Code § 85.32
Texas Education Code § 85.51
Texas Natural Resources Code § 183.001
19 Tex. Admin. Code, Chapter 17

System Policy 21.05, Gifts, Donations, Grants and Endowments

This System Policy supersedes:
System Policy 41.01, Real Property Gift and Bequest Acceptance
System Policy 41.02, Real Property Purchase
System Policy 41.03, Real Property Condemnation
System Policy 41.04, Real Property Classification
System Policy 41.05, Real Property Management Policy
System Policy 41.06, Mineral Lease Property
System Policy 41.07, Real Property Disposition
System Policy 41.08, Administration of Real Estate Office
System Policy 41.09, Privatization of On-Campus Housing Facilities by Third Parties

Contact Office

The System Real Estate Office
(979) 458-6350
41.01 Real Property
Capital Planning

Approved February 27, 1995 (MO 44-95)
Revised July 23, 1998 (MO 135-98)
Revised May 28, 1999 (MO 101-99)
Revised October 27, 2005 (MO 199-05)
Revised May 25, 2007 (MO 97-2007)
Revised December 5, 2008 (MO 396-2008)
Revised September 25, 2009 (MO -2009)
Next Scheduled Review: September 25, 2011

Policy Statement

Capital projects identified by members of The Texas A&M University System (system) are compiled into the five-year capital plan which also identifies available resources for project funding or debt repayment.

Reason for Policy

Capital needs shall be determined as part of a long-term planning process to identify new construction, repairs, renovations, rehabilitation of existing facilities, real property acquisitions, and other capital projects.

Procedures and Responsibilities

1. APPROVAL OF CAPITAL PLAN

   1.1 Each fiscal year the system Board of Regents (board) will approve the capital plan for the next five years.

   1.2 Projects not included on the approved capital plan will be presented to the system board as exceptions.

   1.3 System board approval shall constitute approval for initiation of the next fiscal year’s projects and of funding sources identified on the capital plan.

   1.4 System board approval authorizes the appropriation of up to 10% of the planning amount for next fiscal year’s proposed projects for pre-construction activities as defined in System Policy 51.04, Delegations of Authority on Construction Projects.

2. CAPITAL PLAN PROJECTS
2.1 Capital projects are defined as:

(a) New construction of buildings, facilities or other permanent improvements with scopes of $4,000,000 or more.

(b) Additions to buildings, facilities or other permanent improvements with scopes of $4,000,000 or more.

(c) Repair, renovation or rehabilitation of existing buildings, facilities or other permanent improvements with scopes of $4,000,000 or more.

(d) Real property acquisitions.

(e) Projects or acquisitions funded using Higher Education Fund (HEF), Permanent University Fund (PUF) and/or Revenue Financing System (RFS) debt proceeds.

2.2 For each project to be included on the capital plan, the following information will be provided by the system member.

(a) Name of project.

(b) Description of project.

(c) If new construction or addition, assignable net square foot, educational & general net square foot and gross square foot of space needed and justification for space need.

(d) If repair, renovation or rehabilitation, existing assignable net square foot, educational & general net square foot and gross square foot of space.

(e) Project impacts on infrastructure.

(f) Project planning amount.

(g) Fiscal year in which project design will be initiated.

(h) Source of funds for project.

1. If RFS debt proceeds, debt repayment source must be identified.

2. If cash funded, source of funds must be identified.

3. PUF shall not be identified as the source of funds for a project until a commitment has been made by the chancellor.

4. Tuition revenue bonds (TRB) shall not be identified as a funding source for a project until authorized by the legislature.

2.3 For each auxiliary project included in the first two fiscal years on the capital plan, a Pro Forma Financial Statement is required and shall address capital cost, operating cost and maintenance cost for the first five (5) years of occupancy.

2.4 All pre-planning and planning studies for new construction, additions, and repair, renovation or rehabilitation capital projects shall be administered by The System Office of Facilities Planning and Construction (FPC).
3. MASTER PLANS

All system members are required to have a master plan which is consistent with projects in the capital plan. The master plans shall be periodically reviewed by the system member and updated when necessary. Master plans and updates shall be consistent with the system member’s development strategy and be submitted to the system board for review. Master plans and updates shall be administered by FPC.

4. LIFE CYCLE COST ANALYSIS

FPC, in conjunction with the system members, will develop a life cycle cost analysis (LCCA) during the design for building projects on the capital plan. The LCCA will identify to FPC and the system members personnel, alternatives for materials and design in order to optimize the operating, maintenance and initial costs.

5. GENERAL PROJECT REQUIREMENTS

5.1 All facilities designed and constructed within the system shall comply with all applicable state and federal laws and regulations.

5.2 A program of requirements (POR) or statement of work (SOW) shall be prepared by FPC for all major construction projects as defined in Policy 51.04, Delegations of Authority on Construction Projects. The POR or SOW must be approved by the system member chief executive officer (CEO) or designee. Changes to the POR/SOW during the design and construction process that involve function, budget or architectural appearance shall also be approved by the CEO or designee.

The POR shall identify existing furnishings that are to be reused and new furnishings that will be required. Refer to System Policy 51.05, Furnishing and Equipping New and Renovated Buildings. The procurement of required new furnishings shall be included in the scope of the project unless indicated otherwise in the POR and approved by the chancellor or designee.

5.3 Contract administration of all design and construction projects is required. Contract administrators shall verify compliance by all parties with contract requirements and certify that all parts of the contract(s) are completed prior to project close-out and/or occupancy.

A database will be maintained by FPC to track all projects on the capital plan through design and construction and to assure compliance with project requirements.

5.4 Appropriate environmental surveys/evaluations shall be conducted on all construction projects. All required provisions shall be incorporated in the design and required abatement/mitigation performed and/or clearances obtained.

5.5 Performance and payment bonds for the full construction amount underwritten by surety companies authorized to conduct business in the state of Texas are required on all projects.
5.6 The advertising policy for procurement relating to construction projects within the system includes print and electronic forms of media publication.

All requests for bids or requests for competitive sealed proposals for the construction, repair, renovation or rehabilitation of permanent improvements, for movable furnishings and/or movable equipment shall be advertised by methods that provide the best value to the system.

5.7 The completion of all construction projects shall include the training of respective system member personnel in the operation and maintenance of facility systems before transfer of the facility. The completion of all construction projects shall include a recommended maintenance schedule. The system member shall be required to have sufficient staffing to maintain its facilities and provide annual training of maintenance personnel in the operation and maintenance of its facilities.

---

Related Statutes, Policies, or Requirements

- System Policy 51.04, Delegations of Authority on Construction Projects
- System Policy 51.05, Furnishing and Equipping New and Renovated Buildings
- Texas Government Code Chapter 2253
- Texas Education Code, Chapter §51.9335

---

Contact Office

The System Office of Facilities Planning and Construction
(979) 458-7000
51.04 Delegations of Authority on Construction Projects

Approved February 27, 1995 (MO 44-95)
Revised July 26, 1996 (MO 169-96)
Revised May 28, 1999 (MO 101-99)
Revised July 23, 1999 (MO 197-99)
Revised May 25, 2007 (MO 97-2007)
Revised December 5, 2008 (MO 398-2008)
Revised September 25, 2009 (MO -2009)
Next Scheduled Review: September 25, 2011

Policy Statement

This delegation of authority pertains to construction projects only. A construction project is any work involving the construction, repair, renovation, or rehabilitation of buildings, facilities or other permanent improvements on the properties of The Texas A&M University System (system) accomplished by a construction contract, use of physical plant personnel, or by purchase order and/or any work which is designed, in whole or in part, by a contracted architect/engineer.

Reason for Policy

This policy delegates to the chancellor the authority to enter into any and all contracts necessary to complete a capital project after the project has been approved by the system Board of Regents (board).

Procedures and Responsibilities

1. GENERAL

A construction project shall not be separated into smaller segments of funding, cost, work or function to avoid the approval by a higher administrative authority.

Pre-construction activities include preparation of a program of requirements/statement of work, work of an architect/engineer design team, design assistance from a design-build team or construction manager at risk firm, environmental surveys, site survey, soils investigation work, building and site demolition work and any other activity as required to design the project. Upon board approval of the capital plan, the chancellor is authorized to enter into all contracts necessary for pre-construction. Projects shall be presented by the system member chief executive officer (CEO) to the board for approval when a scope and budget are better defined and prior to any construction contract award. Any applicable changes will be included in the capital plan with an update to any required pro forma financial statement.
Upon board approval of the project, the chancellor is authorized to enter into all contracts necessary to construct and complete the project.

For any capital project funded with gift funds, the system member must have 50% of the gift funds in hand and another 25% in pledges before approval for construction on the project is received. For any funds not in hand, an unrestricted source of funds must be identified to pay for the project or for the repayment of debt prior to approval for construction.

All auxiliary enterprise construction projects will be presented to the chancellor prior to the approval for construction and will include 1) a pro forma income statement to the final maturity of the associated debt issued or twenty (20) years, whichever is longer; and 2) if a project is supported by an on-going enterprise, income statements from the associated operations for that enterprise for the last three (3) years.

2. MAJOR PROJECTS

Major projects are defined as projects for the construction of new buildings, facilities or other permanent improvements and additions to buildings, facilities or other permanent improvements with scopes of $4,000,000 or more in cost, and projects for the repair, renovation or rehabilitation of existing buildings, facilities or other permanent improvements with scopes of $4,000,000 or more in cost. Major projects will be administered by Facilities Planning and Construction.

3. MINOR PROJECTS

Minor projects are defined as projects for the construction of new buildings, facilities or other permanent improvements and additions to buildings, facilities or other permanent improvements that are less than $4,000,000 in cost, and projects for the repair, renovation or rehabilitation of existing buildings, facilities or other permanent improvements that are less than $4,000,000 in cost. With respect to such minor construction and rehabilitation projects, the chancellor or designee is hereby authorized to:

(a) Appropriate funds to provide project funding;
(b) Select and contract with architect/engineer design teams, design-build teams and construction manager at risk firms;
(c) Award, execute and administer contracts;
(d) Perform any actions necessary to complete construction and rehabilitation; and
(e) Subdelegate any or all provisions of this delegation and report such subdelegations to the board in accordance with System Policy 25.07, Contract Administration. The chancellor or System Offices designee specifically reserves the authority to appropriate funds from debt proceeds.

4. SUPPLEMENTAL APPROPRIATIONS

The chancellor or designee is hereby authorized to appropriate additional funds, in varying amounts, only after a construction contract has been awarded, to provide supplemental funding for construction projects in progress, provided the supplemental appropriations do
not add scope to the construction contract or exceed 10% of the board-approved project budget and do not cause the project to be submitted or resubmitted for approval by the Texas Higher Education Coordinating Board.

Related Statutes, Policies, or Requirements

System Policy 25.07, Contract Administration

System Policy 51.01, Capital Planning

Contact Office

The System Office of Facilities Planning and Construction
(979) 458-7000
### The Texas A&M University System Campuses:
#### Changes to Undergraduate Admission Requirements
##### Academic Year 2010-11

<table>
<thead>
<tr>
<th>Campus/Program</th>
<th>Application Form</th>
<th>Official High School Transcripts *</th>
<th>Official College Transcripts</th>
<th>Immunization Records**</th>
<th>SAT/ACT Scores</th>
<th>TOEFL ***</th>
<th>Letter of Recommendation/Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prairie View A&amp;M University Freshmen Students</td>
<td>Yes</td>
<td>Top 10% - no course requirement OR Honors Admission: 3.50 GPA or higher; passage of any state mandated HS exit examination. OR 2.50 GPA or higher; Passing State mandated HS exit exam.</td>
<td>All college transcripts must have a 2.0 GPA or better; <strong>must be in good standing with last college or university attended.</strong></td>
<td></td>
<td>Honors Admission: 1200 SAT Score (V+M) or ACT Composite score of 25; Unconditional Admission: 820 SAT score (V+M) or ACT Composite score of 17; Conditional Admission: 710 SAT score (V+M) or ACT Composite score of 15</td>
<td>500 or greater; Graduate of US HS or applicant with score of 18 on English section of ACT or 400 verbal section of SAT exempt</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Prairie View A&amp;M University Transfer Students</td>
<td>Yes</td>
<td>Not applicable</td>
<td>Official transcript from all colleges or universities attended and a minimum GPA of 2.0 in at least 15 SCH of college level coursework.</td>
<td></td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

---

Exhibit E (Item 19)
<table>
<thead>
<tr>
<th>Campus/Program</th>
<th>Application Form</th>
<th>Official High School Transcripts *</th>
<th>Official College Transcripts</th>
<th>Immunization Records**</th>
<th>SAT/ACT Scores</th>
<th>TOEFL ***</th>
<th>Letter of Recommendation/Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarleton State University</td>
<td>Yes</td>
<td>Top 10% - no course requirement</td>
<td>Dual credit and college credit is not required for admission but must be submitted for advising purposes.</td>
<td>Required of students taking health-related courses.</td>
<td>Top 25% of HS – no minimum (min); 2nd Quarter (QTR) of HS: no min with REC HS program; 930 SAT or 20 ACT without REC HSP; 3rd QTR: 930 SAT or 20 ACT with REC HSP; 1030 SAT or 22 ACT without REC HSP; 4th QTR: 1030 SAT or 22 ACT with REC HSP, 1110 SAT or 24 ACT without REC HSP - 930 on SAT</td>
<td>520 – Paper based; 190 – Computer based; 68 Internet-based (ibt)</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Freshmen Students</td>
<td>$30 non-refundable fee</td>
<td>OR Top 25% of HS class No minimum ACT/SAT score required OR If below Top 25%: Combination of Class Rank, HS Program, and ACT/SAT scores</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tarleton State University</td>
<td>Yes</td>
<td>Only if F-TF requirements must be met.</td>
<td>Must be eligible to enroll at all institutions previously attended and submit all transcripts: 68 SCH from a 2-year institution will be used on a degree plan: With 1-11 SCH – 2.0 GPA and first-time freshman (F-TF) standard: with 12-29 SCH – 2.8 GPA or 2.0 and F-TF standard: with 30 or more SCH – 2.0 GPA: Off-campus locations must have 30 or more SCH and 2.0 GPA</td>
<td>Required of students taking health-related courses.</td>
<td>Only if F-TF requirements must be met.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer Students</td>
<td>$30 non-refundable fee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Campus/Program</td>
<td>Application Form</td>
<td>Official High School Transcripts *</td>
<td>Official College Transcripts</td>
<td>Immunization Records**</td>
<td>SAT/ACT Scores</td>
<td>TOEFL ***</td>
<td>Letter of Recommendation/Other</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------</td>
<td>------------------------------------</td>
<td>-------------------------------</td>
<td>------------------------</td>
<td>----------------</td>
<td>----------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>Texas A&amp;M University - Central Texas Transfer Students</td>
<td>Yes</td>
<td>Not Applicable</td>
<td>Official transcript from previous junior/senior colleges attended or military earned coursework; minimum GPA of 2.0 in at least 30 SCH. Students on probation or suspension at most recent institution will not be admitted.</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>No LOR/Student must be TSI Complete</td>
<td></td>
</tr>
<tr>
<td>Texas A&amp;M University - San Antonio Transfer Students</td>
<td>Yes</td>
<td>Not Applicable</td>
<td>Yes: Official transcripts from all previously attended institutions &amp; a minimum 2.0 cumulative GPA. Must be in good standing with previous college or university. Students must have 45 SCH of transferrable college credit to enroll at the university. Certain conditions allow admission with 30 SCH college credit.</td>
<td>No</td>
<td>Not required by upper-level institutions</td>
<td>500</td>
<td>Must be TSI (Texas Success Initiative) Compliant</td>
</tr>
<tr>
<td>Campus/ Program</td>
<td>Application Form</td>
<td>Official High School Transcripts *</td>
<td>Official College Transcripts</td>
<td>Immunization Records**</td>
<td>SAT/ACT Scores</td>
<td>TOEFL ***</td>
<td>Letter of Recommendation /Other</td>
</tr>
<tr>
<td>----------------</td>
<td>-----------------</td>
<td>-----------------------------------</td>
<td>-------------------------------</td>
<td>------------------------</td>
<td>---------------</td>
<td>-----------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>West Texas A&amp;M University Freshman Students</td>
<td>Yes</td>
<td>Top 10% - no course requirement</td>
<td>Official transcript from each institution attended. Only courses with grades of C or better will transfer.</td>
<td>Top 10% - no minimum. Next 15%: 850 SAT, 18 ACT 2nd QTR: 890 SAT, 19 ACT 3rd QTR: 930 SAT, 20 ACT 4th QTR: 971 SAT, 21 ACT</td>
<td>TOEFL: 525 paper; 197 computer; IELTS: 6.0</td>
<td>Not applicable</td>
<td></td>
</tr>
<tr>
<td>West Texas A&amp;M University Transfer Students</td>
<td>Yes</td>
<td>Not applicable</td>
<td>Official transcript from each institution attended and must have a 2.0 GPA in at least 12 graded semester hours of transferable course work. Only courses with grades of C or better will transfer. Must be eligible to enroll at the last institution attended.</td>
<td>Not applicable</td>
<td>525 paper; 197 computer; IELTS: 6.0</td>
<td>Not applicable</td>
<td></td>
</tr>
</tbody>
</table>

The following footnote/column heading explanations apply to all System campuses:

* Top 10% - no course requirement: **Automatic Unconditional Admission** - As per implementation of HB 588 as prescribed by section 51.803 of the Texas Education Code amended in the 80th Legislature by HB 3826 automatic admission is granted to students who graduate in the Top 10% of their high school class and must complete the Recommended or Advanced High School Program or an Equivalent Program in content and rigor and meet the ACT college readiness benchmarks or earn an SAT assessment score of 1500 out of 2400 or the equivalent composite score.

** Immunization Records: HB 4189 passed by the 81st Legislature requires all students living in on-campus housing to receive vaccination against bacterial meningitis.
*** TOEFL. Applicants whose native language is not English must take the Test of English as a Foreign Language (TOEFL).
All international students (who are not citizens or permanent U.S. residents) are required to be covered under the Student Health Insurance Plan or have equivalent insurance coverage as described in System Regulation 26.99.01.
<table>
<thead>
<tr>
<th>CAMPUS/Programs</th>
<th>Application Form</th>
<th>Previous Degree</th>
<th>Official College Transcripts</th>
<th>Undergraduate Cumulative GPA</th>
<th>GRE *</th>
<th>GMAT * (Business)</th>
<th>International Requirements ++</th>
<th>Letters of Recommendation /Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prairie View A&amp;M University Nursing Program</td>
<td>Yes $50 non-refundable fee</td>
<td>Minimum of BSN degree from an NLNAC or CCNE accredited program.</td>
<td>Official transcripts of all previous undergraduate and graduate work. Grade of &quot;C&quot; or better in statistics course, basic course in health assessment. Current licensure to practice professional nursing and/or eligible to be licensed in Texas.</td>
<td>Overall minimum GPA of 3.0 on a 4.0 scale for regular graduate status.</td>
<td>Official scores required. GRE or Miller Analogies Test.</td>
<td>Not applicable</td>
<td>TOEFL - 550 Immigration Forms; Affidavit of financial support. Meet Comm. on Graduates of Foreign Nursing Schools admission requirements.</td>
<td>Two years experience as a Professional RN, Personal Interview, Writing Sample, Meet Nursing health requirements, Evidence of current personal professional liability insurance, $1M minimum. Complete individual interview with graduate faculty. Submit annual health and physical examination and updated immunizations. Negative report of criminal background and drug screening.</td>
</tr>
<tr>
<td>CAMPUS/Programs</td>
<td>Application Form</td>
<td>Previous Degree</td>
<td>Official College Transcripts</td>
<td>Undergraduate Cumulative GPA</td>
<td>GRE</td>
<td>GMAT</td>
<td>International Requirements ++</td>
<td>Letters of Recommendation/Other</td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>----------------------------</td>
<td>-----------------------------</td>
<td>-----</td>
<td>------</td>
<td>------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>Prairie View A&amp;M University Ph.D. Program (Electrical Engineering)</td>
<td>Yes</td>
<td>In Engineering, Mathematics or the Physical Sciences from a regionally accredited institute. MS in Elec. Eng. or related discipline.</td>
<td>Official transcripts of all undergraduate and graduate work.</td>
<td>Minimum of 2.75 GPA in undergraduate work. Minimum of 3.2 on all completed graduate work.</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>TOEFL – 600 Immigration Forms; Affidavit of financial support.</td>
<td>Three letters preferably from faculty familiar with the applicant. Essay describing research goals and/or professional accomplishments.</td>
</tr>
<tr>
<td>Tarleton State University</td>
<td>Yes</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcripts of all undergraduate &amp; graduate works from previously attended institutions bearing date of bachelor’s degree conferral; showing good standing at last institution attended.</td>
<td>Minimum 2.5 GPA &amp; Writing Sample.</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>TOEFL – 550 Paper based; 213-Computer-based; 80 Internet-based. Foreign credentials must be evaluated by an accrediting agency that is recognized by the U.S. Must have a reliable U.S. sponsor with their Advisory Letter on File.</td>
<td>See individual department for additional specific requirements</td>
</tr>
<tr>
<td>Texas A&amp;M University Vet. Med. Professional Program</td>
<td>Yes</td>
<td>Minimum of 73 credit hours including specific subject requirements.</td>
<td>Official transcript of all undergraduate &amp; graduate works from previously attended institutions.</td>
<td>Minimum of 2.90 overall or 3.10 (last 45 SCH). Completion of set core curriculum with GPA as high as possible.</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>Priority consideration is given to qualified applicants who are residents of Texas &amp; U.S. citizens, or residents of Texas who live in the U.S. under a visa permitting permanent residence.</td>
<td>Three letters required. Application interview at the option of the Selection Committee.</td>
</tr>
<tr>
<td>CAMPUS/Programs</td>
<td>Application Form</td>
<td>Previous Degree</td>
<td>Official College Transcripts</td>
<td>Undergraduate Cumulative GPA</td>
<td>GRE *</td>
<td>GMAT * (Business)</td>
<td>International Requirements ++</td>
<td>Letters of Recommendation/Other</td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------</td>
<td>----------------</td>
<td>-----------------------------</td>
<td>------------------------------</td>
<td>-------</td>
<td>-----------------</td>
<td>----------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Texas A&amp;M University-Central Texas</td>
<td>Yes</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcripts of all undergraduate &amp; graduate works from previously attended institutions bearing date of bachelor's degree conferral; showing good standing at last institution attended.</td>
<td>Minimum 2.5 GPA &amp; Writing Sample. See individual program for additional specific requirements.</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>TOEFL – 550 Paper based; 213-Computer-based; 80 Internet-based. Foreign credentials must be evaluated by an accrediting agency that is recognized by the U.S. Must have a reliable U.S. sponsor with their Advisory Letter on File.</td>
<td>Comprehensive examination prior to graduation is required of all students.</td>
</tr>
<tr>
<td>Texas A&amp;M University-Corpus Christi</td>
<td>Yes</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions.</td>
<td>GPA last 60 SCH (See individual department for specific requirements.)</td>
<td>Official scores required.</td>
<td>Official scores required</td>
<td>TOEFL – paper-based score of 550; computer-based score of 213, or Internet-based (ibt) score of 79-80. Notarized Affidavit of Support. Approved evaluation of credentials. Visa status documentation. Official scores on GRE or GMAT, depending on program.</td>
<td>See individual department for additional specific requirements.</td>
</tr>
</tbody>
</table>

* (Does not apply to students enrolled in the RN to MSN option)
<table>
<thead>
<tr>
<th>CAMPUS/Programs</th>
<th>Application Form</th>
<th>Previous Degree</th>
<th>Official College Transcripts</th>
<th>Undergraduate Cumulative GPA</th>
<th>GRE *</th>
<th>GMAT ** (Business)</th>
<th>International Requirements ++</th>
<th>Letters of Recommendation /Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas A&amp;M University-San Antonio</td>
<td>Yes</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all college/ university course work with final degree posted.</td>
<td>Minimum of 2.6 undergraduate cumulative GPA or 3.0 last 60 hours; GPA below 2.6</td>
<td>Official scores required.</td>
<td></td>
<td>TOEFL – $50 Paper Based Minimum or 213 Computer Based minimum, or 79 Internet Based Minimum</td>
<td>See individual department for additional requirements.</td>
</tr>
<tr>
<td>West Texas A&amp;M University</td>
<td>Yes</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate works from previously attended institutions.</td>
<td>Master's level--Composite score of undergraduate GPA (overall or last 60 SCH) For doctoral level—Master’s GPA.</td>
<td>Official scores required.</td>
<td></td>
<td>TOEFL – 550 Paper, 213 computer, 79 internet-based IELTS 6.0. Students funded by agency requiring special billing (Saudi Cultural Mission, MUSKIE, IREX, Fulbright), charged an incidental fee of $150 per semester.</td>
<td>None required for Master’s level. However, individual programs typically require references. Three references for Doctoral admissions.</td>
</tr>
</tbody>
</table>

**Column Heading Explanations**

* GRE and GMAT: Evaluated in a manner that complies with Statute 51.842 (per HB 1641, 77th Texas Legislature)*

**International Requirements**: Applicants whose native language is not English must take the Test of English as a Foreign Language (TOEFL). All international students (who are not citizens or permanent U.S. residents) are required to be covered under the Student Health Insurance Plan or have equivalent insurance coverage as described in System Regulation 26.99.01.
The Texas A&M System Health Science Center
Changes to Undergraduate, Graduate and Professional Admission Requirements
Academic Year 2010-11

<table>
<thead>
<tr>
<th>Undergraduate: CAMPUS/Programs</th>
<th>Application Form</th>
<th>Bachelor’s Degree</th>
<th>Official College Transcripts</th>
<th>Undergraduate Cumulative GPA</th>
<th>GRE*</th>
<th>GMAT* (Business)</th>
<th>International Requirements**</th>
<th>Letters of Recommendation/Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>College of Nursing Generic, Accelerated and RN to BSN Tracks (B.S.N.)</td>
<td>Yes $50 non-refundable fee</td>
<td>Not required for generic or RN to BSN applicants but must complete prerequisite coursework</td>
<td>Official transcript from all institutions of higher education attended</td>
<td>Admission is competitive</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>TOEFL: Minimum score of 587; (587 paper; 240 computer; 95 or higher internet). Score a 6.0 overall band score on the Academic Module of the IEL Testing Exam</td>
<td>Require two recommendation forms; one must come from professor Essay required</td>
</tr>
<tr>
<td>Graduation/Professional: CAMPUS/Programs</td>
<td>Application Form</td>
<td>Bachelor's Degree</td>
<td>Official College Transcripts</td>
<td>Undergraduate Cumulative GPA</td>
<td>GRE*</td>
<td>GMAT* (Business)</td>
<td>International Requirements**</td>
<td>Letters of Recommendation / Other</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>----------------------------</td>
<td>-----------------------------</td>
<td>------</td>
<td>----------------</td>
<td>-----------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>College of Medicine</td>
<td>Yes AMCAS&lt;sup&gt;4&lt;/sup&gt; ($160 for the first school)</td>
<td>At least 90 SCHs from a fully accredited college or university in the US or its territories including specific subject requirements. Degree preferred.</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions</td>
<td>Completion of set core curriculum with competitive GPA &amp; MCAT scores required</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>At least 90 semester credit hours from a fully accredited college or university in the US or its territories. Degree preferred. TOEFL: Minimum score of 550 (550 paper; 213 computer; 80 or higher internet). Score a 6.0 overall band score on the Academic Module of the IEL Testing Exam</td>
<td>One letter from health professions advisor; or letters from current/former professors. Personal interview required.</td>
</tr>
<tr>
<td>Combined M.D./Ph.D.</td>
<td>College of Medicine Secondary Application $50 N-R fee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M.D. Partnership for Primary Care</td>
<td>Yes: TMDNAS&lt;sup&gt;5&lt;/sup&gt; ($55 for the first school)</td>
<td>At least 90 semester credit hours from a fully accredited college or university in the US or its territories including specific subject requirements. Degree preferred.</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions</td>
<td>Completion of set core curriculum with competitive GPA &amp; MCAT scores required</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>At least 90 SCHs from a fully accredited college or university in the US or its territories including specific subject requirements. Degree preferred. TOEFL: Minimum score of 550 (550 paper; 213 computer; 80 or higher internet). Score a 6.0 overall band score on the Academic Module of the IEL Testing Exam</td>
<td>One composite letter from health professions advisory committee; or two letters from current/former Professors. Personal interview required.</td>
</tr>
<tr>
<td></td>
<td>College of Medicine Secondary Application $50 N-R fee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Graduate/Professional: Campus/Programs</td>
<td>Application Form</td>
<td>Bachelor's Degree</td>
<td>Official College Transcripts</td>
<td>Undergraduate Cumulative GPA</td>
<td>GRE*</td>
<td>GMAT* (Business)</td>
<td>International Requirements**</td>
<td>Letters of Recommendation/Other</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-----------------------------</td>
<td>-----------------------------</td>
<td>------</td>
<td>------------------</td>
<td>-----------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>School of Rural Public Health</td>
<td>Yes: SOPHAS/SRPH Graduate Admissions Form; $115 N-R fee; SRPH secondary application $25 N-R fee</td>
<td>Bachelor's or professional degree from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>TOEFL score of 587 or higher (paper); 95 or higher (internet); 240 or higher (computer). Exempt from TOEFL if GRE verbal score is 500 or higher or if applicant earned at least a bachelor's degree from a U.S. institution. Transcripts in English &amp; WES/ECSE Transcript Analysis.</td>
<td>Three LOR forms required from persons who are familiar with the applicant’s professional and/or academic performance</td>
</tr>
<tr>
<td>M.P.H.</td>
<td>Yes: SOPHAS/SRPH Graduate Admissions Form; $115 N-R fee; SRPH secondary application $25 N-R fee</td>
<td>Bachelor's or professional degree from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>TOEFL score of 587 or higher (paper); 95 or higher (internet); Graduate/Professional Transcripts in English &amp; WES/ECSE Transcript Analysis.</td>
<td>Three LOR forms are required from persons who are familiar with the applicant’s professional and/or academic performance. Interviews permitted but not required.</td>
</tr>
<tr>
<td>Graduate/Professional: CAMPUS/Programs</td>
<td>Application Form</td>
<td>Bachelor's Degree</td>
<td>Official College Transcripts</td>
<td>Undergraduate Cumulative GPA</td>
<td>GRE*</td>
<td>GMAT* (Businesses)</td>
<td>International Requirements**</td>
<td>Letters of Recommendation / Other</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>----------------------------</td>
<td>-----------------------------</td>
<td>------</td>
<td>---------------------</td>
<td>-------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>School of Rural Public Health</td>
<td>Yes: SOPHAS/ SRPH Graduate Admissions Form; $115 N-R fee; <strong>SRPH secondary application</strong> $25 N-R fee</td>
<td>Bachelor's or professional degree from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative.</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>TOEFL score of 587 or higher (paper); 95 or higher (internet); 240 or higher (computer). Exempt from TOEFL if GRE verbal score is 500 or higher or if applicant earned at least a bachelors degree from a U.S. institution.</td>
<td>Three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance</td>
</tr>
<tr>
<td>M.S.P.H</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Transcript Analysis</td>
<td></td>
</tr>
<tr>
<td>School of Rural Public Health</td>
<td>Yes: SOPHAS/ SRPH Graduate Admissions Form; $115 N-R fee; <strong>SRPH secondary application</strong> $25 N-R fee</td>
<td>Bachelor's or professional degree and relevant master's degree containing research training from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Competitive GPA.</td>
<td>Official scores required.</td>
<td>Official scores required.</td>
<td>TOEFL score of 587 or higher (paper); 95 or higher (internet); 240 or higher (computer). Exempt from TOEFL if GRE verbal score is 500 or higher or if applicant earned at least a bachelors degree from a U.S. institution.</td>
<td>At least three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance</td>
</tr>
<tr>
<td>Ph.D.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Transcript Analysis</td>
<td></td>
</tr>
<tr>
<td>School of Rural Public Health</td>
<td>Dr. P.H.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------</td>
<td>------------------</td>
<td>------------------</td>
<td>------------------</td>
<td>------------------</td>
<td>------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes: SOPHAS/SRPH Graduate Admissions Form; $115 N-R fee; $115 N-R fee for international students SRPH secondary application $25 N-R fee</td>
<td>Bachelor's or professional degree and relevant master's degree from an accredited college or university Official transcripts from each academic institution attended since high school</td>
<td>Competitive GPA.</td>
<td>Official scores required.</td>
<td>Not applicable</td>
<td>TOEFL score of 587 or higher (paper); 95 or higher (internet); 240 or higher (computer). Exempt from TOEFL if GRE verbal score is 500 or higher or if applicant earned at least a bachelor's degree from a U.S. institution. Transcripts in English &amp; WES/EC2 Transcript Analysis.</td>
<td>At least three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SOPHAS = Schools of Public Health Application Service

**Column Heading Explanations**

**NOTE:** Special Program:

**Partnership for Primary Care.** Entrance into the A&M System HSC medical school is assured at the time of entrance into one of the seven A&M System partner schools provided that the student has a high school GPA of 3.50 or higher, be predicted to graduate in the top 10% of the high school class, and present SAT scores of at least 1200 or an ACT equivalent. Students also need to maintain a yearly 3.50 GPA while in college and complete the required courses for medical school. Students must complete an undergraduate degree. The MCAT test is waived for students in the Partnership for Primary Care program.

* Evaluated in a manner which complies with HB 1641 (77th Session, Texas Legislature)

** Applicants whose native language is not English must take the Test of English as a Foreign Language (TOEFL). All international students (who are not citizens or permanent US residents) are required to be covered under the Student Health Insurance Plan or have equivalent insurance coverage as described in System Regulation 26.99.01. All applicants from non-English speaking countries must present a score on the TOEFL of 587 paper in the College of Nursing, and the School of Rural Health and a 550 score in the College of Medicine or the equivalent for computer or internet (Skills scores are under review and applicants taking the internet based test will have their scores reviewed on a case by case basis in concert with the remainder of their file.) In order to be admitted to graduate studies, submit international transcripts translated in English by a certified English translator, which can usually be accomplished at the nearest American Embassy in the student's country. International transcripts for all HSC components are evaluated by and any required fees are paid to the Texas A&M University International Students and Services Office (http://international.tamu.edu/iss/).
TEXAS A&M UNIVERSITY-CENTRAL TEXAS

Rule No. 34.05.99.D1 (Effective 9/25/2009) (Supplements System Policy 34.05)

Smoking and Tobacco Use

PURPOSE: To establish guidelines, within the framework of System Policy, governing the use of tobacco products on TAMU-CT property

RULE: Texas A&M University-Central Texas restricts the use of tobacco products on institutional property in such a manner as to protect the health of students, employees, vendors, and visitors.

1. TAMU-CT’s "smoking rule" is set forth in the institution’s Safety Manual, stating:

   All University facilities, buildings, and vehicles, regardless of location or ownership, must be entirely smoke-free. This includes all foyers, entryways, classrooms, rest rooms, and offices.

2. The institution’s commitment to a "smoke-free" rule is predicated upon:

   a. sound medical research, which has established a clear connection between the use of tobacco products and serious health conditions;

   b. determinations of the United States Surgeon General and the Environmental Protection Agency, which conclude that:

      (1) breathing secondary smoke causes various diseases and allergic reactions in healthy non-smokers;
      (2) separating smokers and non-smokers within the same air space does not eliminate exposure to environmental tobacco smoke for non-smokers; and
      (3) tobacco smoke and secondary tobacco smoke are Class A carcinogens;

   c. a desire to promote a safe, healthy, and pleasant environment for TAMU-CT students and employees, as well as visitors to the campus, including vendors.

3. Recognizing that individuals may choose to smoke, the institution permits smoking in designated areas on the campus. Such areas are to be outside, where ventilation minimizes the effect of the smoke as much as possible; may be officially designated as such by appropriate signs; must contain ashtrays or other receptacles for extinguishing smoking materials; and 50 feet away from entryways to avoid smoke being drawn into a campus building or facility.

4. The use of smokeless tobacco products is not permitted in the facilities or buildings of TAMU-CT.

5. If an individual (student, employee, vendor, or visitor) feels that there has been a violation of this Rule statement, the violation may be reported to the TAMU-CT Safety Manager, the Office of the Dean of Students, the Director of Human Resources, or, if the individual is an employee, the immediate supervisor or department head. It is expected that smokers and those using smokeless tobacco products will voluntarily comply with both the spirit and the intent of this Rule statement.

6. Texas A&M University-Central Texas is not required to incur any expense, or make structural or other physical modifications, to accommodate the preferences of nonsmokers or smokers/smokeless tobacco users. Other accommodations, such as altering workplace schedules, rest periods/breaks, and the like, may be considered and determined to be appropriate at the department head’s discretion.
34.05.99.01 Smoking and Tobacco Use

Approved/Effective Date: September 25, 2009
Supplements System Policy 34.05

Rule Statement

Texas A&M University-San Antonio is committed to ensuring a safe, healthy, and pleasant work and learning environment on all university-owned or leased property.

Reason for Rule

This rule is required by System Policy 34.05.

Procedures and Responsibilities

This rule applies to all faculty, staff, students, and visitors to university-owned or leased property or using university-owned or leased/rented vehicles. This rule relies on the thoughtfulness, consideration, and cooperation of smokers and non-smokers for its success. It is the responsibility of all members of the Texas A&M University-San Antonio community to observe the provisions and comply with the spirit and intent of this rule.

Smoking (cigars, cigarettes, etc.) is prohibited on all university-owned or leased properties, and in all vehicles owned, leased, or rented by Texas A&M University-San Antonio unless outdoor smoking areas are designated by university administration. The use of smokeless tobacco (such as chewing tobacco, “dip,” etc.) is prohibited in all university-owned or leased facilities.

Violations of this rule will be handled in a manner outlined in the applicable faculty, staff, and student code of conduct publications.

Related Statutes, Policies, or Requirements

TAMUS Policy 34.05 Smoking

Contact Office

Texas A&M University-San Antonio Office of Finance and Administration
210-932-6226
Policy Statement

The Texas A&M University System (system), its members, employees and students must comply with all United States export control laws and regulations, including those implemented by the Department of Commerce through its Export Administration Regulations (EAR) and the Department of State through its International Traffic in Arms Regulations (ITAR), as well as those imposed by the Treasury Department through its Office of Foreign Assets Control (OFAC).

Reason for Policy

The export of certain items, technologies, software, and services is regulated for reasons of national security, foreign policy, prevention of the spread of weapons of mass destruction, and for competitive trade reasons. Export control laws restrict the shipment, transmission or transfer of certain items, software, technology and services from the United States to foreign countries, as well as “deemed exports” which are releases of controlled physical items or controlled information to foreign nationals located in the United States.

Although many member activities are likely to be excluded from export control laws, some activities may be restricted. The application of export control laws involves a fact-specific analysis. Most exports do not require specific approval from the federal government. Certain exports, however, require a license. Others are prohibited.

There are severe institutional and individual sanctions for violations of export controls laws including the loss of research funding, loss of export privileges, as well as civil and criminal penalties including imprisonment.

Several federal agencies implement export control rules and regulations. Each agency possesses jurisdiction over specific types of technology or restricted trade activities or controlled physical items.

Among other regulations, the Department of Commerce regulates exports through the EAR 15 CFR 700-799. The Department of State regulates exports through the ITAR 22 CFR 120-130, and the Treasury Department regulates exports and transactions involving certain countries, individuals and organizations through the OFAC. Each agency possesses different and changing rules and lists for specifying who or what is considered export sensitive and where export controls apply.
The restrictions enforced by the OFAC are not affected by ITAR, EAR or the fundamental research exemption established by National Security Decision Directive 189 (NSDD189).

---

**Procedures and Responsibilities**

All faculty, staff and students must be aware of and are responsible for the export-control implications of their work and must ensure that their activities conform to export control rules and regulations. Any required license/approval must be in place before exporting anything that is deemed controlled.

1. **EXCLUSIONS**

   Most research related exports are likely to be excluded from EAR and ITAR export controls under one of the following exclusions: (1) the fundamental research exclusion; (2) the “publicly available” (EAR) and “public domain” (ITAR) exclusion; or (3) the educational information exclusion.

1.1 **Fundamental Research Exclusion**

   1.1.1 Most research activities conducted at institutions of higher education located in the United States are excluded from export controls under the “fundamental research” exemption established by NSDD189. The fundamental research exclusion applies to basic and applied research in science and/or engineering at an institution of higher education in the United States where the resulting information either is ordinarily published and shared broadly in the scientific community, or where the resulting information has been or is about to be published. Basic research is distinguished from proprietary research or industrial research.

   1.1.2 Research activities will not qualify for the fundamental research exclusion if

   (a) the institution accepts restrictions on the publication of the information resulting from the research, other than limited pre-publication reviews by research sponsors to prevent inadvertent divulging of proprietary information or to ensure that publication will not compromise patent rights of the sponsor; or

   (b) the research is federally funded and specific access or dissemination controls regarding the resulting information have been accepted by the institution or the researcher. Certain corporate-sponsored research may not qualify as fundamental research. The fundamental research exclusion applies to controlled information but not to controlled physical items.

1.2 **Publicly Available/Public Domain Exclusion**
Information that is published or generally accessible or available to the public and scientific community is excluded from export controls. The exclusions apply so long as the federal government has not imposed export controls or restrictions as a condition of funding and provided there is no reason to believe that the exported information will be used for weapons of mass destruction.

The “publicly available” exclusion under EAR and the “public domain” exclusion under ITAR only apply to the export or deemed export of controlled information, not to the export of controlled physical items or services listed on the United States Munitions List (USML) or the Commerce Control List (CCL).

Information that is published and available to the public at libraries, newsstands and bookstores through subscriptions without restriction, through patents available at any patent office, through unlimited distribution at conferences, meetings, seminars, trade shows and exhibitions held in the United States and generally open to the public are excluded from export controls. (See 22 CFR 120.11 and 15 CFR 734.3 for further details.)

1.3 Educational Information Exclusion

General scientific, mathematical and engineering principles released by instruction in catalog courses and associated teaching laboratories or academic institutions are excluded from export controls under EAR and ITAR. However, under EAR, the exclusion does not cover controlled information conveyed outside the classroom or teaching lab of an academic institution.

2. SYSTEM MEMBER RESPONSIBILITY

Each system member must develop a rule implementing an export control compliance program to reduce the risk of export control violations. Compliance programs should include the following elements:

(a) an export control decision-making tree or similar guideline to use in analyzing export control issues;
(b) identification of the member’s “empowered official(s)” who will have decision making authority for the resolution of export control issues;
(c) methods to identify and account for ITAR and EAR controlled physical items and controlled information;
(d) procedures to screen contacts and countries;
(e) record keeping responsibilities;
(f) training and educational programs; and
(g) mechanisms for notification of violations and penalties.
3. INDIVIDUAL RESPONSIBILITY

Each system member will provide assistance to faculty, staff and students in assessing the applicability of export control regulations; however, primary responsibility for compliance rests with the individuals involved in the export, including principal investigators and others in supervisory positions.

Related Statutes, Policies, or Requirements

International Traffic in Arms Regulations (ITAR) 22 CFR 120-130
Export Administration Regulations (EAR) 15 CFR 700-799
Office of Foreign Assets Control (OFAC) 31 CFR 500-599
National Security Decision Directive 189
Atomic Energy Act of 1954 and Nuclear Regulatory Commission Regulations to 10 CFR Part 110

Definitions

Controlled Information – Controlled information is information about controlled physical items. This includes information which is required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of controlled physical items and may be released through visual inspection, oral exchanges, or the application of personal knowledge or technical experience with controlled physical items. This includes information in the form of blueprints, drawings, photographs, plans, instructions and documentation. Also included in this definition are non-physical items (software and algorithms, for example) listed under EAR and ITAR. (See 15 CFR 730-774 and 22 CFR 120-130 for further details.)

Controlled Physical Items – Controlled physical items are dual use technologies listed under EAR and defense articles listed on ITAR’s USML. (See 15 CFR 730-774 and 22 CFR 120-130 for further details.)

Export – An export occurs when a controlled physical item or controlled information is transmitted outside the United States borders or when a controlled physical item or controlled information is transmitted to a foreign person in the United States. When a controlled physical item or controlled information is transmitted to a foreign person in the United States, it is known as a deemed export.

The term “export” is broadly defined. It generally includes (1) actual shipment of any controlled physical items; (2) the electronic or digital transmission of any controlled information; (3) any release or disclosure, including verbal disclosures and visual inspections, of any controlled information; or (4) actual use or application of controlled physical items or controlled
information on behalf of or for the benefit of a foreign entity or person anywhere. Complete definitions of the term “export” are contained in the federal regulations.

**Foreign Person** – For export control purposes, a foreign person includes any individual in the United States in nonimmigrant status (i.e., H-1B, H-3, L-1, J-1, F-1, B-1, Practical Training), and individuals unlawfully in the United States.

A foreign person is also any branch of a foreign government or any foreign corporation or group that is not incorporated or organized to do business in the United States.

For export control purposes, a foreign person is not an individual who is a United States citizen, lawful permanent resident of the United States, a refugee, protected political asylee or someone granted temporary residency under amnesty or Special Agricultural Worker provisions.

---

**Contact Office**

The System Office of General Counsel
(979) 458-6120
TEXAS A&M UNIVERSITY
RECOMMENDATIONS FOR TENURE
TENURE LIST NO. 10-01

<table>
<thead>
<tr>
<th>Name</th>
<th>Present Rank Department</th>
<th>Years Teaching Univ./Other Inst.</th>
<th>Effective Date/Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leland S. Pierson III</td>
<td>Professor &amp; Head, Plant Pathology and Microbiology</td>
<td>0</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
<tr>
<td>Mr. Geoffrey J. Booth</td>
<td>Associate Professor Landscape Architecture and Urban Planning</td>
<td>0</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
</tbody>
</table>

*Tenure on Arrival
TEXAS A&M UNIVERSITY
BACKGROUND OF FACULTY
RECOMMENDED FOR ACADEMIC TENURE

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Present Rank</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Leland S. Pierson III</td>
<td>Plant Pathology and Microbiology</td>
<td>Professor and Head</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
</tbody>
</table>

Dr. Leland S. Pierson is currently a Professor and Division Chair at the Department of Plant Sciences at The University of Arizona with tenure.

Dr. Pierson received a B.S. degree (1979) in Microbiology from The University of California, Davis, and a Ph.D. degree (1986) in Microbiology from Washington State University. From 1986-1990, Dr. Pierson was a Post-doctoral Research Microbiologist, USDA-Agricultural Research Service, Root Disease and Biological Control Research Unit, Pullman, Washington. He began his academic appointment as Assistant Professor, Department of Plant Pathology, University of Arizona (1990), was promoted to Associate Professor (1996), and to Professor (2002), Division of Plant Pathology and Microbiology, Department of Plant Sciences. In 2003, Dr. Pierson was appointed Division Chair. He has served as Chair of the University Institutional Biosafety Committee, Office of Vice President for Research, since 2000. Dr. Pierson has served on 44 graduate student committees principally in Plant Pathology and Microbiology as well as in Veterinary Science and Microbiology; Soil, Water and Environmental Sciences; Microbiology and Immunology; and Ecology and Evolutionary Biology. He has advised and mentored 36 undergraduates in his laboratory. He was the recipient of the Agriculture and Life Sciences Outstanding Faculty Teaching Award in 2007-2008. Dr. Pierson’s areas of interest are microbial secondary metabolite gene regulation; microbial community interactions; and biofilms, biological control. He has obtained competitive grant funding to support his research program, and his research has been published in prestigious, peer reviewed journals. Dr. Pierson enjoys a national and international reputation and is an invited speaker at conferences in the United States and abroad. Dr. Pierson is an experienced administrator, effective teacher, and successful research scientist.

COLLEGE OF ARCHITECTURE

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Present Rank</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Mr. Geoffrey I. Booth</td>
<td>Landscape Architecture and Urban Planning</td>
<td>Associate Professor</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
</tbody>
</table>

Geoffrey Booth is currently a Senior Fellow in Sustainable Development with the *Environmental Resource Management (ERM)* in Silver Spring, Maryland. Prior to that, he served as the Vice President for Global Development with *Urban Land Institute*, Washington, D.C. (2000-06). Mr. Booth will be joining the TAMU faculty in the College of Architecture as an Associate Professor in Landscape Architecture and Urban Planning.
COLLEGE OF ARCHITECTURE (Continued)

Mr. Geoffrey J. Booth (continued)

Geoffrey Booth holds academic qualifications in Regional and Town Planning (1979, Summa Cum Laude), Public Administration (1987), and Applied Finance and Investment (1994), all from universities in Australia. He has established an extensive track record of professional achievement, published scholarship, and expertise in sustainable real estate development, finance, and investment decisions. He has made important scholarly and professional contributions in areas such as innovative strategies for re-inventing suburban business districts; qualitative investigations of the financial feasibility of shopping centers; and validation of sustainability dividend in land and real estate interactions. His findings are published in books such as *Transforming Suburban Business Districts (2001)* and *Dollars and Cents of Shopping Centers (2002).*

In his thirty year career, Geoffrey has conceptualized, developed, financed, leased, managed and sold real estate projects and portfolios. He has run real estate joint venture companies and trusts, drafted, administered and defended public policy and legislative initiatives, provided leadership and direction to public, private and not-for-profit organizations. Geoffrey has taught courses and provided lectures on property investment analysis and decisions at numerous universities in Australia. He has been a key note speaker at conferences in Australia, Asia, Europe, and the United States. His unique skill set, experience, and scholarship positions him to intellectually challenge students on sustainable real estate investment decisions, bring real world experiences into the classroom, and act as an important bridge between the Masters of Science in Land Development and industry.
<table>
<thead>
<tr>
<th>Name</th>
<th>Present Rank</th>
<th>Years Teaching</th>
<th>Effective Date/Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Dr. Manuel Broncano</td>
<td>Professor</td>
<td>0 20</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
<tr>
<td></td>
<td>Language and Literature</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Dr. Regina C. Aune</td>
<td>Professor</td>
<td>0 13</td>
<td>08/03/09**</td>
</tr>
<tr>
<td></td>
<td>Nursing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Dr. Rosemary K. Plank</td>
<td>Associate Professor</td>
<td>0 19</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
<tr>
<td></td>
<td>College of Nursing and Health Sciences</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Tenure on Arrival
**Dr. Aune was appointed Dean of the College of Nursing and Health Sciences and granted tenure, effective August 3, 2009, at the July 2009 Board meeting. She is included on this tenure listing for record keeping purposes only.
COLLEGE OF ARTS AND SCIENCES

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Present Rank</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Manuel Broncano</td>
<td>Language and Literature</td>
<td>Professor</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
</tbody>
</table>

Dr. Manuel Broncano is currently a tenured Associate Professor of American Literature in the Department of Modern Languages at the University of Leon in Leon, Spain.

Dr. Broncano earned his B.A. in English in 1986 from the University of Salamanca and his M.A. in English from the same institution in July 1986. Dr. Broncano earned his Ph.D. in English from the University of Salamanca in 1990. His notable professional and academic career in higher education over a period of 22 years includes his role as a faculty member for 20 years at the University of Leon. Dr. Broncano has been a Visiting Scholar at Brown University and a Fulbright Fellow at Rutgers University. Dr. Broncano’s academic career is complemented by his six years as Chair of the Department of Modern Languages at the University of Leon. He has served as an editor and translator of 12 books, published 19 refereed articles and book chapters, and has two additional articles that are scheduled for publication. Dr. Broncano has also delivered papers and made presentations at numerous professional conferences, has successfully obtained four externally funded research projects, and currently serves on the editorial board of two prestigious journals.

COLLEGE OF NURSING AND HEALTH SCIENCES

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Present Rank</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Regina C. Aune</td>
<td>Nursing</td>
<td>Professor</td>
<td>08/03/09</td>
</tr>
</tbody>
</table>

Dr. Regina C. Aune formerly held the position of Dean of Galen College of Nursing in San Antonio, Texas.

Dr. Aune received her BSN in Nursing in 1969 from St. John College of Cleveland, Ohio and a M.S. in 1979 from the University of California San Francisco. Her Ph.D. degree was granted by the University of Utah in 1983. Dr. Aune has had a distinguished professional and academic career which was recognized by her election as a fellow of the American Academy of Nursing. She has over 30 years of experience in the U.S. Air Force, retiring at the rank of Colonel. From 1982-1986, she was on the faculty of the Hahn School of Nursing at the University of San Diego. She served as chair of the Department of Nursing Research in the Graduate School of Nursing at the Uniformed Services University of Health Sciences from 1994-1997 and Commandant of the Graduate School of Nursing from 1995 to 1997. Dr. Aune also served as the Chair of the Expeditionary Education and Training Department at the USAF School of Aerospace Medicine from 2005-2006. Dr. Aune has published five refereed articles and one book chapter in leading journals in Nursing and has been awarded several grants. She serves as a reviewer for Military Medicine.
### COLLEGE OF NURSING AND HEALTH SCIENCES (Continued)

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Present Rank</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Rosemary K. Plank</td>
<td>College of Nursing and Health Sciences</td>
<td>Associate Professor</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
</tbody>
</table>

Dr. Rosemary K. Plank currently is serving as a tenured Associate Professor and Undergraduate Chair of the College of Nursing and Health Sciences at Texas A&M University–Corpus Christi (TAMU-CC).

Dr. Plank earned both a BSN in 1974 and a MS in Nursing in 1980 at the University of Minnesota. Dr. Plank earned a Ph.D. in Gerontology in 2001 at the University of California, San Francisco (UCSF). Dr. Plank’s distinguished 19-year professional and academic career in higher education includes her role as a faculty member at the University of Minnesota, UCSF, and most recently at TAMU-CC. Of significant import is that Dr. Plank earned a Graduate Certificate in Virtual Classroom Development from Fielding University and the Certified Nursing Educator credential from the National League of Nursing. In 1997, she was honored with the Sigma Theta Excellence in Teaching Award at TAMU-CC. From 2000-2007, Dr. Plank served as the Academic Coordinator for the School Nursing at UCSF, where she developed, implemented, and taught others how to deliver hybrid and online courses. In addition to presenting papers at national and international conferences, Dr. Plank has been able to publish four articles in refereed journals.

Upon her arrival, Dr. Plank will also serve as Director of the Professional Resources and Opportunities for Faculty (PROF) Center.
<table>
<thead>
<tr>
<th>Name</th>
<th>Present Rank</th>
<th>Years Teaching</th>
<th>Department</th>
<th>Effective Date/Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Paul V. Zimba</td>
<td>Associate Professor</td>
<td>0</td>
<td>Life Sciences</td>
<td>8</td>
</tr>
</tbody>
</table>

*Tenure on Arrival

Upon Approval by the Board and Faculty Arrival
Dr. Paul V. Zimba comes to Texas A&M University-Corpus Christi from the Agriculture Research Service (ARS) division of the United States Department of Agriculture (USDA) where he served as a Research Microbiologist in Stoneville, Mississippi since 1996. Dr. Zimba’s work at the USDA assisted in the analysis of off-flavor metabolites being produced by algae, fungi, and bacteria in aquaculture systems.

Prior to that Dr. Zimba worked as a Research Assistant, Professor, and Post-doc in the Department of Fisheries at the University of Florida. He has served as an Adjunct Faculty member at Loyola University of New Orleans, and is currently an adjunct at the University of Mississippi and the State University of New York. His research interests extend to algal toxins, aquatic ecosystem ecology, harmful algae, wetlands, aquaculture, microalgal taxonomy and physiology, carbon fixation assessment, aquatic ecosystem stressors, and cyanobacteria secondary metabolites.

Dr. Zimba’s educational pursuits began at Virginia’s Wesleyan College. There he earned a B.S. in Biological Sciences in 1979. His Master’s Degree came from Old Dominion University in 1985, also in Biological Sciences. In 1990, Dr. Zimba achieved his Ph.D. from Mississippi State University. During his academic and professional career Dr. Zimba has been responsible for securing more than $6.3 million in contracts and grants while also ascending to the level of senior scientist in the ARS. He has presented at the Gordon Conference on Mycotoxins and Phycotoxins, and served on the editorial board of two international journals as well as the Board of Trustees of the Phycological Society of America.
THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER
RECOMMENDATION FOR TENURE
TENURE LIST NO. 10-01

<table>
<thead>
<tr>
<th>Name</th>
<th>Present Rank Department</th>
<th>Years Teaching Univ./ Other Inst.</th>
<th>Effective Date/Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>* Dr. Anne Sweeney</td>
<td>Professor Epidemiology/ Biostatistics</td>
<td>5 12</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
</tbody>
</table>

* Tenure on Arrival
SCHOOL OF RURAL PUBLIC HEALTH

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Present Rank</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Anne Sweeney</td>
<td>Epidemiology/</td>
<td>Professor</td>
<td>Upon Approval by the Board and</td>
</tr>
<tr>
<td></td>
<td>Biostatics</td>
<td></td>
<td>Faculty Arrival</td>
</tr>
</tbody>
</table>

Dr. Anne Sweeney formerly held a tenured position as Professor of Epidemiology at The Commonwealth Medical College in Scranton, PA, and served as Assistant and Associate Professor at Michigan State University, University of Texas, and Texas A&M University.

Dr. Sweeney holds a B.S. in Nutrition from Marywood College, Scranton, PA; and an M.P.H. and Ph.D. in Epidemiology from University of Pittsburgh. Dr. Sweeney is an author or co-author of over 30 peer-reviewed articles and publications, including “The Reproductive Epidemiology of Dioxins,” “Reproductive Health, Serum Dioxin, and P450 Genes in Vietnam Veterans,” “2,3,7,8-tetrachlorodibenzo-p-dioxin and reproductive effects,” and “Paternal Blood Dioxin, CYP1A1 and Neural Tube Defects in Children of Vietnam Veterans.” Dr. Sweeney’s current research includes “Determinants of Male and Female Fecundity and Fertility”, and “Effects of Aspirin in Gestation and Reproduction Clinical Trial.” Dr. Sweeney was a member of U.S. EPA’s Scientific Advisory Board Environmental Health Committee, and is a member of the U.S. EPA’s Science Advisory Board Panel on Acrylamide. Previously, Dr. Sweeney chaired the National Institute of Child Health and Human Development Concept Review for Determinants of Male and Female Fecundability, and was a member of the Institute of Medicine’s Gulf War and Health Study expert panel on the health effects of pesticides. In addition, Dr. Sweeney previously served as a member of the U.S. EPA’s 1993 Dioxin Peer Review Panel, and co-chaired a special session on “Cancer and Dioxin” at the International Dioxin 2000 meeting.
<table>
<thead>
<tr>
<th>Name/Title Department</th>
<th>Years of TAMIU Tenured, Tenure-Track Service</th>
<th>Semester of Leave</th>
<th>Location and brief description of leave</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rafic A. Bachnak</td>
<td>3</td>
<td>Fall 2009 and Spring 2010</td>
<td>Leave will be spent in Lebanon as a Fulbright Scholar, teaching and conducting research on the development of an eddy current probe using gyroscopes to add three-dimensional capabilities. The data generated from this leave will be used to generate several manuscripts for publication.</td>
</tr>
</tbody>
</table>

**FACULTY DEVELOPMENT LEAVE LIST**  
**FY 2010**  
**TEXAS A&M INTERNATIONAL UNIVERSITY**
The Texas A&M University System
Appointed and Commissioned Peace Officers
August 20, 2009

<table>
<thead>
<tr>
<th>University</th>
<th>Officer’s Name</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRAIRIE VIEW A&amp;M UNIVERSITY</td>
<td>Pittman, Jr., George</td>
<td>Police Officer</td>
<td>8/01/09</td>
</tr>
<tr>
<td>TEXAS A&amp;M UNIVERSITY – CORPUS CHRISTI</td>
<td>Ramirez, Miguel G.</td>
<td>Police Officer</td>
<td>7/01/09</td>
</tr>
<tr>
<td>TEXAS A&amp;M UNIVERSITY – KINGSVILLE</td>
<td>Dickens, Jr., Anthony P.</td>
<td>Police Officer</td>
<td>6/01/09</td>
</tr>
<tr>
<td></td>
<td>Guerra, Stephanie Q.</td>
<td>Police Officer</td>
<td>7/01/09</td>
</tr>
<tr>
<td></td>
<td>Leal, Salvador J.</td>
<td>Police Officer</td>
<td>7/01/09</td>
</tr>
</tbody>
</table>
THE TEXAS A&M UNIVERSITY SYSTEM  
CONFIRMATION OF EMERITUS/EMERITA TITLES  
EMERITUS/EMERITA TITLE LIST NO. 10-01

<table>
<thead>
<tr>
<th>System Member Honoree</th>
<th>Years of Service</th>
<th>Current Rank</th>
<th>Title Conferred</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Leland A. Carlson</td>
<td>40</td>
<td>Professor</td>
<td>Professor Emeritus of Aerospace Engineering</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>Dr. Vincent M. Cassone</td>
<td>21</td>
<td>Professor</td>
<td>Professor Emeritus of Biology</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>Dr. Billy L. Edge</td>
<td>16</td>
<td>Professor</td>
<td>Professor Emeritus of Civil Engineering</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>Dr. Donald E. Harper, Jr.</td>
<td>31</td>
<td>Professor</td>
<td>Professor Emeritus of Marine Biology</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>Dr. Donald H. House</td>
<td>15</td>
<td>Professor</td>
<td>Professor Emeritus of Visualization</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>Dr. John R. Hoyle</td>
<td>35</td>
<td>Professor</td>
<td>Professor Emeritus of Educational Administration &amp; Human Resource Development</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>Dr. Hans Juvkam-Wold</td>
<td>24</td>
<td>Professor</td>
<td>Professor Emeritus of Petroleum Engineering</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>Dr. Ronald J. Martens</td>
<td>29.3</td>
<td>Professor</td>
<td>Professor Emeritus of Large Animal Clinical Sciences</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>System Member Honoree</td>
<td>Years of Service</td>
<td>Current Rank</td>
<td>Title Conferred</td>
<td>Effective Date</td>
</tr>
<tr>
<td>-----------------------</td>
<td>------------------</td>
<td>--------------</td>
<td>-----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Dr. William W. Hallmon</td>
<td>15</td>
<td>Professor</td>
<td>Professor Emeritus of Periodontics</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>System Member Honoree</td>
<td>Years of Service</td>
<td>Current Rank</td>
<td>Title Conferred</td>
<td>Effective Date</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------</td>
<td>--------------</td>
<td>-----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Ms. Jane Holubec</td>
<td>30</td>
<td>County Extension Agent - Family and Consumer Sciences</td>
<td>County Extension Agent Emerita</td>
<td>Upon Approval by the Board</td>
</tr>
<tr>
<td>Dr. Ramona Kellam</td>
<td>18</td>
<td>District Extension Administrator</td>
<td>District Extension Administrator Emerita</td>
<td>Upon Approval by the Board</td>
</tr>
</tbody>
</table>