



# **THE TEXAS A&M UNIVERSITY SYSTEM**

## **MEETING OF THE BOARD OF REGENTS**

**July 21-22, 2011**

**AGENDA ITEMS AND REPORTS**  
**Committee Meetings and Board Meeting**  
**July 21-22, 2011**

**COMMITTEE ON AUDIT**

**Reports**

Third Quarter Audit Report	Cathy Smock, Chief Auditor
Audit Tracking Report	“
Management’s Responses to Audit Tracking Report	“
EthicsPoint Hotline	“

**Agenda Item**

1	(DRAFT) Approval of System Internal Audit Plan for Fiscal Year 2012	A&M System
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**COMMITTEE ON FINANCE**

**Report**

Investment Performance and Manager Review	David Stein, Managing Principal and Chief Portfolio Strategist, Fund Evaluation Group
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**Agenda Items**

2	Approval of Revisions to System Policy 22.02 ( <i>System Investment</i> ) ( <i>This item will also be considered by the Policy Review Committee</i> )	A&M System
3	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__	A&M System
4	Adoption of a Resolution Authorizing the Issuance of the Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series 20__	A&M System
5	Approval of Revolving Fund Bank Accounts for The Texas A&M University System	A&M System
6	Authorization for the President to Establish a One-Time Development Fee for all Gifts to The Texas A&M University System Health Science Center and/or Texas A&M Health Science Center Foundation	TAMHSC
7	Authorization for the Chancellor to Execute Contract with Scott & White Clinic and Scott and White Memorial Hospital and Scott, Sherwood and Brindley Foundation	TAMHSC

**COMMITTEE ON BUILDINGS AND PHYSICAL PLANT**

**Reports**

Report of System Construction Projects Authorized by the Board of Regents	Vergel Gay, Chief Facilities Planning and Construction Officer
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**Agenda Items**

8	Approval of System Capital Plan for FY 2012 – FY 2016	A&M System
9	Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the 2011 Capital Renewal Project at Prairie View A&M University	A&M System
10	Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the Northside Residence Hall Project at Texas A&M University	A&M System
11	Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the Jack B. Kelley Student Center Expansion Project at West Texas A&M University	A&M System
12	Approval of Revisions to System Policy 51.06 ( <i>Naming of Buildings and Other Entities</i> ) ( <i>This item will also be considered by the Policy Review Committee</i> )	A&M System
13	Naming of Buildings and Other Entities:  “Sonya Erwin Franklin Wetlands Field Laboratory of Texas A&M University-Commerce”  “Happy State Bank Field”  New Agriculture and Life Sciences Building “G. Rollie White Conference Room,” ”Lynda and Tom Curl ’70 Conference Room,” “Shirley and Joe Swinbank ’74 Rural Entrepreneurship Classroom,” and “Blue Bell Creameries Classroom”  Riverside Campus “Robert E. ‘Bob’ Wiatt Physical Skills Training Complex”	A&M-Commerce  WTAMU  Texas A&M  TEEX

14	Authorization to Lease Approximately 36,888 Square Feet of Office and Classroom Space in the City of Dallas, Dallas County, Texas	A&M-Commerce
15	Authorization to Grant a Conditional Roadway Easement to Bastrop County, Texas	TFS

**COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS**

**Report**

Committee Update	Elaine Mendoza, Chair, Committee on Academic and Student Affairs
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**Agenda Items**

16	Approval of Revisions to System Policy 11.03 ( <i>Shortened Courses</i> ) ( <i>This item will also be considered by the Policy Review Committee</i> )	A&M System
17	Approval of the Changes to the Admissions Standards for System Member Universities and the Health Science Center for the Year 2012	A&M System
18	Approval to Offer Existing Bachelor's and Master's Degree Programs at the Prairie View A&M University Northwest Houston Center, and Authorization to Request Approval from the THECB	PVAMU
19	Approval of a Bachelor of Arts in International Studies Degree Program, and Authorization to Request Approval from the THECB	Tarleton
20	Approval of a New Master of Science in Kinesiology, and Authorization to Request Approval from the THECB	Tarleton
21	Approval to Offer Existing Bachelor's and Master's Degrees at the Southwest Metroplex Center Locations, and Authorization to Request Approval from the THECB	Tarleton
22	Approval to Offer Existing Bachelor's and Master's Degrees at Tarleton State University –Waco at McLennan Community College University Center, and Authorization to Request Approval from the THECB	Tarleton
23	Approval of a New Master of Science in Athletic Training Degree Program, and Authorization to Submit the Proposal to the THECB for Approval	Texas A&M

24	Approval of a New Master of Fine Arts Degree Program in Visualization, and Authorization to Request Approval from the THECB	Texas A&M
25	Approval to Establish the Midlothian Higher Education Center, a Multi-Institutional Teaching Center on the Midlothian Campus of Navarro College, and Authorization to Request Approval from the THECB	A&M-Commerce/ Tarleton
26	Approval of a Bachelor of Science in Computer Science Degree Program, and Authorization to Request Approval from the THECB	A&M-San Antonio
27	Approval of the Administrative Change Request for Academic Reorganization (Eliminate the College of Health and Behavioral Sciences, Move all B.S. and M.S. Degrees in Nursing into the College of Science, Technology, Engineering, and Mathematics; Move the B.S. Degrees in Sociology, Psychology and Criminal Justice and the M.S. Degree in Counseling Psychology to the College of Education and Liberal Arts), and Authorization to Request Approval from the THECB	Texas A&M-Texarkana

**POLICY REVIEW COMMITTEE**

**Agenda Items**

2	Approval of Revisions to System Policy 22.02 ( <i>System Investment</i> ) ( <i>This item will also be considered by the Committee on Finance</i> )	A&M System
12	Approval of Revisions to System Policy 51.06 ( <i>Naming of Buildings and Other Entities</i> ) ( <i>This item will also be considered by the Committee on Buildings and Physical Plant</i> )	A&M System
16	Approval of Revisions to System Policy 11.03 ( <i>Shortened Courses</i> ) ( <i>This item will also be considered by the Committee on Academic and Student Affairs</i> )	A&M System

**ADDITIONAL ACTIONS/ITEMS/REPORTS TO BE CONSIDERED BY THE BOARD (NOT ASSIGNED TO COMMITTEE)**

**Remarks/Presentations/Reports**

Chairman's Remarks ( <i>includes Update on Chancellor Selection Process and Review of Best Practices and Efficiencies</i> )	Richard A. Box, Chairman of the Board
Interim Chancellor's Remarks ( <i>includes Teaching Excellence Awards, Campus Updates and Legislative Update</i> )	Jay T. Kimbrough, Interim Chancellor
Remarks and Special Introductions	Fred Heldenfels, Chair of the Texas Higher Education Coordinating Board
Texas Higher Education Coordinating Board Update	Raymund Paredes, Commissioner of Higher Education
Update on Texas Armed Services Scholarship Program, HB 3470 by Patrick and Funding	Neal Adams
Update on the Texas Transportation Institute	Dennis Christiansen, Director, TTI

**Agenda Items**

28	Adoption of a Resolution Honoring Mr. Bob Surovik '58 for His Outstanding Dedication and Service as Trustee of the Texas A&M Foundation	Texas A&M
29	Reappointment of Mr. H. Jarrell Gibbs to the Board of Directors of the Private Enterprise Research Center	Texas A&M
30	Appointment of Lt. Gen. Randolph W. House and Mr. Bruce Nichols, and Reappointment of Mr. Ross D. Margraves, Jr. and Mr. Wayne Prescott to the Texas A&M University at Galveston Board of Visitors	Texas A&M
31	Approval of Academic Tenure, July 2011	Texas A&M
32	Approval of Academic Tenure, July 2011	A&M-Central Texas
33	Approval of Academic Tenure, July 2011	A&M-Commerce
34	Approval of Academic Tenure, July 2011	Texas A&M-Kingsville
35	Approval of Academic Tenure, July 2011	Texas A&M-Texarkana

36	Approval of Academic Tenure, July 2011	TAMHSC
37	Approval for Dr. Yongheng Huang, a System Employee, to Serve as an Officer and Member of the Board of Directors of Camris Technologies Corporation, a Business Entity that Has an Agreement with the A&M System in which the A&M System has an Ownership Interest	AgriLife Research
38	*Appointment of Provost and Vice President of Academic and Student Affairs	A&M-Central Texas
39	*Appointment of Deputy Director	TEES
40	*Appointment of Associate Director for Forest Resource Development and Sustainable Forestry	TFS
41	*Appointment of Associate Director for Forest Resource Protection	TFS
42	*Authorization for the President to Execute Employment Contracts with the Head Football Coach, Assistant Football Coach, Head Strength Coach, Assistant Men's Basketball Coach, Head Men's Tennis Coach and Head Women's Golf Coach	Texas A&M

**\*To be considered in Executive Session**

43	CONSENT AGENDA ITEMS	
A	(PLACEHOLDER) Approval of Minutes	BOR, A&M System
B	Approval of FY 2012 Holiday Schedule	A&M System
C	Granting of the Title of Emeritus/Emerita, July 2011	A&M System
D	Confirmation of Appointment and Commissioning of Peace Officers	A&M System

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A&M-Commerce.....	Texas A&M University-Commerce
A&M System.....	The Texas A&M University System
A&M-Central Texas.....	Texas A&M University-Central Texas
A&M-Corpus Christi.....	Texas A&M University-Corpus Christi
A&M-San Antonio.....	Texas A&M University-San Antonio
A/E .....	Architect/Engineer
AgriLife Extension .....	Texas AgriLife Extension Service
AgriLife Research .....	Texas AgriLife Research
BOR.....	Board of Regents
FP&C.....	Facilities Planning and Construction
POR .....	Program of Requirements
PUF.....	Permanent University Fund
PVAMU.....	Prairie View A&M University
RFS .....	Revenue Financing System
TAMIU.....	Texas A&M International University
TAMUG .....	Texas A&M University at Galveston
Tarleton .....	Tarleton State University
TEES .....	Texas Engineering Experiment Station
TEEX.....	Texas Engineering Extension Service
Texas A&M at Qatar .....	Texas A&M University at Qatar
TAMHSC .....	The Texas A&M Health Science Center
Texas A&M.....	Texas A&M University
Texas A&M-Kingsville.....	Texas A&M University-Kingsville
Texas A&M-Texarkana.....	Texas A&M University-Texarkana
TFS .....	Texas Forest Service
THECB.....	Texas Higher Education Coordinating Board
TTI.....	Texas Transportation Institute
TVMDL.....	Texas Veterinary Medical Diagnostic Laboratory
UTIMCO .....	The University of Texas Investment Management Company
WTAMU .....	West Texas A&M University



# Committee on Audit

*(Agenda Item 1)*

## Agenda Item

1	(DRAFT) Approval of System Internal Audit Plan for Fiscal Year 2012	A&M System
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Agenda Item No. 1

**BOARD OF REGENTS  
THE TEXAS A&M UNIVERSITY SYSTEM**

July 5, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of System Internal Audit Plan for Fiscal Year 2012

The Committee on Audit recommends adoption of the following minute order:

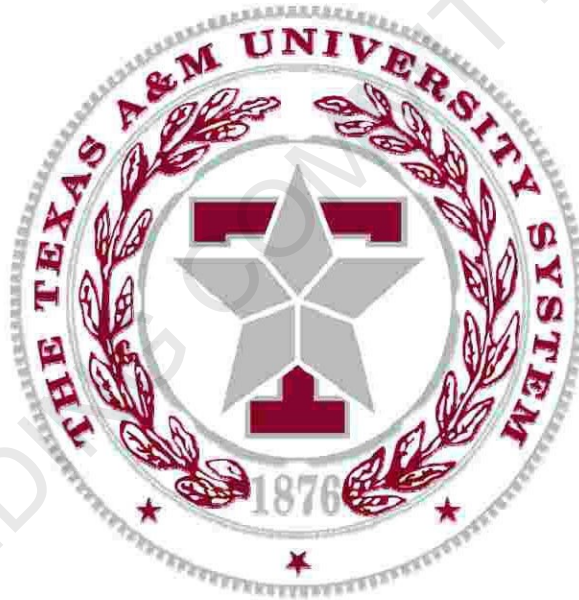
**“The Board of Regents of The Texas A&M University System hereby approves the System Internal Audit Plan for Fiscal Year 2012, a copy of which is attached to the official minutes as Exhibit \_\_\_\_.”**

Respectfully submitted,

Phil Adams  
Chairman, Committee on Audit

**Fiscal Year 2012 Audit Plan**  
**The Texas A&M University System**  
**Internal Audit Department**

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# **Fiscal Year 2012 Audit Plan**

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# **Fiscal Year 2012 Audit Plan**

## **The Texas A&M University System**

### **Internal Audit Department**

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The purpose of the Audit Plan is to outline audits and other activities the System Internal Audit Department will conduct during fiscal year 2012. The Plan is developed to satisfy responsibilities established by the Board of Regents Bylaws; System Policy 10.01; Section 2102.008 of the Government Code; and applicable auditing standards. The Chief Auditor is authorized to make changes to the Plan, as she deems necessary, to address changes in identified risks. The Committee on Audit and the Chancellor will be notified of any significant additions, deletions, or other changes to the Audit Plan.

The types of audits listed in this Plan demonstrate the variety of approaches the System Internal Audit Department takes to address its mission of helping the Texas A&M University System achieve its goals and objectives in an efficient and effective manner. To accomplish this, deliverables for audits may include a variety of services, including audit reports, technical assistance, data analysis, and other written and oral communications.

The Audit Plan includes audits that determine if the A&M System's networks of risk management, control, and governance processes, as designed and implemented by management, are adequate and functioning in a manner to ensure that risks are defined and managed; financial, managerial, and operating information is accurate, reliable and timely;



# **Fiscal Year 2012 Audit Plan**

## **The Texas A&M University System**

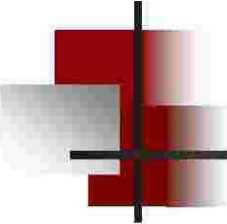
### **Internal Audit Department (cont.)**

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employee's actions are in compliance with policies, standards, procedures and applicable laws and regulations; operations are efficient and effective; resources are acquired economically, used efficiently and adequately protected; and accountability systems are in place to make sure organizational and program missions, goals, plans and objectives are achieved.

Audits included in this Plan were primarily identified through a system-wide risk assessment process. However, some of the audits included are performed to assist the A&M System in complying with other external requirements.

Planned audits for fiscal year 2012 are listed on the following pages. Audits approved in the Audit Plan for fiscal year 2011 that are not completed by August 31, 2011, will also be considered part of this Plan.



# **Fiscal Year 2012 Audit Plan Prairie View A&M University**

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## *Review of Student Financial Aid*

Review the processes and controls over the University's student financial aid system to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations, and rules. The University provided students with financial aid totaling more than \$100 million in fiscal year 2010.

## *Review of Information Technology*

Review the processes and controls over information technology to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. Information technology includes the integrity, security and reliability of academic and administrative information systems that support all University colleges and departments.



## **Fiscal Year 2012 Audit Plan Prairie View A&M University (cont.)**

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### *Review of Human Resources*

Review the processes and controls over human resources to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations and rules. In fiscal year 2010, the University had 1,196 employees and salaries, wages, and payroll-related costs of approximately \$91 million.

### *Review of the University's NCAA Athletic Rules Compliance Program*

As required by the NCAA, review and assess the adequacy of the University's NCAA rules compliance program for selected compliance areas.





# **Fiscal Year 2012 Audit Plan Tarleton State University**

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## *Review of Financial Management Services*

Review the processes and controls over the University's financial management services' operations to determine if resources are used efficiently and effectively; assets are safeguarded; and compliance is achieved with laws, policies, regulations and rules. Financial management services include budgeting, receivables and disbursements, accounting and reporting, property management, and payroll.

DRAFT PENDING COMMITTEE APPROVAL



## **Fiscal Year 2012 Audit Plan Texas A&M International University**

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No audits are planned for Texas A&M International University in fiscal year 2012 based on our risk assessment process.

DRAFT PENDING COMMITTEE APPROVAL



# Fiscal Year 2012 Audit Plan Texas A&M University

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## *Review of Computing & Information Services*

Review the processes and controls in place within Computing & Information Services to determine if information technology resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. Computing & Information Services provides information technology resources, facilities and support to help students, faculty and staff achieve their learning, teaching and research goals.

## *Review of Information Technology in the Division of Finance*

Review the processes and controls over information technology in the Division of Finance to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. The Information Technology group is responsible for the procurement, installation, support and security of all servers, computers, mobile devices and software applications used by the Division of Finance. The group is also responsible for specialized Division of Finance server applications such as Campus Loan Manager, AggieBuy middleware services, Payformance and Document Imaging.



## **Fiscal Year 2012 Audit Plan Texas A&M University (cont.)**

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### *Review of Facilities Services – Administration and Custodial Services*

Review the processes and controls in place within the Facilities Services-Administration and Custodial Services division to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. Administration and Custodial Services provides day-to-day operational support to Facilities Services including accounting; information management services; property and inventory management; personnel and payroll services; leave administration; training and custodial services.

### *Review of Procurement*

Review the processes and controls over the procurement of goods and services to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. Procurement Services processed approximately \$107 million in purchase orders in fiscal year 2010.



## **Fiscal Year 2012 Audit Plan Texas A&M University (cont.)**

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### *Review of the University Police Department*

Review the processes and controls in place within the University Police Department to determine if resources are used efficiently and effectively to provide a safe environment for students, faculty, staff and visitors. Determine if Department operations are in compliance with laws, policies, regulations and rules. The Department has approximately 127 employees, of which 64 are commissioned police officers.

### *Review of Accounts Payable*

Review the processes and controls over accounts payable to determine if vendor payments are processed in a prompt and efficient manner and in compliance with laws, policies, regulations and rules. Accounts Payable processed 203,015 vouchers totaling approximately \$1.7 billion for the University and the System Offices in fiscal year 2010.



# **Fiscal Year 2012 Audit Plan Texas A&M University (cont.)**

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## *Review of Tuition & Fee Management*

Review the processes and controls over tuition and fee management to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. The University's tuition and fee revenue for fiscal year 2010 was approximately \$334 million.

## *Review of the Education Research Center*

Assess the University's compliance with all terms and state and federal laws related to the Education Research Center interagency agreement between Texas A&M University, the Texas Higher Education Coordinating Board, and the Texas Education Agency. The agreement is for a period of five years and requires an annual certification of compliance by the University's internal auditor. This will be the third annual certification.



## **Fiscal Year 2012 Audit Plan Texas A&M University (cont.)**

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### *SACS Accreditation Financial Statement Review*

Review the completeness and accuracy of the University's Statement of Net Assets; Statement of Revenues, Expenses and Changes in Net Assets; Statement of Cash Flows; and the related Notes to the Financial Statements for the fiscal year ended August 31, 2011. This work is required as part of the reaffirmation of accreditation by the Southern Association of Colleges and Schools. We will provide this work to the State Auditor's Office who will use it as the basis for issuing their opinion on these financial statements.

### *Review of the Norman Hackerman Advanced Research Program Grant Awards*

Review the Norman Hackerman Advanced Research Program Grant Awards and assess the University's compliance with the Texas Higher Education Coordinating Board's regulations associated with the awards. The University received approximately \$1.5 million in grant awards. The Coordinating Board requires an audit of these awards in order for institutions to participate in future program awards.



# **Fiscal Year 2012 Audit Plan Texas A&M University – Central Texas**

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## *Review of Information Technology*

Review the processes and controls over information technology to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. Information technology includes the integrity, security and reliability of academic and administrative information systems that support all University colleges and departments.

DRAFT PENDING COMMITTEE APPROVAL





# **Fiscal Year 2012 Audit Plan Texas A&M University - Commerce**

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## *Review of Environmental Health, Safety, and Security*

Review the processes and controls over environmental health, safety and security to determine if resources are used efficiently and effectively to provide reasonable assurance that a safe environment exists for students, faculty, staff and visitors. Determine compliance with laws, policies, regulations and rules relevant to environmental health, safety and security.

## *Review of Information Technology*

Review the processes and controls over information technology to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. Information technology includes the integrity, security and reliability of academic and administrative information systems that support all University colleges and departments.



## **Fiscal Year 2012 Audit Plan Texas A&M University - Commerce (cont.)**

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### *Review of the Norman Hackerman Advanced Research Program Grant Awards*

Review the Norman Hackerman Advanced Research Program Grant Awards and assess the University's compliance with the Texas Higher Education Coordinating Board's regulations associated with the awards. The University received approximately \$185,000 in grant awards. The Coordinating Board requires an audit of these awards in order for institutions to participate in future program awards.

DRAFT PENDING COMMITTEE APPROVAL



## **Fiscal Year 2012 Audit Plan Texas A&M University – Corpus Christi**

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No audits are planned for Texas A&M University – Corpus Christi in fiscal year 2012 based on our risk assessment process.

DRAFT PENDING COMMITTEE APPROVAL



# **Fiscal Year 2012 Audit Plan Texas A&M University - Kingsville**

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## *Review of Environmental Health, Safety, and Security*

Review the processes and controls over environmental health, safety and security to determine if resources are used efficiently and effectively to provide reasonable assurance that a safe environment exists for students, faculty, staff and visitors. Determine compliance with laws, policies, regulations and rules relevant to environmental health, safety and security.

DRAFT PENDING COMMITTEE APPROVAL



# **Fiscal Year 2012 Audit Plan**

## **Texas A&M University – San Antonio**

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### *Review of Student Recruitment, Admissions, and Enrollment Management*

Review the University's recruitment, admissions and enrollment management processes and controls to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations and rules. The University enrolled approximately 3,100 students in fall 2010.

### *Review of Human Resources*

Review the processes and controls over human resources to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations, and rules. In fiscal year 2010, the University had 289 employees and salaries, wages, and payroll-related costs of approximately \$16 million.



# **Fiscal Year 2012 Audit Plan Texas A&M University – San Antonio (cont.)**

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## *Review of Information Technology*

Review the processes and controls over information technology to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. Information technology includes the integrity, security and reliability of academic and administrative information systems that support all University colleges and departments.

DRAFT PENDING COMMITTEE APPROVAL

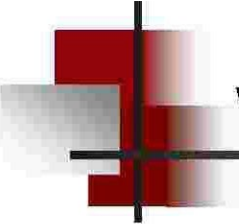


## **Fiscal Year 2012 Audit Plan Texas A&M University - Texarkana**

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No audits are planned for Texas A&M University – Texarkana in fiscal year 2012 based on our risk assessment process.

DRAFT PENDING COMMITTEE APPROVAL



## **Fiscal Year 2012 Audit Plan West Texas A&M University**

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No audits are planned for West Texas A&M University in fiscal year 2012 based on our risk assessment process.

DRAFT PENDING COMMITTEE APPROVAL





# **Fiscal Year 2012 Audit Plan Texas A&M Health Science Center**

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## *Review of Environmental Health, Safety and Security*

Review the processes and controls over environmental health, safety and security to determine if resources are used efficiently and effectively to provide reasonable assurance that a safe environment exists for students, faculty, staff and visitors. Determine compliance with laws, policies, regulations and rules relevant to environmental health, safety and security.

## *SACS Accreditation Financial Statement Review*

Review the completeness and accuracy of the Health Science Center's Statement of Net Assets; Statement of Revenues, Expenses and Changes in Net Assets; Statement of Cash Flows; and the related Notes to the Financial Statements for the fiscal year ended August 31, 2011. This work is required as part of the reaffirmation of accreditation by the Southern Association of Colleges and Schools. We will provide this work to the State Auditor's Office who will use it as the basis for issuing their opinion on these financial statements.



## **Fiscal Year 2012 Audit Plan Texas A&M Health Science Center (cont.)**

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### *Review of the Norman Hackerman Advanced Research Program Grant Awards*

Review the Norman Hackerman Advanced Research Program Grant Awards and assess the Health Science Center's compliance with the Texas Higher Education Coordinating Board's regulations associated with the awards. The HSC received approximately \$225,000 in grant awards. The Coordinating Board requires an audit of these awards in order for institutions to participate in future program awards.



# Fiscal Year 2012 Audit Plan Texas AgriLife Research

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## *Review of Human Resources*

Review the processes and controls over human resources to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations and rules. AgriLife Human Resources provides centralized human resources support to Texas AgriLife Research, Texas AgriLife Extension Service and the Texas Veterinary Medical Diagnostic Laboratory. In fiscal year 2010, Texas AgriLife Research had 1,384 employees and salaries, wages and payroll-related costs of approximately \$121 million.

## *Review of the Norman Hackerman Advanced Research Program Grant Awards*

Review the Norman Hackerman Advanced Research Program Grant Award and assess the Agency's compliance with the Texas Higher Education Coordinating Board's regulations associated with the award. The Agency received approximately \$40,000 in a grant award. The Coordinating Board requires an audit of this award in order for the Agency to participate in future program awards.



# **Fiscal Year 2012 Audit Plan Texas AgriLife Extension Service**

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## *Review of Human Resources*

Review the processes and controls over human resources to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations and rules. AgriLife Human Resources provides centralized human resources support to the Texas AgriLife Extension Service, Texas AgriLife Research and the Texas Veterinary Medical Diagnostic Laboratory. In fiscal year 2010, the Texas AgriLife Extension Service had 1,436 employees and salaries, wages and payroll-related costs of approximately \$103 million.



# Fiscal Year 2012 Audit Plan Texas Forest Service

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## *Review of Environmental Health & Safety*

Review the processes and controls over environmental health and safety operations to determine if resources are used efficiently and effectively to provide reasonable assurance that a safe environment exists for staff and visitors. Determine compliance with laws, policies, regulations and rules relevant to environmental health and safety.

## *Review of Information Technology*

Review the processes and controls over information technology to determine if resources are used efficiently and effectively and in compliance with laws, policies, regulations and rules. Information technology includes the integrity, security and reliability of information systems that support all Agency departments.



## **Fiscal Year 2012 Audit Plan Texas Forest Service (cont.)**

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### *Review of Human Resources*

Review the processes and controls over human resources to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations and rules. In fiscal year 2010, the Agency had 396 employees and salaries, wages and payroll-related costs of approximately \$25 million.

DRAFT PENDING COMMITTEE APPROVAL



# **Fiscal Year 2012 Audit Plan Texas Veterinary Medical Diagnostic Laboratory**

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## *Review of Human Resources*

Review the processes and controls over human resources to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations and rules. AgriLife Human Resources provides centralized human resources support to the Texas Veterinary Medical Diagnostic Laboratory, Texas AgriLife Research and the Texas AgriLife Extension Service. In fiscal year 2010, the Texas Veterinary Medical Diagnostic Laboratory had 143 employees and salaries, wages and payroll-related costs of approximately \$12 million.



# **Fiscal Year 2012 Audit Plan Texas Engineering Experiment Station**

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## *Review of the Norman Hackerman Advanced Research Program Grant Awards*

Review the Norman Hackerman Advanced Research Program Grant Awards and assess the Agency's compliance with the Texas Higher Education Coordinating Board's regulations associated with the awards. The Agency received approximately \$538,000 in grant awards. The Coordinating Board requires an audit of these awards in order for the Agency to participate in future program awards.

DRAFT PENDING COMMITTEE APPROVAL





## **Fiscal Year 2012 Audit Plan Texas Engineering Extension Service**

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No audits are planned for the Texas Engineering Extension Service in fiscal year 2012 based on our risk assessment process.

DRAFT PENDING COMMITTEE APPROVAL



# Fiscal Year 2012 Audit Plan Texas Transportation Institute

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## *Review of ISO Accreditation*

Review the Agency's proving grounds quality assurance program for ISO 17025 accreditation as required by the American Association for Laboratory Accreditation.

DRAFT PENDING COMMITTEE APPROVAL



## **Fiscal Year 2012 Audit Plan A&M System Offices**

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### *Review of Bond Compliance*

Determine if bond information is accurately reported in the A&M System's fiscal year 2011 financial statements and determine compliance with bond covenants, laws, policies, regulations and rules. The A&M System had approximately \$2.2 billion in bonds payable at the end of fiscal year 2010.

### *Review of the Institute for Innovative Technology*

Review the processes and controls related to the oversight and operations of the Institute for Innovative Technology (IIT) to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner and in compliance with laws, policies, regulations and rules. The IIT is a biomedical enterprise comprised of the Texas A&M Institute of Genomic Medicine, the Texas A&M Institute of Preclinical Studies and the National Center for Therapeutics Manufacturing.

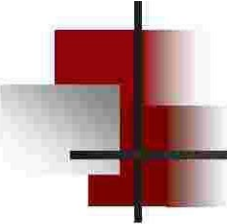


## **Fiscal Year 2012 Audit Plan A&M System Offices (cont.)**

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### *Review of the Oversight of Environmental Management Systems*

Review the System Office of Safety's processes and controls related to the oversight and support of each System member's environmental management system to determine if results and outcomes are achieved in an efficient and effective manner and in compliance with laws, policies, regulations and rules. The System Office of Safety is responsible for guiding members in establishing, implementing and updating environmental controls, including short- and long-term objectives, as well as providing an annual assessment of System member's progress toward achieving environmental objectives and targets.



# Fiscal Year 2012 Audit Plan System-Wide

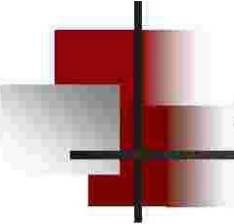
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## *Review of Compensation and Classification*

Review the compensation and classification processes for the A&M System members located in Brazos County to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner. Determine compliance with laws, policies, regulations and rules. In fiscal year 2010, the Brazos County members had 18,774 employees and salaries, wages and payroll-related costs of approximately \$1.3 billion.

## *Review of System-wide Information Technology Applications*

Review selected system-wide information technology applications to determine if the systems are addressing user needs in an efficient and effective manner and in compliance with laws, policies, regulations and rules. The system-wide applications include the two primary financial information systems - the Financial Accounting Management Information System (FAMIS) and the Budget/Payroll/Personnel System (BPP), as well as other administrative information systems such as Leavetraq, Traintraq, Timetraq, HRConnect and the Data Warehouse.



## **Fiscal Year 2012 Audit Plan System-Wide (cont.)**

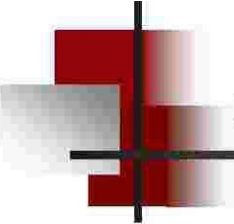
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### *Review of Shared Services Initiatives*

Review the A&M System's Shared Services Initiatives to determine if strategic and operational results and outcomes are achieved in an efficient and effective manner and in compliance with laws, policies, regulations and rules. Annual cost savings of approximately \$17 million were projected as a result of the implementation of the Shared Services Initiatives.

### *Follow-up Reviews*

Conduct follow-up reviews on issues identified in prior audits to determine if management has adequately addressed the issues.



## **Fiscal Year 2012 Audit Plan System-Wide (cont.)**

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### *Change in Management Reviews*

Conduct change in management reviews, on an as-needed basis, when there is a change in executive management at one of the A&M System members.

### *Participation with, and/or Assistance to, System Members/External Auditors*

This project represents the System Internal Audit Department's participation with, and/or assistance to, A&M System members and external auditors. The Department's involvement could range from participating in the design of major information systems, serving as a member of a work group, assisting with the System's fraud prevention objectives, to testing and reporting on new activities and processes. The Department may perform work to support external audit requirements related to accreditation audits, financial audits, and state and federal compliance audits.

# Committee on Finance

*(Agenda Items 2 through 7)*

## Agenda Items

2	Approval of Revisions to System Policy 22.02 ( <i>System Investment</i> ) ( <i>This item will also be considered by the Policy Review Committee</i> )	A&M System
3	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__	A&M System
4	Adoption of a Resolution Authorizing the Issuance of the Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series 20__	A&M System
5	Approval of Revolving Fund Bank Accounts for The Texas A&M University System	A&M System
6	Authorization for the President to Establish a One-Time Development Fee for all Gifts to The Texas A&M University System Health Science Center and/or Texas A&M Health Science Center Foundation	TAMHSC
7	Authorization for the Chancellor to Execute Contract with Scott & White Clinic and Scott and White Memorial Hospital and Scott, Sherwood and Brindley Foundation	TAMHSC



Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Janet Smalley, Chief of Staff  
The Texas A&M University System

**Subject:** Approval of Revisions to System Policy 22.02, *System Investment*

**Proposed Board Action:**

Approve revisions to System Policy 22.02, *System Investment*.

**Background Information:**

As part of the on-going review by treasury personnel and the system's investment consultant, revisions are recommended to System Policy 22.02, *System Investment*. Based on recommendations for best practices from the State Auditors' Office, changes have been incorporated to address securities lending criteria, benchmarks for asset class and total fund performance, a policy index benchmark for the System Endowment Fund and the use of placement agents.

In addition, it is recommended that agreements with system depositories be executed in accordance with System Policy 25.07, *Contract Administration* for consistency with other system contracts.

Finally, based on the strengths of the System's core fixed income manager in managing corporate credit investments, it is recommended that the quality restrictions for long-term securities be changed to "B" from "BB" to enhance the diversification of the fixed income portfolio. In concert with this change, the overall rating on the fixed income portfolio will change to "A" from "AA."

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**

Office of the Treasurer

June 6, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Revisions to System Policy 22.02, *System Investment*

I recommend adoption of the following minute order:

**“The revisions to System Policy 22.02, *System Investment*, as shown in Exhibit , are approved and effective immediately.”**

Respectfully submitted,

Janet Smalley  
Chief of Staff

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Gregory R. Anderson  
Chief Investment Officer and Treasurer

## 22.02 System Investment

Approved February 27, 1995 (MO 44-~~1995~~)  
Revised December ~~56~~, 1996 (MO 220-~~1996~~)  
Revised July ~~2425~~, 1997 (MO 95-~~1997~~)  
Revised August 13, 1999 (MO 201-1999)  
~~Revised October 15, 1999 (MO 233, 234, 235-1999)~~  
Revised September 22, 2000 (MO 165-2000)  
Revised July 27, 2001 (MO 145-2001)  
Revised July 26, 2002 (MO 161-2002)  
Revised July ~~2425~~, 2003 (MO 130-2003)  
Revised July ~~2223~~, 2004 (MO 93-2004)  
Revised July ~~2422~~, 2005 (MO 127-2005)  
Revised January 27, 2006 (MO ~~038~~-2006)  
Revised July 28, 2006 (MO 162-2006)  
Revised July 27, 2007 (MO 159-2007)  
Revised August 1, 2008 (MO 233-2008)  
Revised July 17, 2009 (MO 144-2009)  
Revised July 23, 2010 (MO ~~132~~-2010)  
~~Revised July 22, 2011 (MO -2011)~~  
Next Scheduled Review: July ~~23, 2011~~22, 2012



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### Policy Statement

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This policy sets out the responsibilities of the Board of Regents (board), as assigned by law, to act as a fiduciary in the management of assets under the control of The Texas A&M University System (system).

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### Reason for Policy

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This policy delineates the roles and responsibilities of the board, chancellor and system staff regarding the management of assets under the control of the board.

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### Procedures and Responsibilities

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#### 1. GENERAL

- 1.1 As provided in the Texas Education Code, each member of the board has the legal responsibilities of a fiduciary in the management of funds under the control of the system. All investments will be made in accordance with applicable state and federal regulations. All assets of the system will at all times be vested in the board, and such

assets will be deemed to be held by the board as a fiduciary regardless of the name in which the securities may be registered.

- 1.2 The board has granted to the chancellor of the system the authority for the purchase, sale, assignment, transfer and management of all investments of any kind or character of the system or any member thereof and has authorized the chancellor to execute on behalf of the board of the system or any member thereof any and all documents required in the purchase, sale, assignment, transfer and management of these investments.
- 1.3 The chancellor may delegate to treasury personnel, the authority to execute any and all documents required to accomplish the actions outlined above and the deposit, withdrawal, or transfer of assets on behalf of the system members.
- 1.4 Investments are defined to include, but are not limited to, any monetary or negotiable asset or property right held by a system member including all operating, non-operating, and other funds. This includes any asset or property right acquired or held by any system member as trustee of a trust or as executor of an estate. Assets shall include land and other real property, market investments, business enterprises and any other investments of any kind or character held or acquired by such funds.
- 1.5 Prudent Person Rule – Each person responsible for making or retaining each and all investments and in acquiring, investing, reinvesting, exchanging, retaining, selling, supervising and managing funds shall do so in good faith and with the care an ordinarily prudent person in a like position would exercise under similar circumstances.
- 1.6 In the management of system investments, consideration will be given to general economic conditions, the possible effect of inflation or deflation, the expected tax consequences, the role that each investment or course of action plays within the overall investment portfolio, and the requirements for liquidity, diversification, safety of principal, yield, maturity, quality and capability of investment management, with the primary emphasis on safety. Consideration will also be given to incur only costs that are appropriate and reasonable in relation to the assets.
- 1.7 The overall objective of the investment policy is to invest the system's available funds in such a manner as to earn as high a level of return as can reasonably be achieved within the framework of the policy and consistent with the system's primary objective of the safety and preservation of capital.
- 1.8 Each custodian bank will furnish monthly statements to the Office of the Chief Investment Officer and Treasurer that will include cost and market value for all positions, industry segmentation, and percentage composition of the portfolio represented by each issue. The custodian bank statements will be used as the basis for quarterly investment performance reports to the board.
- 1.9 Coordination of investment policy, cash management, and system depositories' activities will be maintained by the chancellor through the Office of the Chief Investment Officer and Treasurer.

- 1.10 The chancellor will provide the Committee on Finance of the board an annual report on the need to revise the System Investment Policy in regard to authorized securities, asset allocation, payout, or any other pertinent matters.

## 2. INVESTMENT OF FUNDS

### 2.1 Quality Restrictions

For the purpose of this policy all securities which use long-term credit ratings must be rated the equivalent of "BB" or better by a nationally recognized credit rating organization. The fixed income portfolio must have an overall credit rating of "AA" or better by a nationally recognized statistical rating organization. Securities using short-term credit ratings must be rated at least A-2, P-2, F-2 or the equivalent by a nationally recognized credit rating service.

### 2.2 Authorized Investments

2.2.1 Direct obligations of the principal and interest which are guaranteed by the United States Government or its agencies to include:

- (a) obligations of the U.S. Treasury.
- (b) direct obligations guaranteed by the Federal Intermediate Credit Bank (FICB), Federal National Mortgage Association (FNMA), Federal Farm Credit Bank (FFCB), Government National Mortgage Association (GNMA), Student Loan Marketing Association (SLMA), Federal Home Loan Mortgage Corporation (FHLMC), Federal Home Loan Bank (FHLB), Tennessee Valley Authority (TVA), or other Government Sponsored Enterprises.

2.2.2 Obligations of states, agencies, counties, cities, and other political subdivisions of any state.

2.2.3 United States dollar denominated debentures or obligations and preferred and common stocks issued by corporations, associations, or other institutions, and convertible securities of all kinds issued by corporations. Not more than 4.9% of the voting stock of any one corporation shall be owned by the system at any given time. This includes participation in publicly traded domestic Real Estate Investment Trusts (REITs).

2.2.4 Debentures or obligations, and preferred or common stock of international governments and corporations. International preferred and common stock issues must be listed on an organized stock exchange. Utilization of derivatives for the hedging of currency risk is permissible.

2.2.5 Certificates of Deposit issued by state and national banks not to exceed 10% of banks' total deposits. Certificates of Deposit must be insured by the Federal Deposit Insurance Corporation, or its successor, or secured (collateralized) by surety bond, or obligations described in this policy, with such collateral to be held by a third party, and that at all times will have a market value of not less

than the principal amount of the certificates or in any manner and amount provided by law for deposits of the investing entities, and with the additional provision that all collateral based on direct agency or instrumentality issued mortgage backed securities must have been rated the equivalent of "AAA" by a nationally recognized credit rating organization (NRSRO).

- 2.2.6 Negotiable Certificates of Deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized rating agency or that is associated with a holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency.
- 2.2.7 Deposits in federally insured savings and loan associations, building and loan associations, and state and national banks not to exceed the amount insured by the Federal Savings and Loan Insurance Corporation, the Federal Deposit Insurance Corporation, or their successors.
- 2.2.8 Bankers Acceptances, accepted by a bank organized and existing under laws of the U.S. or any state, in accordance with Section 2.1.
- 2.2.9 Money Market Mutual Funds. Funds must be registered with the Securities and Exchange Commission, have a maximum maturity of 13 months, and be no-load funds. Fund must have assets consisting of securities authorized under this policy and seek to maintain a stable net asset value of \$1.00 per share (or unit).
- 2.2.10 Mutual Funds. Funds must be registered with the Securities and Exchange Commission and invest in assets authorized under this policy.
- 2.2.11 Direct Security Repurchase Agreements. Direct Repos must be fully secured (collateralized) by obligations authorized under this policy. Such collateral must be held by a third party. All agreements will be in compliance with Federal Reserve Bank guidelines.
- 2.2.12 Securities Lending. The securities lending agent is required to provide indemnification against borrower default. Further, loan exposure to borrowers shall be diversified and managed within prudent limits to avoid concentrated borrower risk. The securities lending agent must provide credit approval for all borrowers and is required to perform on-going review and monitoring of borrower default risk and exposures. The amount of the portfolio out on loan shall be limited to one-third of each portfolio. Cash collateral will be held in excess of the market value of lent securities in an amount no less than 102% of the market value. The securities lending agent is required to market the value of collateral daily and shall review collateral positions and prices to ensure adequate collateral is received and prices used are current and valid. The investment collateral shall be invested within the restrictions delineated under SEC Rule 2a-7 under the Investment Company Act of 1940. Basis risk in the portfolio is limited to 30 days when accounting for variable rate securities and loans by their respective reset dates. If loans are not in accordance with these guidelines, they are subject to termination.

~~2.2.12 Securities Lending must be fully secured (collateralized) by obligations authorized under this policy. Such collateral will be held by a third party. All agreements will be in compliance with Federal Reserve Bank guidelines.~~

2.2.13 Bank Loans, invested through commingled institutional funds, may be used to diversify and enhance the return of the portfolio.

2.2.14 Investment in a derivative investment class requires written approval of the chancellor or designee. Derivative investments will not be utilized for the purpose of introducing leverage to the portfolio other than in accordance with Section 2.2.16.

2.2.15 Investments in venture capital and/or private equity partnerships may be used to enhance the expected return of the portfolio. These investments are long-term, illiquid, private partnerships with high variability of returns. No investment will be made that would comprise more than 10% of any individual partnership's assets.

2.2.16 Investments in absolute return strategies may be used to diversify and enhance the return of the portfolio. Absolute return strategies may invest in derivative instruments, employ leverage and sell securities short. Hedge fund investments may be made in offshore limited partnership shares or by using blocker corporations in order to avoid unrelated business income tax (UBIT). No investment will be made that will comprise more than 10% of any individual partnership's assets.

2.2.17 Inflation hedging investments including timber, energy, and real estate may be used to diversify and enhance the return of the portfolio. These investments are long-term, illiquid, and have high variability of returns.

### 2.3 Stock Rights, Fractional Shares, and Proxies

In each instance, exercise or sale of the rights is to be made at the discretion of the chancellor. The chancellor is authorized to execute proxies within the approved investment policies.

### 2.4 Quasi-Endowments

The board may, on recommendation of the chancellor, establish a quasi-endowment using any source of funding at its disposal except educational (program) and general funds and restricted gifts or grants. Income from funds held in quasi-endowments is available for the purpose established by the board. The corpus of such funds will be held until such time as the board, on recommendation of the chancellor, abolishes the quasi-endowment, at which time the corpus is available for such purpose(s) as may be designated by the board. All quasi-endowments established by the board will be invested in the System Endowment Fund.

### 2.5 Matching of Private Gifts from Available University Fund (AUF)

Subject to the availability of matching funds appropriated for that purpose by the board, and with the approval of the chancellor, the presidents of Texas A&M University and Prairie View A&M University are authorized to accept private gifts and to match such gifts with AUF monies, provided such actions will be reported to the board at its next regularly scheduled meeting.

Authorization for the expenditure of AUF to match endowments is in the general appropriations act, subject to biennial renewal by the legislature. Matching may be completed so long as the pledge is received during a time when the rider authorization is in effect.

## 2.6 Investment Transactions

Sales, purchases and exchanges will be effected through financial institutions or through well capitalized, nationally known investment firms which are recognized as being major participants in the equity and fixed income markets, in accordance with normal investment practices, if, in the judgment of the chancellor, these services will produce the maximum benefit to the system.

## 2.7 Use of Outside Investment Managers

2.7.1 The chancellor, within statutory and other regulatory authority, may place selected funds of the system with investment managers outside the system for investment purposes. The investment of such funds will be subject to the same authorizations and criteria as prescribed for investments consistent with this investment policy.

2.7.2 External investment manager(s) will be governed by either a Letter of Instruction outlining investment instructions and asset allocation parameters expressed in writing by the chancellor, or subscription/limited partnership/similar agreement(s). The Letter of Instruction will detail the specific investment benchmark to be used to evaluate the external investment manager.

2.7.3 Consistent with this investment policy statement and their Letter of Instruction or subscription/limited partnership/similar agreement(s), the external investment manager(s) will be responsible for making decisions on a fully discretionary basis. This includes buy, hold, sell, and timing decisions.

2.7.4 External Manager(s) will invest only into the security class(es) for which they were retained to manage. Fixed income manager(s) have full discretion to place funds into cash; however, their performance will be measured against the investment benchmark detailed in the Letter of Instruction~~an index which fully measures their security class.~~

2.7.5 When prudent, system investment personnel may accept appointments on advisory boards or committees for external managers, serving in an advisory capacity with no additional compensation other than reimbursement for out-of-pocket expenses.



### 3. CASH MANAGEMENT

- 3.1 A centralized cash management program will be maintained with the objective that all available cash or cash equivalents are invested and reported in accordance with applicable rules and regulations.
- 3.2 The cash management system will provide competitive and enhanced returns for each system member. There will be no subsidy from one system member to another. The benefits of the cash management system will exceed the full incremental costs associated with implementing and managing the system.
- 3.3 The Office of the Chief Investment Officer and Treasurer is assigned staff responsibility for the management oversight of the system-wide cash management system, in coordination with appropriate system member officials.

### 4. INVESTMENTS AND OTHER RELATIONSHIPS WITH DEPOSITORIES

- 4.1 The Office of the Chief Investment Officer and Treasurer is responsible for the overall coordination and direction of banking relationships, to include investments, deposits, custody, and other services with banking and similar financial institutions for the system and its members. Once each year, the Office of the Chief Investment Officer and Treasurer will provide to the chancellor certification that the investments and banking relationships are in compliance with the policy.

#### 4.2 System Depositories

- 4.2.1 The system is authorized to maintain time and demand bank deposits with only those depositories recommended by the chancellor and approved by the board which have executed a depository agreement. Depository agreements will be executed in accordance with System Policy 25.07, Contract Administration will be selected on the basis of competitive bids at least every five years. Depositories will be selected on the basis of competitive bids and ~~The~~ bids will be reviewed by the Office of the Chief Investment Officer and Treasurer and made a part of the permanent records of the system. The only exceptions to the above are those working funds (imprest funds) which may be authorized within the system with the approval of the chancellor. Such working funds are excluded from the provisions of the System Investment Policy inasmuch as such funds are not authorized to be invested. Whenever the amount of a working fund is in excess of needs, the excess will be transferred to the appropriate fiscal officer for management in accordance with System Investment Policy.
- 4.2.2 The amount of funds which may be deposited with any system bank will be limited to \$100,000,000 or 10% of total deposits, whichever is less. Collateral of 102% will be pledged against all deposits.
- 4.2.3 Only the chancellor and those officers and/or employees of the system members specifically designated in writing by the chief executive officer of each system member are authorized to deposit, withdraw, invest, transfer or otherwise manage local funds of the respective members in time and demand deposits with system depositories.

### 4.3 Responsibilities of System Offices

The Office of the Chief Investment Officer and Treasurer is responsible for the overall administration of system banking relationships. This responsibility includes:

- (a) identification of proposed depositories;
- (b) securing approval of depositories by the board;
- (c) negotiating System Depository and Pledge Agreement(s);
- (d) preparation of depository, safe keeping and trust accounts agreements with depositories and trustee institutions for execution by the chancellor;
- (e) acceptance and release of securities pledged to secure deposits of the system;
- (f) maintenance of relationships with depositories and trustee institutions;
- (g) monitoring the amount of funds on deposit for each system member in each depository, and maintaining collateral at sufficient levels; and
- (h) maintenance of records of the specific deposits and related collateral levels for each system member for both time and demand deposits;

### 4.4 Responsibilities of the Chancellor or the Chancellor's Designee at each System Member

Within the overall investment and cash management program of the system, the chancellor or the chancellor's designee at each system member and his or her successor in office, is responsible for:

- (a) reporting and making available for investment by the Office of the Chief Investment Officer and Treasurer all local funds for the system member in deposits or other arrangements with system depositories;
- (b) designating in writing those persons who are authorized to withdraw, transfer, or otherwise place local funds for the system member in system depositories; and
- (c) furnishing one copy of each designation required by (b) above to the Office of the Chief Investment Officer and Treasurer.

## 5. SYSTEM ENDOWMENT FUND

### 5.1 Fund Name, Purpose, and Eligibility for Participation

5.1.1 The System Endowment Fund as herein established will be known as "The Texas A&M University System Endowment Fund" (SEF) and will be under the control of the board, as Trustee.

5.1.2 The purpose of the SEF is to provide for the collective investment of all endowment and trust funds held by the system or by the board in a fiduciary capacity. The SEF is to provide funding for scholarships, fellowships, professorships, and academic chairs and other uses as specified by donors.

5.1.3 No endowment or trust fund will be admitted unless it is under the sole control, with full discretion as to investments, of the board and/or an official or officials

of the system in their official capacity. However, no such official, other than the board, chancellor will have any control over the management of the SEF other than to request admittance or withdrawal of any endowment or trust fund under his or her control as designated trustee thereof. No endowment or trust will be admitted which contains a specific provision against commingling or whose investment restrictions prohibit purchase of securities authorized in this System Investment Policy.

## 5.2 Investments

Investments of system funds shall be accomplished in accordance with the following principles, objectives and purposes:

- 5.2.1 There are two primary investment objectives. One is to provide a continuing and dependable cash payout, stable and preferably growing in real terms, after giving effect to inflation. The second is to cause the total value of the Fund to appreciate, over time, exclusive of growth derived from donations.
- 5.2.2 The cash payout requirement on the SEF is substantial and continuous. Income and capital appreciation must be sufficient to provide an adequate and consistent cash stream for the development of excellence and distinction in the academic programs of the system. In addition, the SEF needs to appreciate to ensure preservation of the purchasing power of the SEF, and also to satisfy the need for payout growth in the future.
- 5.2.3 Management of the SEF attempts to meet these objectives by maximizing the return on the SEF's investments, consistent with an appropriate level of risk. Additionally, the SEF shall be diversified at all times to provide reasonable assurance that investment in a single security, a class of securities, or industry will not have an excessive impact on the SEF
- 5.2.4 A goal of the SEF is to maintain a balance between investment objectives and liquidity needs. Liquidity is necessary to meet the cash payout requirements and any extraordinary events. In many instances, the most appropriate investment option is one that comes with liquidity constraints. The tradeoff between appropriateness and liquidity will be considered throughout the portfolio construction process.

## 5.3 Asset Allocation

- 5.3.1 The SEF's asset allocation policy will be consistent with the investment objectives and risk tolerances. These policies, developed after examining the historical relationships of risk and return among asset classes and integrating an analysis of both assets and liabilities, are designed to provide the highest probability of meeting or exceeding the SEF's return objectives at the lowest possible risk. The overall objective of the SEF is to invest the funds in such a manner as to achieve a reasonable balance of growth of corpus and consistent payout while maintaining the purchasing power of these endowments, as can reasonably be achieved within the framework of the policy consistent with the system's objective of the safety and preservation of capital. Although dynamic capital markets may cause fluctuating risk/return opportunities over a market

cycle, the following standards will be used as a flexible framework for asset allocation as measured at market value. The targets outlined below represent the current allocation objective of the board and shall be adhered to within the range for each asset class as outlined below. The board recognizes markets will fluctuate and accordingly charges the Office of the Chief Investment Officer and Treasurer with aligning the actual allocation towards these targets on a quarterly basis.

<u>Types of Securities</u>	<u>Target</u>	<u>Range</u>
Fixed Income	15%	10% - 20%
Domestic Equity	24%	19% - 29%
International Equity	20%	15% - 25%
Inflation Hedging*	12%	8% - 16%
Absolute Return	16%	12% - 20%
Private Equity**	13%	9% - 20%

\* Inflation Hedging allocation, which is committed but not funded, will be added to the Fixed Income allocation.

\*\* Private Equity allocation, which is committed but not funded, will be added to the Domestic Equity allocation.

The SEF will compare total fund performance to a Policy Index that approximates the long-term asset allocation and an Asset Allocation Index that approximates the actual asset allocation of the SEF, adjusted quarterly. The investment benchmarks that comprise the Policy Index and the Asset Allocation Index will be those detailed in the Letters of Instruction and/or designated by the Office of the Chief Investment Officer and Treasurer.

5.3.2 Fixed income will be managed with a duration of +/- 20% of the effective duration of the investment benchmark detailed in the Letter of Instruction appropriate index while seeking to outperform ~~such the investment benchmark index~~ and to attain performance in the top quartile when compared to an appropriate manager universe over a five-year moving time period. Long-term preservation of capital is the primary objective when making any fixed income investment.

5.3.3 Bank loans will be invested through institutional commingled funds.

5.3.4 The equity allocation will be diversified among the various management styles in order to attain the desired expected return within appropriate risk tolerances. These assets will be managed at a risk level (beta) of no greater than 1.20 times ~~an the investment benchmark detailed in the Letter of Instruction appropriate index~~ while seeking to outperform ~~such the investment benchmark index~~ and to attain performance in the top quartile when compared to an appropriate manager universe over a five-year moving time period. Diversification of each equity manager's portfolio will require no more than 25% of equities in one industry. Each equity manager is expected to stay fully invested in equities. In general, cash or cash equivalents should not exceed 5% of the market value of each equity portfolio. In the event of severe economic/market conditions or strong liquidity needs, the investment managers may raise a significant amount of cash.

Any such decision arising from economic/market conditions must be explained in writing to the system staff within 10 working days thereafter. Any other deviations must first be communicated to, and approved in writing by, the designated member of the system staff. Long-term appreciation of the fund is the primary objective when making any equity investment.

5.3.5 Inflation Hedge, Absolute Return, and Private Equity funds will be selected and evaluated based on, but not limited to, the following criteria: Tenure and track record of management team; expertise in targeted areas of investment; diversification strategy; use of leverage; liquidity of investments; and, performance relative to similar investments.

#### 5.4 Distribution of Income

Distribution will be made quarterly as soon as practicable after the last calendar day of November, February, May, and August of each fiscal year to the endowment and trust funds participating in the SEF during the respective quarter. The income distribution per unit for each fiscal year will be to distribute, excluding fees, 5% of the 20-quarter average market value per unit as of the end of the previous February.

#### 5.5 Amendment or Termination of Plan

The board reserves the right to amend or terminate the SEF as it deems necessary or advisable.

### 6. SYSTEM CASH CONCENTRATION POOL

#### 6.1 Fund Name, Purpose, and Eligibility for Participation

6.1.1 The Cash Concentration Pool herein established will be known as "The Texas A&M University System Cash Concentration Pool" (Pool) and will be under the control of the board. The direction of the Pool will be under the chancellor in accordance with Section 1.3.

6.1.2 The purpose of the Pool is to provide for the collective investment of all operating, non-operating, and other funds resting with system or its members. The Pool was established to provide incremental return to assist in meeting the operating needs of system.

6.1.3 All funds deposited into the Pool must be under sole control of the board and/or an official or officials of system in their official capacity. However, no such official, other than the chancellor shall have any control over the management of the Pool other than to request deposits or withdrawals on the fund.

#### 6.2 Investments

The Pool will be limited to such investments as are eligible under System Investment Policy as adopted by the board as amended from time to time.

#### 6.3 Asset Allocation

## 6.3

6.3.1 The Pool's asset allocation policy will reflect, and be consistent with, the investment objectives and risk tolerances. These policies, developed after examining the historical relationships of risk and return among asset classes and integrating an analysis of both assets and liabilities, are designed to provide the highest probability of meeting or exceeding the Pool's return objectives at the lowest possible risk. The overall objective of the Pool is to invest the funds in such a manner as to achieve a reasonable balance of growth of corpus and consistent payout to meet the operating needs of the system, as can reasonably be achieved within the framework of the policy consistent with the system's objective of the safety and preservation of capital. Although dynamic capital markets may cause fluctuating risk/return opportunities over a market cycle, the following standards will be used as a flexible framework for asset allocation and portfolio structure (as measured at market value). The targets outlined below represent the current allocation objective of the board and shall be adhered to within the range for each asset class as outlined in this section. The board recognizes markets will fluctuate and accordingly charges the Office of the Chief Investment Officer and Treasurer with aligning the actual allocation towards these targets on a quarterly basis. All allocation percentages are to be exclusive of debt proceeds which are to be invested in the Short-Term Portfolio.

<u>Types of Securities</u>	<u>Target</u>	<u>Range</u>
Short-Term Portfolio	8%	6% - 12%
Liquidity Portfolio	10%	8% - 12%
Fixed Income	25%	20% - 30%
Domestic Equity	24%	21% - 27%
International Equity	15%	13% - 17%
Absolute Return	18%	16% - 20%

6.3.16.3.2 The Short-Term Portfolio will be managed to meet short-term cash requirements with a duration not to exceed one year.

6.3.26.3.3 The Liquidity Portfolio will be managed with a duration +/- 20% of the effective duration of the investment benchmark detailed in the Letter of Instruction ~~a comparable index~~, while seeking to outperform the investment benchmark ~~comparable index~~ and to attain performance in the top quartile when compared to an appropriate manager universe over a five-year moving time period.

6.3.36.3.4 Fixed Income will be managed with a weighted average duration +/- 20% of the effective duration of the investment benchmark detailed in the Letter of Instruction ~~an appropriate index~~, while seeking to outperform ~~such the investment benchmark~~ ~~index~~ and to attain performance in the top quartile when compared to an appropriate manager universe over a five-year moving time period.

6.3.46.3.5 The Equity Portfolios will be diversified among the various management styles and equity asset classes in order to attain the desired expected return within appropriate risk tolerances. These assets will be managed at a risk level (beta) not to exceed 1.20 times the investment benchmark detailed in the Letter of Instruction~~an appropriate index~~ while seeking to outperform ~~such the investment benchmark index~~ and to rank in the top quartile when compared to an appropriate manager universe over a five-year moving time period. Diversification of each manager's portfolio will require no more than 25% of equities in one industry. Each equity manager is expected to stay fully invested in equities. In general, cash and cash equivalents should not exceed 5% of the market value of each equity portfolio.

6.3.56.3.6 Bank loans will be invested through institutional commingled funds.

6.3.66.3.7 Absolute return strategies will be selected and evaluated based on, but not limited to, the following criteria: Tenure and track record of management team; expertise in targeted areas of investment, diversification strategy, use of leverage, liquidity of investments, level of general partner investment, fees and potential conflicts of interest.

#### 6.4 Amendment or Termination of Plan

The board reserves the right to amend or terminate the Pool as it deems necessary or advisable.

### 7. PLACEMENT AGENTS

Prior to investing with an investment manager, the system shall obtain a statement from the manager that it did not use a placement agent in connection with the system's investment or, if the manager has used a placement agent, it will disclose details about the placement agent including: the name of the placement agent; fee paid or payable to the placement agent; copy of the agreement between the manager and the placement agent; representation that the fee is the sole obligation of the investment manager and not the system; current or former board members, treasury personnel, or consultants or a member of the immediate family of such person that is employed by or receiving compensation from the placement agent; and regulatory agencies with which the placement agent or affiliates are registered or why registration is not required.

### 7.8. CONFLICTS OF INTEREST

Members of the board are frequently persons of wide-ranging business interests. Therefore, a prudent, independent investment decision process may result in investments in firms or organizations with which a member of the board is affiliated. Affiliation shall be interpreted within this section to mean an employee, officer, director, or owner of five percent or more of the voting stock of a firm or organization. The investment staff or an unaffiliated investment manager may invest in such securities. However, the following restrictions shall apply:

- (a) a member of the board shall not direct nor participate in the decision to purchase or sell securities of a firm with which such member is affiliated; and

(b) investments will not be purchased from or sold to a member of the board.

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## **Related Statutes, Policies, or Requirements**

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[System Policy 25.07, Contract Administration](#)

[Texas: Education: Code Chapter §§ 51.003, 51.0031](#)

[Texas: Property: Code Chapter 163](#)

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## **Contact Office**

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Office of the Chief Investment Officer and Treasurer  
(979) 458-6330



Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Gregory R. Anderson, Chief Investment Officer and Treasurer  
The Texas A&M University System

**Subject:** 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\_\_

**Proposed Board Action:**

Adopt a resolution authorizing the sale of Revenue Financing System Bonds, Series 20\_\_

**Background Information:**

The resolution provides the authority for the issuance of one or more series of Revenue Financing System Bonds, Series 20\_\_ to convert all or a portion of the commercial paper to long-term bonds; to provide funds for construction, renovation and other projects; to refund previously issued bonds; and to pay the costs of issuing the bonds. The authority in the amount of \$477 million (including issuance costs) will be for the period from September 1, 2011 to August 31, 2012.

Projects for inclusion in the bond issues are those projects which will have received approval from the Board of Regents and total approximately \$272 million. Prior to issuance of bonds for capital projects, Texas Higher Education Coordinating Board approval will be obtained, as required.

The resolution also provides for the refunding of previously issued bonds that achieve a net present value debt service savings of 5% for advance refunding and 4% for current refunding. Previously issued bonds which are eligible to be refunded total approximately \$204 million; however, only those bonds that meet the savings thresholds will be included in a refunding issue.

**A&M System Funding or Other Financial Implications:**

Debt service for Revenue Financing System Bonds, Series 20\_\_ will be funded with various revenues including tuition revenue bonds debt service appropriations, general revenue, housing revenue, utility revenue, designated tuition, transportation services, indirect costs and higher education funds.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**  
Office of the Chief Investment Officer and Treasurer  
June 10, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: 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\_\_

I recommend adoption of the following minute order:

**“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 , is adopted. The Chief Investment Officer 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.”**

Respectfully submitted,

Gregory R. Anderson  
Chief Investment Officer and Treasurer

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

ATTACHMENT TO ITEM

TWENTY-THIRD 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 \$477,000,000, AND APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO

Adopted July 23, 2011

TWENTY-THIRD 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 \$477,000,000, AND  
 APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING  
 THERETO

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EXHIBIT A - DEFINITIONS

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TWENTY-THIRD 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 \$477,000,000, 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 Twenty-Second 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 supplemental resolution to the Master Resolution (the "Twenty-Third Supplement"); 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-Third 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-Third Supplement, the terms used in this Twenty-Third 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-Third Supplement attached hereto and made a part hereof.

(b) Construction of Terms. If appropriate in the context of this Twenty-Third 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 Four Hundred Seventy-Seven Million Dollars (\$477,000,000), 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-Third 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 or Taxable Bonds, as applicable. No Bonds shall be issued under this Twenty-Third Supplement before September 1, 2011 or after August 31, 2012.

(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) the Authorized Denominations for any Taxable Bonds and (xv) 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, 2045; (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 debt service savings in each year the Refunding Bonds are scheduled to be outstanding and the refunding results in the minimum present value savings set forth in the following paragraph.



In establishing the aggregate principal amount of a Series of Bonds to be issued, in whole or in part, to refund Refunded Bonds, the Designated Financial Officer shall establish an amount, not to exceed the amount authorized in Section 2(a) hereof, after taking into account the Bonds to be issued to finance the costs of the Revenue Financing System improvements set forth in the Award Certificate, 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%) for Refunded Bonds that are to mature or be redeemed within 90 days of the date of delivery of the Series of Bonds and five percent (5%) for the Refunded Bonds that are to mature or be redeemed thereafter. 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-Third 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 Section 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-Third Supplement and shall be filed in the minutes of the Board as a part of this Twenty-Third 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-Third 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-Third 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) 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.

(f) 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 semiannually 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-Third 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-Third 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-Third 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-Third 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-Third 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-Third Supplement shall constitute one of the Bonds for all purposes of this Twenty-Third 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-Third Supplement there shall be printed an Authentication Certificate, in the form set forth in Exhibit B to this Twenty-Third 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-Third 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-Third 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-Third 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-Third Supplement, and a certified copy of this Twenty-Third 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-Third 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-Third 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-Third 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-Third 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-Third 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-Third Supplement. Whenever a successor securities depository has been appointed pursuant to this paragraph, the terms DTC and DTC Participant as used in this Twenty-Third Supplement shall refer to such successor securities depository and its participants, respectively.

(j) Payments to Cede & Co. Notwithstanding any other provision of this Twenty-Third 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 registered owners of the Bonds to be redeemed at least thirty (30) days but not more than ninety (90) days prior to the actual redemption date. 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 dated date of the Bonds, the interest rate, the maturity date, the CUSIP numbers and amounts of each maturity called for redemption, the 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, along with any other applicable contact information of the Paying Agent/Registrar.

(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-Third 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-Third 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. The Bonds shall be executed either manually or by facsimile on behalf of the Board by the Chairman or the Vice Chairman of the Board under its seal reproduced or impressed thereon and countersigned by the Executive Secretary to the Board.

**Section 7. ESTABLISHMENT OF FINANCING SYSTEM AND ISSUANCE OF PARITY OBLIGATIONS.** 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-Third 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.

**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-Third 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-Third Supplement equally and proportionately with any and all other Bonds duly issued under this Twenty-Third 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-Third Supplement for Bonds issued in exchange and replacement for other Bonds.

**Section 11. AMENDMENT OF SUPPLEMENT.** (a) Amendments Without Consent. This Twenty-Third 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-Third 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-Third Supplement;

(ii) To cure any ambiguity or inconsistency, or to cure or correct any defective provisions contained in this Twenty-Third 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-Third 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-Third 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-Third 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-Third 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-Third 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-Third Supplement pursuant to (b) above, the Board shall cause written notice of the proposed amendment to be sent by United States mail, first-class postage prepaid, to each registered owner of the Bonds then outstanding. 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.

(d) Receipt of Consents. Whenever at any time not less than thirty days, and within one year, from the date of mailing of such 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-Third Supplement pursuant to the provisions of this Section, this Twenty-Third 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-Third 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 mailing 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 mailing 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-Third 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-Third 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. This Twenty-Third Supplement is intended to satisfy the official intent requirements set forth in section 1.150-2 of the Treasury Regulations.

(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 not in excess of ten business days after the occurrence of the event, of any of the following events with respect to the Bonds:

- A. Principal and interest payment delinquencies;
- B. Non-payment related defaults, if material within the meaning of the federal securities laws;
- 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, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax-exempt status of the Bonds, or other events affecting the tax-exempt status of the Bonds;
- G. Modifications to rights of holders of the Bonds, if material within the meaning of the federal securities laws;
- H. Bond calls, if material within the meaning of the federal securities laws;
- I. Defeasances;
- J. Release, substitution, or sale of property securing repayment of the Bonds, if material within the meaning of the federal securities laws;
- K. Rating changes;
- L. Bankruptcy, insolvency, receivership or similar event of the Board;
- M. The consummation of a merger, consolidation, or acquisition involving the Board or the sale of all or substantially all of the assets of the Board, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material within the meaning of the federal securities laws; and
- N. Appointment of a successor or additional trustee or the change of name of a trustee, if material within the meaning of the federal securities laws.

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-Third 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-Third Supplement for purposes of any other provision of this Twenty-Third 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-Third 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-THIRD 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-Third 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-Third Supplement by the Board and the covenants and agreements set forth in this Twenty-Third 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-Third 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-Third 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-THIRD 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-Third 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-Third Supplement or any covenant, condition, stipulation, promise, agreement, or provision herein contained. This Twenty-Third 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 Chief Investment Officer 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 Chief Investment Officer 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-Third Supplement is hereby adopted and made a part of this Twenty-Third 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 Chief Investment Officer 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 Chief Investment Officer 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, Chief Investment Officer 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 Chief Investment Officer 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 in whole or in part to refund Refunded Bonds, the Chief Investment Officer 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 Chief Investment Officer 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 Chief Investment Officer 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 Chief Investment Officer 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 Chief Investment Officer 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 Chief Investment Officer 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 Chief Investment Officer 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 Chief Investment Officer 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 (such reallocation may also result in

the removal of any such project), 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

(iv) 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-Third 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-Third 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 if such approval is required by law. 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-Third Supplement, any amendments to the above named documents, and any technical amendments to this Twenty-Third 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, (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 and (iv) any other then authorized securities or obligations under applicable state law in existence at the time of such defeasance that may be used to defease obligations such as the Bonds.

(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.

(d) Notwithstanding the provisions of Section 12 of the Master Resolution or any of the other provisions of this Section, any Taxable Bonds issued under this Twenty-Third Supplement may be designated by the Designated Financial Officer in the Award Certificate as not being subject to defeasance to the extent that such Designated Financial Officer determines in the Award Certificate that such treatment is in the best economic interests of the Board.

**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-Third 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 Twenty-Second Supplemental Resolutions to the Master Resolution in accordance with the applicable defeasance provisions in the respective Supplemental Resolutions. 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.

Except as provided in the following sentence, the Board hereby (i) expressly reserves the right to call for redemption any Parity Obligations defeased pursuant to this section in accordance with the applicable redemption provisions contained in the Supplemental Resolution authorizing such Parity Obligations, (ii) requires that the Designated Financial Officer give notice of the reservation of such right to the owners of such Parity Obligations immediately following the making of the firm banking and financial arrangements for such defeasance, and (iii) directs that notice of such reservation also be included in any Notice of Redemption authorized pursuant to this section. Notwithstanding the foregoing sentence, the Designated

Financial Officer, upon determining that doing so is in the best interest of the Board, may elect on behalf of the Board not to retain the right to call such Parity Obligations for redemption by choosing not to give the notices required in (ii) and (iii) of the foregoing sentence.

**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-Third Supplemental Resolution was adopted, and that this Twenty-Third 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.

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**EXHIBIT A**  
**DEFINITIONS**

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

The term "Acts" means, collectively, Chapter 55, Texas Education Code, as amended, and Chapters 1207 and 1371, Texas Government Code.

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

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-Third 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-Third 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 Chief Investment Officer 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 "Master Resolution" means the Master Resolution Establishing The Texas A&M University System Revenue Financing System adopted by the Board on November 19, 1990, as amended on September 17, 1993 and July 25, 1997.

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 Twenty-Second 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-Third 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-Third Supplement" means this resolution authorizing the Bonds.

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**EXHIBIT B**

**FORM OF BONDS**

#[FORM OF FIRST TWO PARAGRAPHS OF CURRENT INTEREST BONDS]

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

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>[BOND DATE]</u> [ISSUANCE DATE]	<u>CUSIP NO.</u>
_____%	_____, 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.

**##[FORM OF FIRST TWO PARAGRAPHS OF CAPITAL APPRECIATION BONDS]**

CR- UNITED STATES OF AMERICA PRINCIPAL  
STATE OF TEXAS AMOUNT  
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 \_\_\_\_\_, 201\_, authorized by resolution of the Issuer adopted on \_\_\_\_\_, 2011 (the "Bond Resolution") in the aggregate principal amount of \$\_\_\_\_\_, FOR THE PURPOSE OF (i) REFUNDING THE REFUNDED NOTES AND THE REFUNDED BONDS; (ii) PAYING THE COSTS 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 scheduled to mature on \_\_\_\_\_ (the "Term Bonds"), 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 principal amount thereof plus accrued interest to the date of redemption, on the dates, and in the principal amounts, respectively, as set forth in the following schedule:

Term Bonds due

<u>Redemption Date</u>	<u>Principal Amount</u>
------------------------	-------------------------

\*The principal amount of the Term 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 Term Bonds of the same maturity and bearing interest at the same rate, 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 Term 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 Term Bonds to be redeemed is determined by a book entry at a securities depository for such Term Bonds, if fewer than all of such Term Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Term 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 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 receive such notice, or any defect therein shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond. 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 sent 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 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.

\_\_\_\_\_  
(signature)  
Executive Secretary to the Board of  
Regents of The Texas A&M University  
System

\_\_\_\_\_  
(signature)  
Chairman, Board of Regents of  
The Texas A&M University System

(BOARD SEAL)

\_\_\_\_\_

\* 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 SYSTEM (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:

<u>Principal</u> <u>Installments</u>	<u>Years of</u> <u>Stated Maturities</u>	<u>Interest</u> <u>Rates</u>
---	---	---------------------------------

(Information from Award Certificate to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof from the [Bond Date] [Issuance 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 \_\_\_\_\_, 20\_\_\_\_, 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	UNIF GIFT MIN ACT-- _____ Custodian _____
TEN ENT -- as tenants by the entireties	(Cust) _____ (Minor)
JT TEN -- as joint tenants with right of survivorship and not as tenants in common	under Uniform Gifts to Minors Act _____ (State)

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.

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Gregory R. Anderson, Chief Investment Officer and Treasurer  
The Texas A&M University System

**Subject:** Adoption of a Resolution Authorizing the Issuance of the Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series 20\_\_

**Proposed Board Action:**

Adopt a resolution authorizing the sale of Permanent University Fund Bonds, Series 20\_\_.

**Background Information:**

The resolution provides the authority for the issuance of one or more series of Permanent University Fund Bonds, Series 20\_\_ to convert all or a portion of the commercial paper to long-term bonds; to provide funds for construction, renovation and other projects; to refund previously issued bonds; and to pay the costs of issuing the bonds. The authority in the amount of \$415 million (including issuance costs) will be for the period from September 1, 2011 to August 31, 2012.

Projects for inclusion in the bond issues are those projects which will have received approval from the Board of Regents and total approximately \$199.6 million. Of this amount, \$96 million is currently outstanding in commercial paper and will be converted to long-term bonds. Prior to issuance of bonds for capital projects, Texas Higher Education Coordinating Board approval will be obtained, as required.

The resolution also provides for the refunding of previously issued bonds that achieve a net present value debt service savings of 5% for advance refunding and 4% for current refunding. Previously issued bonds which are eligible to be refunded total approximately \$214.4 million; however, only those bonds that meet the savings thresholds will be included in a refunding issue.

**A&M System Funding or Other Financial Implications:**

Debt service for Permanent University Fund Bonds, Series 20\_\_ will be funded with the Available University Fund.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**  
Office of the Chief Investment Officer and Treasurer  
June 24, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Adoption of a Resolution Authorizing the Issuance of the Board of Regents of  
The Texas A&M University System Permanent University Fund Bonds,  
Series 20\_\_

I recommend adoption of the following minute order:

**“The resolution authorizing the issuance of the Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series 20\_\_, substantially in the form of Exhibit , is adopted. The Chief Investment Officer 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.”**

Respectfully submitted,

Gregory R. Anderson  
Chief Investment Officer and Treasurer

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel



**A RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM PERMANENT UNIVERSITY FUND BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$415 MILLION, PLEDGING REVENUES FOR THE PAYMENT THEREOF, AND APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO**

Adopted July 22, 2011

**A RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM PERMANENT UNIVERSITY FUND BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$415 MILLION, PLEDGING REVENUES FOR THE PAYMENT THEREOF, AND APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO**

**WHEREAS**, the Board of Regents (the “Board”) of The Texas A&M University System (the “System”) hereby determines to issue obligations pursuant to the provisions of Article VII, Section 18 of the Constitution of the State of Texas, as amended (the “Constitutional Provision”), Chapters 1207 and 1371, Texas Government Code, as amended, and other applicable laws (collectively, “Applicable Law”) for the purposes hereinafter described; and

**WHEREAS**, the Constitutional Provision authorizes the Board to issue bonds and notes not to exceed a total amount of 10% of the cost value of investments and other assets of the Permanent University Fund (exclusive of real estate) at the time of issuance thereof, and to pledge all or any part of the Available University Fund Share (defined herein) to secure the payment of the principal and interest of those bonds and notes, for the purpose of acquiring land either with or without permanent improvements, constructing and equipping buildings or other permanent improvements, major repair and rehabilitation of buildings and other permanent improvements, acquiring capital equipment and library books and library materials, and refunding bonds or notes issued under such section or prior law, at or for the System’s administration and certain component institutions and agencies of the System; and

**WHEREAS**, the Board has heretofore duly authorized, sold, and delivered certain outstanding obligations pursuant to the provisions of the Constitutional Provision, payable from and secured by a first lien on and pledge of the Available University Fund Share (such outstanding obligations, collectively, the “Outstanding Parity Bonds”), in the manner and to the extent provided in the respective resolutions authorizing the issuance of each of the Outstanding Parity Bonds (the “Parity Bond Resolutions”); and

**WHEREAS**, the Parity Bond Resolutions reserved the right and power in the Board to issue, under certain conditions, Additional Parity Obligations (defined herein) for the purposes and to the extent provided in the Constitutional Provision and the Parity Bond Resolutions, said Additional Parity Obligations to be on a parity with the Outstanding Parity Bonds, and equally and ratably secured by and payable from a first lien on and pledge of the Available University Fund Share in the same manner and to the same extent as are the Outstanding Parity Bonds; and

**WHEREAS**, the Board deems it necessary and desirable to issue Additional Parity Bonds (1) to refund such of its outstanding Subordinate Lien Obligations (defined herein) as shall be specified in the Award Certificate executed in accordance with the terms of this Resolution for the purpose of providing permanent financing for facilities and improvements financed with the proceeds of such refunded Subordinate Lien Obligations and of providing the Board with the ability to issue additional Subordinate Lien Obligations in the future as part of the System’s continuing Subordinate Lien Obligations program, (2) to refund such of its Outstanding Parity Bonds as shall be specified in the Award Certificate executed in accordance with the terms of this Resolution, for the purpose of producing at least a minimum amount of net present value

savings in accordance with the requirements of this Resolution, (3) to pay the Project Costs (as defined herein) of certain Eligible Projects (as defined herein), and (4) to pay costs of issuance of the Bonds; and

**WHEREAS**, the Bonds hereinafter authorized are to be issued and delivered as Additional Parity Obligations pursuant to the Parity Bond Resolutions and Applicable Law.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM THAT:**

**Section 1. AUTHORIZATION AND FINDINGS.**

(a) Bonds Authorized. The Board's bonds, designated as the "Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series \_\_\_\_" (the "Bonds"), are hereby authorized to be issued and delivered in one or more series in the maximum aggregate principal amount of \$415 million for the purposes of (i) refunding the Refunded Notes (as hereinafter defined), (ii) refunding all or a portion of the Potential Refunded Bonds (as hereinafter defined), (iii) paying the Project Costs of certain Eligible Projects; and (iv) paying the costs of issuance relating to the Bonds. The Bonds shall be designated by the year in which they are awarded pursuant to Section 2(b) below; provided that for any Series of Bonds issued as Taxable Bonds (as hereinafter defined) the word "Taxable" shall be included in the designation of such Bonds before the word "Series."

(b) Refunding Purposes.

(i) The Board may issued Bonds to refund Refunded Obligations for the purpose of restructuring certain of its outstanding debt. Pursuant to Section 1207.008, Texas Government Code, as amended, the Board hereby finds that, because the Refunded Notes bear interest at variable rates, the amount of savings or loss as a result of the refunding of the Refunded Notes cannot be ascertained, and that issuing the Bonds to refund the Refunded Notes for the aforementioned purpose is in the best interest of the System.

(ii) The Board may issue Bonds to refund Refunded Bonds (as hereinafter defined) for the public purpose of producing a net present value savings expressed as a percentage of the principal amount of the Refunded Bonds, all in accordance with Section 2(b) of this Resolution.

(c) Type of Bonds. Each Series of Bonds herein authorized, unless otherwise indicated, are hereinafter referred to as the "Bonds," which shall be in the form of fixed rate bonds as either Current Interest Bonds or Capital Appreciation Bonds.

**Section 2. DATE, DENOMINATIONS, NUMBERS, MATURITIES OF AND INTEREST ON THE BONDS.**

(a) Date, Denominations, and Numbers. The Bonds of each Series shall initially be issued, sold, and delivered hereunder as fully registered bonds, without interest coupons, in the form of (1) Taxable Bonds or Tax-Exempt Bonds and (2) 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 initial purchaser of the Bonds specified by the Authorized Representative in Award Certificate (the “Initial Purchaser”), 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 or Maturity Amounts, respectively, and dated, all as set forth in the Award Certificate.

(b) Delegation of Board’s Authority. As permitted by Applicable Law, the Authorized Representative is hereby authorized, appointed, and designated to act on behalf of the Board in selling and delivering the Bonds and carrying out other procedures specified in this Resolution, including determining and fixing (i) the date of the Bonds; (ii) any additional or different designations or titles by which the Bonds shall be known, if any; (iii) the price at which the Bonds will be sold; (iv) the years in which the Bonds will mature; (v) the principal amount or Maturity Amount of the Bonds to mature in each of such years; (vi) the aggregate principal amount of the Bonds; (vii) the rate of interest to be borne by each such maturity, and whether the Bonds shall be Tax-Exempt Bonds or Taxable Bonds; (viii) the interest payment periods; (ix) the dates, prices, 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 mandatory redemption provisions, if any; (x) the designation of which Subordinate Lien Obligations shall constitute the Refunded Notes refunded by the Bonds; (xi) the designation of which Potential Refunded Bonds shall constitute the Refunded Bonds to be refunded by the Bonds; (xiii) the Paying Agent/Registrar and Escrow Agent, if applicable, with respect to the Bonds; and (xii) 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 Authorized Representative shall be specified in the Award Certificate delivered to the Executive Secretary to the Board. Those determinations to be made by the Authorized Representative are limited, however, by the following: (i) the price to be paid for the Bonds shall not be less than 95% of the aggregate par amount thereof, plus any accrued interest thereon from their dated date to the date of initial delivery thereof; (ii) none of the Bonds shall bear interest at a rate greater than the maximum rate allowed by law; (iii) no stated maturity of any Bond shall be later than July 1, 2042, provided that no Bonds shall mature more than 30 years from their respective dates in accordance with the Constitutional Provision; (iv) the aggregate principal amount of the Bonds shall not exceed \$415 million and (v) Bonds shall be issued to refund all or a portion of the Potential Refunded Bonds only if that refunding, assuming that each Series of Bonds sold and delivered at the same time is one Series of Bonds, results in the minimum present value savings set forth in the following paragraph.

In establishing the aggregate principal amount of a Series of Bonds to be issued to refund Refunded Bonds, the Authorized Representative shall establish an amount, not to exceed the amount authorized in Section 1(a), sufficient to provide for the refunding of the maximum amount of the Potential Refunded Bonds that will result in a present value savings when the scheduled debt service payable on such Bonds during each Bond Year is subtracted from the scheduled debt service payable on the Refunded Bonds during the same Bond Year and the remainder is discounted to the scheduled date of delivery of the Bonds of such Series set forth in the Award Certificate at a discount factor equal to the yield on such Bonds determined in accordance with section 148 of the Code; provided that in the case of Refunded Bonds being refunded within 90 days prior to their maturity or earlier redemption date, the present value savings must not be less than an amount equal to 0.04 times the principal amount of the Refunded Bonds being refunded by the Bonds of such Series; and 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 must not be less than an amount equal to 0.05 times the principal amount of the Refunded Bonds being refunded by the Bonds of such Series. 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.

The Award Certificate shall also contain a determination that the total principal amount of all outstanding Permanent University Fund Obligations, subsequent to the issuance of the Bonds of such Series will not exceed 10% of the cost value of investments and other assets of the Permanent University Fund (exclusive of real estate) at the time the Bonds of such Series are issued.

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 Resolution 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 Award Certificate is hereby incorporated in and made a part of this Resolution and shall be filed in the minutes of the Board as a part of this Resolution.

Notwithstanding the foregoing provisions, the Bonds shall not be delivered unless prior to such delivery, the Authorized Representative executes and delivers to the Executive Secretary to the Board, in addition to the Award Certificate, a certificate relating to the Bonds to the effect set forth in Section 12 of this Resolution.

(c) Maturities and Interest Rates. The Bonds shall mature on July 1 in each of the years and in the amounts as specified in the Award Certificate.

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 Award Certificate to their respective dates of maturity at the rates set forth in the Award Certificate.

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 (as hereinafter defined) thereof), compounded semiannually 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 3. RIGHT OF OPTIONAL REDEMPTION.** The Board reserves the right to redeem prior to their stated maturities the Bonds, in whole or in part, in principal amounts or Maturity Amounts of \$5,000 or any integral multiple thereof at the redemption prices, to the extent, on the dates, and in the manner described in the Award Certificate.

#### **Section 4. CHARACTERISTICS OF THE BONDS.**

(a) Paying Agent/Registrar; Registration, Transfer, and Exchange; Authentication. The Board shall keep or cause to be kept at the principal corporate trust office of the Paying Agent/Registrar (as hereinafter defined) books or records for the registration and transfer of the Bonds (the "Registration Books"), and the Board hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers and exchanges under such reasonable regulations as the Board and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, and exchanges as herein provided. Registration of the Bonds shall be accomplished in accordance with the provisions of this Resolution, including Section 14 relating to DTC's Book-Entry-Only System. The Authorized Representative, acting for and on behalf of the Board, is hereby authorized to solicit bids for and to select an initial Paying Agent/Registrar for the Bonds and to approve, execute and deliver for and on behalf of the Board a Paying Agent/Registrar Agreement to reflect the appointment, responsibilities and compensation of the Paying Agent/Registrar, such approval to be conclusively evidenced by the Authorized Representative's execution thereof. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner 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. To the extent possible and under reasonable circumstances, all transfers of Bonds shall be made within three business days after request and presentation thereof. The Board shall have the right to inspect the Registration Books during the Paying Agent/Registrar's regular business hours, 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. The Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, exchange and delivery of a substitute Bond or Bonds shall be paid as provided in the FORM OF BONDS set forth in this Resolution. Registration of assignments, transfers, and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BONDS set forth in this Resolution. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

Except as provided in subsection (c) below, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign the Paying Agent/Registrar's Authentication Certificate, and no such Bond shall be deemed to be issued or outstanding unless such Authentication Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for transfer and exchange. No

additional action need be taken by the Board or any other body or person so as to accomplish the foregoing transfer and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds. Pursuant to Chapter 1201, Texas Government Code, as amended, the duty of transfer and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and upon the execution of said certificate, the transferred and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bond which initially was issued and delivered pursuant to this Resolution, approved by the Attorney General, and registered by the Comptroller (the “Initial Bond”).

(b) Payment of Bonds and Interest. The Board hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal and Maturity Amount of and interest on the Bonds, all as provided in this Resolution. 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.

(c) In General. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on or Maturity Amount of such Bonds to be payable only to the Registered Owners thereof; (ii) may and shall be prepaid or redeemed prior to the respective scheduled maturity dates; (iii) may be transferred and assigned; (iv) may be exchanged for other Bonds; (v) shall have the characteristics; (vi) shall be signed, sealed, executed, and authenticated; and (vii) shall be administered, and the Paying Agent/Registrar and the Board shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BONDS set forth in this Resolution and in the Award Certificate. 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 Resolution 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.

**Section 5. Forms.** The form of all 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, to accompany the Initial Bond on the initial delivery thereof shall be, respectively, substantially as provided in Exhibit A hereto, with such appropriate variations, omissions, or insertions as are permitted or required by this Resolution and the Award Certificate.

**Section 6. Definitions.** In addition to terms defined elsewhere in this Resolution, as used in this Resolution, the following terms shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:

“Additional Parity Obligations” means the additional obligations of the Board permitted to be issued pursuant to Section 12 of this Resolution or pursuant to the Parity Bond Resolutions, such obligations to be payable from and secured by a first lien on and pledge of the Available University Fund Share on a parity with and of equal dignity to the Outstanding Parity Bonds and the Bonds.

“Applicable Law” has the meaning ascribed thereto in the preamble to this Resolution.

“Attorney General” means the Attorney General of the State of Texas.

“Authorized Denominations” means \$5,000 in principal amount 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.

“Authorized Representative” means one or more of the following officers or employees of the System, to-wit: the Chancellor, the Chief Investment Officer and Treasurer, the Director of Treasury Services, or such other officer or employee of the System authorized by the Board to act as an Authorized Representative.

“Available University Fund” means the fund by that name specified in the Constitutional Provision, which fund consists of the distributions made to it from the total return on all investment assets of the Permanent University Fund, including the net income attributable to the surface of Permanent University Fund land, as determined by the Board of Regents of The University of Texas System pursuant to the Constitutional Provision.

“Available University Fund Share” means the System’s one-third interest in the Available University Fund as apportioned and provided in the Constitutional Provision.

“Award Certificate” means the certificate to be signed and delivered pursuant to Section 2(b) of this Resolution in connection with each Series of Bonds which establishes the terms of the Bonds.

“Board of Regents” or “Board” means the Board of Regents of the System.

“Bond” or “Bonds” mean one or more, as the case may be, of the Bonds authorized to be issued by this Resolution.

“Bond Counsel” means Andrews Kurth LLP, or such other nationally-recognized firm designated by the Board as Bond Counsel for purposes of this Resolution.

“Bond Counsel Opinion” means, with respect to any action the occurrence of which requires such an opinion relating to the Bonds, an unqualified opinion of Bond Counsel to the effect that such action is permitted under State law and this Resolution and, with respect to Tax-Exempt Bonds, will not impair the exclusion of interest on the Tax-Exempt Bonds from gross income for purposes of federal income taxation (subject to the inclusion of any exceptions contained in the opinion delivered upon original issuance of the Tax-Exempt Bonds).

“Bond Purchase Contract” means the Board’s agreement with a senior managing underwriter providing for the sale of a Series of Bonds in a private sale as authorized by Section 20 hereof; provided that two or more Series of Bonds may be sold to the same senior managing underwriter pursuant to the terms of a single Bond Purchase Contract.

“Bond Year” means the period beginning on July 2 of any calendar year and continuing through July 1 of the following calendar year.

“Business Day” means any day other than a Saturday, Sunday, or legal holiday, or a day on which banking institutions in either the State of New York or the State of Texas are authorized by law or executive order to close.



“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 Maturity Amounts as set forth in the Award Certificate.

“Code” means the Internal Revenue Code of 1986, as amended.

“Commercial Paper Notes” means the commercial paper notes of the Board issued as Subordinate Lien Obligations pursuant to the Board’s resolution adopted on September 26, 2008, as amended on February 4, 2011.

“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 2(c) of this Resolution and the Compounded Amount Table relating to such Bonds.

“Compounded Amount Table” means, with respect to the Capital Appreciation Bonds, the Compounded Amount Table as defined in Section 2(c) of this Resolution.

“Compounding Dates” means Compounding Dates as defined in Section 2(c) of this Resolution.

“Comptroller” means the Comptroller of Public Accounts of the State of Texas or any successor thereto.

“Constitutional Provision” means Section 18 of Article VII of the Constitution of the State, as amended and in effect on the date hereof, and any amendment thereto or any other provision or amendment to the Constitution of the State relating to the Permanent University Fund hereafter approved by the voters of the State.

“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.

“Definitive Bonds” means the Bonds issued in exchange for the Initial Bond.

“DTC” means The Depository Trust Company, New York, New York, and its successors and assigns.

“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.

“Eligible Project” means the acquisition of land either with or without permanent improvements, the construction and equipping of buildings or other permanent improvements, major repair and rehabilitation of buildings and other permanent improvements, the acquisition of capital equipment and library books and library materials. The term “Eligible Project” does not include the constructing, equipping, repairing, or rehabilitating of buildings or other permanent improvements that are to be used for student housing, intercollegiate athletics, or auxiliary enterprises.

“Escrow Agent” means the Escrow Agent set forth in the Award Certificate, if any, and any successor thereto.

“Escrow Agreement” means the agreement between the Board and the Escrow Agent as authorized by Section 23 hereof, as each such agreement may be amended from time to time in accordance with the terms thereof.

“Fiscal Year” means the 12-month operational period of both the System and the Permanent University Fund, commencing on September 1 of each year and ending on the following August 31.

“Flex Rate Notes” means the notes of the Board issued as Subordinate Lien Obligations pursuant to the Board’s resolution adopted on March 24, 2005 and amended on January 27, 2006.

“Government Obligations” means (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America (including Interest Strips of the Resolution Funding Corporation), (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 the Board adopts or approves proceedings authorizing the issuance of refunding bonds or otherwise provide for the funding of an escrow to effect the defeasance of the Bonds 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 proceedings authorizing the issuance of refunding bonds or otherwise provide for the funding of an escrow to effect the defeasance of the Bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than “AAA” or its equivalent.

“Initial Bond” means the Bond of a Series 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.

“Initial Purchaser” has the meaning given in Section 2 hereof.

“MSRB” means the Municipal Securities Rulemaking Board.

“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, or otherwise.

“Maturity Amount” means the Compounded Amount of a Capital Appreciation Bond due on its Stated Maturity.

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

“Official Statement” means the disclosure document describing the Bonds of a Series dated the date sale pursuant to Section 20 of this Resolution.

“Outstanding Parity Bonds” has the meaning ascribed thereto in the preamble to this Resolution.

“Parity Bond Resolutions” has the meaning ascribed thereto in the preamble to this Resolution.

“Parity Obligations” means the Outstanding Parity Bonds, the Bonds, and any Additional Parity Obligations outstanding on the date of adoption of this Resolution or thereafter issued.

“Paying Agent/Registrar,” “Paying Agent,” or “Registrar” means an agent appointed pursuant to Section 2(b) of this Resolution, or any successor thereto.

“Paying Agent/Registrar Agreement” means a Paying/Agent Registrar Agreement executed by the Board and a Paying Agent/Registrar pursuant to Section 4(a) of this Resolution, substantially in the form previously approved by the Board, as such agreement may be amended from time to time in accordance with the terms thereof.

“Permanent University Fund” means the Permanent University Fund as created, established, implemented, and administered pursuant to Article VII, Sections 10, 11, 11a, 15, and 18 of the Texas Constitution, as currently or hereafter amended, and further implemented by the provisions of Chapter 66, Texas Education Code, as amended.

“Permanent University Fund Obligations” means, collectively, all bonds or notes of the Board heretofore or hereafter issued and delivered pursuant to the provisions of the Constitutional Provision, payable from and secured by a lien on and pledge of the Available University Fund Share, including, but not limited to, Parity Obligations and Subordinate Lien Obligations.

“Potential Refunded Bonds” means any of the Outstanding Parity Bonds.

“Principal and Interest Requirements” means, with respect to any Fiscal Year, the respective amounts of principal of and interest on all outstanding Permanent University Fund Obligations scheduled to be paid in such Fiscal Year from the Available University Fund Share. If the rate or rates of interest to be borne by any Additional Parity Obligations or Subordinate Lien Obligations is not fixed, but is variable or adjustable by any formula, agreement, or otherwise, and therefore cannot be calculated as actually being scheduled to be paid in a particular amount for any particular period, then for the purposes of the previous sentence, such Additional Parity Obligations or Subordinate Lien Obligations shall be deemed to bear interest at all times to maturity or due date at the lesser of (i) the maximum rate then permitted by law or (ii) the maximum rate specified in such Additional Parity Obligations or Subordinate Lien Obligations.

“Project Costs” means all costs and expenses incurred in relation to Eligible Project, including, without limitation, design, planning, engineering, and legal costs; acquisition costs of land, interests in land, right-of-way and easements; construction costs; costs of machinery, equipment, and other capital assets incident and related to the operation, maintenance, and administration of an Eligible Project; and financing costs, including interest during construction and thereafter; underwriters' discount and/or fees; legal, financial, and other professional services; and reimbursements for such Project Costs attributable to an Eligible Project incurred prior to issuance and delivery of the Bonds.

“Refunded Bonds” means the Potential Refunded Bonds to be refunded by a Series of Bonds as set forth in the Award Certificate.

“Refunded Notes” means the Commercial Paper Notes or Flex Rate Notes to be refunded by a Series of Bonds as set forth in the Award Certificate.

“Refunded Obligations” means, collectively, the Refunded Notes, if any, and the Refunded Bonds, if any, refunded by a Series.

“Refunding Bonds” means any Series of Bonds issued for the purpose of refunding any of the Refunded Obligations and paying the costs of issuance of such Bonds thereby constituting "refunding bonds" for purposes of subsection (g) of the Constitutional Provision.

“Registered Owner” has the meaning ascribed thereto in Section 2 of this Resolution.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

“Series” means any designated series of Bonds issued pursuant to this Resolution.

“State” means the State of Texas.

“Stated Maturity” means the scheduled maturity or mandatory sinking fund redemption date of the Bonds.

“Subordinate Lien Obligations” means those bonds, notes, or other obligations of the Board, including the Commercial Paper Notes and the Flex Rate Notes, payable from, and secured by a lien on and a pledge of, the Available University Fund Share that is junior and subordinate to the pledge of and lien on the Available University Fund Share that secures the Parity Obligations.

“System” means The Texas A&M University System.

“Tax-Exempt Bond” means a series or installment of Bonds, the interest on which is excludable from gross income from federal income tax, as determined and set forth in the Award Certificate therefor.

“Taxable Bond” means a series or installment of Bonds, the interest on which is not excludable from gross income for federal income tax purposes, as determined and set forth in the Award Certificate therefor.

“UT Board” means the Board of Regents of The University of Texas System.

**Section 7. PLEDGE.** Pursuant to the Constitutional Provision, the Parity Obligations and the interest thereon, shall be and are hereby equally and ratably secured by and payable from a first lien on and pledge of the Available University Fund Share.

**Section 8. PERFECTION OF SECURITY.** Chapter 1208, Texas Government Code, applies to the issuance of the Parity Obligations and the pledge of the Available University Fund Share made in Section 7 of this Resolution, and such pledge is, therefore, valid, effective, and

perfected. Should State law be amended at any time while the Bonds are outstanding and unpaid, the result of such amendment being that the pledge of the Available University Fund Share is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, in order to preserve to the Registered Owners a security interest in such pledge, the Board agrees to take such measures as it determines are reasonable and necessary to enable a filing of a security interest in said pledge to occur.

**Section 9. PAYMENT OF BONDS AND ADDITIONAL PARITY OBLIGATIONS.**

(a) Payment of the Bonds. The Comptroller previously has established and shall maintain in the State Treasury a fund known as the “Board of Regents of The Texas A&M University System Permanent University Fund Bonds Interest and Sinking Fund” (the “Interest and Sinking Fund”). The Board and the officers of the System shall cause the Comptroller to (i) transfer to the Interest and Sinking Fund, out of the fund in the State Treasury to which is deposited the Available University Fund Share, such fund being designated the “The Texas A&M University System Available University Fund”, on or before each date upon which the principal of, premium, if any, or interest on any Parity Obligations is due and payable, whether by reason of maturity, mandatory redemption, or optional redemption prior to maturity and (ii) withdraw from the Interest and Sinking Fund and deposit with the Paying Agent/Registrar, on or before each such date, the amounts of interest or principal, premium, if any, and interest which will come due on the Parity Obligations on each such date, and in such manner that such amounts, in immediately available funds, will be on deposit with the Paying Agent/Registrar at least by each such date.

(b) Payment of Additional Parity Obligations. When Additional Parity Obligations are issued pursuant to the provisions of this Resolution, the Board, the officers of the System, and the Comptroller shall follow substantially the same procedures as provided above in connection with paying the principal of and interest on such Additional Parity Obligations when due; provided, however, that other and different banks or places of payment (paying agents) and/or paying agent/registrar, dates and methods of payment, and other procedures not in conflict with this Resolution may be named and provided for in connection with each issue of Additional Parity Obligations. In the event that any such Additional Parity Obligations are made redeemable prior to maturity, the resolution or resolutions authorizing the issuance of such Additional Parity Obligations shall prescribe the appropriate procedures for redeeming the same.

**Section 10. DISPOSITION OF FUNDS.** After provision has been made for the payment of the principal of, premium, if any, and interest on the Parity Obligations the balance of the Available University Fund Share each year shall be made available to the Board for payment of any Subordinate Lien Obligations and, thereafter, shall be available to the Board in the manner and to the extent provided by law and by regulations of the Board to be used by the Board as it may lawfully direct.

**Section 11. INVESTMENTS.** Subject to the requirements of any Parity Bond Resolution, money in any account or fund established or affirmed pursuant to this Resolution may be invested at the direction of an Authorized Representative in the manner prescribed by law and in accordance with the written policies adopted by the Board.

## **Section 12. ADDITIONAL OBLIGATIONS.**

(a) Additional Parity Obligations. The Board reserves the right and shall have full power at any time and from time to time, to authorize, issue, and deliver Additional Parity Obligations, in as many separate installments or series as deemed advisable by the Board but only for the purpose and to the extent provided in the Constitutional Provision, or in any amendment hereafter made to the Constitutional Provision, or for refunding purposes as provided by Applicable Law. Such Additional Parity Obligations when issued, and the interest thereon, shall be equally and ratably secured by and payable from a first lien on and pledge of the Available University Fund Share, in the same manner and to the same extent as are the Parity Obligations, and the interest thereon shall be on a parity and in all respects of equal dignity. It is further covenanted that no installment or series of Additional Parity Obligations shall be issued and delivered unless the Authorized Representative, or some other senior financial officer of the System designated by the Board, executes a certificate to the effect that (i) for the Fiscal Year immediately preceding the date of said certificate, the amount of the Available University Fund Share was at least 1.5 times the average annual Principal and Interest Requirements of the installment or series of Additional Parity Obligations then proposed to be issued and the Parity Obligations which are then and will be outstanding after the issuance and delivery of said proposed installment or series; provided, however, that the certification required by this clause (i) shall only remain in effect so long as an Outstanding Parity Obligation remains outstanding; and (ii) the total principal amount of all Permanent University Fund Obligations that will be outstanding after the issuance and delivery of the installment or series of Additional Parity Obligations then proposed to be issued will not exceed 10% of the cost value of investments and other assets of the Permanent University Fund (exclusive of real estate) at the time the proposed series or installment of Additional Parity Obligations is issued.

(b) Subordinate Lien Obligations. The Board may, at any time and from time to time, for any lawful purpose permitted pursuant to the terms of the Constitutional Provision, issue Subordinate Lien Obligations, the principal of and redemption premium, if any, and interest on which are payable from and secured by a pledge of and lien on the Available University Fund Share junior and subordinate to the lien and pledge created hereby for the security of the Parity Obligations; provided, however, that any such pledge and lien securing such Subordinate Lien Obligations shall be, and shall be expressed to be, subordinate in all respects to the pledge of and lien on the Available University Fund Share pledged as security for the Parity Obligations.

**Section 13. GENERAL COVENANTS.** The Board covenants and agrees with the Registered Owners as follows:

(a) It is recognized that the UT Board is the legal custodian of the Permanent University Fund, having sole power to administer and invest the Permanent University Fund in accordance with applicable law, provided that the Constitutional Provision affirmatively provides for the allocation of the Available University Fund Share first to the payment of principal of and interest on the Parity Obligations and, thereafter, for the Subordinate Lien Obligations. Therefore, while the Parity Obligations or the Subordinate Lien Obligations are outstanding and unpaid, the Board covenants to use its best efforts to cause the Permanent University Fund to be administered, invested, and the income therefrom to be distributed, all as required by law and consistent with the Parity Bond Resolutions and this Resolution.

(b) The Board will duly and punctually pay or cause to be paid the principal of every Parity Obligation and all Subordinate Lien Obligations, while outstanding, and the interest thereon, from the sources, on the days, at the places, and in the manner mentioned and provided in such obligations, according to the true intent and meaning thereof, and it will duly cause to be called for redemption prior to maturity, and will cause to be redeemed prior to maturity, all Parity Obligations and Subordinate Lien Obligations which, by their terms, are mandatorily required to be redeemed prior to maturity, when and as so required, and it will faithfully do and perform and at all times fully observe all covenants, undertakings, and provisions contained in this Resolution and in the aforesaid obligations.

(c) Except for the benefit of the Parity Obligations, and the interest thereon, the Board will not at any time create or allow to accrue or exist any lien or charge upon the Interest and Sinking Fund or the Available University Fund Share, unless such lien or charge is made junior and subordinate in all respects to the liens, pledges, and covenants in connection with the Parity Obligations, but the right to issue Subordinate Lien Obligations payable from the Available University Fund Share, as specified in Section 12(b) of this Resolution, is specifically reserved by the Board. The lien created by this Resolution will not be impaired in any manner as a result of any action or non-action on the part of the Board or officers of the System.

(d) Proper books of records and accounts will be kept in which true, full, and correct entries will be made of all income, expenses, and transactions of and in relation to the Permanent University Fund and each and every part thereof in accordance with accepted accounting practices, and that as soon after the close of each Fiscal Year as reasonably may be done, the Board will furnish to all bondholders and Registered Owners who may so request, such audits and reports by the State Auditor of the State for the preceding Fiscal Year, concerning the Permanent University Fund, the Available University Fund Share, and the Parity Obligations, as the State Auditor is required by applicable law to prepare and distribute.

(e) No portion of the proceeds of the Bonds will be used for the purpose of constructing, equipping, repairing, or rehabilitating buildings or other permanent improvements that are to be used for student housing, intercollegiate athletics, or auxiliary enterprises.

(f) The Board will (i) pay the standard or customary fees and charges of the Paying Agent/Registrar for its services with respect to the payment of the principal of and interest on the Bonds, when due, and (ii) pay the fees and charges of the Paying Agent/Registrar for services with respect to (A) the transfer of registration of the Bonds, and (B) solely to the extent provided in this Resolution, the exchange of the Bonds.

(g) 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 Resolution. The Paying Agent/Registrar will be one entity. 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 it will promptly appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Resolution. 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, 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 Resolution, and a certified copy of this Resolution shall be delivered to each Paying Agent/Registrar.

**Section 14. BOOK-ENTRY-ONLY SYSTEM.** It is intended that the Bonds initially be registered so as to participate in a securities depository system (the “DTC System”) with DTC, as set forth herein. The Definitive Bonds shall be issued in the form of a separate single definitive Bond for each maturity. Upon issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as the nominee of DTC, and all of the outstanding Bonds shall be registered in the name of Cede & Co., as the nominee of DTC. The Board and the Paying Agent/Registrar are authorized to execute, deliver, and take the actions set forth in such letters to or agreements with DTC as shall be necessary to effectuate the DTC System, including a “Letter of Representations” (the “Representation Letter”).

With respect to the 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 broker-dealer, bank, or other financial institution for which DTC holds the Bonds from time to time as securities depository (a “Depository Participant”) or to any person on behalf of whom such a Depository Participant holds an interest in the Bonds (an “Indirect Participant”). 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 Depository Participant with respect to any ownership interest in the Bonds, or (ii) the delivery to any Depository Participant or any Indirect Participant or any other Person, other than a Registered Owner of a Bond, of any amount with respect to principal of or interest on the Bonds. While in the DTC System, no person other than Cede & Co., or any successor thereto, as nominee for DTC, shall receive a Bond evidencing the obligation of the Board to make payments of principal and interest pursuant to this Resolution. 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 Resolution with respect to interest checks or drafts being mailed to the holder, the words “Cede & Co.” in this Resolution shall refer to such new nominee of DTC.

In the event that (a) the Board determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (b) the Representation Letter shall be terminated for any reason, or (c) DTC or the Board determines that it is in the best interest of the Registered Owners that they be able to obtain certificated Bonds, the Board shall notify the Paying Agent/Registrar, DTC, and Depository Participants of the availability within a reasonable period of time through DTC of certificated Bonds, and the Bonds shall no longer be restricted to being registered in the name of Cede & Co., as nominee of DTC. At that time, the Board may determine that the Bonds shall be registered in the name of and deposited with a successor depository operating a securities depository system, as may be acceptable to the Board, or such depository’s agent or designee, and if the Board and the Paying Agent/Registrar do not select such alternate securities depository system, then the Bonds may be registered in whatever



names the Registered Owners transferring or exchanging the Bonds shall designate, in accordance with the provisions hereof.

Notwithstanding any other provision of this Resolution 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 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.

#### **Section 15. AMENDMENT OF RESOLUTION.**

(a) The owners of the Parity Obligations aggregating 51% in principal amount of the aggregate principal amount of then outstanding Parity Obligations shall have the right, from time to time, to approve any amendment to any resolution authorizing the issuance of Parity Obligations 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 Parity Obligations, the amendment of the terms and conditions in said resolutions or in the Parity Obligations so as to (i) make any change in the maturity of the outstanding Parity Obligations; (ii) reduce the rate of interest borne by any of the outstanding Parity Obligations; (iii) reduce the amount of the principal payable on the outstanding Parity Obligations; (iv) modify the terms of payment of principal of or interest on the outstanding Parity Obligations, or impose any conditions with respect to such payment; (v) affect the rights of the owners of less than all of the Parity Obligations then outstanding; or (vi) change the minimum percentage of the principal amount of Parity Obligations necessary for consent to such amendment.

(b) If at any time the Board shall desire to amend a resolution under this Section, the Board shall cause notice of the proposed amendment to be published in a financial newspaper or journal published in 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 each Paying Agent/Registrar for the Parity Obligations for inspection by all owners of Parity Obligations. Such publication is not required, however, if written notice is given to each owner of Parity Obligations.

(c) Whenever at any time not less than 30 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 the owners of at least 51% in aggregate principal amount of all Parity Obligations then outstanding, 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.

(d) Any consent given by the owner of a Parity Obligation 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 Parity Obligations 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

Paying Agent/Registrar for such Parity Obligations and the Board, but such revocation shall not be effective if the owners of 51% in aggregate principal amount of the then-outstanding Parity Obligations as in this Section defined have, prior to the attempted revocation, consented to and approved the amendment.

(e) Notwithstanding the provisions of Subsections (a)-(d) of this Section and subject to the requirements of the resolutions authorizing the Outstanding Parity Bonds, this Resolution and the rights and obligations of the Board and of the owners of the Bonds may, to the extent permitted by law, be modified or amended at any time by a supplemental resolution, without notice to or the consent of any owners of the Bonds, to cure any ambiguity, or to cure or correct any defective provision contained in this Resolution, upon receipt by the Board of an approving opinion of Bond Counsel that the same is needed for such purpose and will more clearly express the intent of this Resolution.

(f) Upon the adoption of any amendatory resolution adopted by the Board pursuant to the provisions of this Section, the resolution being amended 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 Parity Obligations and all future Parity Obligations shall thereafter be determined, exercised, and enforced thereunder, subject in all respects to such amendment.

#### **Section 16. 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 principal amount, Maturity Amount, maturity, and interest rate, 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 Board 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 Board 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 or interest on the Bond, the Board 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 provided above 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 Board 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 Resolution equally and proportionately with any and all other Bonds duly issued under this Resolution.

(e) Authority for Issuing Replacement Bonds. In accordance with Chapter 1201, Texas Government Code, as amended, this Section shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Board 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 4(a) of this Resolution for Bonds issued in exchange for other Bonds.

### **Section 17. DEFEASANCE OF BONDS.**

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Resolution, except to the extent provided in subsections (c) and (e) of this Section, when payment of the principal of such Bond, plus interest thereon, with respect to Current Interest Bonds, and/or the Maturity Amount with respect to Capital Appreciation Bonds, to the due date or dates (whether such due date or dates be by reason of maturity, upon redemption, or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof (including the giving of any required notice of redemption or the establishment of irrevocable provisions for the giving of such notice) or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar or an eligible trust company or commercial bank for such payment (1) lawful money of the United States of America sufficient to make such payment, (2) Government Obligations that mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment and when proper arrangements have been made by the Board with the Paying Agent/Registrar or an eligible trust company or commercial bank for the payment of its services until all Defeased Bonds shall have become due and payable or (3) any combination of (1) and (2). At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the revenues herein pledged as provided in this Resolution, and such principal and interest shall be payable solely from such money or Government Obligations.

(b) The deposit under clause (ii) of subsection (a) shall be deemed a payment of a Bond as aforesaid when proper notice of redemption of such Bonds shall have been given or upon the establishment of irrevocable provisions for the giving of such notice, in accordance with this Resolution. Any money so deposited with the Paying Agent/Registrar or an eligible trust company or commercial bank as provided in this Section may at the discretion of the Board also be invested in Government Obligations, maturing in the amounts and at the times as hereinbefore set forth, and all income from all Government Obligations in possession of the Paying Agent/Registrar or an eligible trust company or commercial bank pursuant to this Section which is not required for the payment of such Bond and premium, if any, and interest thereon with respect to which such money has been so deposited, shall be remitted to the Board.

(c) Notwithstanding any provision of any other Section of this Resolution which may be contrary to the provisions of this Section, all money or Government Obligations set aside and held in trust pursuant to the provisions of this Section for the payment of principal of the Bonds and premium, if any, and interest thereon, shall be applied to and used solely for the payment of the particular Bonds and premium, if any, and interest thereon, with respect to which such money or Government Obligations have been so set aside in trust. Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Board shall make proper arrangements to provide and pay for such services as required by this Resolution.

(d) Notwithstanding anything elsewhere in this Resolution, if money or Government Obligations have been deposited or set aside with the Paying Agent/Registrar or an eligible trust company or commercial bank pursuant to this Section for the payment of Bonds and such Bonds shall not have in fact been actually paid in full, no amendment of the provisions of this Section shall be made without the consent of the registered owner of each Bond affected thereby.

(e) Notwithstanding the provisions of subsection (a) immediately above, to the extent that, upon the defeasance of any Defeased Bond to be paid at its maturity, the Board retains the right under Texas law to later call that Defeased Bond for redemption in accordance with the provisions of this Resolution, the Board may call such Defeased Bond for redemption upon complying with the provisions of Texas law and upon the satisfaction of the provisions of subsection (a) immediately above with respect to such Defeased Bond as though it was being defeased at the time of the exercise of the option to redeem the Defeased Bond and the effect of the redemption is taken into account in determining the sufficiency of the provisions made for the payment of the Defeased Bond.

## **Section 18. CONTINUING DISCLOSURE.**

(a) Annual Reports. 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 Permanent University Fund as determined by the Authorized Representative at the time the Bonds are sold. The Award Certificate shall specify such financial information and operating data. Any financial statements with respect to the Permanent University Fund so to be provided shall be (1) prepared on an accrual basis, or such other basis as the UT Board may be required to employ from time to time pursuant to state law or regulation, and (2) audited, if the UT 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 UT Board changes the Permanent University Fund's 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 not in excess of ten business days after the occurrence of the event, of any of the following events with respect to the Bonds: (i) principal and interest payment delinquencies; (ii) non-payment related defaults, if material; (iii) unscheduled draws on debt service reserves reflecting financial difficulties; (iv) unscheduled draws on credit enhancements reflecting financial difficulties; (v) substitution of credit or liquidity providers, or their failure to perform; (vi) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds; (vii) modifications to rights of holders of the Bonds, if material; (viii) bond calls, if material, and tender offers; (ix) defeasances; (x) release, substitution, or sale of property securing repayment of the Bonds, if material; (xi) rating changes; (xii) bankruptcy, insolvency, receivership or similar event of the obligated person; (xiii) the consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and (xiv) the appointment of a successor or additional trustee or the change of name of a trustee, if material.

The Board shall notify 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.

(c) Identifying Information. All information and notices shall be provided to the MSRB in an electronic format, as prescribed by the MSRB, and all documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information, as prescribed by the MSRB.

(d) Limitations, Disclaimers, and Amendments. The Board shall be obligated to observe and perform the covenants specified in this Subsection for so long as, but only for so long as, the Board, the Permanent University Fund, or the Available University Fund Share 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 Section 4 of this Resolution any

Bond calls and defeasance that cause the Board, the Permanent University Fund, or the Available University Fund Share to no longer be “obligated persons”.

The provisions of this Subsection are for the sole benefit of the holders and beneficial owners of the Bonds, and nothing in this Subsection, 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 which it has expressly agreed to provide pursuant to this subsection and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Board’s, the Permanent University Fund’s, or the Available University Fund Share’s financial results, condition, or prospects, or hereby undertake to update any information provided in accordance with this subsection 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 Subsection shall constitute a breach of or default under this Resolution for purposes of any other provision of this Resolution.

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 Subsection 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 or the Permanent University Fund, but only if (i) the provisions of this subsection, 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 (ii) either (A) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Resolution that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (B) a person that is unaffiliated with the Board and the Permanent University Fund (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 Subsection, it shall include with any amended financial information or operating data next provided in accordance with this Subsection 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 Bonds in the primary offering of the Bonds.

## **Section 19. COVENANTS REGARDING TAX MATTERS.**

(a) Definitions. When used in this Section, the following terms have the following meanings:

“Code” means the Internal Revenue Code of 1986, as amended by all legislation, if any, enacted on or before the Issue Date.

“Computation Date” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Gross Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Investment” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Issue Date” for each series or sub-series of the Tax-Exempt Bonds or other obligations of the Board is the respective date on which such series or sub-series of the Tax-Exempt Bonds or other obligations of the Board is delivered against payment therefor.

“Net Sale Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Nonpurpose Investment” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Rebate Amount” has the meaning stated in Section 1.148-3 of the Regulations.

“Regulations” means the temporary or final Income Tax Regulations applicable to the Tax-Exempt Bonds issued pursuant to Sections 141 through 150 of the Code. Any reference to a section of the Regulations shall also refer to any successor provision to such section hereafter promulgated by the Internal Revenue Service pursuant to Sections 141 through 150 of the Code and applicable to the Tax-Exempt Bonds.

“Yield of”

(1) any Investment shall be computed in accordance with Section 1.148-5 of the Regulations, and

(2) the Tax-Exempt Bonds shall be computed in accordance with Section 1.148-4 of the Regulations.

(b) Not to Cause Interest to Become Taxable. The Board shall not use, permit the use of or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which, if made or omitted, respectively, would cause the interest on any Tax-Exempt Bonds to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the Board shall have received a written opinion of Bond Counsel to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Bond, the Board shall comply with each of the specific covenants in this Section.

(c) No Private Use or Private Payments. Except as permitted by Section 141 of the Code and the regulations and rulings thereunder, the Board shall, at all times prior to the last stated maturity of the Tax-Exempt Bonds,

(1) exclusively own, operate, and possess all property the acquisition, construction, or improvement of which is to be financed directly or indirectly with Gross Proceeds of the Tax-Exempt Bonds (including property financed with Gross Proceeds of the Refunded Bonds or notes or bonds refunded by the Refunded Bonds) and not use or permit the use of such Gross Proceeds or any property acquired, constructed, or improved with such Gross Proceeds in any activity carried on by any person or entity other than a state or local government, unless such use is solely as a member of the general public, or

(2) not directly or indirectly impose or accept any charge or other payment for use of Gross Proceeds of the Tax-Exempt Bonds or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with such Gross Proceeds (including property financed with Gross Proceeds of the Refunded Bonds or notes or bonds refunded by the Refunded Bonds) other than taxes of general application and interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

(d) No Private Loan. Except to the extent permitted by Section 141 of the Code and the regulations and rulings thereunder, the Board shall not use Gross Proceeds of the Tax-Exempt Bonds, to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, Gross Proceeds are considered to be “loaned” to a person or entity if (A) property acquired, constructed or improved with Gross Proceeds (including property financed with Gross Proceeds of the Refunded Bonds or notes or bonds refunded by the Refunded Bonds) is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes, (B) capacity in or service from such property is committed to such person or entity under a take-or-pay, output, or similar contract or arrangement, or (C) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or such property are otherwise transferred in a transaction which is the economic equivalent of a loan.

(e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the Board shall not, at any time prior to the



earlier of the final stated maturity or final payment of the Tax-Exempt Bonds, directly or indirectly invest Gross Proceeds of the Tax-Exempt Bonds in any Investment (or use such Gross Proceeds to replace money so invested), if as a result of such investment the Yield of all Investments allocated to such Gross Proceeds whether then held or previously disposed of, exceeds the Yield on the Tax-Exempt Bonds.

(f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the regulations and rulings thereunder, the Board shall not take or omit to take any action which would cause the Tax-Exempt Bonds to be federally guaranteed within the meaning of Section 149(b) of the Code and the regulations and rulings thereunder.

(g) Information Report. The Board shall timely file with the Secretary of the Treasury the information required by Section 149(e) of the Code with respect to each of the Tax-Exempt Bonds on such forms and in such place as such Secretary may prescribe.

(h) Payment of Rebate Amount. Except to the extent otherwise provided in Section 148(f) of the Code and the regulations and rulings thereunder, the Board shall:

(1) account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of such accounting for at least six years after the final Computation Date. The Board may, however, to the extent permitted by law, commingle Gross Proceeds of the Tax-Exempt Bonds with other money of the Board, provided that the Board separately accounts for each receipt and expenditure of such Gross Proceeds and the obligations acquired therewith,

(2) calculate the Rebate Amount with respect to the Tax-Exempt Bonds not less frequently than each Computation Date, in accordance with rules set forth in Section 148(f) of the Code, Section 1.148-3 of the Regulations, and the rulings thereunder. The Board shall maintain a copy of such calculations for at least six years after the final Computation Date,

(3) as additional consideration for the purchase of the Tax-Exempt Bonds, by the initial purchaser thereof and the loan of the money represented thereby, and in order to induce such purchase by measures designed to ensure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, pay to the United States the amount described in paragraph (B) above at the times, in the installments, to the place, in the manner and accompanied by such forms or other information as is or may be required by Section 148(f) of the Code and the regulations and rulings thereunder, and

(4) exercise reasonable diligence to assure that no errors are made in the calculations required by paragraph (B) and, if such error is made, to discover and promptly to correct such error within a reasonable amount of time thereafter, including payment to the United States of any interest and any penalty required by the Regulations.

(i) Not to Divert Arbitrage Profits. Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the Board shall not, at any time prior to the earlier of the final stated maturity or final payment of the Tax-Exempt Bonds, enter into any

transaction that reduces the amount required to be paid to the United States pursuant to Subsection (8) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Tax-Exempt Bonds, not been relevant to either party.

(j) Not Hedge Bonds. The Board did not invest more than 50 percent of the Proceeds of each series of the Refunded Bonds (or, if applicable, the obligations refunded by the Refunded Bonds (the "Original Bonds")) in Nonpurpose Investments having a guaranteed yield for four years or more. On the Issue Date of the Refunded Bonds, or, if applicable, the Original Bonds, the Board reasonably expected that at least 85 percent of the Net Sale Proceeds of each series of the Refunded Bonds, or, if applicable, the Original Bonds, would be used to carry out the governmental purpose of such series within three years after the Issue Date of such series.

(k) No Disposition. The Board covenants that the property financed with the proceeds of the Tax-Exempt Bonds or the Refunded 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 Bond Counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Tax-Exempt Bonds or the Refunded 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.

## **Section 20. SALE OF THE BONDS.**

(a) The Authorized Representative is hereby authorized to act for and on behalf of the Board in connection with the issuance and sale of the Bonds. In that capacity, the Authorized Representative, acting for and on behalf of the Board, shall determine the date for issuance and sale of the Bonds and the amount of Bonds to be issued and sold.

(b) Except as contemplated by subsection (c) below, the Bonds of each Series shall be sold by competitive bid at public sale. Prior to the date of public sale, the Authorized Representative, shall cause (i) an appropriate notice of sale, in a form approved by the Authorized Representative, to be published at least one time in a financial publication, journal or report of general circulation among securities dealers in the City of New York (including, but not limited to, *The Bond Buyer* or *The Wall Street Journal*), or in the state of Texas (including, but not limited to, *The Texas Bond Reporter*), and (ii) a preliminary official statement, along with a notice of sale and bidding instructions and an official bid form, to be provided to each bidder, such documents to be in substantially the form and substance previously approved by the Board in connection with the authorization of Parity Obligations, which forms are hereby approved, but with such changes and completions as the Authorized Representative may approve, including such changes and completions to the preliminary official statement as the Authorized Representative may deem necessary or appropriate to enable the Authorized Representative, acting for and on behalf of the Board, to deem the preliminary official statement to be final as of its date, except for such omissions as are permitted by the Rule. Each bidder shall be allowed to name the price for the Bonds of such Series and the rate or rates of interest to be borne by the Bonds. The Authorized Representative, acting for and on behalf of the Board, shall, subject to the right to reject any or all bids and to waive any irregularities, award the sale of the Bonds of such Series to the bidder whose bid produces the lowest true interest cost to the Board, such interest cost being the rate obtained by doubling the semi-annual interest rate (compounded

semi-annually) necessary to discount the principal and interest payments on the Bonds from the dates of payment thereof to the dated date of the Bonds and to the price bid. The price bid for the purpose of the preceding sentence shall not include the amount of interest accrued on the Bonds of such Series from their date to the date of delivery thereof against payment therefor. Within seven business days after the award of the sale of each Series of Bonds, the Authorized Representative, acting for and on behalf of the Board, shall cause a final official statement to be provided to the successful bidder in compliance with the Rule.

(c) Notwithstanding the provisions of subsection (b) above or any other provisions in this Resolution, any Series of Bonds constituting Refunding Bonds may, at the discretion of the Authorized Representative, be sold on a negotiated basis as set forth in the Award Certificate for such Refunding Bonds. In determining whether to sell Refunding Bonds by negotiated or competitive sale, the Authorized Representative shall take into account the financial condition of the Permanent University Fund and the Available University Fund Share, 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 Authorized Representative, might affect the net borrowing costs on the Refunding Bonds to be sold.

If the Authorized Representative determines that a Series of Refunding Bonds should be sold by a negotiated sale, the Authorized Representative shall designate the senior managing underwriter for such Refunding Bonds and such additional investment banking firms as he or she deems appropriate to assure that the Refunding Bonds are sold on the most advantageous terms to the System. The Authorized Representative, 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 Refunding 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 Authorized Representative pursuant to Section 2 of this Resolution. 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 or the Board's revenue financing system obligations with such changes as are acceptable to the Authorized Representative, including those set forth in this Resolution with respect to disclosure documents and continuing disclosure provisions.

(d) Following the award of the sale of each Series of Bonds the Authorized Representative shall notify the Paying Agent/Registrar in writing of the identity of the purchaser of the Bonds and of the following terms for such Bonds: Series designation; dated date; date from which interest accrues; principal amount; maturities; redemption provisions; rate or rates of interest; and first interest payment date. The Authorized Representative shall deliver the Initial Bonds of such Series to the purchasers thereof against payment therefor.

(e) The authority conferred by this Resolution to (i) act on behalf of the Board in selling any Series of Bonds and (ii) award the sale of the Bonds of such Series to a bidder in a competitive sale or execute one or more Bond Purchase Contract(s) pursuant to this Section shall expire at 11:59 p.m. on August 31, 2012. Any Series of Bonds awarded pursuant to an official bid form or sold pursuant to a Bond Purchase Contract executed on or before August 31, 2012, may be delivered after such date.

**Section 21. PROCEEDS OF SALE.** Proceeds from the sale of each Series of Bonds shall, promptly upon receipt thereof, be applied by the Authorized Representative as follows:

(i) accrued interest for the Bonds shall be deposited in the operating fund to be used to pay interest on the Bonds on the first interest payment date;

(ii) of the remaining proceeds from the sale of the Bonds, there shall be applied the amounts specified in Section 23 of this Resolution; and

(iii) any proceeds from the sale of the Bonds remaining after the deposits provided for in clauses (i) and (ii) above shall be used to finance the cost of permanent improvements for the System or applied to pay expenses arising in connection with the issuance of the Bonds and the refunding of the Refunded Obligations.

Any sale proceeds of the Bonds remaining after making all deposits and payments provided for above shall be deposited into the Interest and Sinking Fund.

**Section 22. APPROVAL OF NOTICE OF SALE AND OFFICIAL STATEMENT.**

The Authorized Representative is authorized and directed to provide for and oversee the preparation of a notice of sale (if appropriate) and preliminary Official Statement and a final Official Statement in connection with the issuance of the Bonds, and to approve such final Official Statement and deem it final in compliance with the Rule and to provide it to the Initial Purchaser in compliance with such Rule.

**Section 23. REFUNDING AND REDEMPTION OF REFUNDED OBLIGATIONS; ESCROW AGREEMENT.**

(a) Concurrently with the delivery of Bonds issued to refund Refunded Notes, the Authorized Representative shall cause to be deposited with the issuing and paying agent for the Refunded Notes or with an Escrow Agent selected by the Authorized Representative, 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 Notes. In the event it is deemed necessary, the Authorized Representative is hereby authorized to select one or more Escrow Agent(s) with respect to the Refunded Notes and to enter into one or more Escrow Agreements. The Authorized Representative is further authorized and directed to apply and there is hereby appropriated such moneys of the Board as are necessary (i) to provide for the defeasance of such Refunded Notes on the date of delivery of the Bonds or (ii) to fund the Escrow Fund to be created pursuant to the Escrow Agreement(s) with amounts sufficient to provide for the defeasance of the Refunded Notes.

(b) Concurrently with the delivery of each Series of Bonds issued to refund Refunded Bonds, the Authorized Representative shall cause to be deposited with the Escrow Agent selected by the Authorized Representative, 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, in accordance with Chapter 1207, Texas Government Code, as amended. In the event it is deemed necessary, the Authorized Representative is hereby authorized to select one or more Escrow Agent(s) with respect to the Refunded Bonds and to enter into one or more Escrow Agreements. The Authorized Representative is further authorized and directed to apply and there is hereby appropriated such moneys of the Board as are necessary (i) to provide for the defeasance of such Refunded Bonds on the date of delivery of the Bonds or (ii) to fund the Escrow Fund to be created pursuant to the Escrow Agreement(s) with amounts sufficient to provide for the defeasance of the Refunded Bonds.

(c) With regards to issuance of any Series of Bonds constituting Refunding Bonds, as provided in Section 2(b) above, the Authorized Representative shall designate in the Award Certificate the particular Potential Refunded Bonds to be refunded by such Series of Bonds; provided, that the Award Certificate in which Refunded Bonds are so designated must contain a certification to the effect that the Bonds of such Series being issued to refund such Refunded Bonds are being sold on terms that produce a present value savings when the scheduled debt service payable on such Bonds during each Bond Year is subtracted from the scheduled debt service payable on the Refunded Bonds during the same Bond Year and the remainder is discounted to the scheduled date of delivery of the Bonds of such Series set forth in the Award Certificate at a discount factor equal to the yield on such Bonds determined in accordance with section 148 of the Code; provided that in the case of Refunded Bonds being refunded within 90 days prior to their maturity or earlier redemption date, the present value savings must not be less than an amount equal to 0.04 times the principal amount of the Refunded Bonds being refunded by the Bonds of such Series; and 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 must not be less than an amount equal to 0.05 times the principal amount of the Refunded Bonds being refunded by the Bonds of such Series.

(d) Subject to the designation by the Authorized Representative of the Refunded Bonds to be refunded by a Series of Bonds, the Board irrevocably calls the particular Potential Refunded Bonds constituting Refunded Bonds for redemption prior to maturity on the date(s) and at the price set forth in the Award Certificate and the Board irrevocably calls the particular Potential Refunded Bonds constituting Refunded Bonds for redemption prior to maturity on the date(s) set forth in the Award Certificate, at a redemption price of par (plus accrued interest to the date fixed for redemption).

The Authorized Representative, acting for and on behalf of the Board, shall provide for notice of such redemption to be given in accordance with the resolution(s) of the Board authorizing the Refunded Bonds.

(e) To assure the purchase of the “Escrowed Securities” referred to in the respective Escrow Agreements for the Refunded Notes or the Refunded Bonds, the Authorized Representative, acting for and on behalf of the Board, is hereby authorized to subscribe for, agree to purchase and purchase “Government Obligations,” as defined in resolutions authorizing the Refunded Notes or the Parity Bond Resolutions authorizing the Refunded Bonds, in such amounts and maturities and bearing interest at such rates as may be provided for in such Escrow Agreement, and to execute any and all subscriptions, purchase agreements, commitments, letters of authorization and other documents necessary to effectuate the foregoing, and is authorized to create and fund the “Escrow Fund” contemplated by such Escrow Agreement through the use of the proceeds of the Series of Bonds issued to refund the Refunded Notes or the Refunded Bonds, the moneys and investments held in the fund securing the Refunded Notes or the Refunded Bonds, and other lawfully available moneys of the Board.

(f) To satisfy in a timely manner all of the Board’s obligations under this Resolution and the Escrow Agreement(s), the Authorized Representative and all other appropriate officers and agents of the Board are hereby severally authorized and directed for and on behalf of the Board to take all other actions that are reasonably necessary to provide for the refunding of the Refunded Notes or the Refunded Bonds, including, without limitation, executing and delivering for and on behalf of the Board all certificates, consents, receipts, requests and other documents as

may be reasonably necessary to satisfy the Board's obligations under the Escrow Agreement(s) and this Resolution and to direct the transfer and application of funds of the Board consistent with the provisions of such Escrow Agreement(s) and this Resolution.

**Section 24. AGREEMENTS AUTHORIZED.** The Paying Agent/Registrar Agreement, the Escrow Agreements, if used, and the Bond Purchase Contract are hereby approved and the Authorized Representative is hereby authorized to execute and deliver same and to execute certificates and other documents pursuant to any such agreement to carry out the intent thereof.

**Section 25. PARTIES INTERESTED HEREIN.** Nothing in this Resolution expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the Board, the Paying Agent/Registrar, and the Registered Owners any right, remedy, or claim under or by reason of this Resolution or any covenant, condition, or stipulation hereof, and all covenants, stipulations, promises, and agreements in this Resolution contained by and on behalf of the Board shall be for the sole and exclusive benefit of the Board, the Paying Agent/Registrar, and the Registered Owners.

**Section 26. REMEDIES.** Any owner or holder of any of the Parity Obligations, when issued, in the event of default in connection with any covenant contained herein or default in the payment of said obligations, or of any interest thereon, shall have the right to institute mandamus proceedings against the Board or any other necessary or appropriate party for the purpose of enforcing payment from the source pledged herein or for enforcing any covenant herein contained.

**Section 27. INDIVIDUALS NOT LIABLE.** All covenants, stipulations, obligations, and agreements of the Board contained in this Resolution shall be deemed to be covenants, stipulations, obligations, and agreements of the System and the Board to the full extent authorized or permitted by the Constitution and laws of the State. No covenant, stipulation, obligation, or agreement herein contained shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the Board or agent or employee of the Board in his individual capacity and neither the members of the Board nor any officer thereof shall be liable personally on the Parity Obligations or be subject to any personal liability or accountability by reason of the issuance thereof.

**Section 28. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; AND CUSIP NUMBERS.** The Authorized Representative is hereby authorized to have control of the Initial Bonds of each Series issued and delivered hereunder and all necessary records and proceedings pertaining to such Bonds pending their delivery and approval by the Attorney General and their registration by the Comptroller. Upon registration of the Bonds of a Series, the Comptroller (or a deputy designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificate printed or attached to the Initial Bonds of such Series, and the seal of said Comptroller shall be impressed or placed in facsimile thereon. The Bond Counsel Opinion and the assigned CUSIP numbers may, at the option of the Board, be printed on the Initial Bonds of such Series or on any Bonds issued and delivered in exchange or replacement of any Bond, but neither of such items shall be binding upon the Board or have any legal effect, and shall be solely for the convenience and information of the Registered Owners of the Bonds. 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 29. DTC LETTER OF REPRESENTATIONS.** The Authorized Representative is authorized to implement the Book-Entry-Only System of Bond registration with respect to the Bonds pursuant to the Representation Letter. 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 Representation Letter is hereby incorporated herein and its provisions shall prevail over any other provisions of this Resolution in the event of conflict. Provisions relating to DTC, its Book-Entry-Only System of registration, and the Representation Letter are detailed in Section 14 of this Resolution.

**Section 30. APPROPRIATION OF FUNDS.** The Authorized Representative is further authorized and directed to apply and there is hereby appropriated such money of the Board as is necessary (i) to pay the costs of issuance of Bonds incurred in connection with the issuance thereof and the refunding of the Refunded Obligations, to the extent not paid from Bond proceeds and (ii) to make the deposits described in Sections 21 and 23 in amounts sufficient, together with the proceeds of the Bonds, to provide for the defeasance of the Refunded Obligations on the date of delivery of the Bonds.

**Section 31. FURTHER PROCEDURES.** The Chairman or Vice Chairman of the Board, the Executive Secretary to the Board, each Authorized Representative, and all other officers, employees, and agents of the Board, 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 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 Resolution, the Bonds, the Official Statement, the Paying Agent/Registrar Agreement, the Escrow Agreement, the Bond Purchase Contract, the Representation Letter (such provisions specified in Section 14 hereof), and the refunding of the Refunded Obligations, and to prepare and approve the Official Statement, or supplements thereto, in connection with the Bonds. In addition, each Authorized Representative, the General Counsel of the System, and Bond Counsel are hereby authorized to approve, subsequent to the date of the adoption of this Resolution, any amendments to the above named documents, and any technical amendments to this Resolution as may be required by any Nationally-Recognized Rating Agency as a condition to the granting of a rating on the Bonds or as required by the Attorney General as a condition to the approval 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. It is further provided the Authorized Representative is hereby designated as the officer responsible for making the certifications required by the Parity Bond Resolutions as a condition to the issuance of obligations on a parity with the Outstanding Parity Bonds.

**Section 32. PUBLIC NOTICE.** It is hereby found and determined that each of the officers and members of the Board were duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the meeting at which this Resolution was adopted; that this 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, as amended.

**Section 33. NONPRESENTMENT OF BONDS.** In the event any Bond shall not be presented for payment when the principal thereof or interest thereon, if applicable, becomes due, either at maturity or otherwise, or if any check or draft representing payment of principal of or interest on the Bonds shall not be presented for payment, if funds sufficient to pay the principal of or interest on such Bond shall have been made available by the Board to the Paying Agent/Registrar for the benefit of the Registered Owner thereof, all liability of the Board to such Registered Owner for the payment of the principal of or interest on such Bond shall cease, terminate, and be completely discharged, and thereupon it shall be the duty of the Paying Agent/Registrar to hold such funds in trust, uninvested and without liability for interest thereon, for the benefit of the Registered Owner of such Bond who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution with respect to the principal of or interest on such Bond. To the extent applicable, the Paying Agent/Registrar shall hold and apply any such funds in accordance with Title 6, Texas Property Code, as amended, and shall comply with the reporting requirements of Chapter 74, Texas Property Code, as amended.

**Section 34. INTERPRETATIONS.** The titles and headings of the articles and sections of this Resolution have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof. Except where the context otherwise requires, words importing the singular number shall include the plural number and vice versa; words importing the masculine gender shall include the feminine and neuter genders and vice versa. Reference to any document means that document as amended or supplemented from time to time. Reference to any party to a document means that party and its successors and assigns. Reference herein to any article, section, subsection or other subdivision, as applicable, unless specifically stated otherwise, means the article, section, subsection or other subdivision, as applicable, of this Resolution.

**Section 35. SEVERABILITY.** The provisions of this Resolution are severable; and in case any one or more of the provisions of this Resolution or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, the remainder of this Resolution nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

**Section 36. PREAMBLE INCORPORATED.** The preamble of this Resolution is hereby incorporated by reference as if copied in full.

**Section 37. IMMEDIATE EFFECT.** This Resolution shall take effect immediately upon its adoption.

\* \* \*



**EXHIBIT A**

**FORM OF BONDS**

United States of America

State of Texas

BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM

PERMANENT UNIVERSITY FUND BONDS, SERIES \_\_\_\_\_

[FORM OF DEFINITIVE BONDS]

NUMBER  
R-\_\_\_\_\_ DENOMINATION  
\$\_\_\_\_\_

INTEREST RATE MATURITY DATE [DATED DATE] CUSIP NO.  
[ISSUANCE DATE]  
\_\_\_\_\_% \_\_\_\_\_, 20\_\_ \_\_\_\_\_, 20\_\_ \_\_\_\_\_

REGISTERED OWNER:

PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_)

ON THE MATURITY DATE, specified above, the BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM (the "Board"), 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") the Principal Amount, specified above, and to pay interest thereon calculated on the basis of a 360 day year of twelve 30 day months, from the [Dated Date] [Issuance Date], specified above, to the date of its scheduled maturity or the date of its redemption prior to scheduled maturity, at the Interest Rate per annum, specified above, with said interest being payable on \_\_\_\_\_, 20\_\_, and semiannually on each \_\_\_\_\_ and \_\_\_\_\_ thereafter.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. 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 designated payment office of [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_] 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 as shown by the "Registration Books" kept by the Paying Agent/Registrar at the close of business on the Record Date (hereinafter described) by check drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Board required 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 its address as it appears on the Registration Books kept by the Paying



AT LEAST 30 days prior to the date for any redemption of this Bond prior to maturity, a notice of such redemption also shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the registered owner of each Bond, or portion thereof to be redeemed, at its address as it appeared on the Registration Books on the 45<sup>th</sup> day prior to such redemption date and to major securities depositories, national bond rating agencies, and bond information services; 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. By the date fixed for any such redemption, due provision shall be made by the Board with the Paying Agent/Registrar for the payment of the required redemption price for this Bond or the portion hereof which is to be so redeemed, plus accrued interest thereon to the date fixed for redemption. If such notice of redemption is given, and if due provision for such payment is made, all as provided above, this Bond, or the portion thereof which is to be so redeemed, thereby automatically shall be redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for its redemption, and shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price plus accrued interest to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. The Paying Agent/Registrar shall record in the Registration Books all such redemptions of principal of this Bond or any portion hereof. If a portion of any Bond shall be redeemed, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in an 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 Board, all as provided in the Resolution.

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 where 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.

ALL BONDS OF THIS SERIES are issuable solely as fully registered bonds, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Resolution, this Bond, or any unredeemed portion hereof, may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, and 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, and bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000 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 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 integral multiple of \$5,000 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 may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the registered owner. The Board shall pay the Paying Agent/Registrar's reasonable standard or customary fees and charges for transferring and exchanging any Bond or portion thereof; provided, however, that any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such transfer and exchange. In any circumstance, neither the Board nor the Paying Agent/Registrar shall be required (i) to make any transfer or exchange during a period beginning at the opening of business 15 calendar days before the day of the first mailing of a notice of redemption of Bonds and ending at the close of business on the day of such mailing or (ii) to transfer or exchange any Bonds so selected for redemption when such redemption is scheduled to occur within 30 calendar days; provided, however, that such limitation shall not be applicable to an exchange by the registered owner of the uncalled principal balance of a Bond.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Board, resigns, or otherwise ceases to act as such, the Board has covenanted in the 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.

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

THE BONDS ARE ON A PARITY with Outstanding Parity Bonds, and the Board has reserved the right, subject to the restrictions stated in the Resolution, to issue additional obligations which also may be made payable from, and secured by a lien on and pledge of, the Available University Fund Share (as defined in the Resolution) on a parity with the Bonds, and the Board may issue other obligations payable from the Available University Fund Share junior and subordinate to the Bonds.

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

IT IS HEREBY certified 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; and that the principal of and interest on this Bond are equally and ratably secured by and payable from a first lien on and pledge of the Available University Fund Share, all in accordance with the Constitutional Provision and other applicable law, on a parity with the lien and pledge securing the Outstanding Parity Bonds.

IN WITNESS WHEREOF this Bond has been signed with the manual or facsimile signature of the Chairman [Vice Chairman] of the Board and countersigned with the manual or facsimile signature of the Executive Secretary to the Board, and the official seal of the Board has been duly impressed, or placed in facsimile, on this Bond.

BOARD OF REGENTS OF  
THE TEXAS A&M UNIVERSITY SYSTEM

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
Executive Secretary, Board of Regents of  
The Texas A&M University System

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
Chairman [Vice Chairman], Board of Regents of  
The Texas A&M University System

(BOARD SEAL)

\* \* \*

The Initial Bond shall be in the form set forth above for the Definitive Bonds, except the following shall replace the heading and the first two paragraphs:

NO. T-1 \$

United States of America  
State of Texas

BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM  
PERMANENT UNIVERSITY FUND BONDS, SERIES \_\_\_\_

Dated Date: \_\_\_\_\_, 200\_

Registered Owner: [Initial Purchaser]

Principal Amount: \$\_\_\_\_\_

THE BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM (the “Board”), for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner, specified above, or the registered assigns thereof (the “Registered Owner”), the Principal Amount, specified above, with principal installments payable on July 1 in each of the years, and bearing interest at per annum rates in accordance with the following schedule:

YEARS OF  
STATED MATURITIES

PRINCIPAL  
INSTALLMENTS

INTEREST  
RATES

(Information to be inserted from schedule in Award Certificate)

INTEREST on the unpaid Principal Amount hereof from the Dated Date, specified above, or from the most recent interest payment date to which interest has been paid or duly provided for until the Principal Amount has become due and payment thereof has been made or duly provided for shall be paid computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, 20\_\_.

THE PRINCIPAL AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The final payment of principal of this Bond shall be paid to the Registered Owner hereof upon presentation and surrender of this Bond at final maturity, at the designated payment office of [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_], which is the "Paying Agent/Registrar" for this Bond. The payment of principal installments and interest on this Bond shall be made by the Paying Agent/Registrar to the Registered Owner hereof as shown by the "Registration Books" kept by the Paying Agent/Registrar at the close of business on the Record Date (defined below) by check drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Board required 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 payment date, to the registered owner hereof at its address as it appears on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. The record date ("Record Date") for payments hereon means the fifteenth calendar day of the month preceding a scheduled payment. In the event of a non-payment of interest on a scheduled payment date, and for 30 calendar days thereafter, a new Record Date for such payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment thereof have been received from the Board. Notice of the Special Record Date and of the scheduled payment date of the past due payment (the "Special Payment Date," which shall be 15 calendar days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of the Registered Owner appearing on the books of the Paying Agent/Registrar at the close of business on the last business day next preceding the date of mailing of such notice. The Board covenants with the Registered Owner that no later than each principal installment payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on this Bond, when due, in the manner set forth in the Resolution defined below.

\* \* \*

[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 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

\* \* \*

[FORM OF ASSIGNMENT]

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
Please insert Social Security or Taxpayer Identification Number of Transferee

\_\_\_\_\_  
(Please print or typewrite name and address, including zip code, of Transferee.)

\_\_\_\_\_  
the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

\_\_\_\_\_  
NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Certificate in every particular, without alteration or enlargement or any change whatsoever.

\* \* \*

[FORM OF REGISTRATION CERTIFICATE OF THE COMPTROLLER OF PUBLIC ACCOUNTS]

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 \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(COMPTROLLER'S SEAL)

\_\_\_\_\_  
Comptroller of Public Accounts of  
the State of Texas

\_\_\_\_\_  
Note: In addition, provisions of the Bond relating to redemption may be changed, completed, or deleted as determined by the Authorized Representative to conform to the terms set forth in the Award Certificate.



Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Gregory R. Anderson, Chief Investment Officer and Treasurer  
Office of the Treasurer on behalf of campuses, agencies and the Health  
Science Center of The Texas A&M University System

**Subject:** Approval of Revolving Fund Bank Accounts for The Texas A&M University  
System

**Proposed Board Action:**

Approve the continuation of revolving fund bank accounts for System members, as required by the General Appropriations Act, Article III, Section 6.3, House Bill No. 1, 82<sup>nd</sup> Legislature, Regular Session, within the limits and authorized signatures indicated, for the upcoming biennium.

**Background Information:**

This agenda item has been compiled from information submitted by the System members which reflects the maximum amounts, the depository bank and the personnel authorized to approve disbursements from these accounts. These accounts are used to facilitate the payment of nominal expenses, debt service and payrolls, as well as to pay bills within cash discount periods. Funds disbursed from the revolving fund bank accounts are reimbursed from respective appropriations by the State Comptroller. The depository banks are covered by appropriate and sufficient securities.

**A&M System Funding or Other Financial Implications:**

Not applicable.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**  
Office of the Chief Investment Officer and Treasurer  
June 9, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Revolving Fund Bank Accounts for The Texas A&M University System

I recommend adoption of the following minute order:

**"Under the authority of the General Appropriations Act, and effective for the biennium beginning September 1, 2011, each of the following members of The Texas A&M University System is authorized to maintain a centralized Revolving Fund Bank Account in the banks and within the limits indicated below. Such accounts will be used to facilitate the payment of nominal expenses, debt service and payrolls. In addition, the accounts will be used to pay bills within cash discount periods, when the disbursements are reimbursable from funds held in the State Treasury. The employees named below, and their successors in office, are hereby authorized to sign checks for the withdrawal of such funds according to law, provided that each check shall be signed by one of the authorized persons.**

**1. THE TEXAS A&M UNIVERSITY SYSTEM**

**Revolving Fund portion not to exceed \$60,000,000 (Operating and Debt Service)  
Source of Funds - Institutional Funds  
Depository Bank – Wells Fargo Bank, N. A.  
Employees authorized to sign checks:**

**Gregory R. Anderson, Chief Investment Officer and Treasurer  
Maria L. Robinson, Director of Treasury Services  
Elaine N. Welch, Senior Treasury Analyst  
Cindy L. Hanks, Senior Financial Analyst  
Janet Guillory, Director, Financial Management Operations  
Debbie Phair, Director, Financial Management Operations  
Phillip Guillen, Director, Financial Management Operations  
John Crawford, Associate Vice President for Finance and Controller**

**2. TEXAS A&M UNIVERSITY**

**Revolving Fund portion not to exceed \$40,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**John Crawford, Associate Vice President for Finance and Controller**

**Debbie Phair, Director, Financial Management Operations**

**Phillip Guillen, Director, Financial Management Operations**

**Janet Guillory, Director, Financial Management Operations**

**Linda Kettler, Assistant Director, Financial Management Operations**

**TEXAS A&M UNIVERSITY AT GALVESTON**

**Revolving Fund portion not to exceed \$1,100,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Susan Hernandez Lee, Associate Vice President for Finance**

**John Crawford, Associate Vice President for Finance and Controller**

**Debbie Phair, Director, Financial Management Operations**

**Janet Guillory, Director, Financial Management Operations**

**3. TARLETON STATE UNIVERSITY**

**Revolving Fund portion not to exceed \$4,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**J. W. Graham, Vice President for Finance and Administration**

**Mike Tate, Assistant Vice President and Controller**

**Deanna Powell, Director of Accounting**

**Karen Fincher, Senior Staff Accountant**

**4. PRAIRIE VIEW A&M UNIVERSITY**

**Revolving Fund portion not to exceed \$7,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Corey S. Bradford, Senior Vice President for Business Affairs**

**Rod Mireles, Associate Vice President for Financial Administration**  
**Cozette Turner, Financial Accounting Manager**  
**Dianne Evans, Budget Supervisor**

**5. TEXAS AGRILIFE RESEARCH**

**Revolving Fund portion not to exceed \$3,800,000**  
**Source of Funds - Institutional Funds**  
**Depository Bank – Wells Fargo Bank, N. A.**  
**Employees authorized to sign checks:**

**Mark A. Hussey, Vice Chancellor and Dean for Agriculture and Life Sciences**  
**William Dugas, Associate Vice Chancellor for Business and Strategic Operations**  
**Johnny Fazzino, Assistant Vice Chancellor**  
**Deanie Dudley, Assistant Dean of Finance and Administration**  
**Craig Nessler, Director of Texas AgriLife Research**  
**Donna Alexander, Assistant Director**  
**Michael E. McCasland, Assistant Director**  
**Shiao-Yen Ko, Manager of Accounting Services**  
**Kimberly Payne, Assistant Financial Manager**  
**Loree Lewis, Coordinator of Management Information**  
**William Gray, Financial Analyst**

**6. TEXAS AGRILIFE EXTENSION SERVICE**

**Revolving Fund portion not to exceed \$3,500,000**  
**Source of Funds - Institutional Funds**  
**Depository Bank – Wells Fargo Bank, N. A.**  
**Employees authorized to sign checks:**

**Johnny Fazzino, Assistant Vice Chancellor**  
**Deanie Dudley, Assistant Dean of Finance and Administration**  
**Edward G. Smith, Director of Texas AgriLife Extension Service**  
**Kyle L. Smith, Executive Associate Director**  
**Donna Alexander, Assistant Director**  
**Michael E. McCasland, Assistant Director**  
**Shiao-Yen Ko, Manager of Accounting Services**  
**Kimberly Payne, Assistant Financial Manager**  
**Loree Lewis, Coordinator of Management Information**  
**William Gray, Financial Analyst**

**7. TEXAS ENGINEERING EXPERIMENT STATION**

**Revolving Fund portion not to exceed \$3,000,000**

**Source of Funds – Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**G. Kemble Bennett, Vice Chancellor and Dean of Engineering, Director, Texas  
Engineering Experiment Station**

**Carol Huff, Assistant Agency Director and Chief Financial Officer**

**Andrew B. Hinton, Controller**

**Karen Fawcett, Assistant Controller**

**Marsa McKee, Financial Manager**

**Janice Ebner, Financial Management Supervisor I**

**Karen Zuberer, Staff Accountant**

**8. TEXAS ENGINEERING EXTENSION SERVICE**

**Revolving Fund portion not to exceed \$350,000**

**Source of Funds – Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**John Skrabanek, Associate Agency Director and Chief Financial Officer**

**Carolyn Record, Controller**

**Dianne Smith, Financial Manager**

**Christina Peery, Staff Accountant**

**9. TEXAS FOREST SERVICE**

**Revolving Fund portion not to exceed \$3,500,000**

**Source of Funds – Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Tom G. Boggus, Director of Texas Forest Service**

**Robby DeWitt, Associate Director for Finance and Administration**

**Travis Zamzow, Budgets and Accounting Department Head**

**Bill Fox, Payroll and Support Services Department Head**

**James D. Puckett, III, Senior Business Analyst**

**10. TEXAS TRANSPORTATION INSTITUTE**

**Revolving Fund portion not to exceed \$550,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Don Bugh, Executive Associate Director**

**Anna Jo Mitchell, Assistant Chief Financial Officer**

**Marie Ethridge, Director of Accounting and Controller**

**Susan Massey, Assistant Financial Manager**

**Vacant, Financial Accountant III**

**11. TEXAS A&M UNIVERSITY - CORPUS CHRISTI**

**Revolving Fund portion not to exceed \$4,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Flavius C. Killebrew, President**

**Kathryn Funk-Baxter, Executive Vice President for Finance and Administration**

**Judy Harral, Executive Director of Administrative Services**

**Kemberly Wedgeworth, Director of Budgets**

**Rebecca Torres, Comptroller**

**12. TEXAS A&M INTERNATIONAL UNIVERSITY**

**Revolving Fund portion not to exceed \$2,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Ray M. Keck, President**

**Juan J. Castillo, Jr., Vice President for Finance and Administration**

**Elena Martinez, Comptroller**

**Hector Mejia, Associate Comptroller**

**Fred Juarez III, Director of Budget, Payroll, Grants and Contracts**

**Melisa Rangel, Director of Accounting**

**Maria Elena Hernandez, Business Manager**

**Patricia Ornelas, Senior Staff Accountant**

**13. TEXAS A&M UNIVERSITY – KINGSVILLE**

**Revolving Fund portion not to exceed \$4,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Steven H. Tallant, President**

**Marilyn Fowle, Vice President for Finance and Administration**

**Paula Hanson, Comptroller**

**Tina Livingston, Director of Budgets**

**Maricela Flores, Assistant Comptroller and Director of Accounting**

**Claudia Conard, Senior Financial Analyst**

**Joanne Alvarado, Financial Analyst**

**14. WEST TEXAS A&M UNIVERSITY**

**Revolving Fund portion not to exceed \$3,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Gary Barnes, Vice President for Business and Finance**

**Richard Johnson, Associate Vice President for Business and Finance/Controller**

**Shelly Davis, Director of Accounting**

**Julie Harvell, Accountant II/Grants Manager**

**15. TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY**

**Revolving Fund portion not to exceed \$3,800,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Mark A. Hussey, Vice Chancellor and Dean for Agriculture and Life Sciences**

**William Dugas, Associate Vice Chancellor for Business and Strategic Operations**

**Johnny Fazzino, Assistant Vice Chancellor**

**Deanie Dudley, Assistant Dean of Finance and Administration**

**Tammy Beckham, Director of the Texas Veterinary Medical Diagnostic Laboratory**

**Vic S. Seidel, Assistant Agency Director**

**Donna Alexander, Assistant Director**

**Michael E. McCasland, Assistant Director**

**Shiao-Yen Ko, Manager of Accounting Services**

**Kimberly Payne, Assistant Financial Manager**

**Loree Lewis, Coordinator of Management Information**

**William Gray, Financial Analyst**

**16. TEXAS A&M UNIVERSITY – COMMERCE**

**Revolving Fund portion not to exceed \$4,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Dan Jones, President**

**Bob Brown, Vice President for Business and Administration**

**Alicia Currin, Associate Vice President for Business and Administration**

**Rex Giddens, Assistant Vice President for Administrative Services**

**Kim Laird, Director of Accounting and Comptroller**

**Cheryl Scott, Director of Emerging Financial Services**

**Janet Anderson, Budget Coordinator**

**17. TEXAS A&M UNIVERSITY – TEXARKANA**

**Revolving Fund portion not to exceed \$900,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Carlisle B. Rathburn III, President**

**Randy Rikel, Vice President for Finance and Administration**

**James S. Scogin, Controller and Director of Accounting**

**Marc Icenhower, Chief Accountant**

**18. THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER**

**Revolving Fund portion not to exceed \$7,000,000**

**Source of Funds - Institutional Funds**

**Depository Bank – Wells Fargo Bank, N. A.**

**Employees authorized to sign checks:**

**Barry C. Nelson, Vice President for Finance and Administration**

**Rayellen Milburn, Senior Associate Vice President and Controller**

**Jeffery T. Burton, Associate Vice President and Assistant Controller**

**Kristin Nace, Assistant Vice President of Fiscal Services and Budgets**



**19. TEXAS A&M UNIVERSITY – CENTRAL TEXAS**

**Revolving Fund portion not to exceed \$2,000,000**  
**Source of Funds - Institutional Funds**  
**Depository Bank – Wells Fargo Bank, N. A.**  
**Employees authorized to sign checks:**

**Marc Nigliazzo, President**  
**Gaylene Nunn, Vice President of Finance and Administration**  
**Susan Bowden, Controller/Director of Accounting**  
**Jennifer Skiver, Accounting Manager**

**20. TEXAS A&M UNIVERSITY – SAN ANTONIO**

**Revolving Fund portion not to exceed \$2,000,000**  
**Source of Funds - Institutional Funds**  
**Depository Bank – Wells Fargo, N. A.**  
**Employees authorized to sign checks:**

**Maria Hernandez Ferrier, President**  
**Kenneth Mitts, Vice President for Finance and Administration**  
**Stephanie Scott, Assistant Vice President for Financial Services and Comptroller**  
**Patricia Hayes, Director of Business Services.”**

Respectfully submitted,

Gregory R. Anderson  
Chief Investment Officer and Treasurer

**Approval Recommended:**

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Michael D. McKinney  
Chancellor

**Approved for Legal Sufficiency:**

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Scott A. Kelly  
Deputy General Counsel

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Nancy W. Dickey, M.D.  
President, The Texas A&M University System Health Science Center, and  
Vice Chancellor for Health Affairs, The Texas A&M University System

**Subject:** Authorization for the President to Establish a One-time Development Fee for  
all Gifts to The Texas A&M University System Health Science Center and/or  
Texas A&M Health Science Center Foundation

**Proposed Board Action:**

Authorize the President of The Texas A&M University System Health Science Center to establish a one-time development fee for all gifts to The Texas A&M University System Health Science Center (HSC) and/or Texas A&M Health Science Center Foundation (Foundation).

**Background Information:**

System Policy 60.03, *Approval of Fees for the Texas A&M Foundation and other System Member Foundations*, requires each system member to submit any one-time development fee request for its Foundation to the system board for approval. All gifts to the HSC and/or the Foundation shall be subject to a one-time two and one half percent (2.5%) development fee. The fee will be taken from the principal of endowed and non-endowed gifts and pledges upon receipt.

Eighty percent (80%) of the development fee will be used to support college fundraising activities, staff and operations; and twenty percent (20%) of the development fee will be maintained in the Foundation and used to support central administration fundraising activities, staff and operations. Exceptions to the development fee include government grants, state-matching funds for university programs, sponsored contracts and gifts in kind that are not sold. (The fee will apply to gifts in kind at the time the gift is sold.) All development fees collected directly by the HSC will be accumulated and deposited in an HSC account in support of the Foundation's development efforts. Any exceptions to this established distribution of the development fee must be agreed upon by the HSC and the Foundation.

**A&M System Funding or Other Financial Implications:**

No System funding is required.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM  
HEALTH SCIENCE CENTER**

Office of the President and Vice Chancellor for Health Affairs  
May 13, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Authorization for the President to Establish a One-time Development Fee for all Gifts to The Texas A&M University System Health Science Center and/or Texas A&M Health Science Center Foundation

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System authorizes the President of The Texas A&M University System Health Science Center to establish a one-time development fee for all gifts to The Texas A&M University System Health Science Center and/or The Texas A&M Health Science Center Foundation.”**

Respectfully submitted,

Nancy W. Dickey, M.D.  
President, Texas A&M Health Science Center  
and Vice Chancellor for Health Affairs,  
The Texas A&M University System

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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B. J. Crain  
Chief Business Officer

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Nancy W. Dickey, M.D.  
President, The Texas A&M University System Health Science Center, and  
Vice Chancellor for Health Affairs, The Texas A&M University System

**Subject:** Authorization for the Chancellor to Execute Contract with Scott & White  
Clinic and Scott and White Memorial Hospital and Scott, Sherwood and  
Brindley Foundation

**Proposed Board Action:**

Authorize the Chancellor of The Texas A&M University System to execute an annual contract with Scott & White Clinic and Scott and White Memorial Hospital and Scott, Sherwood and Brindley Foundation (Scott & White), for teaching services related to professional medical education in Temple, Texas.

**Background Information:**

The Texas A&M University System Health Science Center through its College of Medicine (HSC-COM) operates comprehensive professional educational programs for the study of medicine at both the undergraduate and graduate level. The college is accredited by the Liaison Committee on Medical Education and is a member of the Association of American Medical Colleges and is, therefore, required to meet the curriculum standards set forth by those governing bodies. The HSC-COM originally entered into an Affiliation Agreement with Scott & White dated August 24, 2000 to provide the HSC-COM specialized medical education services through the use of the Scott and White Hospital facility and services located in Temple, Texas. These facilities and services will be provided to assist in the specialized medical education, training and research programs of the HSC-COM.

**A&M System Funding or Other Financial Implications:**

This agreement represents the costs to be remitted for agreed-upon services from available state appropriations as required in the delivery of same to support the academic and research programs of the HSC-COM. The value of the contract for fiscal year 2012 is up to \$5,175,000.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM  
HEALTH SCIENCE CENTER**

Office of the President and Vice Chancellor for Health Affairs  
June 23, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Authorization for the Chancellor to Execute Contract with Scott & White Clinic and Scott and White Memorial Hospital and Scott, Sherwood and Brindley Foundation

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System hereby grants authority to the Chancellor of The Texas A&M University System, upon review and approval for legal sufficiency by the Office of General Counsel, to execute the annual agreement with Scott & White Clinic and Scott and White Memorial Hospital and Scott, Sherwood and Brindley Foundation for medical education teaching services in Temple, Texas, for the fiscal year 2012.”**

Respectfully submitted,

Nancy W. Dickey, M.D.  
President, Texas A&M System Health Science Center and  
Vice Chancellor for Health Affairs, Texas A&M System

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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B. J. Crain  
Chief Business Officer

**AGREEMENT FOR SPECIALIZED MEDICAL EDUCATION  
SERVICES PROVIDED TO  
THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER,  
BY SCOTT & WHITE CLINIC AND SCOTT AND WHITE MEMORIAL HOSPITAL AND  
SCOTT, SHERWOOD AND BRINDLEY FOUNDATION**

WHEREAS, the SCOTT & WHITE Clinic, SCOTT and WHITE Memorial Hospital and Scott, Sherwood and Brindley Foundation, Temple, Texas (hereinafter called "SCOTT & WHITE") entered into an Affiliation Agreement with The Texas A&M University System (hereinafter referred to as "TAMUS"), dated August 24, 2000, to provide The Texas A&M University System Health Science Center (hereinafter referred to as "TAMHSC"), through its College of Medicine (hereinafter called HSC-COM), specialized medical education services; and

WHEREAS, HSC-COM operates comprehensive professional education programs for the study of medicine, both undergraduate and graduate; and

WHEREAS, SCOTT & WHITE has certain facilities and personnel committed by the Affiliation Agreement to the mission of the education of health professionals; and

WHEREAS, SCOTT & WHITE is committed to providing clinical medical education teaching services and teaching support services to HSC-COM medical students; and

WHEREAS, HSC-COM is accredited by the Liaison Committee on Medical Education and is a member of the Association of American Medical Colleges and therefore requires the curriculum to meet standards as set forth by those governing bodies; and

WHEREAS, HSC-COM has expanded its student base requiring that clinical medical education teaching services and teaching support services to HSC-COM medical students shall be provided by SCOTT & WHITE via its College Station Clinic under a separate and independent Specialized Medical Education Contract.

NOW, THEREFORE, SCOTT & WHITE and TAMHSC enter into the following contract for Specialized Medical Education Services (the "Agreement"):

**1. SERVICES:**

SCOTT & WHITE agrees to provide the following:

- A. Facilities and Services. Facilities and services of professional staff members of SCOTT & WHITE will be provided to assist in the specialized medical education, training and research programs of the HSC-COM. Furthermore, as set out in the Affiliation Agreement, SCOTT & WHITE agrees to support the academic programs of HSC-COM. Formal delivery of these services will be evaluated by the Dean of Medicine. Evaluation criteria include, but are not limited to, reports of the Curriculum Review Committee, random checks of classroom lectures, formal evaluation of students, and performance by students on national examinations and licensing examination.

SCOTT & WHITE shall provide for the delivery of services within the current curriculum established by the HSC-COM Curriculum Committee, as officially approved by the Office of the Dean.

SCOTT & WHITE acknowledges that in exchange for agreed upon consideration, the services described herein and delivered under the terms of this Agreement will be of the highest quality and delivered in a timely fashion so as not to compromise the standards of accreditation set forth by the Liaison Committee on Medical Education.

- B. Financial Reports. SCOTT & WHITE agrees to maintain complete and accurate accounting records to substantiate expenditures. An annual report by appropriate expenditure category, of all funds, paid by HSC-COM under this Agreement will be prepared by SCOTT & WHITE. Additionally, SCOTT & WHITE agrees to provide an annual report, of any and all funds, expended by SCOTT & WHITE in support of all HSC-COM programs. The formats of these annual reports will be specified by HSC-COM. SCOTT & WHITE will furnish these reports to the Dean of Medicine no later than the last day of October following the end of the contract year. HSC-COM acknowledges that this information is to be used only for the purposes of satisfying reporting requirements mandated by the State of Texas, the Association of American Medical Colleges, the Liaison Committee on Medical Education, and other related institutional associations.

**2. CONSIDERATION:**

HSC-COM shall pay SCOTT & WHITE up to five million, one hundred seventy five thousand dollars (\$5,175,000.00) for agreed-upon services from available state appropriations, as required in the delivery of same to support the academic and research programs of HSC-COM.

**3. PERIOD COVERED:**

Upon acceptance by both parties, this Agreement shall be effective from September 1, 2011 through August 31, 2012.

**4. TERMINATION:**

This Agreement may be terminated at any time upon sixty (60) days written notice to other party.

**5. METHOD OF PAYMENT:**

SCOTT & WHITE shall certify to the Dean of Medicine that services were delivered for each month according to the Agreement. Upon receipt of such monthly statement, HSC-COM shall electronically transfer to SCOTT & WHITE the funds (based on 1/12th of the total amount of this Agreement less 5% of the 1/12th) allocated to it by terms of this Agreement to pay for expenses arising from the delivery of specialized medical education

services described herein.

The five percent (5%) performance fund, which is retained for each month of the Agreement period, shall be electronically transferred to SCOTT & WHITE upon satisfactory provision of annual services (provided, however, that approval of satisfactory provision of services will not be unreasonably withheld). Satisfactory provision of annual services shall be determined by the Dean of Medicine upon review of annual reports by the HSC-COM Curriculum Committee and the Student Evaluation and Promotions Committee. The report from the Curriculum Committee should state that the curriculum has been delivered in accordance with the curriculum as officially approved by the Office of the Dean. The Student Evaluation and Promotions Committee shall report upon the evaluations of students. The Dean of Medicine shall forward written verification to the Vice President for Finance and Administration that services rendered by SCOTT & WHITE were in accordance with this Agreement. Upon receipt of this confirmation and receipt of the two annual financial reports provided by SCOTT & WHITE (Section IB), the Vice President for Finance and Administration will approve the electronic transfer to SCOTT & WHITE the balance in the performance fund (5% of the contracted amount in Section 2).

**6. JOINT GRADUATE MEDICAL EDUCATION AND/OR TRAINING PROGRAMS:**

It is recognized that on occasion, in support of its joint graduate medical education and/or training programs, HSC-COM may receive funds in direct support of such joint programs. HSC-COM agrees to promptly provide any funds directed to SCOTT & WHITE by the State or other outside agencies.

**7. DISPUTES:**

The dispute resolution process provided in Chapter 2260, *Texas Government Code*, and the related rules adopted by the Texas Attorney General pursuant to Chapter 2260, shall be used by SCOTT & WHITE and TAMHSC to attempt to resolve any claim for breach of contract made by SCOTT & WHITE that cannot be resolved in the ordinary course of business. SCOTT & WHITE shall submit written notice of a claim of breach of contract under this Chapter to the Vice President for Finance and Administration of TAMHSC, who shall examine SCOTT & WHITE's claim and any counterclaim and negotiate with SCOTT & WHITE in an effort to resolve the claim.

**8. AUDITS:**

SCOTT & WHITE agrees to provide, on an annual basis, documentation of financial audits performed of all activities relating to this Agreement. These audits will be conducted by independent and certified auditors contracted and paid for by SCOTT & WHITE.

TAMUS and State Auditors shall have the right, at any time within sixty (60) months after the end of each fiscal year to audit all of the books and records, supporting documentation, and files of SCOTT & WHITE relating to Agreement activities. SCOTT & WHITE shall make all such records available for examination in Temple, Texas, at the principal offices of SCOTT & WHITE. Additionally, audits of SCOTT & WHITE's records pertaining to this Agreement may also be made by any certified public accountant



designated in writing by TAMHSC, TAMUS, or by State Auditors. Audits shall be conducted during normal business hours and in a non-disruptive manner. The independent and certified auditors shall be selected by SCOTT & WHITE and TAMHSC shall have the right to approve auditors. TAMHSC's approval shall not be unreasonably withheld.

## **9. NOTICES:**

All notices to parties under this Agreement shall be in writing and sent to the names and addresses stated below. Either party to the Agreement may change such name and address by written notice to the other, and any such change shall take effect immediately upon receipt of such written notice.

### **For TAMHSC:**

Name: Barry C. Nelson, Ph.D., Vice President for Finance and Administration  
Address: The Texas A&M University System Health Science Center  
301 Tarrow Drive, College Station, Texas 77840  
Telephone: (979) 458-7250  
Facsimile: (979) 458-7259

### **With Copy To:**

Name: Matthew D. Brown, Vice Dean for Finance and Administration  
Address: The Texas A&M University System Health Science Center  
College of Medicine  
8447 State Highway 47, Bryan, Texas 77807  
Telephone: (979) 436-0208  
Facsimile: (979) 436-0097

### **For SCOTT & WHITE:**

Name: Donald E. Wesson, M.D.  
Address: Scott & White Clinic  
2401 S. 31st Street, Temple, TX 76508  
Telephone: (254) 724-2353  
Facsimile: (254) 724-1080

## **10. SEVERABILITY:**

If any of the provisions of this Agreement in the application thereof to any person or circumstance, is rendered or declared illegal for any reason, or shall be invalid or unenforceable the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby, but shall be enforced to the greatest extent permitted by applicable law.

## **11. INDEMNIFICATION AS PERMITTED BY LAW:**

TAMHSC and SCOTT & WHITE recognize that they are responsible for their respective agents and employees and each hereby indemnifies the other against all claims and liabilities of every kind arising out of the acts and omissions of its agents and employees,

as each party is authorized to do so by law.

**12. INDEPENDENT CONTRACTOR:**

TAMHSC and SCOTT & WHITE shall continue to act as independent contractors.

**13. MISCELLANEOUS:**

This Agreement constitutes the entire Agreement between the parties relative to the subject matter, and may only be modified or amended by a written Agreement signed by both parties. It shall be construed in accordance with the laws of the State of Texas.

- A. Delinquent Child Support Obligations. Under Section 231.006, Texas Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate. The forgoing clause shall remain inapplicable unless or until SCOTT & WHITE becomes a sole proprietorship, or has a partner, shareholder, or owner or with a partnership of at least 25%.
- B. Payment of Debt or Delinquency to the State. Pursuant to Section 2252.903, Texas Government Code, SCOTT & WHITE agrees that any payments owing to SCOTT & WHITE under this Agreement may be applied directly toward certain debts or delinquencies that SCOTT & WHITE owes the State of Texas or any agency of the State of Texas regardless of when they arise, until such debts or delinquencies are paid in full.
- C. Loss of Funding. Performance by TAMHSC under this Agreement may be dependent upon the appropriation and allotment of funds by the Texas State Legislature (the "Legislature"). If the Legislature fails to appropriate or allot the necessary funds, TAMHSC will issue written notice to SCOTT & WHITE and TAMHSC may terminate this Agreement without further duty or obligation hereunder. SCOTT & WHITE acknowledges that appropriation of funds is beyond the control of TAMHSC.
- D. Non-Waiver. SCOTT & WHITE expressly acknowledges that TAMHSC is an agency of the State of Texas and nothing in this Agreement will be construed as a waiver or relinquishment by TAMHSC of its right to claim such exemptions, privileges, and immunities as may be provided by law.
- E. Governing Law. The validity of this Agreement and all matters pertaining to this Agreement, including but not limited to, matters of performance, non-performance, breach, remedies, procedures, rights, duties, and interpretation or construction, shall be governed and determined by the Constitution and the laws of the State of Texas.
- F. Force Majeure. Neither party is required to perform any term, condition, or covenant of this Agreement, if performance is prevented or delayed by a natural occurrence, a fire, an act of God, an act of terrorism, or other similar occurrence, the cause of which is not reasonably with the control of such party and which by

due diligence it is unable to prevent or overcome.

- G. Execution and Modification. This Agreement is binding only when signed by both parties. Any modifications or amendments must be in writing and signed by both parties.
- H. Assignment. This Agreement, with the rights and privileges it creates, is assignable only with the prior written consent of both parties.
- I. Entire Agreement. This Agreement constitutes the entire agreement between the parties relative to the subject matter, and may only be modified or amended by a written agreement signed by both parties.
- J. Public Information Act. SCOTT & WHITE acknowledges that TAMHSC is obligated to strictly comply with the Public Information Act, Chapter 552, Texas Government Code, in responding to any request for public information pertaining to this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their authorized representative.

**RECOMMENDED FOR:**

**THE TEXAS A&M UNIVERSITY SYSTEM  
HEALTH SCIENCE CENTER:**

**SCOTT & WHITE CLINIC,  
SCOTT AND WHITE MEMORIAL  
HOSPITAL AND  
SCOTT, SHERWOOD AND BRINDLEY  
FOUNDATION:**

By: \_\_\_\_\_  
**T. Sam Shomaker, M.D., J.D.**  
**Dean, College of Medicine**

By: \_\_\_\_\_  
**Donald E. Wesson, M.D.**  
**Chief Academic Officer**

By: \_\_\_\_\_  
**Nancy W. Dickey, M.D.**  
**President, The Texas A&M University System Health Science Center and  
Vice Chancellor for Health Affairs, The Texas A&M University System**

**APPROVED AND ACCEPTED FOR:**

By: \_\_\_\_\_  
**Michael D. McKinney, M.D.**  
**Chancellor**  
**The Texas A&M University System**

By: \_\_\_\_\_  
**Robert. W. Pryor, M.D.**  
**Chief Executive Officer**  
**Scott & White**

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# Committee on Buildings and Physical Plant

(Agenda Items 8 through 15)

## Reports

Report of System Construction Projects Authorized by the Board of Regents	Vergel Gay, Chief Facilities Planning and Construction Officer
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## Agenda Items

8	Approval of System Capital Plan for FY 2012 – FY 2016	A&M System
9	Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the 2011 Capital Renewal Project at Prairie View A&M University	A&M System
10	Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the Northside Residence Hall Project at Texas A&M University	A&M System
11	Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the Jack B. Kelley Student Center Expansion Project at West Texas A&M University	A&M System
12	Approval of Revisions to System Policy 51.06 ( <i>Naming of Buildings and Other Entities</i> ) ( <i>This item will also be considered by the Policy Review Committee</i> )	A&M System
13	<p>Naming of Buildings and Other Entities:</p> <p>“Sonya Erwin Franklin Wetlands Field Laboratory of Texas A&amp;M University-Commerce”</p> <p>“Happy State Bank Field”</p> <p>New Agriculture and Life Sciences Building                      “G. Rollie White Conference Room,”                      ”Lynda and Tom Curl ’70 Conference Room,”                      “Shirley and Joe Swinbank ’74 Rural Entrepreneurship Classroom,” and                      “Blue Bell Creameries Classroom”</p> <p>Riverside Campus                      “Robert E. ‘Bob’ Wiatt Physical Skills Training Complex”</p>	<p>A&amp;M-Commerce</p> <p>WTAMU</p> <p>Texas A&amp;M</p> <p>TEEX</p>
14	Authorization to Lease Approximately 36,888 Square Feet of Office and Classroom Space in the City of Dallas, Dallas County, Texas	A&M-Commerce
15	Authorization to Grant a Conditional Roadway Easement to Bastrop County, Texas	TFS

**Construction Projects Status Report Effective 7/5/2011**

<b>Projects in Programming/Planning:</b>	<b>6 Projects</b>	<b>\$</b>	<b>941,500</b>
<b>Projects in Design:</b>	<b>12 Projects</b>	<b>\$</b>	<b>83,500,013</b>
<b>Projects in Bidding:</b>	<b>2 Projects</b>	<b>\$</b>	<b>37,500,000</b>
<b>Projects in Construction:</b>	<b>30 Projects</b>	<b>\$</b>	<b>961,281,382</b>
<b>Combined Total</b>	<b>50 Projects</b>	<b>\$</b>	<b>1,083,222,895</b>

**PROJECTS TO BE AUTHORIZED BY  
THE BOARD OF REGENTS****Projects in Programming/Planning**

<b>College Station, TX</b>		<b>Project Cost</b>
02-3091	College of Veterinary Medicine Development Plan	\$150,000
02-3096	Commons Building Feasibility Study	\$100,000
02-3097	Easterwood Airport Master Plan Update 2011-Phase 1 (Grant 32)	\$171,500
02-3099	University Band Facility Feasibility Study	\$30,000
<b>Prairie View, TX</b>		
05-3063	Campus Master Plan	\$420,000
05-3100	Phase VI Student Housing Monitoring	\$70,000
<b>Total of Projects in Programming/Planning</b>		<b>\$941,500</b>

**Projects in Design**

		<b>Project Cost</b>
<b>Canyon, TX</b>		
18-3093	Jack B. Kelley Student Center Expansion	\$10,900,000
<b>College Station, TX</b>		
02-3073	New Taxiway G and ARFF Access Road	\$3,980,000
02-3077	Interdisciplinary Life Sciences Buildout	\$3,529,612
02-3078	Easterwood Airport Wildlife Hazard Assessment	\$85,235
02-3080	Energy Consumption Reduction Project Phase II	\$5,133,166
02-3089	Joint Library Facility with the University of Texas	\$7,000,000
02-3098	Sports Performance Center	\$6,000,000
02-3101	General Aviation Ramp Rehabilitation Phase 2B	\$930,000
<b>Corpus Christi, TX</b>		
15-3087	Momentum Sports Complex	\$16,875,000
15-3107	Renovation and Upgrades to Chapman Athletic Complex	\$2,000,000
<b>Kingsville, TX</b>		
17-3082	New Student Housing Phase III	\$16,000,000
<b>Prairie View, TX</b>		
05-3092	2011 Capital Renewal	\$11,067,000
<b>Total of Projects in Design</b>		<b>\$83,500,013</b>

**Projects in Bidding**

		<b>Project Cost</b>
<b>College Station, TX</b>		
02-3001	Wellborn Road Grade Separation	\$34,000,000
02-3070	Luedecke Cyclotron Building Expansion	\$3,500,000
<b>Total of Projects in Bidding</b>		<b>\$37,500,000</b>

**Projects in Construction**

<b>Bryan, TX</b>	<b>Project Cost</b>
<b>23-2998 Medical Research and Education Building</b> Satterfield and Pontikes Construction, Inc.; Houston, TX Construction Status: On Schedule      Construction Completion Date: 5/20/2011 Construction Work Completed: 99.0%	\$63,372,000
<b>23-3065 Health Science Center Clinical Building I</b> Skanska USA Building, Inc.; Houston, TX Construction Status: On Schedule      Construction Completion Date: 7/29/2011 Construction Work Completed: 95.0%	\$26,000,000
<b>Canyon, TX</b>	
<b>18-3040 Underclassmen Residence Hall-Phase 1</b> Western Builders of Amarillo, Inc.; Amarillo, TX Construction Status: Behind Schedule      Construction Completion Date: 9/20/2011 Construction Work Completed: 72.0%	\$32,500,000
<b>College Station, TX</b>	
<b>01-3046 National Center for Therapeutics Manufacturing</b> Turner Construction Company; Dallas, TX Construction Status: On Schedule      Construction Completion Date: 8/31/2011 Construction Work Completed: 90.0%	\$45,753,442
<b>02-2991 Emerging Technologies and Economic Development Interdisciplinary Building</b> J.T. Vaughn Construction Company, Inc.; Houston, TX Construction Status: On Schedule      Construction Completion Date: 8/30/2011 Construction Work Completed: 98.0%	\$104,000,000
<b>02-3000 Liberal Arts and Arts &amp; Humanities Building</b> Skanska USA Building, Inc.; Houston, TX Construction Status: On Schedule      Construction Completion Date: 7/2/2012 Construction Work Completed: 15.0%	\$46,000,000
<b>02-3008 Satellite Utility Plant 1 Chiller Upgrade</b> R.E.C. Industries, Inc.; Bryan, TX Construction Status: Substantially Complete      Construction Completion Date: 8/1/2011 Construction Work Completed: 99.5%	\$9,600,000
<b>02-3015 Ross Street Extension &amp; Paving</b> Garrett Mechanical, Inc.; Bryan, TX Construction Status: On Schedule      Construction Completion Date: 9/5/2011 Construction Work Completed: 62.0%	\$4,000,000
<b>02-3021 YMCA Building Renovation</b> J.T. Vaughn Construction, LLC; Houston, TX Construction Status: On Schedule      Construction Completion Date: 8/15/2011 Construction Work Completed: 68.0%	\$15,000,000
<b>02-3045 Renovate the MSC and University Complex</b> J.T. Vaughn Construction Company, Inc.; Houston, TX Construction Status: On Schedule      Construction Completion Date: 2/29/2012 Construction Work Completed: 57.0%	\$116,000,000

<b>02-3051 Combined Heat and Power Upgrade</b>	<b>\$73,250,000</b>
Harvey-Cleary Builders; Austin, TX	
Construction Status: On Schedule	Construction Completion Date: 12/31/2011
Construction Work Completed: 92.0%	
<b>02-3066 University Apartments Phase II</b>	<b>\$26,535,000</b>
Collegiate Development Construction Services, I, L; Irving, TX	
Construction Status: Just Starting	Construction Completion Date: 8/4/2011
Construction Work Completed: 75.0%	
<b>02-3067 Northside Residence Hall</b>	<b>\$68,000,000</b>
Linbeck Group, LLC; Houston, TX	
Construction Status: On Schedule	Construction Completion Date: 6/24/2013
Construction Work Completed: 0.0%	
<b>02-3068 Energy Consumption Reduction Project</b>	<b>\$10,000,000</b>
Siemens Industry, Inc.; Chicago, IL	
Construction Status: On Schedule	Construction Completion Date: 12/30/2011
Construction Work Completed: 50.0%	
<b>02-3074 General Aviation Ramp Rehabilitation Phase 2A</b>	<b>\$980,000</b>
Brazos Paving Inc.; Bryan, TX	
Construction Status: On Schedule	Construction Completion Date: 8/5/2011
Construction Work Completed: 26.0%	
<b>02-3076 Olsen Field Renovation</b>	<b>\$24,000,000</b>
Skanska USA Building, Inc.; Houston, TX	
Construction Status: On Schedule	Construction Completion Date: 2/15/2012
Construction Work Completed: 4.0%	
<b>02-3085 Corps Dorm Renovation - FY 2011</b>	<b>\$13,750,000</b>
J.T. Vaughn Construction Company, Inc.; Houston, TX	
Construction Status:	Construction Completion Date: 7/16/2012
Construction Work Completed: 0.0%	
<b>02-3086 Penberthy Field Renovations</b>	<b>\$10,600,000</b>
Acklam Construction Co., LTD; College Station, TX	
Construction Status: On Schedule	Construction Completion Date: 9/1/2011
Construction Work Completed: 60.0%	
<b>06-2967 Agriculture Headquarters Building</b>	<b>\$76,900,000</b>
Skanska USA Building, Inc.; Houston, TX	
Construction Status: On Schedule	Construction Completion Date: 1/5/2012
Construction Work Completed: 88.0%	
<b>06-3104 The AgriLife Center - AGCT</b>	<b>\$614,940</b>
Design and Production Inc; Lorton, VA	
Construction Status: On Schedule	Construction Completion Date: 9/5/2011
Construction Work Completed: 15.0%	
<b>Commerce, TX</b>	
<b>21-3064 New Student Housing</b>	<b>\$14,000,000</b>
SpawGlass Construction Company; Houston, TX	
Construction Status: On Schedule	Construction Completion Date: 7/22/2011
Construction Work Completed: 65.0%	



**Corpus Christi, TX**

**15-3062 Bayside Parking Garage** \$19,800,000  
 Fulton Construction-CoastCon; Corpus Christi, TX  
 Construction Status: On Schedule Construction Completion Date: 11/10/2011  
 Construction Work Completed: 69.0%

**Galveston, TX**

**10-3088 New Student Housing** \$29,000,000  
 Collegiate Builders; Irving, TX  
 Construction Status: Just Starting Construction Completion Date: 7/20/2012  
 Construction Work Completed: 0.0%

**Killeen, TX**

**24-3057 Classroom/Office Building** \$40,000,000  
 Austin Commercial, L.P.; Austin, TX  
 Construction Status: On Schedule Construction Completion Date: 4/30/2012  
 Construction Work Completed: 43.0%

**Kingsville, TX**

**17-3039 Biology-Earth Sciences Building Renovation** \$4,876,000  
 B.E. Beecroft Co.; Corpus Christi, TX  
 Construction Status: On Schedule Construction Completion Date: 7/25/2011  
 Construction Work Completed: 90.0%

**17-3060 New Student Housing Phase II** \$18,000,000  
 SpawGlass Construction Company; Houston, TX  
 Construction Status: On Schedule Construction Completion Date: 7/17/2011  
 Construction Work Completed: 90.0%

**17-3095 Pharmacy Building - Water Intrusion and Mechanical Repairs** \$1,750,000  
 Barcom Commercial, Inc.; Corpus Christi, TX  
 Construction Status: On Schedule Construction Completion Date: 8/14/2011  
 Construction Work Completed: 50.0%

**San Antonio, TX**

**25-3054 Multipurpose Building** \$40,000,000  
 Bartlett Cocke, L.P.; San Antonio, TX  
 Construction Status: On Schedule Construction Completion Date: 8/23/2011  
 Construction Work Completed: 90.0%

**Stephenville, TX**

**04-3090 New Student Housing Phase II** \$13,000,000  
 SpawGlass Construction Company; Houston, TX  
 Construction Status: On Schedule Construction Completion Date: 8/17/2011  
 Construction Work Completed: 85.0%

**Texarkana, TX**

**22-3059 Student Housing** \$14,000,000  
 Hoar Construction LLC; Houston, TX  
 Construction Status: On Schedule Construction Completion Date: 7/15/2011

Facilities Planning and Construction Department  
The Texas A&M University System

7/5/2011

Construction Work Completed: 78.0%

**Total of Projects in Construction**

**\$961,281,382**

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Vergel L. Gay, Jr., Chief Facilities Planning and Construction Officer

**Subject:** Approval of System Capital Plan for FY 2012 – FY 2016

**Proposed Board Action:**

Approve the System Capital Plan for FY 2012 – FY 2016.

**Background Information:**

Inherent to the debt management process is the need for long-range capital planning. The members of The Texas A&M University System each prepare a five-year capital plan as part of the overall planning process. These plans are then compiled into a system capital plan. Whenever borrowing is considered for a project, a financing application is submitted to the system for review. Revenue streams are examined and debt service projections are calculated to determine if the system member has the revenue capacity to proceed with financing. The system capital plan includes all Higher Education Fund (HEF), Revenue Financing System (RFS) and Permanent University Fund (PUF) financed projects, repair/renovation projects costing \$4 million or more, new construction/addition projects costing \$4 million or more and real property acquisitions. Both the CEO and CFO of each system member have certified the information included in the system member's capital plan including the adequacy of the debt repayment revenue resources.

Per System Policy *51.01, Capital Planning*, the five-year capital plan for The Texas A&M University System is being presented to the Board of Regents for approval.

The \$2.09 billion system capital plan includes \$1.16 billion of previously approved projects that are either in design or construction. After cumulative expenditures of \$470.5 million through May 2011, the remaining balance to be expended on approved projects is \$1.62 billion. The system capital plan also includes \$925 million in proposed future projects including \$152.8 million of PUF debt projects, \$441.4 million of RFS debt projects, \$44.8 million of HEF projects and \$286 million of projects to be funded by cash sources including federal funds, gifts, auxiliary enterprise funds and grants.

Board approval of the system capital plan for FY 2012 – FY 2016 will constitute approval for initiation of the proposed projects indicated to start in FY 2012 along with approval of the identified funding sources and will authorize the appropriation of up to 10 percent of the planning amounts indicated for the FY 2012 projects for pre-construction activities. Pre-construction activities include preparation of the Program of Requirements/Statements of Work,

Agenda Item No.  
Agenda Item Briefing

work of the Architect/Engineer Design Team, design assistance from a Design-Build Contractor or Construction Manager at Risk, environmental surveys, site surveys, building and site demolition work and any other activities required to design the project. In addition, approval will authorize the completion of FY 2012 rehabilitation/renovation projects and equipment/software procurement including the appropriation of PUF and RFS debt proceeds where indicated.

FY 2012 proposed projects total \$405.4 million and include \$113 million of PUF debt projects, \$118.1 million of RFS debt projects, \$6.1 million of HEF projects, and \$168.2 million of projects to be funded by cash sources including federal funds, gifts and auxiliary enterprise funds.

The initiated projects will be presented to the board for approval of construction when a scope and budget are better defined and prior to any construction contract award.

For the proposed FY 2012 projects, the board's approval of the system capital plan for FY 2012 – FY 2016 will also satisfy the Texas Higher Education Coordinating Board's (THECB) requirement that projects be approved by the institution's governing board prior to approval by the THECB.

**A&M System Funding or Other Financial Implications:**

The board's approval of the system capital plan for FY 2012 – FY 2016 will authorize the appropriation of up to 10 percent of the planning amounts for FY 2012 proposed projects (\$405.4 million) for pre-construction activities. As presented, requested appropriations for proposed FY 2012 projects would total up to \$40.5 million. In addition, the board's approval authorizes appropriation of PUF and RFS funds for the completion of FY 2012 rehabilitation/renovation projects, equipment/software procurement and other projects to be administered by the institutions.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**  
Office of the Chief Facilities Planning and Construction Officer  
June 16, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of System Capital Plan for FY 2012 – FY 2016

I recommend adoption of the following minute order:

**“The system capital plan for FY 2012 – FY 2016, as shown in Exhibit , is approved and authorization to appropriate up to 10 percent of the planning amount indicated for all FY 2012 proposed projects is granted. In addition, the appropriation of PUF and RFS funding is approved for FY 2012 rehabilitation/renovation and equipment/software procurement projects administered by the institutions.**

**The Board of Regents of The Texas A&M University System (board) reasonably expects to incur debt in one or more obligations for these projects, 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).**

**To the extent projects are funded by the Revenue Financing System, and 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.”**

Respectfully submitted,

Vergel L. Gay, Jr.  
Chief Facilities Planning and  
Construction Officer

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Gregory R. Anderson  
Chief Investment Officer and Treasurer



**FY 2012 – FY 2016  
Capital Plan  
July 2011**

## EXECUTIVE SUMMARY

Inherent to the debt management process is the need for long-range capital planning. The Members of The Texas A&M University System each prepare a five-year capital plan as part of the overall planning process. These plans are then compiled into a System Capital Plan. Whenever borrowing is considered for a project, a financing application is submitted to the System Offices for review. Revenue streams are examined and debt service projections are calculated to determine if the Member has the revenue capacity to proceed with financing. The Members also certify the adequacy of the debt repayment revenue resources.

The \$2.09 billion System Capital Plan includes \$1.16 billion of previously approved projects that are either in design or under construction and \$925 million in proposed future projects. After cumulative expenditures through May 2011 of \$470.5 million, the remaining balance to be expended on approved projects is \$1.62 billion. Included in the proposed future projects are \$152.8 million of PUF debt projects, \$441.4 million of Revenue Financing System debt projects, \$44.8 million of HEF projects and \$286 million of projects to be funded by cash sources including federal funds, gifts, auxiliary enterprise funds, and grants.

Fiscal year 2012 proposed projects total \$405.4 million and include \$113 million of PUF debt projects, \$118.1 million of RFS debt projects, \$6.1 million of HEF projects, and \$168.2 million of projects to be funded by cash sources including federal funds, gifts, and auxiliary enterprise funds.

<b>THE TEXAS A&amp;M UNIVERSITY SYSTEM</b> <b>CAPITAL PLAN</b> <b>FY 2012 - FY 2016</b>
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<u>System Member</u>	<u>Previously Approved Projects</u>	<u>Proposed Projects</u>	<u>Total Project Planning Amounts</u>
Texas A&M University	561,044,142	414,728,246	975,772,388
Texas A&M University at Galveston	39,575,000	6,500,000	46,075,000
TAMUS - Health Science Center	18,980,372	91,200,000	110,180,372
Prairie View A&M University	20,500,000	37,500,000	58,000,000
Tarleton State University	27,201,229	54,976,140	82,177,369
Texas A&M University - Corpus Christi	72,775,000	4,000,000	76,775,000
Texas A&M International University	6,325,000	7,500,000	13,825,000
Texas A&M University - Kingsville	48,511,442	27,500,000	76,011,442
West Texas A&M University	53,480,000	125,615,645	179,095,645
Texas A&M University - Texarkana	18,522,025	8,300,000	26,822,025
Texas A&M University - Commerce	43,015,506	11,351,962	54,367,468
Texas A&M University - Central Texas	40,000,000	10,500,000	50,500,000
Texas A&M University - San Antonio	40,000,000	25,500,000	65,500,000
Texas AgriLife Research	82,960,292	1,400,000	84,360,292
Texas AgriLife Extension Service	200,000	200,000	400,000
Texas Forest Service	600,000	200,000	800,000
Texas Veterinary Medical Diagnostic Laboratory	1,752,929	-	1,752,929
Texas Engineering Experiment Station	48,437,442	51,000,000	99,437,442
Texas Engineering Extension Service	4,700,000	30,100,000	34,800,000
Texas Transportation Institute	4,314,920	10,600,000	14,914,920
System Offices	30,496,756	6,345,717	36,842,473
	<u>1,163,392,055</u>	<u>925,017,710</u>	<u>2,088,409,765</u>



<b>THE TEXAS A&amp;M UNIVERSITY SYSTEM</b> <b>CAPITAL PLAN</b> <b>FY 2012 - FY 2016</b>
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<u>System Member</u>	<u>Total Project Planning Amounts</u>	<u>Cumulative Prior Years Expenditures to 5/31/11</u>	<u>Remaining Planning Amounts</u>
Texas A&M University	975,772,388	248,197,122	727,575,266
Texas A&M University at Galveston	46,075,000	2,196,813	43,878,187
TAMUS - Health Science Center	110,180,372	11,620,573	98,559,799
Prairie View A&M University	58,000,000	1,453,750	56,546,250
Tarleton State University	82,177,369	7,184,735	74,992,634
Texas A&M University - Corpus Christi	76,775,000	15,349,084	61,425,916
Texas A&M International University	13,825,000	471,585	13,353,415
Texas A&M University - Kingsville	76,011,442	15,675,534	60,335,908
West Texas A&M University	179,095,645	17,463,296	161,632,349
Texas A&M University - Texarkana	26,822,025	6,709,662	20,112,363
Texas A&M University - Commerce	54,367,468	5,633,662	48,733,806
Texas A&M University - Central Texas	50,500,000	9,859,378	40,640,622
Texas A&M University - San Antonio	65,500,000	23,870,151	41,629,849
Texas AgriLife Research	84,360,292	67,043,907	17,316,385
Texas AgriLife Extension Service	400,000	39,610	360,390
Texas Forest Service	800,000	50,788	749,212
Texas Veterinary Medical Diagnostic Laboratory	1,752,929	1,574,945	177,984
Texas Engineering Experiment Station	99,437,442	33,761,204	65,676,238
Texas Engineering Extension Service	34,800,000	482,370	34,317,630
Texas Transportation Institute	14,914,920	1,698,061	13,216,859
System Offices	36,842,473	196,500	36,645,973
	<u>2,088,409,765</u>	<u>470,532,730</u>	<u>1,617,877,035</u>

<b>THE TEXAS A&amp;M UNIVERSITY SYSTEM</b> <b>CAPITAL PLAN</b> <b>PROPOSED PROJECTS - FISCAL YEAR 2012</b>
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System Member	Resource Allocation				
	Planning Amounts	PUF Debt Proceeds	HEF	RFS Debt Proceeds	Other
Texas A&M University	246,328,246	30,717,614		78,800,000	136,810,632
Texas A&M University at Galveston	1,300,000				1,300,000
TAMUS - Health Science Center	31,200,000	31,200,000			
Prairie View A&M University	4,000,000				4,000,000
Tarleton State University	8,333,230	6,250,000			2,083,230
Texas A&M University - Corpus Christi	-				
Texas A&M International University	5,000,000				5,000,000
Texas A&M University - Kingsville	1,500,000			1,000,000	500,000
West Texas A&M University	42,015,645		3,015,645	35,000,000	4,000,000
Texas A&M University - Texarkana	4,700,000		900,000	1,800,000	2,000,000
Texas A&M University - Commerce	2,169,241		2,169,241		
Texas A&M University - Central Texas	10,500,000	10,500,000			
Texas A&M University - San Antonio	25,500,000	25,500,000			
Texas AgriLife Research	1,400,000	1,400,000			
Texas AgriLife Extension Service	200,000	200,000			
Texas Forest Service	200,000	200,000			
Texas Veterinary Medical Diagnostic Laboratory	-				
Texas Engineering Experiment Station	11,000,000	1,000,000			10,000,000
Texas Engineering Extension Service	1,100,000	600,000			500,000
Texas Transportation Institute	2,600,000	600,000			2,000,000
System Offices	6,345,717	4,845,717		1,500,000	
	405,392,079	113,013,331	6,084,886	118,100,000	168,193,862

THE TEXAS A&M UNIVERSITY SYSTEM  
Capital Plan

Funding Codes

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- a Available University Funds
- b Gifts
- c Contracts and Grants
- d Unappropriated Debt Proceeds & Earnings
- e E&G Unrestricted
- f Federal Funds
- g Designated Tuition
- h Housing Revenues
- i Privatized
- l LoneSTAR Loan Funds
- n General Revenue
- o Other
- p Parking
- q Computer Access Fees
- r Recreational Sports Fees
- s Student Fees
- T Tuition Revenue
- u Utility
- v Stadium Revenue Funds
- w Higher Education Funds
- x Auxiliary Enterprise Funds
- y Indirect Cost Recoveries

**TEXAS A&M UNIVERSITY  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
2-2991		Emerging Technologies & Economic Development Building	95,266,325	76,257,119	19,009,206		
2-3000		Liberal Arts and Arts & Humanities Building	46,000,000	6,939,569	18,060,431		2,000,000 o
2-3001		Wellborn Road Grade Separations	34,000,000	2,765,194		7,434,806 g	23,800,000 f
2-3015		Ross Street Extension and Paving	4,000,000	2,043,542	1,956,458		
2-3017		General Aviation Ramp Rehabilitation - Phase I	1,234,000	1,021,576			212,424 f,x
2-3018		Zachry Fire & Life Safety Upgrade	5,500,000	3,491,173		2,008,827 g	
2-3021		YMCA Building Renovation	15,000,000	6,714,943	8,285,057		
2-3026		New East Side Aviation Apron	867,000	729,212			137,788 f,x
2-3027		Vet Imaging and Cancer Treatment Center	4,950,000	3,815,204			1,134,796 g,a,o
2-3035		Rehabilitate Runway 10/28	4,400,000	2,662,381			1,737,619 f,x
2-3045		* Renovate the MSC and University Complex	115,135,975	54,548,647		56,453,389 b,g,s,x	4,133,939 b
2-3051		Combined Heat and Power Upgrade	73,250,000	51,916,464		14,333,536 u	7,000,000 c
2-3066		University Apartments Phase II	26,535,000	9,981,991		13,553,009 h,p	3,000,000 d,h
2-3068		Energy Consumption Reduction Project	10,000,000	2,350,191			7,649,809 o
2-3070		Luedecke Cyclotron Building Expansion	3,500,000	193,150	1,000,000		2,306,850 o
2-3073		New Taxiway G and ARFF Access Road	3,980,000	88,215			3,891,785 f,x
2-3074		General Aviation Ramp Rehabilitation - Phase IIA	1,020,501	171,986			848,515 f,x
2-3075		General Aviation Ramp Rehabilitation - Phase III	1,040,000	32,576			1,007,424 f,x
2-3076		Olsen Field Renovation	24,750,000	1,484,622		14,429,235 b,v	8,836,143 b
2-3077		Interdisciplinary Life Sciences Building Build Out	3,529,612	173,876			3,355,736 c
2-3080		Energy Consumption Reduction Project Phase II	5,135,166				5,135,166 o
2-3085		Corps Dorm Renovation - FY2011	13,750,000	188,677		13,561,323 h	
2-3086		Penberthy Field Renovations	10,600,000	3,820,961			6,779,039 p,r,v
2-3089		Joint Library Facility with University of Texas	7,000,000		2,000,000		5,000,000 o
2-3098		Sports Performance Center	6,000,000			6,000,000 b	
2-3101		General Aviation Ramp Rehabilitation - Phase IIB	930,000				930,000 f,x
		General Aviation Ramp Rehabilitation	2,775,499				2,775,499 f,x
		Taxiway B Realignment	1,422,293				1,422,293 f,x
		Physical Plant Projects/Equipment/Other	39,472,771	16,805,853	16,309,014	6,357,904	
		Total Construction/Acquisitions in Progress	<u>561,044,142</u>	<u>248,197,122</u>	<u>66,620,166</u>	<u>153,132,029</u>	<u>93,094,825</u>

\* Total Project Costs: \$116,000,000 (TAMU: \$115,135,975 System: \$864,025)

**TEXAS A&M UNIVERSITY  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>PROPOSED PROJECTS</b>							
2-3067		Northside Residence Hall	68,000,000			67,000,000 h	1,000,000 o
	2012	Capital Renewal	26,817,614		26,817,614		
	2012	Corps Dorm Renovation - FY2012	8,800,000			8,800,000 h	
	2012	Kyle Field Renovation - Phase I	50,000,000				50,000,000 b
	2012	BSL3 Facility	81,000,000				81,000,000 f
	2012	Taxiway A Realignment (North of 4/22)	4,810,632				4,810,632 f,x
	2013	Corps Dorm Renovation - FY2013	9,200,000			9,200,000 h	
	2014	Corps Dorm Renovation - FY2014	9,500,000			9,500,000 h	
	2014	Kyle Field Renovation - Phase II	50,000,000			50,000,000 v	
	2014	West Ramp & Access Road	1,700,000				1,700,000 f,x
	2014	New Airport Tower	5,400,000				5,400,000 f,x
	2015	Corps Dorm Renovation - FY2015	9,800,000			9,800,000 h	
	2015	New Campus Parking Garage	32,500,000			32,500,000 p	
	2015	Student Health Center Building	40,000,000			40,000,000 s	
	2016	Corps Dorm Renovation - FY2016	10,300,000			10,300,000 h	
		Physical Plant Projects/Equipment/Other	6,900,000		3,900,000	3,000,000	
		Total Proposed Construction/Acquisitions	<u>414,728,246</u>	<u>-</u>	<u>30,717,614</u>	<u>240,100,000</u>	<u>143,910,632</u>
<b>TOTAL CAPITAL PLAN</b>			<u>975,772,388</u>	<u>248,197,122</u>	<u>97,337,780</u>	<u>393,232,029</u>	<u>237,005,457</u>

**TEXAS A&M UNIVERSITY at GALVESTON  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
10-3088		New Student Housing	28,200,000	735,662		25,464,338 h,p	2,000,000 h
		Physical Plant Projects/Equipment/Other	11,375,000	1,461,151	12,496	7,101,353	2,800,000
		Total Construction/Acquisitions in Progress	<u>39,575,000</u>	<u>2,196,813</u>	<u>12,496</u>	<u>32,565,691</u>	<u>4,800,000</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	6,500,000				6,500,000
		Total Proposed Construction/Acquisitions	<u>6,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>6,500,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u><u>46,075,000</u></u>	<u><u>2,196,813</u></u>	<u><u>12,496</u></u>	<u><u>32,565,691</u></u>	<u><u>11,300,000</u></u>

**THE TEXAS A&M UNIVERSITY SYSTEM - HEALTH SCIENCE CENTER  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	18,980,372	11,620,573	5,929,375	1,430,424	
		Total Construction/Acquisitions in Progress	<u>18,980,372</u>	<u>11,620,573</u>	<u>5,929,375</u>	<u>1,430,424</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
	2012	* Medical Education & Research Building - Bryan	15,000,000		15,000,000		
	2012	* Health Professions Education Building - Temple	10,000,000		10,000,000		
	2013	HSC Education Center & Research Bldg - Dallas	60,000,000			50,000,000 g	10,000,000 b,o
		Physical Plant Projects/Equipment/Other	6,200,000		6,200,000		
		Total Construction/Acquisitions	<u>91,200,000</u>	<u>0</u>	<u>31,200,000</u>	<u>50,000,000</u>	<u>10,000,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u>110,180,372</u>	<u>11,620,573</u>	<u>37,129,375</u>	<u>51,430,424</u>	<u>10,000,000</u>

\* \$25 million PUF matching funds are contingent upon identifying another approved funding source to complete total project cost.

**PRAIRIE VIEW A&M UNIVERSITY  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
5-3092		* 2011 Capital Renewal	11,067,000		7,500,000	3,567,000	
		Physical Plant Projects/Equipment/Other	<u>9,433,000</u>	<u>1,453,750</u>	<u>7,500,000</u>	<u>3,979,250</u>	<u>4,000,000</u>
		Total Construction/Acquisitions in Progress	<u>20,500,000</u>	<u>1,453,750</u>	<u>7,500,000</u>	<u>7,546,250</u>	<u>4,000,000</u>
<b>PROPOSED PROJECTS</b>							
	2014	** New Campus Building	17,500,000		17,500,000		
		Physical Plant Projects/Equipment/Other	<u>20,000,000</u>		<u>17,500,000</u>	<u>0</u>	<u>20,000,000</u>
		Total Proposed Construction/Acquisitions	<u>37,500,000</u>	<u>0</u>	<u>17,500,000</u>	<u>0</u>	<u>20,000,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u>58,000,000</u>	<u>1,453,750</u>	<u>25,000,000</u>	<u>7,546,250</u>	<u>24,000,000</u>

\* \$7.5 million PUF matching funds will be used for 2011 Capital Renewal project and 2011 Campus Capital Renewal Projects reflected in Physical Plant Projects/Equipment/Other.

\*\* \$17.5 million PUF matching funds are contingent upon identifying another approved funding source to complete total project cost.



**TARLETON STATE UNIVERSITY  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
4-3090		New Student Housing Phase II	14,000,000	1,605,355		12,394,645 h	
		Physical Plant Projects/Equipment/Other	13,201,229	5,579,380	7,581,828	40,021	
		Total Construction/Acquisitions in Progress	<u>27,201,229</u>	<u>7,184,735</u>	<u>7,581,828</u>	<u>12,434,666</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
2013		* Rehab & Expand OA Grant Building	5,550,000		5,550,000		
2013		* Rehab Fine Arts Building	3,500,000		3,500,000		
2014		* Rehab Joe Autry Agriculture Building	3,500,000		3,500,000		
2014		New Student Housing Phase III	14,000,000			14,000,000 h	
2015		* Rehab Kinesiology Building	4,200,000		4,200,000		
2015		* Rehab Business Building	2,500,000		2,500,000		
2016		* Rehab Engineering Technology Building	3,000,000		3,000,000		
		Physical Plant Projects/Equipment/Other	18,726,140		6,250,000		12,476,140
		Total Proposed Construction/Acquisitions	<u>54,976,140</u>	<u>0</u>	<u>28,500,000</u>	<u>14,000,000</u>	<u>12,476,140</u>
<b>TOTAL CAPITAL PLAN</b>			<u>82,177,369</u>	<u>7,184,735</u>	<u>36,081,828</u>	<u>26,434,666</u>	<u>12,476,140</u>

\* \$25 million PUF matching funds are contingent upon identifying another approved funding source to complete total project cost.  
\$2,750,000 of the PUF matching funds is reflected as a FY2012 campus expansion land acquisition and included in Physical Plant Projects/Equipment/Other.

**TEXAS A&M UNIVERSITY - CORPUS CHRISTI  
CAPITAL PLAN  
SUMMARY INFORMATION**

<u>Project #</u>	<u>Projected FY Start Date</u>	<u>Project Name</u>	<u>Total Planning Amount</u>	<u>Cumulative Expenditures Prior Years to 5/31/11</u>	<u>HEF</u>	<u>RFS Debt Proceeds</u>	<u>Other</u>
<b>APPROVED PROJECTS</b>							
15-3038		Tennis Complex	2,700,000	2,226,124	473,876		
15-3050		Utility Plant Expansion	6,300,000	5,296,860		1,003,140	w
15-3062		New Parking Garage	19,800,000	7,753,285		12,046,715	p
15-3087		Momentum Sports Complex	16,875,000			14,875,000	s
		University Center Expansion	26,000,000			24,000,000	s
		Physical Plant Projects/Equipment/Other	1,100,000	72,815	1,000,000	27,185	
		Total Construction/Acquisitions in Progress	<u>72,775,000</u>	<u>15,349,084</u>	<u>1,473,876</u>	<u>51,952,040</u>	<u>4,000,000</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	4,000,000		4,000,000		
		Total Proposed Construction/Acquisitions	<u>4,000,000</u>	<u>0</u>	<u>4,000,000</u>	<u>0</u>	<u>0</u>
<b>TOTAL CAPITAL PLAN</b>			<u>76,775,000</u>	<u>15,349,084</u>	<u>5,473,876</u>	<u>51,952,040</u>	<u>4,000,000</u>

**TEXAS A&M INTERNATIONAL UNIVERSITY  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	HEF	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	6,325,000	471,585	3,125,000	2,728,415	
		Total Construction/Acquisitions in Progress	<u>6,325,000</u>	<u>471,585</u>	<u>3,125,000</u>	<u>2,728,415</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
	2012	WHTC Large Classroom Addition	5,000,000				5,000,000 b
		Physical Plant Projects/Equipment/Other	2,500,000		750,000	1,750,000	
		Total Proposed Construction/Acquisitions	<u>7,500,000</u>	<u>0</u>	<u>750,000</u>	<u>1,750,000</u>	<u>5,000,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u><u>13,825,000</u></u>	<u><u>471,585</u></u>	<u><u>3,875,000</u></u>	<u><u>4,478,415</u></u>	<u><u>5,000,000</u></u>

**TEXAS A&M UNIVERSITY - KINGSVILLE**  
**CAPITAL PLAN**  
**SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	HEF	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
17-3039		Biology-Earth Sciences Building Renovation	4,876,000	3,438,186		1,437,814	w
17-3060		New Student Housing Phase II	18,000,000	8,872,389		9,127,611	h
17-3082		New Student Housing Phase III	16,000,000	419,835		15,580,165	h
		Physical Plant Projects/Equipment/Other	<u>9,635,442</u>	<u>2,945,124</u>	<u>4,686,593</u>	<u>603,111</u>	<u>1,400,614</u>
		Total Construction/Acquisitions in Progress	<u>48,511,442</u>	<u>15,675,534</u>	<u>4,686,593</u>	<u>26,748,701</u>	<u>1,400,614</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	<u>27,500,000</u>	<u>0</u>	<u>8,600,000</u>	<u>1,000,000</u>	<u>17,900,000</u>
		Total Proposed Construction/Acquisitions	<u>27,500,000</u>	<u>0</u>	<u>8,600,000</u>	<u>1,000,000</u>	<u>17,900,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u>76,011,442</u>	<u>15,675,534</u>	<u>13,286,593</u>	<u>27,748,701</u>	<u>19,300,614</u>

**WEST TEXAS A&M UNIVERSITY  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	HEF	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
18-3040		Underclassmen Residence Hall - Phase I	32,500,000	12,564,158		19,935,842	h
18-3093		Jack B Kelley Student Center Expansion	10,900,000			10,900,000	s
		Physical Plant Projects/Equipment/Other	10,080,000	4,899,138		4,180,862	1,000,000
		Total Construction/Acquisitions in Progress	<u>53,480,000</u>	<u>17,463,296</u>	<u>0</u>	<u>35,016,704</u>	<u>1,000,000</u>
<b>PROPOSED PROJECTS</b>							
2012		Underclassmen Residence Hall - Phase II	35,000,000			35,000,000	h
2015		Field House	10,000,000			10,000,000	b
2015		Underclassmen Residence Hall - Phase III	35,000,000			35,000,000	h
2016		Enrichment Center	25,000,000			25,000,000	b
		Physical Plant Projects/Equipment/Other	20,615,645		15,615,645		5,000,000
		Total Proposed Construction/Acquisitions	<u>125,615,645</u>	<u>0</u>	<u>15,615,645</u>	<u>105,000,000</u>	<u>5,000,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u>179,095,645</u>	<u>17,463,296</u>	<u>15,615,645</u>	<u>140,016,704</u>	<u>6,000,000</u>

**TEXAS A&M UNIVERSITY - TEXARKANA  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	HEF	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
22-3059		Student Housing	14,000,000	5,809,662		8,190,338	h
		Physical Plant Projects/Equipment/Other	4,522,025	900,000	722,025	2,900,000	
		Total Construction/Acquisitions in Progress	<u>18,522,025</u>	<u>6,709,662</u>	<u>722,025</u>	<u>11,090,338</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	8,300,000		4,500,000	1,800,000	2,000,000
		Total Proposed Construction/Acquisitions	<u>8,300,000</u>	<u>0</u>	<u>4,500,000</u>	<u>1,800,000</u>	<u>2,000,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u><u>26,822,025</u></u>	<u><u>6,709,662</u></u>	<u><u>5,222,025</u></u>	<u><u>12,890,338</u></u>	<u><u>2,000,000</u></u>

**TEXAS A&M UNIVERSITY - COMMERCE**  
**CAPITAL PLAN**  
**SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	HEF	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
21-3064		New Student Housing	14,000,000	5,633,662		8,366,338 h	
21-3105		New Student Housing Phase II	26,900,000			26,900,000 h	
		Physical Plant Projects/Equipment/Other	<u>2,115,506</u>		<u>2,115,506</u>		
		Total Construction/Acquisitions in Progress	<u>43,015,506</u>	<u>5,633,662</u>	<u>2,115,506</u>	<u>35,266,338</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	<u>11,351,962</u>		<u>11,351,962</u>		
		Total Proposed Construction/Acquisitions	<u>11,351,962</u>	<u>0</u>	<u>11,351,962</u>	<u>0</u>	<u>0</u>
<b>TOTAL CAPITAL PLAN</b>			<u>54,367,468</u>	<u>5,633,662</u>	<u>13,467,468</u>	<u>35,266,338</u>	<u>0</u>

**TEXAS A&M UNIVERSITY - CENTRAL TEXAS  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	PUF	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
24-3057		Classroom/Office Building	40,000,000	9,859,378	15,000,000	15,140,622	
		Total Construction/Acquisitions in Progress	<u>40,000,000</u>	<u>9,859,378</u>	<u>15,000,000</u>	<u>15,140,622</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
	2012	* Classroom/Lab/Office Building	10,000,000		10,000,000		
		Physical Plant Projects/Equipment/Other	500,000		500,000		
		Total Proposed Construction/Acquisitions	<u>10,500,000</u>	<u>0</u>	<u>10,500,000</u>	<u>0</u>	<u>0</u>
<b>TOTAL CAPITAL PLAN</b>			<u><u>50,500,000</u></u>	<u><u>9,859,378</u></u>	<u><u>25,500,000</u></u>	<u><u>15,140,622</u></u>	<u><u>0</u></u>

\* \$10 million PUF matching funds are contingent upon identifying another approved funding source to complete total project cost.



**TEXAS A&M UNIVERSITY - SAN ANTONIO**  
**CAPITAL PLAN**  
**SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/11	PUF	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
25-3054		Multipurpose Building	40,000,000	23,870,151		16,129,849	
		Total Construction/Acquisitions in Progress	<u>40,000,000</u>	<u>23,870,151</u>	<u>0</u>	<u>16,129,849</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
	2012	* New Campus Building	25,000,000		25,000,000		
		Physical Plant Projects/Equipment/Other	500,000		500,000		
		Total Proposed Construction/Acquisitions	<u>25,500,000</u>	<u>0</u>	<u>25,500,000</u>	<u>0</u>	<u>0</u>
<b>TOTAL CAPITAL PLAN</b>			<u><u>65,500,000</u></u>	<u><u>23,870,151</u></u>	<u><u>25,500,000</u></u>	<u><u>16,129,849</u></u>	<u><u>0</u></u>

\* \$25 million PUF matching funds are contingent upon identifying another approved funding source to complete total project cost.

**TEXAS AGRILIFE RESEARCH  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/2011	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
6-2967		Agriculture Headquarters Building	78,200,000	64,039,017		7,668,983 y	6,492,000 o,y,b
		Physical Plant Projects/Equipment/Other	4,760,292	3,004,890	1,755,402		
		Total Construction/Acquisitions in Progress	<u>82,960,292</u>	<u>67,043,907</u>	<u>1,755,402</u>	<u>7,668,983</u>	<u>6,492,000</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	1,400,000		1,400,000		
		Total Proposed Construction/Acquisitions	<u>1,400,000</u>	<u>0</u>	<u>1,400,000</u>	<u>0</u>	<u>0</u>
<b>TOTAL CAPITAL PLAN</b>			<u><u>84,360,292</u></u>	<u><u>67,043,907</u></u>	<u><u>3,155,402</u></u>	<u><u>7,668,983</u></u>	<u><u>6,492,000</u></u>

**TEXAS AGRILIFE EXTENSION SERVICE  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/2011	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	200,000	39,610	160,390		
		Total Construction/Acquisitions in Progress	<u>200,000</u>	<u>39,610</u>	<u>160,390</u>	<u>0</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	200,000		200,000		
		Total Proposed Construction/Acquisitions	<u>200,000</u>	<u>0</u>	<u>200,000</u>	<u>0</u>	<u>0</u>
<b>TOTAL CAPITAL PLAN</b>			<u>400,000</u>	<u>39,610</u>	<u>360,390</u>	<u>0</u>	<u>0</u>

**TEXAS FOREST SERVICE  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/2011	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	600,000	50,788	149,212		400,000
		Total Construction/Acquisitions in Progress	<u>600,000</u>	<u>50,788</u>	<u>149,212</u>	<u>0</u>	<u>400,000</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	200,000		200,000		
		Total Proposed Construction/Acquisitions	<u>200,000</u>	<u>0</u>	<u>200,000</u>	<u>0</u>	<u>0</u>
<b>TOTAL CAPITAL PLAN</b>			<u>800,000</u>	<u>50,788</u>	<u>349,212</u>	<u>0</u>	<u>400,000</u>

**TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/2011	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	1,752,929	1,574,945	0	0	177,984
		Total Construction/Acquisitions in Progress	1,752,929	1,574,945	0	0	177,984
<b>TOTAL CAPITAL PLAN</b>			1,752,929	1,574,945	0	0	177,984

**TEXAS ENGINEERING EXPERIMENT STATION  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/2011	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
1-3046		National Center for Therapeutics Manufacturing	45,753,442	32,905,499			12,847,943 c,d,g
		Physical Plant Projects/Equipment/Other	<u>2,684,000</u>	<u>855,705</u>	<u>1,828,295</u>		
		Total Construction/Acquisitions in Progress	<u>48,437,442</u>	<u>33,761,204</u>	<u>1,828,295</u>	<u>0</u>	<u>12,847,943</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	<u>51,000,000</u>		<u>1,000,000</u>		<u>50,000,000</u>
		Total Proposed Construction/Acquisitions	<u>51,000,000</u>	<u>0</u>	<u>1,000,000</u>	<u>0</u>	<u>50,000,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u><u>99,437,442</u></u>	<u><u>33,761,204</u></u>	<u><u>2,828,295</u></u>	<u><u>0</u></u>	<u><u>62,847,943</u></u>

**TEXAS ENGINEERING EXTENSION SERVICE  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/2011	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	4,700,000	482,370	23,117	3,750,000	444,513
		Total Construction/Acquisitions in Progress	<u>4,700,000</u>	<u>482,370</u>	<u>23,117</u>	<u>3,750,000</u>	<u>444,513</u>
<b>PROPOSED PROJECTS</b>							
	2013	Fire Field Expansion	10,000,000			10,000,000 e	
	2016	San Antonio Facility Expansion	10,000,000			10,000,000 e	
		Physical Plant Projects/Equipment/Other	10,100,000		600,000	6,250,000	3,250,000
		Total Proposed Construction/Acquisitions	<u>30,100,000</u>	<u>0</u>	<u>600,000</u>	<u>26,250,000</u>	<u>3,250,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u>34,800,000</u>	<u>482,370</u>	<u>623,117</u>	<u>30,000,000</u>	<u>3,694,513</u>

**TEXAS TRANSPORTATION INSTITUTE  
CAPITAL PLAN  
SUMMARY INFORMATION**

Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/2011	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	4,314,920	1,698,061	616,859		2,000,000
		Total Construction/Acquisitions in Progress	<u>4,314,920</u>	<u>1,698,061</u>	<u>616,859</u>	<u>0</u>	<u>2,000,000</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	10,600,000		600,000		10,000,000
		Total Proposed Construction/Acquisitions	<u>10,600,000</u>	<u>0</u>	<u>600,000</u>	<u>0</u>	<u>10,000,000</u>
<b>TOTAL CAPITAL PLAN</b>			<u>14,914,920</u>	<u>1,698,061</u>	<u>1,216,859</u>	<u>0</u>	<u>12,000,000</u>



<b>SYSTEM OFFICES</b> <b>CAPITAL PLAN</b> <b>SUMMARY INFORMATION</b>
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Project #	Projected FY Start Date	Project Name	Total Planning Amount	Cumulative Expenditures Prior Years to 5/31/2011	PUF Debt Proceeds	RFS Debt Proceeds	Other
<b>APPROVED PROJECTS</b>							
2-3045		* Renovate the MSC & University Complex	864,025			864,025 o	
		Pharmacy Bldg - Water Intrusion & Mechanical Repairs	1,750,000	196,500		1,553,500 o	
		Physical Plant Projects/Equipment/Other	<u>27,882,731</u>		<u>27,882,731</u>		
		Total Construction/Acquisitions in Progress	<u>30,496,756</u>	<u>196,500</u>	<u>27,882,731</u>	<u>2,417,525</u>	<u>0</u>
<b>PROPOSED PROJECTS</b>							
		Physical Plant Projects/Equipment/Other	<u>6,345,717</u>		<u>4,845,717</u>	<u>1,500,000</u>	
		Total Proposed Construction/Acquisitions	<u>6,345,717</u>	<u>0</u>	<u>4,845,717</u>	<u>1,500,000</u>	<u>0</u>
<b>TOTAL CAPITAL PLAN</b>			<u><u>36,842,473</u></u>	<u><u>196,500</u></u>	<u><u>32,728,448</u></u>	<u><u>3,917,525</u></u>	<u><u>0</u></u>

\* Total Project Costs: \$116,000,000 (TAMU: \$115,135,975 System: \$864,025)

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Vergel L. Gay, Jr., Chief Facilities Planning and Construction Officer

**Subject:** Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the 2011 Capital Renewal Project, Prairie View A&M University, Prairie View, Texas (Project No. 5-3092)

**Background and Prior Actions:**

The 2011 Capital Renewal Project was included as an FY 2011 start project on the FY 2011 – FY 2015 System Capital Plan approved by the Board of Regents at the July 2010 meeting.

**Proposed Board Action:**

- (1) Approve the project scope and budget.
- (2) Appropriate \$11,067,000 for construction services and related project costs. Revert previous appropriations to the source account.
- (3) Approve construction of the 2011 Capital Renewal Project at Prairie View A&M University.

**Funding/Budget:**

<u>Funding Source</u>	<u>Project Budget</u>	<u>Average Estimated Annual Debt Service</u>	<u>Debt Service Source</u>
Permanent University Fund Debt Proceeds	\$ 7,500,000	\$729,700	Available University Fund
Revenue Financing System Debt Proceeds	<u>\$ 3,567,000</u>	\$347,250	Designated Tuition
Total Project Funds	<u>\$11,067,000</u>		

**Project Justification:**

Much of Prairie View A&M University's (PVAMU) facilities infrastructure and equipment is more than 25 years old, inefficient, worn and in constant need of repairs. Some of the older buildings do not meet life safety codes and accessibility requirements and have worn outdated finishes. This project is urgently needed to properly address these upgrades and maintenance needs. Deferred maintenance will be substantially reduced for the university.

PVAMU is currently reporting \$15,305,000 of campus deferred maintenance to the Texas Higher Education Coordinating Board. This 2011 Capital Renewal Project will address approximately \$9.6 million of this reported deferred maintenance.

**Scope:**

The 2011 Capital Renewal Project at PVAMU will address multiple upgrade/maintenance projects at varied locations across the campus. The locations for these improvements are shown on the campus maps included with this agenda item.

The primary scope items to be addressed in this project include:

- + Replace campus main electrical feeders Nos. 200, 500 and 300
- + Repair/replace certain piping, sump pumps, electrical circuits and lighting and install sump pumps and ventilation fans and make structural repairs in two existing campus utility tunnels
- + Upgrade portions of E. E. O'Bannon Street and L. W. Minor Street with new asphalt and concrete pavement surface along with new curb and gutter, striping, handicap ramping and traffic control bollards at selected locations
- + Remove existing boiler No. 7 at the Central Utility Plant and replace with new fire tube steam boiler including associated support equipment connections
- + Replace certain air handler units (AHU), fan coil units (FCU) and HVAC units including required controls and energy management system upgrades in Billy Nicks Field House, Evans Hall, Farrell Hall and Anderson Hall
- + Install complete fire alarm systems in C. L. Wilson/Gilchrist Engineering Building, Billy Nicks Field House and Wilhelmina Delco Building
- + Install complete fire sprinkler system in Billy Nicks Field House, C. L. Wilson/Gilchrist Engineering Building, W. R. Banks Library, Harrington Science Classroom Building and Wilhelmina Delco Building. Hobart Taylor and S. R. Collins buildings will be added to this list if funding is available.
- + Perform accessibility upgrades as required in Evans Hall and Anderson Hall to bring into compliance with Texas Accessibility Standards

All of the project work tasks will be coordinated with campus operations, class schedules and events and will be phased and sequenced to minimize the impact on the overall campus function.

Work scope items will be organized in phases and assembled in bid packages in a manner to obtain the most advantageous approach to benefit the campus. Competitive sealed proposals will be solicited for each package with packages being awarded in a prioritized sequence to the extent funds are available within the approved budget.

Construction is scheduled to begin on the initial phase of work for this project in September 2011. Substantial completion of all work is scheduled for August 2012. The total project budget is \$11,067,000.

**Other Major Fiscal Impacts:**

None.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**  
**FACILITIES PLANNING AND CONSTRUCTION**  
Office of the Chief Facilities Planning and Construction Officer  
June 10, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the 2011 Capital Renewal Project, Prairie View A&M University, Prairie View, Texas (Project No. 5-3092)

I recommend adoption of the following minute order:

**“The project scope along with a project budget of \$11,067,000 for the 2011 Capital Renewal Project is approved.**

**The amount of \$7,500,000 is appropriated from Account No. 01-084900, Permanent University Fund Debt Proceeds (Available University Fund) and the amount of \$3,567,000 is appropriated from Account No. 01-085350, Revenue Financing System Debt Proceeds (Designated Tuition), for construction services and related project costs. The amount of \$1,000,000 of previous appropriations is reverted to Account No. 05-111784, State Budget Reserve and the amount of \$150,000 is reverted to Account No. 05-217211, Designated Deferred Maintenance.**

**The 2011 Capital Renewal Project, Prairie View A&M University, Prairie View, 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**

Agenda Item No.  
June 10, 2011

**the Participants, on whose behalf the debt is issued, possess the financial capacity to satisfy their Direct Obligations.”**

Respectfully submitted,

Vergel L. Gay, Jr.  
Chief Facilities Planning and Construction Officer

**Approval Recommended:**

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Michael D. McKinney  
Chancellor

**Approved for Legal Sufficiency:**

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Scott A. Kelly  
Deputy General Counsel

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Gregory R. Anderson  
Chief Investment Officer and Treasurer

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George C. Wright, President  
Prairie View A&M University

ATTACHMENT TO ITEM

<b>2011 CAPITAL RENEWAL</b> <b>PRAIRIE VIEW A&amp;M UNIVERSITY</b> <b>PROJECT NO. 5-3092</b>	<b>PROJECT BUDGET</b>
--	-----------------------

1.	Amount Available for Construction Contract .....	\$8,680,000
2.	Owner Contingency .....	434,000
3.	A/E Design Services .....	750,000
4.	FP&C Project Management and Inspection.....	398,000
5.	Utility Research and Surveys.....	150,000
6.	Fiber Optics.....	30,000
7.	Soils Investigation.....	20,000
8.	Hazardous Material Surveys and Abatement.....	20,000
9.	Energy Management System .....	200,000
10.	Environmental Systems Balancing .....	150,000
11.	Construction Testing.....	50,000
12.	Permitting (Boiler Permitting & Air Discharge Permitting).....	50,000
13.	Commissioning .....	85,000
14.	Interagency and Other Costs.....	<u>50,000</u>
15.	TOTAL ESTIMATED COST OF PROJECT.....	<u>\$11,067,000</u>

1. A/E Selection .....January 21, 2011
2. A/E Contract Negotiations ..... January 24, 2011 – March 14, 2011
3. Finalize A/E Contract .....March 30, 2011
4. Project Kick-Off Meeting .....April 4, 2011
5. Presentation of Facility Scoping Report and the Initial Bid Package Schedule ..... May 17, 2011
6. Phase I, 50% Document Review; Phase II, Schematic Design Review ..... June 29, 2011
7. Phase I, 95% Construction Document Review ..... July 7, 2011
8. Advertise for Phase I, Competitive Sealed Proposals (CSP).....July 17 – July 31, 2011
9. Board of Regents Project Approval for Construction..... July 22, 2011
10. Phase II, 50% Construction Document Review..... July 29, 2011
11. Receive Phase I, Competitive Sealed Proposals .....August 2, 2011
12. Receive Phase I, HUB Submittals and Open Proposals .....August 3, 2011
13. CSP Best Value Selection and Contract Negotiations..... August 3 – September 9, 2011
14. Phase II, 95% Construction Document Review.....August 25, 2011
15. Advertise for Phase II, Competitive Sealed Proposals .....September 4 – September 18, 2011
16. Issue Phase I, Notices to Proceed ..... September 9, 2011
17. Receive Phase II, Competitive Sealed Proposals..... September 20, 2011
18. Receive Phase II, HUB Submittals and Open Proposals ..... September 21, 2011
19. CSP Best Value Selection and Contract Negotiations.....September 21 – September 27, 2011
20. Issue Phase II, Notices to Proceed ..... November 1, 2011
21. Phase I, Substantial Completions.....February 2012
22. Phase II, Substantial Completions .....August 2012

**PRAIRIE VIEW A&M UNIVERSITY  
PERMANENT UNIVERSITY FUND  
(5-3092) 2011 CAPITAL RENEWAL  
Available University Fund**

Dates	Outstanding Principal	Principal Amount	Interest Amount	Annual Total
BONDS	7,575,000.00			
YEAR 1	7,225,000.00	350,000.00	378,750.00	728,750.00
YEAR 2	6,855,000.00	370,000.00	361,250.00	731,250.00
YEAR 3	6,465,000.00	390,000.00	342,750.00	732,750.00
YEAR 4	6,060,000.00	405,000.00	323,250.00	728,250.00
YEAR 5	5,635,000.00	425,000.00	303,000.00	728,000.00
YEAR 6	5,185,000.00	450,000.00	281,750.00	731,750.00
YEAR 7	4,715,000.00	470,000.00	259,250.00	729,250.00
YEAR 8	4,220,000.00	495,000.00	235,750.00	730,750.00
YEAR 9	3,700,000.00	520,000.00	211,000.00	731,000.00
YEAR 10	3,155,000.00	545,000.00	185,000.00	730,000.00
YEAR 11	2,585,000.00	570,000.00	157,750.00	727,750.00
YEAR 12	1,985,000.00	600,000.00	129,250.00	729,250.00
YEAR 13	1,355,000.00	630,000.00	99,250.00	729,250.00
YEAR 14	695,000.00	660,000.00	67,750.00	727,750.00
YEAR 15	-	695,000.00	34,750.00	729,750.00
		<u>\$ 7,575,000.00</u>	<u>\$ 3,370,500.00</u>	<u>\$ 10,945,500.00</u>

Issuance costs and rounding of \$75,000 are included in this schedule.  
Long-term rates are assumed to be 5.00%. Rates are subject to market change.  
Prepared by the Office of the Treasurer - Treasury Services 3/31/11

**Rates are subject to market change. Amounts are preliminary estimates that will be revised at the time bonds are issued.**



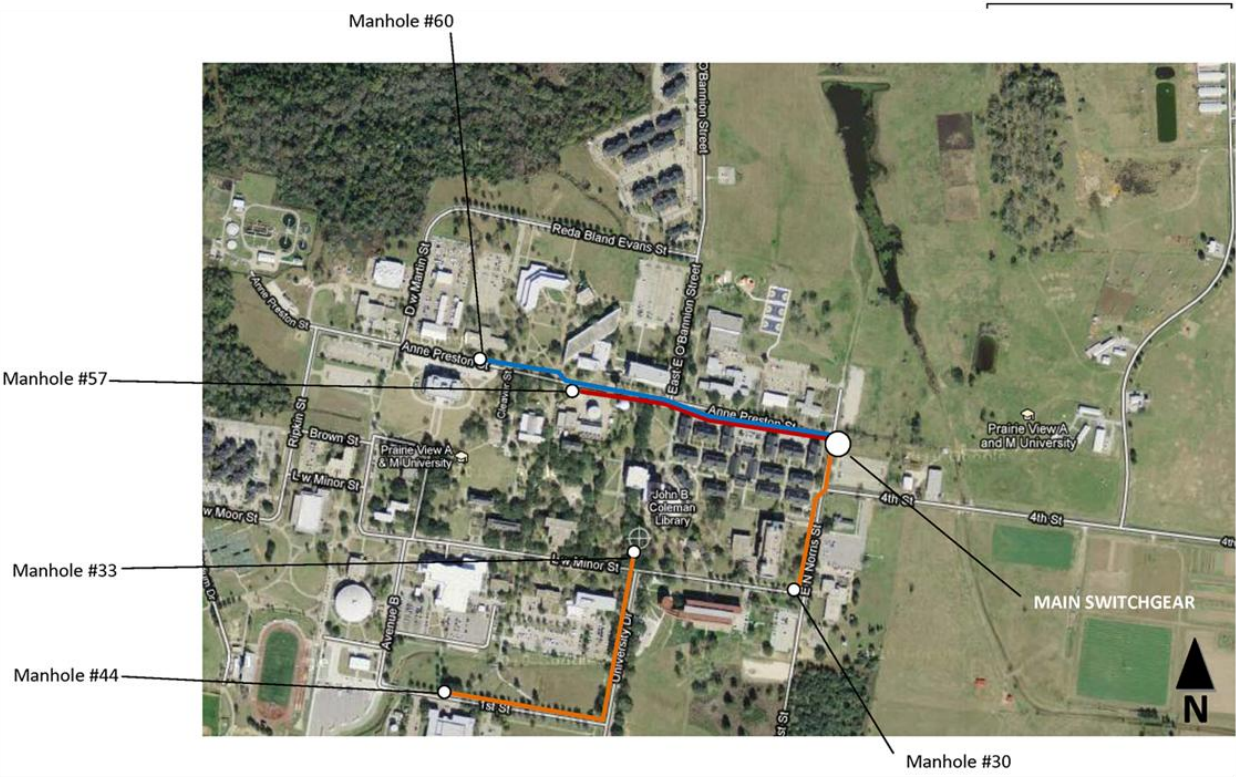
**PRAIRIE VIEW A&M UNIVERSITY  
REVENUE FINANCING SYSTEM  
(5-3092) 2011 CAPITAL RENEWAL  
Designated Tuition**

Dates	Outstanding Principal	Principal Amount	Interest Amount	Annual Total	Coverage 1.15x
BONDS	3,605,000.00				
YEAR 1	3,440,000.00	165,000.00	180,250.00	345,250.00	397,037.50
YEAR 2	3,265,000.00	175,000.00	172,000.00	347,000.00	399,050.00
YEAR 3	3,080,000.00	185,000.00	163,250.00	348,250.00	400,487.50
YEAR 4	2,885,000.00	195,000.00	154,000.00	349,000.00	401,350.00
YEAR 5	2,680,000.00	205,000.00	144,250.00	349,250.00	401,637.50
YEAR 6	2,465,000.00	215,000.00	134,000.00	349,000.00	401,350.00
YEAR 7	2,240,000.00	225,000.00	123,250.00	348,250.00	400,487.50
YEAR 8	2,005,000.00	235,000.00	112,000.00	347,000.00	399,050.00
YEAR 9	1,760,000.00	245,000.00	100,250.00	345,250.00	397,037.50
YEAR 10	1,500,000.00	260,000.00	88,000.00	348,000.00	400,200.00
YEAR 11	1,230,000.00	270,000.00	75,000.00	345,000.00	396,750.00
YEAR 12	945,000.00	285,000.00	61,500.00	346,500.00	398,475.00
YEAR 13	645,000.00	300,000.00	47,250.00	347,250.00	399,337.50
YEAR 14	330,000.00	315,000.00	32,250.00	347,250.00	399,337.50
YEAR 15	-	330,000.00	16,500.00	346,500.00	398,475.00
		<u>\$ 3,605,000.00</u>	<u>\$ 1,603,750.00</u>	<u>\$ 5,208,750.00</u>	<u>\$ 5,990,062.50</u>

Issuance costs and rounding of \$38,000 are included in this schedule.  
Long-term rates are assumed to be 5.00%. Rates are subject to market change.  
Prepared by the Office of the Treasurer - Treasury Services 3/31/11

**Rates are subject to market change. Amounts are preliminary estimates that will be revised at the time bonds are issued.**

# Replace Electrical Feeders

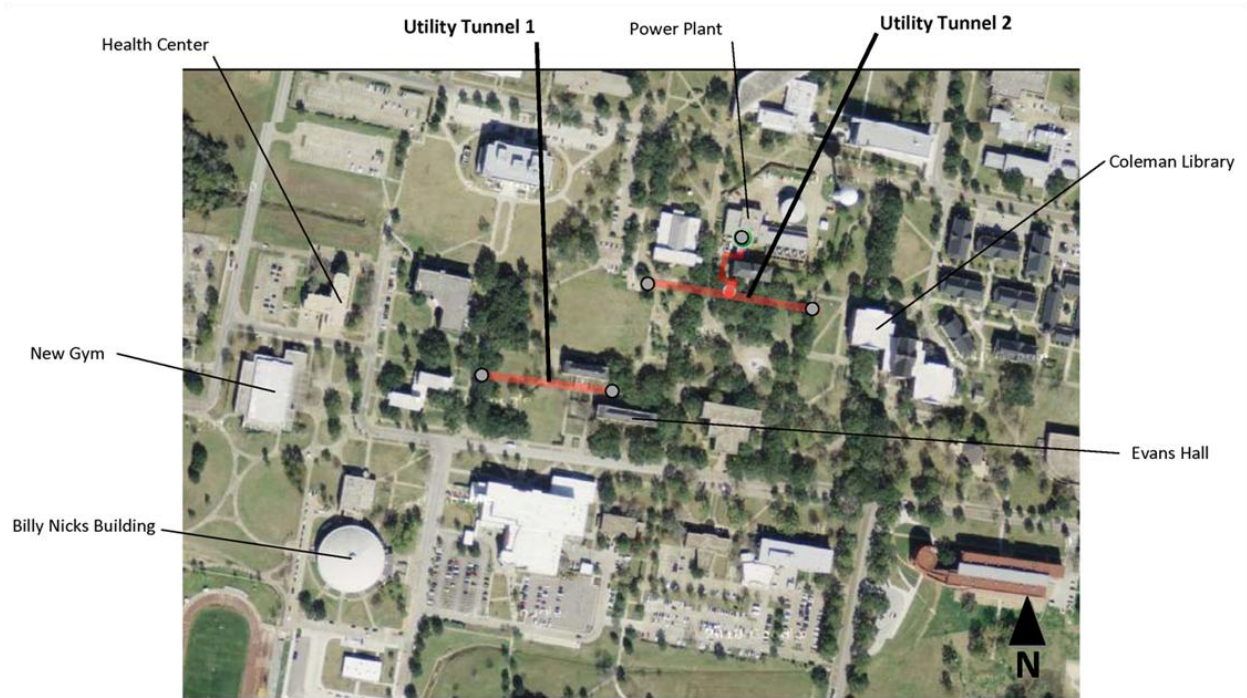


## 2011 Capital Renewal

Prairie View A&M University

Project No. 5-3092

# Upgrade & Repair Utility Tunnels



## 2011 Capital Renewal

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Prairie View A&M University

Project No. 5-3092

# Street Upgrades



## 2011 Capital Renewal

Prairie View A&M University

Project No. 5-3092

# Building Upgrades

**Farrell Hall**

- Replace (3) 10 Ton DX Roof Top Units
- Add UNT and NAE controllers, tie-in to existing Campus Metasys EMS Control System
- Upgrade Building controls to Metasys System

**Wilhelmina Delco Building**

- Install complete and functional fire sprinkler system
- Install complete and functional fire alarm system

**Billy Nicks Bldg.**

- Replace AHUs
- Install complete and functional fire sprinkler system
- Install complete and functional fire alarm system

**Hobart Taylor Hall**

- Install complete and functional fire sprinkler system

**S.R. Collins Building**

- Install complete and functional fire sprinkler system

**C.L. Wilson/Gilchrist**

- Install complete and functional fire sprinkler system
- Install complete and functional fire alarm system

**Central Utility Plant**

- Replace Steam Boiler # 7

**Anderson Hall**

- Replace certain AHUs and FCUs
- ADA Upgrades

**W.R. Banks Library**

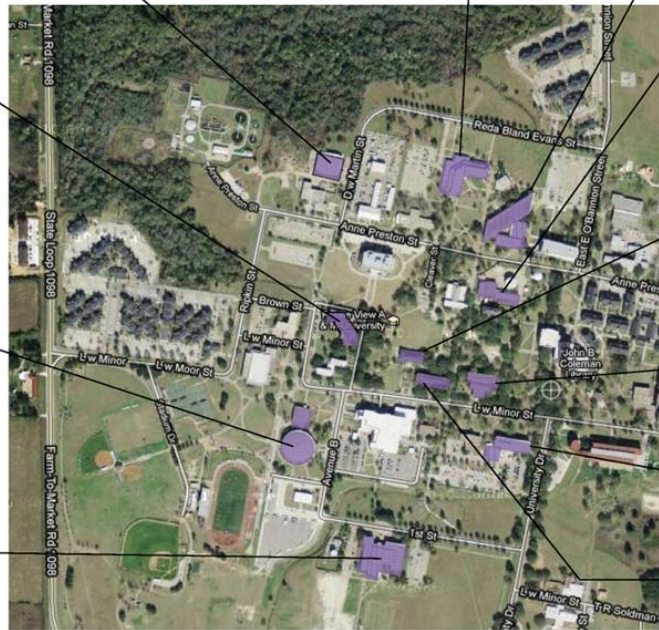
- Install complete and functional fire sprinkler system

**Harrington Science Classroom Building**

- Install complete and functional fire sprinkler system

**Evans Hall**

- Replace certain AHUs
- ADA Upgrades



## 2011 Capital Renewal

Prairie View A&M University

Project No. 5-3092

**AGENDA ITEM BRIEFING**

**Submitted by:** Vergel L. Gay, Jr., Chief Facilities Planning and Construction Officer

**Subject:** Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the Northside Residence Hall Project, Texas A&M University, College Station, Texas (Project No. 2-3067)

**Background and Prior Actions:**

The Northside Residence Hall project was included as an FY 2011 start project on the FY 2011 – FY 2015 System Capital Plan approved by the Board of Regents at the July 2010 meeting.

**Proposed Board Action:**

- (1) Approve the project scope and budget.
- (2) Appropriate \$68,000,000 for construction services and related project costs. Revert previous appropriations to the source account. Appropriations over \$58 million are subject to project re-approval by the Texas Higher Education Coordinating Board (THECB).
- (3) Approve construction of the Northside Residence Hall Project at Texas A&M University (Texas A&M).

**Funding/Budget:**

<u>Funding Source</u>	<u>Project Budget</u>	<u>Average Estimated Annual Debt Service</u>	<u>Debt Service Source</u>
Revenue Financing System Debt Proceeds	\$67,000,000	\$5,168,010	Housing Revenues
Investment Earnings	<u>\$ 1,000,000</u>	N/A	N/A
Total Project Funds	<u>\$68,000,000</u>		

**Project Justification:**

The new Northside Residence Hall will replace the existing Moore, Crocker and McInnis Halls in the existing student housing area in the northwest section of the Texas A&M main campus. Moore and Crocker Halls were built in 1942 and McInnis Hall in 1964. These living facilities do not offer the environment and amenities desired by today's students.

The need for the new Northside Residence Hall is based on the age of the existing residence buildings and the demand for more modern on-campus housing facilities. The current Texas A&M residence halls were built between 1911 and 1980. The Department of Residence Life completed a campus-wide Student Housing Master Plan in 2007 and it recognized the need for enhancing on-campus living for students. The University has not had a new residence hall on campus since 1989. Replacing current campus housing with the new Northside facilities will help meet increased University enrollment projections, create desired academic enhancement and collaboration initiatives and provide modern living accommodations for students. The new facility will be supportive of University Vision 2020 goals to maintain and enhance the residential on-campus living experience. There is an immediate need to provide a contemporary, high quality, long term living environment for undergraduate students to assure that on-campus facilities remain competitive in the local student housing market.

**Scope:**

The Northside Residence Hall will be constructed in the existing student housing area on the northwest corner of the Texas A&M main campus just south of University Drive as shown on the location map with this agenda item. The project will be located on the current site of the existing Moore, Crocker and McInnis residence halls and north area office (B-1 Lounge). These existing halls along with the north area housing office will be demolished as part of the project to clear the site for the new residence hall. Those students residing in Moore, Crocker and McInnis will be provided residence in other on-campus housing facilities. The new residence hall will encroach on existing Parking Area 30, but the project will adjust spaces in this and surrounding lots to minimize the loss of spaces to approximately 30.

The Northside Residence Hall will be a five-story concrete frame facility providing 640 beds and containing approximately 250,181 gross square feet. The beds will be provided in 272 single and double semi-suite type rooms. The facility will also contain varied public and private spaces in support of a community living/learning environment to include:

- + Lobby area
- + Administrative offices and support spaces
- + Media room
- + Catering kitchen
- + Multi-purpose room
- + Specialty rooms for music practice and video screening and editing
- + Community learning center and advisors' offices
- + Laundry
- + Lounge and game room
- + Convenience store
- + Coffee shop

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- + Mailboxes
- + Security office
- + A community living room and study lounges on each residential floor

The exterior of the Northside Residence Hall will be primarily masonry along with glass curtainwall and punched windows. The exterior design will be compatible with the Texas A&M Master Plan.

The footprint of the residence hall will form an interior courtyard area which will include outside gathering and seating areas. Other site work will include utility relocations and extensions, landscaping, site lighting, walkways, bicycle parking and delivery dock/access drive.

Construction of the Northside Residence Hall is scheduled to commence in August 2011 with substantial completion scheduled for June 2013. The total project budget is \$68,000,000.

**Other Major Fiscal Impacts:**

None.



Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**  
**FACILITIES PLANNING AND CONSTRUCTION**  
Office of the Chief Facilities Planning and Construction Officer  
June 10, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the Northside Residence Hall Project, Texas A&M University, College Station, Texas (Project No. 2-3067)

I recommend adoption of the following minute order:

**“The project scope along with a project budget of \$68,000,000 for the Northside Residence Hall Project is approved.**

**The amount of \$67,000,000 is appropriated from Account No. 01-085350, Revenue Financing System Debt Proceeds (Housing Revenue), and the amount of \$1,000,000 is appropriated from Account No. 02-021843, Income Equalization, for construction services and related project costs. The amount of \$5,800,000 of previous appropriations is reverted to Account No. 02-030062, Residence Halls. Appropriations over \$58,000,000 are subject to project re-approval by the Texas Higher Education Coordinating Board.**

**The Northside Residence Hall 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**

Agenda Item No.  
June 10, 2011

**the Participants, on whose behalf the debt is issued, possess the financial capacity to satisfy their Direct Obligations.”**

Respectfully submitted,

Vergel L. Gay, Jr.  
Chief Facilities Planning and Construction Officer

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Gregory R. Anderson  
Chief Investment Officer and Treasurer

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R. Bowen Loftin, President  
Texas A&M University

ATTACHMENT TO ITEM

<b>NORTHSIDE RESIDENCE HALL TEXAS A&amp;M UNIVERSITY PROJECT NO. 2-3067</b>	<b>PROJECT BUDGET</b>
---	-----------------------

1.	Amount Available for Construction Contract .....	\$54,500,000
2.	Owner Contingency .....	2,675,000
3.	A/E Fees and CMAR Pre-Construction Fees.....	3,434,500
4.	FP&C Project Management Fee .....	1,730,000
5.	Movable Furnishings .....	3,350,000
6.	AV/Security .....	250,000
7.	Fiber Optics Interface .....	700,000
8.	Exterior Graphics .....	50,000
9.	Energy Management System .....	500,000
10.	Environmental Systems Balancing .....	150,000
11.	Commissioning .....	290,000
12.	Construction Testing.....	154,228
13.	Hazardous Material Survey.....	48,204
14.	Physical Plant Services .....	68,068
15.	Interagency and Other Costs (Including Audit & BR) .....	<u>100,000</u>
16.	TOTAL ESTIMATED COST OF PROJECT.....	<u>\$68,000,000</u>

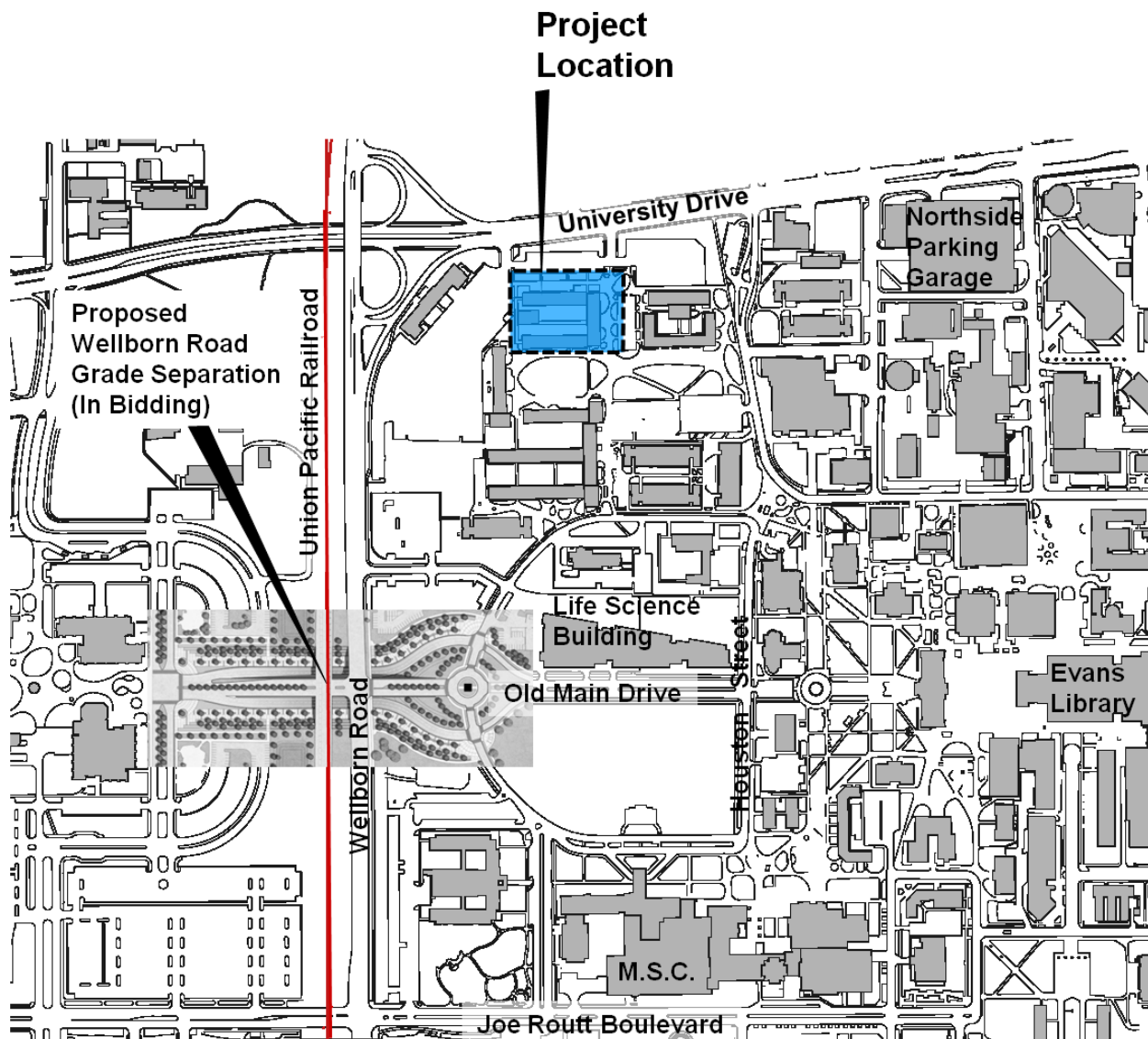
1. Advertise RFQ for Architect/Engineer (A/E) .....October 4, 2010
2. Advertise RFP for Construction Manager at Risk (CMAR) .....October 22, 2010
3. Award A/E Contract .....November 29, 2010
4. Award CMAR Contract..... December 13, 2010
5. Begin Programming & Design ..... December 20, 2010
6. Approval of Final CMAR Agreement..... January 24, 2011
7. Project Approval from Texas Higher Education Coordinating Board ..... April 27, 2011
8. Complete Schematic Design ..... May 3, 2011
9. Demolition & Abatement of Existing Buildings .....June to August 2011
10. Complete Design Development .....July 15, 2011
11. Receive Guaranteed Maximum Price .....July 18, 2011
12. Board of Regents Approval of Construction.....July 22, 2011
13. Project Re-Approval from Texas Higher Education Coordinating Board ..... August 4, 2011
14. Start Construction..... August 18, 2011
15. Complete 50% Construction Documents .....October 7, 2011
16. Complete 95% Construction Documents (Final Package) ..... December 13, 2011
17. Construction Substantial Completion..... June 2013
18. Owner Occupancy .....July 2013

**TEXAS A&M UNIVERSITY  
REVENUE FINANCING SYSTEM  
2-3067 Northside Residence Hall  
Housing Revenues**

Dates	Outstanding Principal	Principal Amount	Interest Amount	Annual Total	Coverage 1.15x
BONDS	67,660,000.00				
YEAR 1	66,385,000.00	1,275,000.00	3,890,450.00	5,165,450.00	5,940,267.50
YEAR 2	65,035,000.00	1,350,000.00	3,817,137.50	5,167,137.50	5,942,208.13
YEAR 3	63,610,000.00	1,425,000.00	3,739,512.50	5,164,512.50	5,939,189.38
YEAR 4	62,100,000.00	1,510,000.00	3,657,575.00	5,167,575.00	5,942,711.25
YEAR 5	60,505,000.00	1,595,000.00	3,570,750.00	5,165,750.00	5,940,612.50
YEAR 6	58,815,000.00	1,690,000.00	3,479,037.50	5,169,037.50	5,944,393.13
YEAR 7	57,030,000.00	1,785,000.00	3,381,862.50	5,166,862.50	5,941,891.88
YEAR 8	55,140,000.00	1,890,000.00	3,279,225.00	5,169,225.00	5,944,608.75
YEAR 9	53,140,000.00	2,000,000.00	3,170,550.00	5,170,550.00	5,946,132.50
YEAR 10	51,030,000.00	2,110,000.00	3,055,550.00	5,165,550.00	5,940,382.50
YEAR 11	48,795,000.00	2,235,000.00	2,934,225.00	5,169,225.00	5,944,608.75
YEAR 12	46,430,000.00	2,365,000.00	2,805,712.50	5,170,712.50	5,946,319.38
YEAR 13	43,930,000.00	2,500,000.00	2,669,725.00	5,169,725.00	5,945,183.75
YEAR 14	41,290,000.00	2,640,000.00	2,525,975.00	5,165,975.00	5,940,871.25
YEAR 15	38,495,000.00	2,795,000.00	2,374,175.00	5,169,175.00	5,944,551.25
YEAR 16	35,540,000.00	2,955,000.00	2,213,462.50	5,168,462.50	5,943,731.88
YEAR 17	32,415,000.00	3,125,000.00	2,043,550.00	5,168,550.00	5,943,832.50
YEAR 18	29,110,000.00	3,305,000.00	1,863,862.50	5,168,862.50	5,944,191.88
YEAR 19	25,615,000.00	3,495,000.00	1,673,825.00	5,168,825.00	5,944,148.75
YEAR 20	21,920,000.00	3,695,000.00	1,472,862.50	5,167,862.50	5,943,041.88
YEAR 21	18,010,000.00	3,910,000.00	1,260,400.00	5,170,400.00	5,945,960.00
YEAR 22	13,875,000.00	4,135,000.00	1,035,575.00	5,170,575.00	5,946,161.25
YEAR 23	9,505,000.00	4,370,000.00	797,812.50	5,167,812.50	5,942,984.38
YEAR 24	4,885,000.00	4,620,000.00	546,537.50	5,166,537.50	5,941,518.13
YEAR 25	-	4,885,000.00	280,887.50	5,165,887.50	5,940,770.63
		<u>\$ 67,660,000.00</u>	<u>\$ 61,540,237.50</u>	<u>\$ 129,200,237.50</u>	<u>\$ 148,580,273.18</u>

Estimated issuance costs and rounding of \$660,000 are included in this schedule.  
Long-term rates are assumed to be 5.75%. Rates are subject to market change.  
Prepared by the Office of the Treasurer - Treasury Services 6/10/2011

**Rates are subject to market change. Amounts are preliminary estimates that will be revised at the time bonds are issued.**



## Northside Residence Hall

Texas A&M University

Project No. 2-3067

**AGENDA ITEM BRIEFING**

**Submitted by:** Vergel L. Gay, Jr., Chief Facilities Planning and Construction Officer

**Subject:** Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the Jack B. Kelley Student Center Expansion Project, West Texas A&M University, Canyon, Texas (Project No. 18-3093)

**Background and Prior Actions:**

The Jack B. Kelley (JBK) Student Center Expansion Project was included as an FY 2011 start project on the FY 2011 – FY 2015 System Capital Plan approved by the Board of Regents at the July 2010 meeting.

**Proposed Board Action:**

- (1) Approve the project scope and budget.
- (2) Appropriate \$10,900,000 for construction services and related project costs. Revert previous appropriations to the source account.
- (3) Approve construction of the JBK Student Center Expansion Project at West Texas A&M University.

**Funding/Budget:**

<u>Funding Source</u>	<u>Project Budget</u>	<u>Average Estimated Annual Debt Service</u>	<u>Debt Service Source</u>
Revenue Financing System Debt Proceeds	<u>\$10,900,000</u>	\$799,830	Student Fees
Total Project Funds	<u>\$10,900,000</u>		

**Project Justification:**

The current JBK Student Center is a single-story building with a partial basement constructed in 1968. The building originally served as the administration building for the College and was renovated in 1988 to become the JBK Student Center. Students voted to increase the Student Center Fee for the purpose of expanding the JBK Student Center. The expansion will satisfy the need to provide adequate meeting space for student organizations, student learning communities and student activities. Renovation of and additions to the existing Student Center should also allow for dependable climate control, energy conservation, expansion of infrastructure to serve "smart technologies," flexibility of use of space and compliance with ADA and Texas Accessibility Standards criteria.

**Scope:**

This project will expand the existing JBK Student Center into the area between the existing Student Center and the Classroom Center Building as shown on the map with this agenda item. The project will also renovate a small portion of the existing Student Center.

The expansion space will be a single-story addition with a partial basement with floor levels matching the main level and basement levels of the existing Student Center Building. The addition will contain approximately 43,300 GSF. The expansion space will include:

- + Visitor information center
- + Lobby/commons area
- + Facility management offices
- + Meeting rooms
- + Catering kitchen
- + Student lounge
- + Veteran's Center spaces
- + Multi-purpose room and associated green room
- + Tiered meeting room
- + 2,500 GSF of shell space in the basement area for future meeting rooms

The project will also perform renovation work in the existing Student Center to include:

- + Development of a gallery space and passageway in the exterior colonnade along the west face
- + Installation of a glass sliding connection from the existing "Legends Club" west wall to the new expansion area
- + Removal of existing west entrance to the Student Center
- + Installation of fire alarm and fire sprinkler on the main level

Renovation work will also include connections to the new expansion space at the main and basement levels including required modifications to existing meeting and equipment rooms.

Site work will include a landscaped plaza area to the southwest of the Student Center expansion space along with sidewalks and a paved service court for the catering kitchen. The project will demolish the existing parking lot to the south of the existing Classroom Center Building to allow for construction of the Student Center expansion.

The project is scheduled to begin construction in August 2011 and be substantially complete in September 2012. The total project budget is \$10,900,000.

**Other Major Fiscal Impacts:**

None.



Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**  
**FACILITIES PLANNING AND CONSTRUCTION**  
Office of the Chief Facilities Planning and Construction Officer  
June 10, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of the Project Scope and Budget, Appropriation for Construction Services, and Approval for Construction for the Jack B. Kelley Student Center Expansion Project, West Texas A&M University, Canyon, Texas (Project No. 18-3093)

I recommend adoption of the following minute order:

**“The project scope along with a project budget of \$10,900,000 for the Jack B. Kelley Student Center Expansion Project is approved.**

**The amount of \$10,900,000 is appropriated from Account No. 01-085350, Revenue Financing System Debt Proceeds (Student Fees), for construction services and related project costs. The amount of \$650,000 of previous appropriations is reverted to Account No. 18-899122, JBK Student Center Expansion.**

**The Jack B. Kelley Student Center Expansion Project, West Texas A&M University, Canyon, 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**

Agenda Item No.  
June 10, 2011

**the Participants, on whose behalf the debt is issued, possess the financial capacity to satisfy their Direct Obligations.”**

Respectfully submitted,

Vergel L. Gay, Jr.  
Chief Facilities Planning and Construction Officer

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Gregory R. Anderson  
Chief Investment Officer and Treasurer

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J. Patrick O'Brien, President  
West Texas A&M University

ATTACHMENT TO ITEM

<b>JACK B. KELLEY STUDENT CENTER EXPANSION</b>	<b>PROJECT BUDGET</b>
<b>WEST TEXAS A&amp;M UNIVERSITY</b>	
<b>PROJECT NO. 18-3093</b>	

1.	Amount Available for Construction Contract .....	\$8,963,583
2.	Owner Contingency .....	318,841
3.	A/E Fees and D-B Pre-Construction Fee .....	551,545
4.	FP&C Project Management Fees.....	281,393
5.	Movable Equipment and AV .....	410,000
6.	Fiber Optics.....	100,000
7.	Energy Management System .....	100,000
8.	Environmental Systems Balancing .....	60,000
9.	Construction Testing.....	65,000
10.	Weatherproofing Consultant/Water Testing .....	34,813
11.	Interagency and Other Costs (Audit & Builders Risk) .....	<u>14,825</u>
12.	TOTAL ESTIMATED COST OF PROJECT.....	<u>\$10,900,000</u>

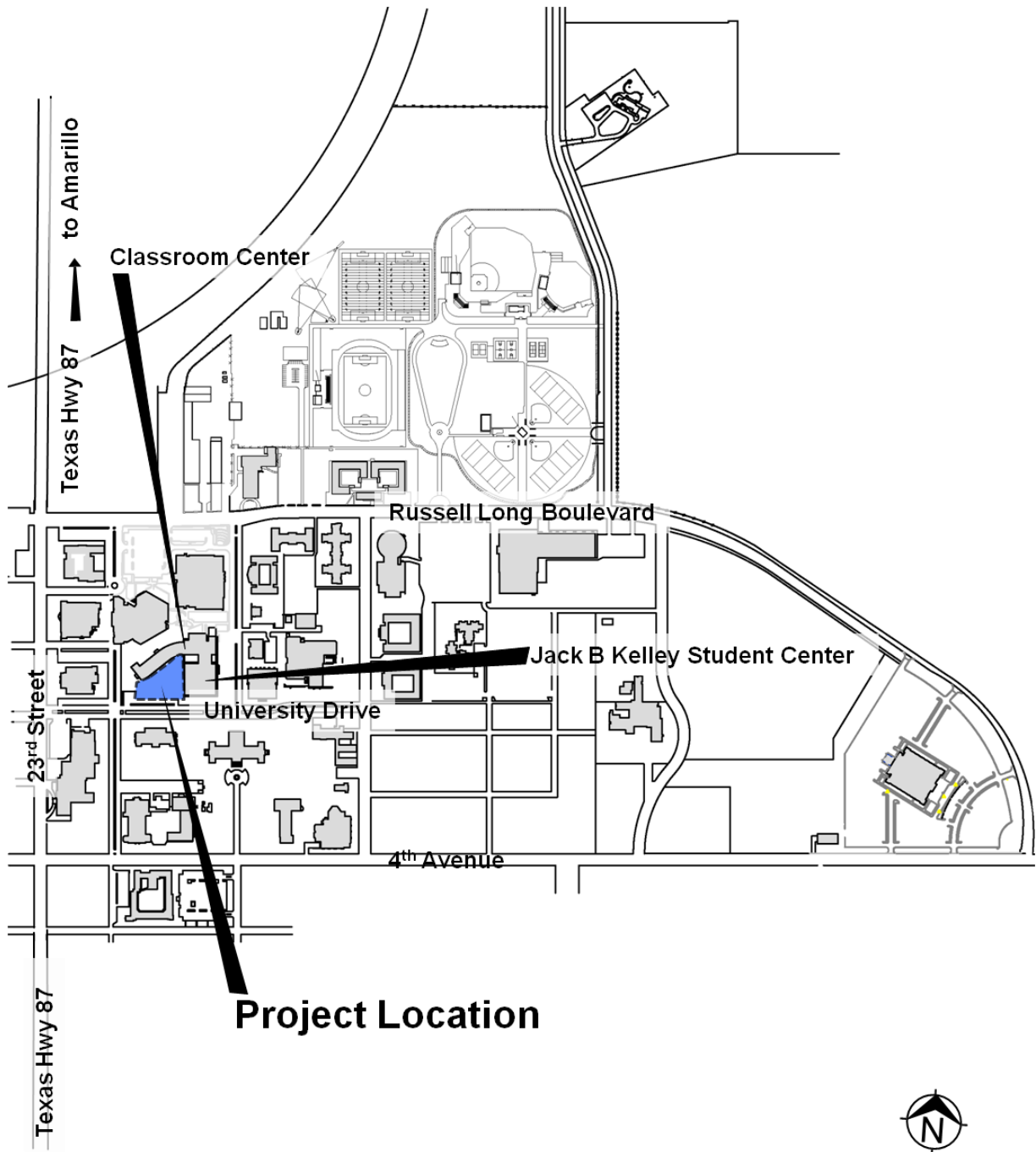
1. Kickoff Meeting ..... January 31, 2011
2. 50% Schematic Design Review ..... February 22, 2011
3. Texas Higher Education Coordinating Board Approval ..... February 23, 2011
4. 100% Schematic Design Review ..... April 20-21, 2011
5. Site Demolition Document (Package 1) Review..... May 3, 2011
6. 50% Design Development Review..... May 19, 2011
7. Initiate Construction Package 1 ..... June 7, 2011
8. Civil/Structural Documents (Package 2) Review ..... June 14, 2011
9. 100% Design Development Review ..... June 29-30, 2011
10. Receive Guaranteed Maximum Price ..... July 15, 2011
11. Board of Regents Approval for Construction ..... July 22, 2011
12. Begin Construction..... August 7, 2011
13. 50% Construction Document Review ..... August 16, 2011
14. 75% Construction Document Review ..... September 6, 2011
15. 100% Construction Document Review (Final Package)..... October 6, 2011
16. Construction Substantial Completion..... September 2012
17. Owner Occupancy ..... October 2012

**WEST TEXAS A&M UNIVERSITY  
REVENUE FINANCING SYSTEM  
18-3093 Jack B. Kelley Student Center Expansion  
Student Fees**

Dates	Outstanding Principal	Principal Amount	Interest Amount	Annual Total	Coverage 1.15x
BONDS	11,010,000.00				
YEAR 1	10,870,000.00	140,000.00	660,600.00	800,600.00	920,690.00
YEAR 2	10,720,000.00	150,000.00	652,200.00	802,200.00	922,530.00
YEAR 3	10,565,000.00	155,000.00	643,200.00	798,200.00	917,930.00
YEAR 4	10,400,000.00	165,000.00	633,900.00	798,900.00	918,735.00
YEAR 5	10,225,000.00	175,000.00	624,000.00	799,000.00	918,850.00
YEAR 6	10,040,000.00	185,000.00	613,500.00	798,500.00	918,275.00
YEAR 7	9,840,000.00	200,000.00	602,400.00	802,400.00	922,760.00
YEAR 8	9,630,000.00	210,000.00	590,400.00	800,400.00	920,460.00
YEAR 9	9,410,000.00	220,000.00	577,800.00	797,800.00	917,470.00
YEAR 10	9,175,000.00	235,000.00	564,600.00	799,600.00	919,540.00
YEAR 11	8,925,000.00	250,000.00	550,500.00	800,500.00	920,575.00
YEAR 12	8,660,000.00	265,000.00	535,500.00	800,500.00	920,575.00
YEAR 13	8,380,000.00	280,000.00	519,600.00	799,600.00	919,540.00
YEAR 14	8,085,000.00	295,000.00	502,800.00	797,800.00	917,470.00
YEAR 15	7,770,000.00	315,000.00	485,100.00	800,100.00	920,115.00
YEAR 16	7,435,000.00	335,000.00	466,200.00	801,200.00	921,380.00
YEAR 17	7,080,000.00	355,000.00	446,100.00	801,100.00	921,265.00
YEAR 18	6,705,000.00	375,000.00	424,800.00	799,800.00	919,770.00
YEAR 19	6,305,000.00	400,000.00	402,300.00	802,300.00	922,645.00
YEAR 20	5,885,000.00	420,000.00	378,300.00	798,300.00	918,045.00
YEAR 21	5,440,000.00	445,000.00	353,100.00	798,100.00	917,815.00
YEAR 22	4,965,000.00	475,000.00	326,400.00	801,400.00	921,610.00
YEAR 23	4,465,000.00	500,000.00	297,900.00	797,900.00	917,585.00
YEAR 24	3,935,000.00	530,000.00	267,900.00	797,900.00	917,585.00
YEAR 25	3,370,000.00	565,000.00	236,100.00	801,100.00	921,265.00
YEAR 26	2,770,000.00	600,000.00	202,200.00	802,200.00	922,530.00
YEAR 27	2,135,000.00	635,000.00	166,200.00	801,200.00	921,380.00
YEAR 28	1,465,000.00	670,000.00	128,100.00	798,100.00	917,815.00
YEAR 29	755,000.00	710,000.00	87,900.00	797,900.00	917,585.00
YEAR 30	-	755,000.00	45,300.00	800,300.00	920,345.00
		<u>\$ 11,010,000.00</u>	<u>\$ 12,984,900.00</u>	<u>\$ 23,994,900.00</u>	<u>\$ 27,594,135.00</u>

Estimated Issuance Costs and Rounding of \$110,000 are included in this schedule.  
Long-term rates are assumed to be 6.00%. Rates are subject to market change.  
Prepared by the Office of the Treasurer - Treasury Services 5/27/2011

**Rates are subject to market change. Amounts are preliminary estimates that will be revised at the time bonds are issued.**



## Jack B Kelley Student Center Expansion

West Texas A&M University  
Canyon, Texas

Project No. 18-3093

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Janet U. Smalley, Chief of Staff  
The Texas A&M University System

**Subject:** Approval of Revisions to System Policy *51.06, Naming of Buildings and Other Entities*

**Proposed Board Action:**

Approve revisions to System Policy *51.06, Naming of Buildings and Other Entities*.

**Background Information:**

Proposed revisions to this policy include:

**Section 1:** Existing text is modified to encourage members to develop guidelines instead of rules to help determine what gifts warrant the recommended naming of a facility.

**Section 4.4:** Existing text is modified to clarify the responsibility of the system member CEO to notify an honoree of the action taken by the Board immediately following such action.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**SYSTEM OFFICES**  
Office of the Chief of Staff  
June 1, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Revisions to System Policy *51.06, Naming of Buildings and Other Entities*

I recommend adoption of the following minute order:

**“The revisions to System Policy *51.06, Naming of Buildings and Other Entities*, as shown in Exhibit , are approved, effective immediately.”**

Respectfully submitted,

Janet U. Smalley  
Chief of Staff

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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B. J. Crain  
Chief Business Officer



## 51.06 Naming of Buildings and Other Entities

Approved February 27, 1995 (MO 44-95)  
Revised May ~~2827~~, 1999 (MO 101-~~1999~~)  
Revised October ~~2728~~, 2005 (MO 199-2005)  
Revised July 27, 2007 (MO 167-2007)  
Revised December 5, 2008 (MO ~~400~~-2008)  
Revised July 22, 2011 (MO -2011)  
Next Scheduled Review: ~~December 5, 2010~~July 22, 2013



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### Policy Statement

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It shall be the policy of the Board of Regents (board) of The Texas A&M University System (system) to honor or memorialize individuals who have made significant contributions to the system by naming buildings, definable portions of buildings, geographical areas, or academic entities for such individuals.

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### Reason for Policy

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This policy establishes the process for naming buildings and other entities.

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### Procedures and Responsibilities

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#### 1. ADVANCE APPROVAL OF INDIVIDUALS RECOGNIZED

It shall be the policy of the board to honor or memorialize individuals who have made major financial contributions or had major financial contributions made on their behalf or who have performed outstanding services for the system or one of the system members by naming buildings, definable portions of buildings, geographical areas, or academic entities (e.g., colleges, centers, institutes, and similar organizational units) for such individuals. In all cases, except as cited in the following section, the board shall approve in advance the names of individuals to be so recognized.

System members ~~are encouraged to develop guidelines to help determine~~ will define by rule what donor gifts are considered to be major financial contributions warranting the recommended naming of a facility pursuant to Section 4 of this policy or the naming of a facility pursuant to Section 2 of this policy.

#### 2. FUNDRAISING ACTIVITIES AND DONOR RECOGNITION

In the event, however, that one of the system members wishes to undertake a plan of fundraising in which definable portions of a specific building or a well-defined geographical area under its jurisdiction would be given donors' names through member administrative action, the board will consider the approval of such a plan including the name in its entirety in advance. In such instances, the list of donors so recognized shall be returned to the board upon the completion of the fundraising campaign for the purposes of maintaining a permanent historical record.

### 3. LIMITATIONS ON INDIVIDUALS RECOGNIZED

No buildings or other entities of the system may be named for a current member of the board, a current employee of the system, or a current state or federal official unless:

- (a) The naming is done in conjunction with Section 2 of this policy; or
- (b) The naming is a result of a major financial contribution made by or on behalf of the individual and receives the unanimous approval of all the board members present at a regular meeting of the board. Naming a building or other entity for a current regent makes that regent ineligible to vote on that agenda item.

### 4. PROCEDURES FOR THE BOARD OF REGENTS

4.1 The board shall be responsible for the review, study, and consideration of all matters coming to the board regarding the naming of buildings, definable portions of buildings, other geographical areas and academic entities for persons who have made outstanding contributions to the system member, state or nation, or who have attained eminent accomplishments in their field of endeavor and other related matters.

4.2 The board as a whole shall seek persons to be recognized by having facilities and academic entities named in their honor. It shall also consider nominations by individual regents, the chancellor, and the system member chief executive officers (CEOs) and shall consider recommendations of the general public when they are transmitted through one of said officials. Faculty or staff recommendations shall be made to the system member CEO for consideration in submitting recommendations.

4.3 All recommendations other than those at board meetings shall be forwarded to the executive secretary to the board accompanied by biographical material and reasons for the nomination. The secretary shall forward copies of all recommendations to all members of the board and to the chancellor for study and review. The board may take action at any meeting on the recommendation.

4.4 ~~The executive secretary to the board shall notify the chancellor, in writing, of the action of the board in the naming of buildings, etc., immediately after such action is taken by the board; and the chancellor shall either notify the person so honored or shall give written authorization to~~ The system member CEO ~~shall~~ involved to notify the honoree of the action of the board immediately after such action is taken by the board.

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## **Related Statutes, Policies, or Requirements**

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[Texas Government Code Chapter 2165](#)

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## **Contact Office**

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~~The System~~ Office of ~~Budgets and Accounting~~the Chief Business Officer  
(979) 458-6100

## Agenda Item No. 13

### AGENDA ITEM BRIEFING

July 5, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Naming of Buildings and Other Entities

The following recommendations were forwarded to the Board for consideration:

#### **Texas A&M University-Commerce**

Board approval is requested to formally name a gift of property the **“Sonya Erwin Franklin Wetlands Field Laboratory of Texas A&M University-Commerce.”**

#### **West Texas A&M University**

Board approval is requested to name the football field located at the Kimbrough Memorial Stadium the **“Happy State Bank Field.”**

#### **Texas A&M University**

Board approval is requested to name the main conference room (501) on the fifth floor of the Agriculture and Life Sciences Building the **“G. Rollie White Conference Room.”**

Board approval is requested to name the main conference room (201) on the second floor of the Agriculture and Life Sciences Building the **“Lynda and Tom Curl ’70 Conference Room.”**

Board approval is requested to name classroom 116 on the first floor of the Agriculture and Life Sciences Building the **“Shirley and Joe Swinbank ’74 Rural Entrepreneurship Classroom.”**

Board approval is requested to name classroom 113 on the first floor of the Agriculture and Life Sciences Building the **“Blue Bell Creameries Classroom.”**

#### **Texas Engineering Extension Service**

Board approval is requested to formally name the new Physical Skills Training Complex located at the Riverside Campus the **“Robert E. ‘Bob’ Wiatt Physical Skills Training Complex.”**

Attachments (4)



June 7, 2011

**MEMORANDUM**

**TO:** Ms. Vickie Burt Spillers  
Executive Secretary to the Board of Regents

**THROUGH:** Dr. Michael D. McKinney  
Chancellor

**SUBJECT:** Recommendation to Name Gift of Land to Texas A&M University-  
Commerce

On behalf of Texas A&M University-Commerce, I wish to request Board of Regents approval to formally name a gift of property the "**Sonya Erwin Franklin Wetlands Field Laboratory of Texas A&M University-Commerce.**" Mrs. Sonya Franklin, a former student, donated 122 acres to Texas A&M University-Commerce to be used as a teaching, education, and research field laboratory for wetlands study. The property is appraised at \$244,000.

Mrs. Franklin's gift and the impact it will have on the education of students in our Departments of Agricultural Sciences and Biological and Environmental Sciences is most appreciated.

Respectfully submitted,

Dan R. Jones  
President

Office of the President  
Texas A&M University-Commerce, P.O. Box 3011, Commerce, Texas 75429-3011 Phone: 903.886.5014 Fax: 903.886.5010

May 23, 2011

MEMORANDUM

TO: Vickie Burt Spillers  
Executive Secretary to the Board of Regents

THROUGH: Dr. Michael D. McKinney  
Chancellor

SUBJECT: WTAMU Naming of Facility-  
**Happy State Bank Field, Kimbrough Memorial Stadium**

**Happy State Bank Field:**  
(Football field located at the Kimbrough Memorial Stadium)

West Texas A&M University leased Kimbrough Memorial Stadium to the Canyon Independent School District for 99 years. As part of this lease agreement, CISD is to maintain the entire facility. Happy State Bank is donating \$350,000 for the replacement of the synthetic turf at Kimbrough Memorial Stadium. For the \$350,000 donation, Happy State Bank has requested a 10-year naming right for the "Happy State Bank Field." Happy State Bank has made considerable contributions to West Texas A&M University, is recognized in the Old Main Society and has other naming rights that have been approved previously by The Texas A&M Board of Regents.

Respectfully submitted,

J. Patrick O'Brien  
President/CEO

Approval Recommended:

Dr. Michael D. McKinney  
Chancellor

Discover the **BUFF** in You.



July 5, 2011

MEMORANDUM

TO: Dr. Bowen Loftin  
President, Texas A&M University

FROM: Dr. Ed Davis, Co-Chair  
Dr. Joe Newton, Co-Chair  
Development Strategy Council

Re: Request for Naming of Facilities

BOARD OF TRUSTEES  
2011-2012

CHAIRMAN

John E. Bethancourt '74  
Executive Vice President  
Chevron Corporation (Retired)  
Bryan, Texas

CHAIRMAN-ELECT

Richard Kardys '67  
Group Executive Vice President  
Frost National Bank  
San Antonio, Texas

Melbern G. Glasscock '59  
President/CEO  
Texas Aromatics L.P.  
Houston, Texas

Charles H. Gregory '64  
President, General Partner  
Roymax Partners, L.P.  
Houston, Texas

George K. Hickox, Jr. '80  
Partner  
Heller Hickox & Co.  
Philadelphia, Pennsylvania

Thomas J. Saylak '82  
Private Investor  
Scarsdale, New York

Van H. Taylor '71  
Communications Executive  
AT&T (Retired)  
Bryan, Texas

Eddie J. Davis '67  
President  
Texas A&M Foundation  
College Station, Texas

The Development Strategy Council (DSC) met on Tuesday, July 5 and among other items considered two requests forwarded by your office for namings at Texas A&M University.

**Request to name rooms within the new Agriculture and Life Sciences building on the Texas A&M University campus.**

The namings recommended in the attached memorandum from Vice Chancellor and Dean, Mark Hussey were considered by the DSC and recommended for approval. The recommendations forwarded by Dean Hussey were for contributions made to support the development and construction of the Agriculture and Life Sciences Building. These contributions are, in the opinion of the DSC, appropriate, related to the original campaign for this facility and in keeping with the naming policy of the University.

**Recommended naming of the new Physicals Skills Training Complex.**

DSC considered the recommendation of Mr. Gary Sera, Director of Texas Engineering Extension Service to name the new Physical Skills Training Complex at the Riverside Campus for Mr. Robert E. "Bob" Wiatt. While this recommendation does not have a philanthropic component, the DSC considered the recommendation as it related to any potential conflict with any future development and in consideration of the University policy that allows for naming such facilities for extraordinary service to the University, etc. In summary, the DSC found no substantial conflicts in terms of future development opportunities and acknowledges the significant contributions of Mr. Wiatt to the law enforcement and security programs at Texas A&M and throughout the state and country. The DSC certainly endorses the recommendation of Mr. Sera for this naming.

Please let us know if you have any questions or need further information.

Cc: DSC members  
Shannon Zwernemann

June 1, 2011

**MEMORANDUM**

**TO:** Ms. Vickie Burt Spillers, Executive Secretary to the Board of Regents  
The Texas A&M University System

**THROUGH:** Dr. Michael D. McKinney, Chancellor  
The Texas A&M University System

Dr. R. Bowen Loftin, President  
Texas A&M University

Dr. Karan L. Watson, Provost and Executive Vice President for Academic Affairs  
Texas A&M University

Dr. Rodney P. McClendon, Vice President for Administration  
Texas A&M University

**SUBJECT** Request to Name Rooms within the new Agriculture and Life Sciences Building  
on the Texas A&M University campus

Earlier this year, Texas A&M AgriLife completed construction of the new Agriculture and Life Sciences Building located at 600 John Kimbrough Boulevard on the west campus of Texas A&M University. In consideration of donations which have been received and on behalf of the College of Agriculture and Life Sciences at Texas A&M University, I respectfully submit the following request to name rooms within the Agriculture and Life Sciences Building:

**G. Rollie White Conference Room – Room 501**

The G. Rollie White Charitable Trust has provided a gift of \$300,000 to name the main conference room [501] on the fifth floor of the Agriculture and Life Sciences Building as the “G. Rollie White Conference Room.”

**Lynda and Tom Curl '70 Conference Room – Room 201**

Lynda and Thomas L. Curl '70 have provided a gift of \$250,000 to name the main conference room [201] on the second floor of the Agriculture and Life Sciences Building as the “Lynda and Tom Curl '70 Conference Room.” The Department of Agricultural Leadership, Education and Communications is housed on the first and second floors.

*Mr. Tom Curl is a 1970 graduate of the Department of Agricultural Leadership, Education and Communications. He and his wife, Lynda, have also funded a Presidential Endowed Scholarship as well as scholarships in Veterinary Medicine and the Thomas L. Curl Endowed Fund for Excellence in Agricultural Journalism. A retired owner and publishing industry executive, Mr. Curl and his wife currently live in Wisconsin.*

Agriculture and Life Sciences Building – 510  
2142 TAMU  
College Station, TX 77843-2142

Phone 979-845-4747  
aglifescience.tamu.edu



## **MEMORANDUM**

June 1, 2011

Page 2

### **Shirley and Joe Swinbank '74 Rural Entrepreneurship Classroom – Room 116**

Shirley and Joe Swinbank '74 have provided a gift of \$200,000 to name classroom 116 on the first floor of the Agriculture and Life Sciences Building as the “Shirley and Joe Swinbank '74 Rural Entrepreneurship Classroom.” The Department of Agricultural Economics is housed on the second, third and fourth floors of this building.

*A member of the class of 1974 and graduate of the Department of Agricultural Economics, Mr. Joe Swinbank is co-owner of Houston-based Sprint Industrial Services, an amalgamation of several industries including businesses in transportation, landfills, garbage collection, sand mining, tank leasing, pipeline maintenance and commercial real estate. Mr. Swinbank is a member of the College of Agriculture Development Council and is a strong supporter of the Rural Entrepreneurship program in the Department of Agricultural Economics. In 2010, Mr. Swinbank was recognized as an Outstanding Alumnus of the College of Agriculture and Life Sciences.*

### **Blue Bell Creameries Classroom – Room 113**

Blue Bell Creameries, L.P., has provided a gift of \$100,000 to name classroom 113 on the first floor of the Agriculture and Life Sciences Building as the “Blue Bell Creameries Classroom.”

*A former schoolteacher, Mr. E. F. Kruse joined Blue Bell Creameries as manager in 1919 when he was just 23. He guided and built the creamery until his death in 1951 when his sons, Ed. and Howard, took over leadership. Paul, Ed.'s son, has been CEO of the privately-held company since 2004. The family-run company has slowly expanded from its humble beginnings to now sell ice cream in parts of 19 mostly southern states. Texas A&M University has been a significant part of the Kruse family's legacy. Ed. Kruse graduated in 1949, Howard in 1952 and Paul in 1977. Ed. and Howard are Distinguished Alumni of Texas A&M University, were recognized as Outstanding Alumni of the College of Agriculture and Life Sciences in 2002, and were recognized as Distinguished Texans in Agriculture by Texas A&M AgriLife in 2006.*

Your consideration of these naming requests is sincerely appreciated.

Mark A. Hussey  
Vice Chancellor and Dean  
College of Agriculture and Life Sciences

cc: Monica Delisa  
Larry Boleman  
Patricia Gerling



**TEXAS ENGINEERING EXTENSION SERVICE**

*Office of the Director*

John B. Connally Building • 301 Tarrow • College Station, Texas 77840-7896  
Toll-free (877) 833-9638 • Phone (979) 458-6800 • Fax 458-6829 • www.teex.org

June 27, 2011

**MEMORANDUM**

**TO:** Ms. Vickie Burt Spillers  
Executive Secretary to the Board of Regents

**THROUGH:** Michael D. McKinney, Chancellor  
The Texas A&M University System

R. Bowen Loftin, President  
Texas A&M University

Dr. Karan L. Watson  
Provost and Executive Vice President for Academic Affairs

Dr. Rodney P. McClendon  
Vice President for Administration

G. Kemble Bennett  
Vice Chancellor for Engineering

**FROM:** Gary F. Sera  
Agency Director

**SUBJECT:** Recommended Naming of the New Physical Skills Training Complex

On behalf of the Texas Engineering Extension Service (TEEX), I respectfully request approval, including that of the Board of Regents, to formally name the new Physical Skills Training Complex located at the Riverside Campus of Texas A&M University for Robert E. "Bob" Wiatt. The Physical Skills Training Center Complex will be used by the TEEX Central Texas Police Academy and law enforcement training extension program.

Mr. Wiatt's long and distinguished career involved service in a variety of capacities and touched the lives of thousands of Texans. He served 53 years in law enforcement including almost 30 years with the Federal Bureau of Investigation and 21 years as the Director of the University Police Department. He was an active member of many non-profit organizations during his 53 years in Bryan/College Station. Mr. Wiatt was a Founding Board Member of the Brazos Valley Rape Crisis Center (now Sexual Assault Resource Center), Scotty's House (a child advocacy center for victimized children), and the Women's Federal Prison. Mr. Wiatt's biographical information is attached.

He was a great advocate of the TEEX Sponsored Law Enforcement Academy and strong supporter of physical training for law enforcement officers. He received numerous awards and honors for his service and contributions to the nation, state of Texas, and the Bryan-College Station community. He was named a "Legend of Aggieland" in 2000 for his dedication and service to Texas A&M.

On behalf of the Texas Engineering Extension Service, I endorse the name of the Robert E. "Bob" Wiatt Physical Skills Training Complex. Your support will be greatly appreciated.

Attachment

**Texas A&M System Board of Regents**  
**Request for building name;**  
**Robert E. "Bob" Wiatt Physical Skills Training Complex**  
**May, 2011**

Excerpts taken from: Brazos Valley loses legendary lawman Bob Wiatt,  
*The Eagle, The Battalion, Texas A&M News & Information Services, August, 2010*

In honor of Mr. Wiatt's selfless service and support of not only Brazos Valley law enforcement professionals but the entire Texas A&M University community, the Texas Engineering Extension Service wishes to recognize Mr. Wiatt by naming the Robert E. "Bob" Wiatt Physical Skills Training Complex in his honor. Construction of the 2.2 million dollar building has been approved and is scheduled to begin July 2011. Tentative completion of the facility is set for January 2012.

The complex building, a part of the TEEEX Central Texas Police Academy and law enforcement training extension program, will be located at the Texas A&M University, Riverside Campus. The facility will not only house a gym outfitted for both aerobic and core strength training utilizing weights, machines, and other cardio equipment, but also provide male and female cadets access to locker rooms and showers. In addition to a gym, a large multi-use area will be available for police academy students to perform defensive tactics and/or host large groups when presentations are required. The training complex will be comprised of current classroom facilities located in the adjacent main building, the requested "Wiatt" building, and a 400 meter circuit exercise training track. Future construction plans within the training complex include obstacle and agility courses, a covered outdoor exercise prep area, and additional circuit training equipment.

Robert "Bob" Wiatt was born August 10, 1926, in Washington Court House, Ohio. He began a long and distinguished career of service beginning with his service in the U.S. Navy. He spent a long and distinguished career with the FBI and ending as the Director of Security and Police at Texas A&M University from 1980 until his retirement in 2004.

During his almost thirty years of service in the FBI, Bob had assignments in Washington, D.C.; Atlanta, New York City, San Juan, Puerto Rico; Phoenix and Flagstaff, Arizona; Cincinnati; and Houston, before finally being stationed in Bryan in 1958. FBI directors from J. Edgar Hoover to William Webster commended him on numerous occasions for his outstanding service to the Bureau and to the country. As a special agent, he helped to solve many high profile cases, and was an original member of the FBI's first SWAT team. While serving as a Special Agent for the Federal Bureau of Investigation, Mr. Wiatt had key roles in investigations of historic significance, including that of the assassinations of President John F. Kennedy and Federal Judge John Wood.

In 1969, Mr. Wiatt was instrumental in freeing a kidnapped Texas State Trooper who had been apprehended by a couple who led authorities on a three-hundred-mile odyssey that ended in Wheelock, Texas, where Mr. Wiatt shot and killed the man and disarmed the woman.

He also negotiated the peaceful surrender in 1968 of Donald Hammond of Seabrook, who had killed his wife then taken a 16-year-old girl and a principal hostage at a school in Burleson County by taking place of the hostages.

Mr. Wiatt's service as a lawman of legendary proportions came to widespread public attention in 1974 for his role during a prison siege at Huntsville in which three convicts held sixteen hostages for eleven and one-half days, the longest prison siege ever in the United States that ended in all convicts being killed or captured. Wiatt said the resulting gunfight led to him killing one of the convicts in the incident, and a bullet-proof vest saved his life.

Bob Wiatt became a positive force in the area of law enforcement training once he arrived in the Brazos Valley. Lee Freeman, a Bryan police officer and chief from 1993 to 2001 said, "Bob was a professional. Not only did he desire law enforcement officers in the Brazos Valley be caring and compassionate professionals during a time in the early 1970s when such sentiments may have been somewhat unpopular, he demonstrated those same desires during new officer training and community interactions, as well. In fact, for a short time, when Bob was reassigned to the Houston FBI field office, Bob choose to drive back and forth from the Brazos Valley in order to continue his training support efforts in the police academy."

These and other examples of service above and beyond the call of duty resulted in Mr. Wiatt coming to be known by many as "Mr. FBI" and being featured in various newspaper and magazine articles and books.

Texas A&M University police chief, Elmer Schneider commented, "Bob Wiatt was considered a legend in the Brazos Valley. In 1971, shortly after standards for policing were established by a fledgling state agency, the Texas Commission on Law Enforcement, Bob served as the primary instructor during the academy I attended at the Texas A&M Riverside Campus. At that time, Bob did it all. He delivered not only firearms training but defensive tactics and several other basic investigative modules crucial to new officer training."

After his retirement from the FBI in 1980, Bob served as In-Take Attorney and Chief Investigator for the Brazos County District Attorney's office until 1982. He was then chosen to become Director of Security and Police at Texas A&M University in 1983, a position he held until 2004.

In addition to his dedicated support and leadership while with the university police department, Bob Wiatt left an impression on area departments within the Brazos Valley, as well. Charles Phelps, Bryan Police Chief from 1980 to 1993 began his service with the police department in 1960. He said, "Once Bob arrived in the Brazos Valley after being assigned to the Bryan FBI field office in 1958, he hit the ground running, helping area departments and the police academy with any and all training needs requested. At that time, standards in police training had not yet been established. For that reason, having access to Bob Wiatt and his advanced level of knowledge and federal experience was invaluable.

Mr. Phelps added, "I don't know anyone more deserving of recognition and honor in Brazos Valley law enforcement than Bob Wiatt. Not only was he able to bring community leaders together with his enthusiasm and dedication, Bob reached out to every Brazos Valley law enforcement agency in an effort to ensure each was aware of his availability and support whatever their needs."

Upon his retirement from Texas A&M, and after fifty-three years in law enforcement, he was honored with Emeritus Status, conferred upon him by Texas A&M University's Board of Regents.

Mr. Wiatt's long and distinguished career involved service in a variety of capacities and touched the lives of thousands of Texans. He was an active member of many non-profit organizations during his fifty-two years in Bryan/College Station. Bob was a Founding Board Member of the Brazos Valley Rape Crisis Center (now SARC), Scotty's House, a child advocacy center for victimized children, and the Women's Federal Prison. He received numerous awards and honors for his service and contributions to the nation, state of Texas, and the Bryan-College Station community. He was named a "Legend of Aggieland" in 2000 for his dedication and service to Texas A&M.

Chief Elmer Schneider added, "Whether serving as a police instructor, building a rapport with area law enforcement agencies or providing guidance as a member of the police academy advisory board, Bob continued his service to the Brazos Valley even after being offered more attractive advancement opportunities in Washington D.C. with the FBI."

Ed Feldman, a College Station officer and later police chief from 1992 to 2005, remembers Bob as a perfectionist during his academy in 1971. "Once TCLEOSE established voluntary basic peace officer training standards in 1967 and mandated those standards in 1969, Bob became a driving force behind quality training delivered through the police academy by serving as an adjunct instructor. In the early 1970s when law enforcement was just beginning to establish best practices in nearly all investigative functions associated with policing across the U.S., Bob was asked to provide Brazos Valley officers with self defense training in the police academy. Bob helped design a standardized defensive tactics module for the academy and took it upon himself to ensure every cadet understood the importance of not only being physically fit but well prepared if they were required to defend themselves."

Chief Elmer Schneider recalled, "Bob personally demonstrated the importance of law enforcement officers being physically fit and continued his efforts to remain in shape until his final years with the University Police Department."

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Dan R. Jones, President  
Texas A&M University-Commerce

**Subject:** Authorization for the Chancellor to Lease Approximately 36,888 Square Feet of Office and Classroom Space in the City of Dallas, Dallas County, Texas

**Proposed Board Action:**

Authorize the lease of approximately 36,888 square feet of space for the Universities Center at Dallas (UCD) located in the University of North Texas System (UNTS) Building at 1901 Main Street, Dallas, Texas, to house after-hours programs.

**Background Information:**

Texas A&M University-Commerce (A&M-Commerce) has been a partner with the University of North Texas (UNT) to provide educational programs at the UCD. A&M-Commerce offers two bachelor level and eight graduate level degrees to accommodate the after-hours market for higher education in the Dallas area. The lack of affordable after-hours programs has enabled this satellite campus to address a niche in the higher education market that has been under-served in this area of the Dallas/Fort Worth metroplex. Within the UNTS Building, the UCD occupies approximately fifty-five percent (55%) of the usable classroom and office space.

In order for the UCD to continue its programs without interruption and to facilitate a search for alternative space in downtown Dallas, the UCD desires to enter into a four-year lease arrangement with UNTS.

The lease will have an initial base rent of \$10 per square foot per year, escalating \$0.50 per square foot per year in the second year and \$0.75 per square foot per year in each of the third and fourth years. The UCD will pay its pro rata share of electricity in the building. Any marginal increase in the pro rata share of the building's operating expenses (excluding electricity) over the base year of 2010 will be paid by the UCD. The UNT at Dallas College of Law will have the right to use the leased space during the daytime by paying the UCD a usage rate equal to one-half of the daily rent paid by the UCD, which includes electrical/operating costs.

**A&M System Funding or Other Financial Implications:**

All rent for the four-year term will be paid with UCD program delivery fees.

Agenda Item No.

**TEXAS A&M UNIVERSITY-COMMERCE**

Office of the President

June 6, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Authorization for the Chancellor to Lease Approximately 36,888 Square Feet of Office and Classroom Space in the City of Dallas, Dallas County, Texas

I recommend adoption of the following minute order:

**“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 take all steps necessary to lease approximately 36,888 square feet of space for the Universities Center at Dallas located in the University of North Texas System Building at 1901 Main Street, Dallas, Texas, for a term of four years, and upon such other terms and conditions as the Chancellor, or designee, deems appropriate.”**

Respectfully submitted,

Dan R. Jones  
President

**Approval Recommended:**

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Michael D. McKinney  
Chancellor

**Approved for Legal Sufficiency:**

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Scott A. Kelly  
Deputy General Counsel

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B. J. Crain  
Chief Business Officer

ATTACHMENT TO ITEM

**PHOTOGRAPH OF THE SUBJECT BUILDING**





Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Tom G. Boggus, Director  
Texas Forest Service

**Subject:** Authorization to Grant a Conditional Roadway Easement to Bastrop County,  
Texas

**Proposed Board Action:**

Authorize the granting of a conditional roadway easement to Bastrop County (County) for road improvements to land owned by The Texas A&M University System (A&M System) located on Meduna Road/County Road No. 306 in Bastrop County, Texas.

**Background Information:**

The A&M System owns land in Bastrop County, Texas, located on the southwest side of Meduna Road, assigned to the Texas Forest Service, as shown on the attachment. The County is in the process of making improvements to Meduna Road and has requested a variable width easement for this purpose. The easement will not adversely affect use of the property.

The subject easement is identified as 0.967 acres out of Musgrove Evans Survey, Abstract 154 in Bastrop County, Texas. The easement will be a conditional road easement which means that the land will revert back to the A&M System if it ever ceases to be used as a roadway. The County will remove the existing boundary fence and replace it with a new five-strand barbed wire fence.

The County will pay the A&M System \$4,500, in addition to replacement of the existing fence. Two valuations – one an appraisal and the other a broker's opinion – indicate the fair market value of both the land and timber to be \$3,418 and \$3,682, respectively. Net proceeds will be distributed to the Texas Forest Service.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**TEXAS FOREST SERVICE**

Office of the Director

June 6, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Authorization to Grant a Conditional Roadway Easement to Bastrop County, Texas

I recommend adoption of the following minute order:

**"The Chancellor of The Texas A&M University System, or designee, following review for legal sufficiency by the Office of General Counsel, is authorized to execute a conditional roadway easement to Bastrop County for improvements to Meduna Road across A&M System property in Bastrop County, Texas, to remain in effect as long as the property is used as a roadway."**

Respectfully submitted,

Tom G. Boggus  
Director

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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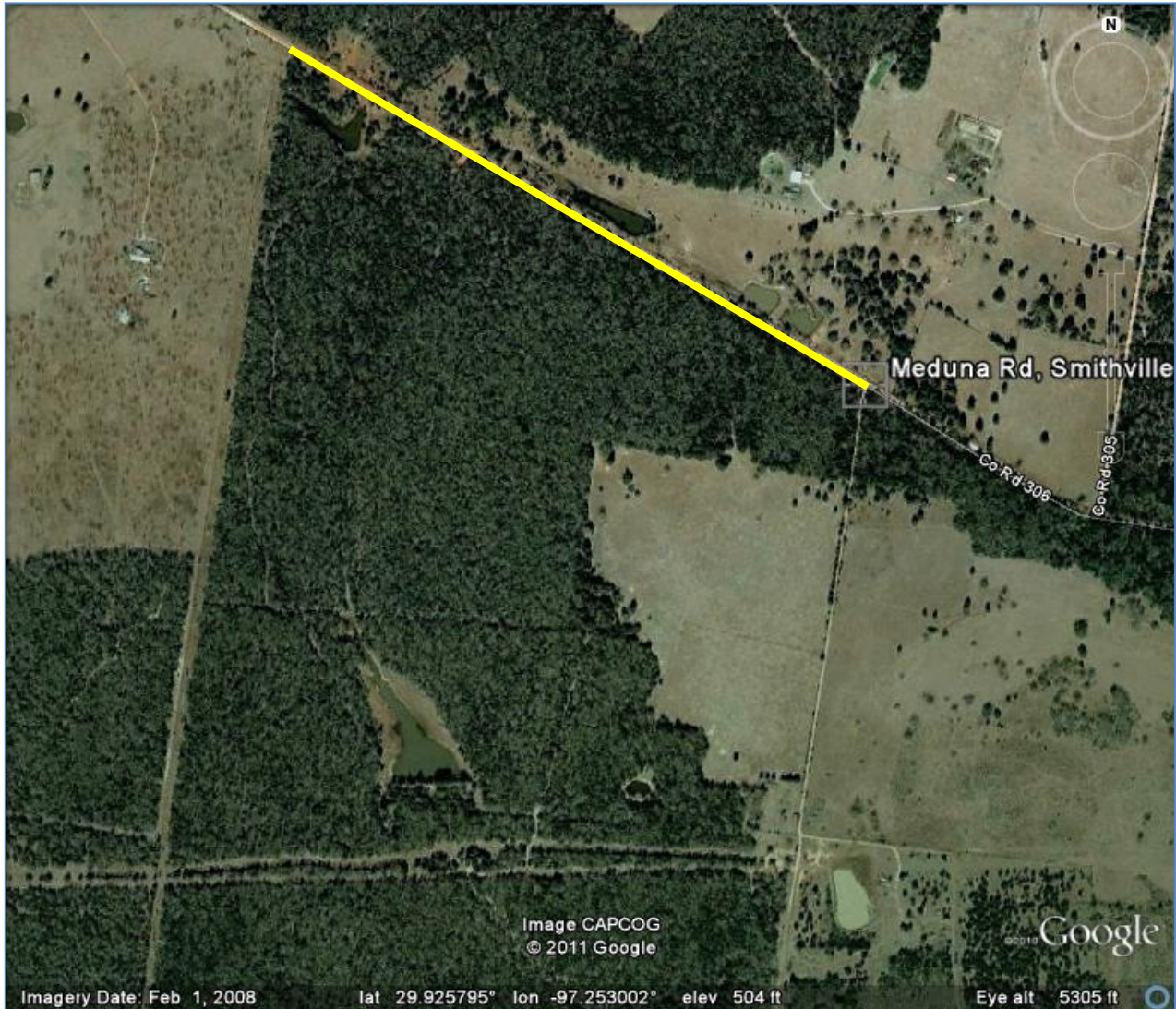
Scott A. Kelly  
Deputy General Counsel

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Mark A. Hussey  
Vice Chancellor and Dean  
Agriculture and Life Sciences

# AERIAL VIEW OF EASEMENT

Texas Forest Service, Bastrop County



# Committee on Academic and Student Affairs

*(Agenda Items 16 through 27)*

16	Approval of Revisions to System Policy 11.03 ( <i>Shortened Courses</i> ) ( <i>This item will also be considered by the Policy Review Committee</i> )	A&M System
17	Approval of the Changes to the Admissions Standards for System Member Universities and the Health Science Center for the Year 2012	A&M System
18	Approval to Offer Existing Bachelor's and Master's Degree Programs at the Prairie View A&M University Northwest Houston Center, and Authorization to Request Approval from the THECB	PVAMU
19	Approval of a Bachelor of Arts in International Studies Degree Program, and Authorization to Request Approval from the THECB	Tarleton
20	Approval of a New Master of Science in Kinesiology, and Authorization to Request Approval from the THECB	Tarleton
21	Approval to Offer Existing Bachelor's and Master's Degrees at the Southwest Metroplex Center Locations, and Authorization to Request Approval from the THECB	Tarleton
22	Approval to Offer Existing Bachelor's and Master's Degrees at Tarleton State University –Waco at McLennan Community College University Center, and Authorization to Request Approval from the THECB	Tarleton
23	Approval of a New Master of Science in Athletic Training Degree Program, and Authorization to Submit the Proposal to the THECB for Approval	Texas A&M
24	Approval of a New Master of Fine Arts Degree Program in Visualization, and Authorization to Request Approval from the THECB	Texas A&M
25	Approval to Establish the Midlothian Higher Education Center, a Multi-Institutional Teaching Center on the Midlothian Campus of Navarro College, and Authorization to Request Approval from the THECB	A&M-Commerce/ Tarleton
26	Approval of a Bachelor of Science in Computer Science Degree Program, and Authorization to Request Approval from the THECB	A&M-San Antonio
27	Approval of the Administrative Change Request for Academic Reorganization (Eliminate the College of Health and Behavioral Sciences, Move all B.S. and M.S. Degrees in Nursing into the College of Science, Technology, Engineering, and Mathematics; Move the B.S. Degrees in Sociology, Psychology and Criminal Justice and the M.S. Degree in Counseling Psychology to the College of Education and Liberal Arts), and Authorization to Request Approval from the THECB	Texas A&M-Texarkana

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Janet U. Smalley, Chief of Staff  
The Texas A&M University System

**Subject:** Approval of Revisions to System Policy *11.03, Shortened Courses*

**Proposed Board Action:**

Approve revisions to System Policy *11.03, Shortened Courses*.

**Background Information:**

Proposed revisions to this policy include:

**Section 1.2:** This text is no longer applicable per the Texas Higher Education Coordinating Board.

**Section 2:** System academic institutions are required to develop procedures to assure compliance with this policy.

Additional revisions are made for clarification or to conform to system style guidelines.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**SYSTEM OFFICES**  
Office of the Chief of Staff  
June 1, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Revisions to System Policy *11.03, Shortened Courses*

I recommend adoption of the following minute order:

**“The revisions to System Policy *11.03, Shortened Courses*, as shown in Exhibit , are approved, effective immediately.”**

Respectfully submitted,

Janet U. Smalley  
Chief of Staff

**Approval Recommended:**

**Approved for Legal Sufficiency:**

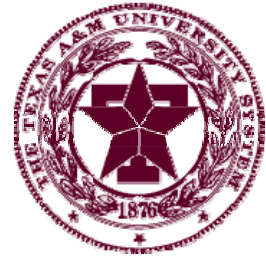
\_\_\_\_\_  
Michael D. McKinney  
Chancellor

\_\_\_\_\_  
Scott A. Kelly  
Deputy General Counsel

\_\_\_\_\_  
Frank B. Ashley III  
Vice Chancellor for Academic Affairs

## 11.03 Shortened Courses

Approved February 27, 1995 (MO 44-95)  
Revised March ~~23~~24, 2006 (MO 92-2006)  
Revised September 26, 2008 (MO ~~314~~-2008)  
Revised July 22, 2011 (MO -2011)  
Next Scheduled Review: ~~September 26, 2010~~July 22, 2013



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### Policy Statement

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This policy provides the universities and the health science center (academic institutions) of The Texas A&M University System (system) with the necessary guidelines by which to measure the number of contact hours required for each semester-~~credit-~~hour offered by a system academic institution for ~~a traditionally and non-traditional offered, face-to-face courses. This policy also provides for exceptions to this policy by which non-traditional formatted courses can reduce the mandated contact hours based upon alternative media usage such as the internet.~~

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### Reason for Policy

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The purpose of this policy is to reemphasize the expectations of academic quality and rigor for courses offered by the academic institutions in a shortened format. The Texas Higher Education Coordinating Board (coordinating board) has established set minimum requirements for consistency in generation of semester-~~credit-~~hours. The advent of internet-based distance education has created alternatives to previously required face-to-face contact hours.

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### Procedures and Responsibilities

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1. System academic institutions shall be guided by the following coordinating board rule concerning the minimum length of courses:
  - 1.1 The minimum length for traditionally delivered three-~~semester-~~credit-~~hour~~ courses shall be as follows:
    - 1.1.1 All shortened face-to-face courses shall consist of the same number of class contact hours as similar three hour courses offered in a regular session or summer session: that is, normally 45 to 48 contact hours. Courses shall also have the same objectives, requirements, and quality of instruction as regular length courses.
    - 1.1.2 Students should not carry more courses at a time in a shortened format than will give them total credit of one semester credit hour per week of instruction.

1.1.3 System academic institutions may offer courses in a non-traditional format, such as through the Internet or in a shortened intensive format, which do not meet contact hour requirements if the course has been reviewed by a faculty review committee and determined to have equivalent learning outcomes to a traditionally ~~offered~~ delivered course.

1.1.4 All requirements for three-semester-credit-hour courses shall apply proportionately to courses for one, two, four, or other semester-credit-hour values.

~~1.2 The commissioner of higher education is authorized to permit exceptions to these rules for research purposes to determine the efficacy of teaching a specific course in a shortened format.~~

2. System academic institution presidents shall develop ~~whatever rules are needed~~ procedures necessary to implement and assure compliance with this policy. Any exceptions to Section 1.1.2 must be included in the ~~rule~~ procedure.

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## Related Statutes, Policies, or Requirements

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19 Tex. Admin. Code § 4.6

<http://www.thecb.state.tx.us/index.cfm?objectid=3BBA5600-AB9B-55C7-A1C6ED6B09A1FD7>

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## Definitions

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Traditionally delivered course – a term to describe a face-to-face course in which students and instructor meet at a regular time over a fifteen-week semester for a total of between 45 and 48 contact hours.

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## Contact Office

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~~The System~~ Office of the Vice Chancellor for Academic Affairs  
(979) 458-6072



Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Presidents, Member Universities and the Health Science Center  
The Texas A&M University System

**Subject:** Approval of the Changes to the Admissions Standards for System  
Member Universities and the Health Science Center for the Year 2012

**Proposed Board Action:**

Approve the changes to the admissions standards for the Year 2012 for member universities and the Health Science Center of The Texas A&M University System.

**Background Information:**

System Policy *11.04, Admissions Standards*, states that each academic institution shall prepare annually, on a schedule determined by the chancellor, specific admissions standards for its institution with any changes from the previous year noted. Any changes to admissions standards, upon endorsement by the chancellor, shall be submitted to the Board of Regents for approval.

In response to System Policy *11.04*, presidents of the academic institutions, or their representatives, have submitted their proposed changes to the admissions standards for next year's fall semester for consideration at the July Board meeting. These requirements are documented in four tables (the System Campuses Freshmen, the System Campuses Transfer, the System Campuses Graduate and Professional and the Health Science Center's Undergraduate, Graduate and Professional) and are attached to the agenda item as exhibits.

Changes to the fall 2012 admissions standards are documented on the table exhibits in bold *italics* and *underlined*.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**

Office of the Chancellor

June 20, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of the Changes to the Admissions Standards for System Member Universities and the Health Science Center for the Year 2012

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System hereby approves the changes to the admissions standards of the member universities and the Health Science Center of The Texas A&M University System for the Year 2012, as shown in Exhibits , , and , copies of which are attached to the official minutes.”**

Respectfully submitted,

Michael D. McKinney  
Chancellor

**Approval Recommended:**

**Approved for Legal Sufficiency:**

\_\_\_\_\_  
Frank B. Ashley III  
Vice Chancellor for Academic Affairs

\_\_\_\_\_  
Scott A. Kelly  
Deputy General Counsel

The Texas A&M University System Campuses: Freshmen Admission Standards  
Year 2012

ITEM  
EXHIBIT

Campus/ Program	Application Fee	Admission Under Uniform Admission Policy*+	Standards for Full Admission+	Conditional Admission and Requirements for Full Admission+	TOEFL **	Other Requirements
<b>Prairie View A&amp;M</b>	\$25 non- refundable Fee  <u><i>\$50.00 non- refundable fee – International students</i></u>	Top 10%	<b>Honors Admission:</b> 3.50 GPA or higher; passage of any state mandated HS exit examination. 1200 SAT Score (CR+M) or ACT Composite score of 25;  <b>Unconditional Admission:</b> 820 SAT score (CR+ M) or ACT Composite score of 17; <u><i>2.50 GPA or above on a 4.0 scale</i></u>	<b>Conditional Admission:</b> 710 SAT score (CR+M) or ACT Composite score of 15	500 or greater; Graduate of US HS or applicant with score of 18 on English section of ACT or 400 critical reading section of SAT exempt	
<b>Texas A&amp;M International</b>	No fee required	Top 25%	Rank first 40% of HS class must have official SAT/ACT scores;  Lower 60% must have a 900 SAT, or an 19 ACT	<b>Provisional Admissions:</b> Lower 60% of HS class with 840 SAT (V+M) or 17 ACT composite.	550 Paper;  213 Computer;  79 Internet based	

Campus/ Program	Application Fee	Admission Under Uniform Admission Policy*+	Standards for Full Admission+	Conditional Admission and Requirements for Full Admission+	TOEFL **	Other Requirements
<b>Tarleton State University</b>	\$30 non- refundable fee	Top 25%	2 <sup>nd</sup> Quarter (QTR) of HS: no min with REC HS program; <b>950 SAT</b> or 20 ACT without REC HSP; 3 <sup>rd</sup> QTR: – 950 SAT or 20 ACT with REC HSP; 1030 SAT or 22 ACT without REC HSP; 4 <sup>th</sup> QTR: 1030 SAT or 22 ACT with REC HSP, 1110 SAT or 24 ACT without REC HSP	<b><u>Texan Gateway Program or Texan Transition Program:</u></b>  Applicants near the requirements for regular admission may be considered. The number of students granted into program may be limited. Students are granted one-year enrollment to meet conditions for full admission.	520 – Paper based;  190 – Computer based;  68 Internet based	Essay writing component from SAT or ACT required.
<b>TAMU- Corpus Christi</b>	<del>\$25</del> <b><u>\$40</u></b> non- refundable Fee  <del>\$50</del> <b><u>\$75</u></b> non- refundable fee for international students	Top 10%	Next 15% 900 SAT/19 ACT  2 <sup>nd</sup> QTR: 1000 SAT/21 ACT  3 <sup>rd</sup> QTR: 11 SAT/23 ACT  4 <sup>th</sup> QTR: 1200 SAT/27 ACT	Students who do not meet institutional requirements for automatic admissions are offered consideration through the Alternative Admissions process.	550 paper exam 213 computer exam 79-80 internet based	

Campus/ Program	Application Fee	Admission Under Uniform Admission Policy* +	Standards for Full Admission+	Conditional Admission and Requirements for Full Admission+	TOEFL **	Other Requirements
<b>TAMU - Commerce</b>	None  <del>\$40</del> <b>\$60</b> enrollment fee charged upon enrollment.	Top 25%	SAT: 950 ACT: 20	Applicants who do not meet automatic admission requirements based on ranking and/or SAT/ACT scores will be reviewed by the university's Admission Committee. The committee will consider other factors including academic performance in the high school, socioeconomic status, extracurricular involvement, performance level of high school/district or any other information that might be helpful To be reviewed by the Admissions Committee the applicant should submit a personal statement and at least two letters of recommendation. Information should be sent to the Director of Undergraduate Admissions.	<del>500</del> <b>550</b> paper exam <del>173</del> <b>213</b> computer exam or <del>64</del> <b>79</b> internet based <b><u>IELTS: 6.0</u></b>	
<b>West Texas A&amp;M University</b>	<del>\$25</del> <b>\$40.00</b> non- refundable Fee  \$75 non- refundable fee for international applicants	Top 10%	Next 15%: 850 SAT/18 ACT  2 <sup>nd</sup> QTR: 890 SAT/ 19 ACT  3 <sup>rd</sup> QTR: 930 SAT/ 20 ACT  4 <sup>th</sup> QTR: 971 SAT/ 21 ACT	Students who do not meet the class rank + ACT/SAT requirements will be reviewed for admission on a competitive, individual basis, with weighted consideration of class rank and standardized test scores (ACT or SAT.)	525 Paper based  197 Computer based  71 internet based  IELTS: 6.0.	

Campus/ Program	Application Fee	Admission Under Uniform Admission Policy* +	Standards for Full Admission+	Conditional Admission and Requirements for Full Admission+	TOEFL **	Other Requirements
TAMU- Kingsville	<p><del>\$25</del> \$15 non-refundable fee</p> <p>\$50 non-refundable fee for international applicants</p>	Top 25%	<p>2<sup>nd</sup> QTR: 790 SAT/16 ACT</p> <p>3<sup>rd</sup> QTR: 870 SAT/18 ACT</p> <p>4<sup>th</sup> QTR: 950 SAT/20 ACT</p>	<p><b>Alternative Admission Review:</b></p> <p>Applicants who do not meet the Regular Admission Requirements will automatically be reviewed using a holistic review that includes academic performance and rigor as well as, extracurricular activities, community service, talents and awards, leadership skills, employment, and other factors that support a student’s ability to succeed at the university.</p> <p>Students must complete 12 SCH fall and spring and earn a GPA &gt; 2.00.</p>	<p>550 Paper Based</p> <p><del>213</del> Computer Based</p> <p>79 Internet Based</p>	
TAMU- Texarkana	<p>\$25 <del>\$30</del> non-refundable fee</p>	Top 25%	<p>20 ACT or <del>950</del> <u>940</u> SAT;</p> <p><del>2.75</del> <u>2.50</u> HS GPA with 18-19 ACT or <del>870-940</del> <u>860-930</u> SAT</p>	<p><del><b>Advised Admission:</b></del> <del>2.75 HS GPA with 17 ACT or 820-860 SAT.</del></p> <p><b><u>Eagle Access:</u></b> <b><u>2.00 – 2.50 HS GPA with 17-19 ACT or 820-930 SAT or a 2.50 or higher HS GPA with a 16 ACT or 770-810.</u></b></p> <p>Students granted conditional admission must complete 12 or more hours of course work in their first semester, and achieve a cumulative GPA of 2.50 or higher to be granted full admission.</p>	<p>550 paper based</p> <p>213 computer based</p> <p>79 internet based</p>	

Campus/ Program	Application Fee	Admission Under Uniform Admission Policy* +	Standards for Full Admission +	Conditional Admission and Requirements for Full Admission+	TOEFL **	Other Requirements
<p><b>TAMU &amp; Galveston campus</b></p>	<p>\$60 non-refundable Fee – main campus</p> <p>\$45 non-refundable fee – Galveston campus</p>	<p>Top 10%</p>	<p><b>Academic Admit:</b> Top 25% -1300 SAT (CR+M) with at least 600 in each section or 30 ACT with at least 27 in Math and Engl.</p> <p><b>Other Admits:</b> A holistic assessment of a complete application includes recognizing elements of excellence through extracurricular involvement, leadership, community service, achievement, and various perspectives.</p>	<p><b>Aggie Gateway:</b> Students not granted full admission out of review pool may be selected for program. Must attend 6-week summer session and complete 7 hours of assigned course work. Students who earn at least a 2.0 GPA are granted full admission for the fall.</p> <p><b>Blinn TEAM:</b> Participating students are initially admitted to TAMU on a part-time basis, and may earn full admission by several methods. Students are enrolled in one academic course at TAMU each semester, and the remainder of courses at the Bryan Campus of Blinn College. Students who complete 45 Blinn credit hours and 15 A&amp;M credit hours within a two-year period, while maintaining a 3.0 grade point ratio at each school, are automatically admitted. TEAM students who wish to transition to A&amp;M sooner may compete for transfer admission when they meet transfer eligibility. Finally, students</p>	<p>550 paper; 213 computer; 80 internet based</p>	<p>Writing component required;</p> <p>Catalog has complete list of additional requirements</p>

				<p>who do not transition by the aforementioned methods may fully matriculate via the university's readmission process after their two year program has concluded.</p> <p><b>Attend Galveston:</b> Students not admitted to the College Station campus may be offered admission at Galveston with the option of moving to the College Station after completing 30 hours with a 2.5 GPA through a Change of Curriculum.</p> <p><b>Program for System Admission:</b> Students not admitted may select one of the A&amp;M System Institutions and be admitted if they meet admission requirements for their selected institution. A student completes their first year at the System Institution. The program is limited to <del>3</del> <u>4</u> specific areas of study (Agriculture &amp; Life Sciences, Geosciences, <b>Liberal Arts</b> and Science) and requires that applicants finish at least 24 transferable hours with a minimum 3.0 GPA for all courses attempted in the chosen Texas A&amp;M degree plan.</p>	
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Campus/ Program	Application Fee	Admission Under Uniform Admission Policy* +	Standards for Full Admission +	Conditional Admission and Requirements for Full Admission+	TOEFL **	Other Requirements
TAMU – Qatar Campus	\$90 non- refundable Fee – Qatar campus	Top 10%	<p><b>Academic Admit:</b> A minimum SAT Math score of 650 or ACT Math score of 29, a minimum TOEFL iBT score of 100 or IELTS score of 7.00, and a minimum school average of B; students who don't submit TOEFL or IELTS scores must submit a minimum SAT Critical Reading score of 600, and achieve a combined SAT Math and SAT Critical Reading score of at least 1300, or the ACT English and composite score equivalents. Students will be admitted according to availability of spots.</p> <p><b>Other Admits:</b> A holistic assessment of a complete application includes recognizing</p>	<p><b>TAMUQ Aggie Gateway Program:</b> Students not granted full admission out of review pool may be selected for program. Must attend 2 semesters and complete 18 hours of assigned course work. Students who earn at least a 2.0 GPA and meet the criteria of the program are granted full admission for the next fall term.</p>	550 paper;  213 computer;  80 internet based	Writing component required;  Catalog has complete list of additional requirements

			elements of excellence through extracurricular involvement, leadership, community service, achievement, and various perspectives.			
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The following footnote/column heading explanations apply to all System campuses:

\* The Uniform Admission Policy requires that Texas residents who graduate in the Top 10% of their high school class be granted automatic admission with no minimum standardized test scores. Institutions may grant automatic admission to Texas residents who graduate in the Top 25% of their high school class with no minimum standardized test scores.

+ In accordance with Texas Education Code (TEC) Sections 51.801-51.809, in order to be eligible for admission to any Texas public university, a student must complete at least the Recommended High School Program (RHSP), or its equivalent if graduating from a private or out-of-state high school. Applicants can receive an exemption if they achieve college readiness scores on the ACT or an SAT score of 1500 out of 2400. Exceptions can also be made in cases in which all the required courses are not available to the student.

\*\* 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.

The Texas A&M University System Campuses: Transfer Admission Standards  
Year 2012

ITEM  
EXHIBIT

Campus/ Program	Application Fee	Admission Standards	Use of High School Record	Number of Articulation Agreements and Requirements for Admission	TOEFL **	Other
<b>Prairie View A&amp;M</b>	\$25 non- refundable fee  <u>\$50 non- refundable fee –Inter- national student</u>	Minimum GPA of 2.0 in at least 15 SCH of transferable college level coursework.	<u>1-14 SCH – 2.0 GPA; must meet F-TF standard</u>	None	500 Paper; 173 Computer; 61 Internet based	Must be eligible to return to previous institution
<b>Tarleton State University</b>	\$30 non- refundable fee	30 or more SCH – 2.0 GPA; Off-campus locations must have 30 or more SCH and 2.0 GPA  12-29 SCH – 2.8 GPA	1-11 SCH – 2.0 GPA; must meet F-TF standard;  12-29 SCH - 2.0 – 2.79 GPA must meet F-TF standard;	Top Academic Partner (TAP) agreements with Hill College and Weatherford College. Reverse Transfer agreement with Tarrant County College and McLennan Community College. Requirements are the same as our transfer requirements.	520 Paper; 190 Computer; 68 Internet based	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;
<b>TAMU &amp; Galveston campus</b>	\$60 non- refundable Fee – main campus  \$45 non- refundable fee – Galveston	2.5 GPA on at least 24 graded semester hours of transferable course work to be considered. Decision based on appropriate course work in the degree track. Admission criteria vary by college.	No	Transfer Articulation Program (TAP) with nine community colleges across the state. 24 hours post high school graduation with a 3.0 GPA. Limited to colleges of Agriculture and Life Sciences, BIMS, Engineering, Geosciences,	550 Paper; 213 Computer; 80 Internet based	Catalog has complete list of additional requirements

	campus <del>\$75</del> <b>\$90</b> fee for international applicants.			Liberal Arts, Science and and TAMU-Galveston.		
TAMU - Qatar campus	<del>\$75</del> <b>\$90</b> non-refundable Fee	Transfer applicants must have at least a 2.5 GPR on at least 24 graded semester hours of transferable coursework at the time of application to be considered. Moreover, applicants must meet the minimum English proficiency requirements.  Preference is given to the applicant with the highest grade point ratio (GPR) and the most courses completed in the Degree Track for the major designated on the application, such as math and sciences.	No	N/A	550 Paper; 213 Computer; 80 Internet based	Catalog has complete list of additional requirements

Campus/ Program	Application Fee	Admission Standards	Use of High School Record	Number of Articulation Agreements and Requirements for Admission	TOEFL **	Other
<b>Texas A&amp;M University- Central Texas</b>	\$30 non- refundable fee	Minimum GPA of 2.0 in at least 30 SCH.	No	<i><b>3 are currently in-process (awaiting final agreements and signatures).</b></i>  2 with Central Texas College and 1 with Palo Alto.  Admissions standards for these participants will be the same as transfer students.	<i><b>520</b></i> <u>Paper;</u> <i><b>190</b></i> <u>Computer;</u> <i><b>68</b></i> <u>Internet</u> <u>based</u>	Student must be TSI Complete Students must be in Good Standing (eligible to enroll) at most recent institution to be admitted. 30 academic (college- level; non-remedial) hours must include ENGL 111 & MATH 107 or higher (College Algebra or higher).
<b>TAMU- Commerce</b>	<del>\$40</del> <u>\$60</u> enrollment fee (charged upon enrollment)	Minimum GPA of 2.0 in at least 21 SCH of college level course work (excluding developmental courses).	No	None	<del>500</del> <u>550</u> Paper; <del>173</del> <u>213</u> Computer; <del>64</del> <u>79</u> Internet based <u>IELTS: 6.0</u>	Must be eligible to return to all previously attended institutions

Campus/ Program	Application Fee	Admission Standards	Use of High School Record	Number of Articulation Agreements and Requirements for Admission	TOEFL **	Other
<b>TAMU- Corpus Christi</b>	<del>\$25</del> <u>\$40</u> non- refundable Fee  <del>\$50</del> <u>\$75</u> non- refundable fee for international students	Cumulative 2.0 GPA or greater on a 4.0 scale with 30+ transferable college level hours. No remedial or duplicate courses may be transferred.	1-29 SCH cumulative 2.0 GPA on a 4.0 scale and must meet freshmen admission standards	❖+*^Del Mar College + Alamo Colleges (San Antonio College, St. Philip's College, Northwest Vista College, & Palo Alto College) ❖ Victoria College ❖ Temple College ❖ Wharton College  Note: Details regarding program eligibility requirements are provided below.	Waived for international transfer students who have earned an associate's degree from an accredited institution in the United States	Eligible to return to previous institution.

The University holds several articulation agreements with numerous institutions. General university articulation agreements may overlap with agreements that are specific to an individual academic program.

❖ Institutions with articulation agreements with the College of Nursing and Health Sciences. The College of Nursing and Health Sciences adheres to the Texas Nursing Articulation Model published by the Texas Nurses Association.

+ General articulation agreements with Texas A&M University-Corpus Christi

\* Articulation agreements specific to the academic program of Mechanical Engineering. The Mechanical Engineering program at TAMU-CC requires Del Mar Community College (DMC) students to have a minimum grade point average of 2.5 for all coursework taken and a minimum GPA of 2.5 in all science, math, and engineering classes undertaken at DMC for admission into the BSME degree curriculum.

^ Articulation agreements specific to the academic program of Computer Science

Campus/ Program	Application Fee	Admission Standards	Use of High School Record	Number of Articulation Agreements and Requirements for Admission	TOEFL **	Other
TAMIU	No	Minimum GPA of 2.0 in at least 30 SCH of college level course work.	No	None		
TAMU- Kingsville	<del>\$15</del> <u>\$25</u> non-refundable fee  \$50 non-refundable fee for international applicants	Cumulative 2.0 GPA for applicants with more than one semester of transfer work.  To be accepted to the College of Engineering applicant must have 2.5 GPA.	Applicants with no more than one semester's work and less than 2.0 GPA may be considered on scholastic probation if they meet unconditional freshmen admission standards	None	<u>College of Arts &amp; Sciences and College of Engineering</u> : <u>550 Paper;</u> <u>79 Internet based</u>  <u>Other Colleges:</u> <u>500 Paper</u> <u>61 Internet based</u>	Must be eligible to return to previous institution.

<b>Campus/ Program</b>	<b>Application Fee</b>	<b>Admission Standards</b>	<b>Use of High School Record</b>	<b>Number of Articulation Agreements and Requirements for Admission</b>	<b>TOEFL **</b>	<b>Other</b>
<b>TAMU- Texarkana</b>	\$25 <del>\$30</del> for International Students	Completion of at least 22 SCH with 2.0 cumulative GPA in all college level work	No	None	550 Paper; 213 computer; 79 Internet based	
<b>WTAMU</b>	<del>\$25</del> <b>\$40</b> non- refundable Fee	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.	If less than 12 transferable college-level credit hours earned after leaving high school, criteria for freshman admission will be utilized.	None	525 Paper; 197 Computer; 71 Internet based IELTS: 6.0	Must not be suspended from another college or university.
<b>Texas A&amp;M University- San Antonio</b>	\$15 non- refundable fee \$50 non- refundable fee for international applicants	Minimum 2.0 cumulative GPA. Students must have 45 SCH of transferrable college credit to enroll at the university; Certain conditions allow admission with 30 SCH college credit.	No	None	500 Paper;	Must be TSI (Texas Success Initiative) Compliant  Must be in good standing with previous college or university.

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

\*\* 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.



The Texas A&M University System Campuses: Graduate and Professional Admission Requirements  
Year 2012

CAMPUS/ Programs	Application Fee	Previous Degree	Undergraduate Cumulative GPA	GRE <sup>+</sup>	GMAT <sup>+</sup> (Business)	International Requirements + +	Letters of Recommendation /Other
PVAMU	\$50 non-refundable fee	Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions out-side the U.S. are evaluated for equivalency to U.S. degrees)	Minimum 2.75 GPA for regular graduate status. Minimum 2.45 GPA for provisional status or non-degree status.	Official scores required. May not be more than 10 years old at time of enrollment. <u>Must be submitted by completion of 12 semester credit hours.</u>	Official scores required.  May not be more than 10 years old at time of enrollment. <u>Must be submitted by completion of 12 semester credit hours.</u>	TOEFL: 550 Paper; <u>79 Internet based</u>  <u>Immigration Forms, Notarized Affidavit of Financial Support.</u>	Three letters from persons in field of graduate's academic major.
PVAMU Ph.D. (Juvenile Justice)	\$50 non-refundable fee	Bachelors and Masters degrees from an accredited college or university.	Overall 3.0 GPA in undergraduate work and 3.5 GPA in all previous graduate work.	Official scores required.	Not applicable	TOEFL: 550 Paper; <u>79 Internet based</u>  Immigration Forms; <u>Notarized</u> Affidavit of Financial Support.	Three letters from persons in field of applicant's academic major.  1000 word essay and a copy of the master's thesis or other lengthy report or paper.
PVAMU Ph.D. (Clinical Adolescent Psychology)	\$50 non-refundable fee	Bachelors and Masters degrees in Psychology from an accredited college or university.	Overall 3.0 GPA in undergraduate work and 3.5 GPA in all previous graduate work.	Official scores required.	Not applicable	TOEFL: 550 Paper; <u>79 Internet based</u>  Immigration Forms; <u>Notarized</u> Affidavit of Financial Support.	Three letters from persons in field of applicant's academic major. Writing sample. Submit to an interview.

CAMPUS/ Programs	Application Fee	Previous Degree	Undergraduate Cumulative GPA	GRE <sup>+</sup>	GMAT <sup>+</sup> (Business)	International Requirements + +	Letters of Recommendation /Other
<b>PVAMU Ph.D. Program (Educational Leadership)</b>	\$50 non- refundable fee	From an accredited college or university. Master Degree prior to entering doctoral course.	Minimum of 2.75 GPA in undergraduate work. Minimum of 3.2 on all completed graduate work.	Official scores required	Not applicable	TOEFL: 600 Paper; <b><u>100 Internet based</u></b> Immigration Forms; <b><u>Notarized</u></b> Affidavit of Financial Support.	Three letters from persons acquainted with the applicant's abilities. Original 500-1000 written essay. Minimum three years teaching experience.
<b>PVAMU Ph.D. Program (Electrical Engineering)</b>	\$50 non- refundable fee	In Engineering, Mathematics or the Physical Sciences from a regionally accredited institute. MS in Elec. Eng. or related discipline.	2.75 GPA in undergraduate work. Minimum of 3.2 on all completed graduate work.	Official scores required <b><u>(verbal and quantitative scores in the higher percentiles)</u></b>	Not applicable	TOEFL: 550 Paper; <b><u>79 Internet based</u></b> Immigration Forms; <b><u>Notarized</u></b> Affidavit of Financial Support.	Three letters preferably from faculty familiar with the applicant. Essay describing research goals and/or professional accomplishments.
<b>PVAMU Nursing Program</b>	\$50 non- refundable fee	Minimum of BSN degree from an NLNAC or CCNE accredited program.	Overall minimum GPA of 3.0 on a 4.0 scale for regular graduate status.	Official scores required. GRE	Not applicable	TOEFL: 550 Paper; <b><u>79 Internet based</u></b>  Immigration Forms; <b><u>Notarized</u></b> Affidavit of Financial Support.  Meet Comm. on Graduates of Foreign Nursing Schools admission requirements.	<b><u>Current license as a RN in Texas or application in progress for licensure.</u></b> <b><u>Employed as a Professional nurse for one year.</u></b> <b><u>Three letters of recommendation, one must be a former nursing faculty.</u></b> <del>Two years experience as a Professional RN</del> Personal Interview, <del>Writing Sample</del> , Meet Nursing health requirements, \$ <del>1</del> <b>3</b> M minimum. Complete indi- vidual interview with grad- uate faculty. Criminal back- ground and drug screening.

<b>CAMPUS/ Programs</b>	<b>Application Fee</b>	<b>Previous Degree</b>	<b>Undergraduate Cumulative GPA</b>	<b>GRE <sup>+</sup></b>	<b>GMAT <sup>+</sup> (Business)</b>	<b>International Requirements + +</b>	<b>Letters of Recommendation /Other</b>
<b>TSU</b>	\$30 non-refundable fee	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)	Minimum 2.5 GPA, writing sample.	Official scores required	Official scores required	TOEFL: 550 Paper; 213 Computer ; 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.	See individual department for additional specific requirements.
<b>TSU EdD (Educational Leadership)</b>	\$30 non-refundable fee	MS degree from accredited college or university.	3.5 GPA on all course work. Minimum of 18 hrs of graduate or undergraduate course work in admin., mgmt. or leadership.	Official scores required	Not applicable	Same as for University (above)	4 letters from persons other than Tarleton Educational Administration Faculty. Application interview. Writing sample. Leadership portfolio.
<b>TAMIU</b>	<del>\$25</del> <b>\$35</b> non-refundable fee	Must hold baccalaureate degree or higher from a regionally accredited college or university	Composite of undergraduate GPA (last 60 hrs towards bachelor's degree) and GRE or GMAT score used to determine admission.	Official scores required	Official scores required	TOEFL: 550 Paper; 213 computer; 79 Internet based  Proof of ability to meet required expenses.	Statement of purpose.  See individual department for additional requirements. Degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees

CAMPUS/ Programs	Application Fee	Previous Degree	Undergraduate Cumulative GPA	GRE <sup>+</sup>	GMAT <sup>+</sup> (Business)	International Requirements + +	Letters of Recommendation /Other
<b>TAMIU Ph.D. (International Business)</b>	\$25 non- refundable (N-R) fee	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)	Composite of undergraduate GPA (last 60 hours towards bachelor's degree) and GRE or GMAT score used to determine admission.	Official scores required	Official scores required	TOEFL: 600 Paper; 250 computer; 100 Internet based  Proof of ability to meet required expenses.	3 letters. Statement of purpose. Current resume.
<b>TAMU</b>	\$50 N-R fee.  <del>\$75</del> <b>\$90</b> fee for international applicants.	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)	See individual department for additional specific requirements.	Official scores required  (See note* below)	Official scores required.	See individual departments for additional specific requirements.	Minimum of three letters required.
<b>TAMU- Vet. Med. Professional Program</b>	\$75 N-R fee. \$100 N-R fee to TMDSAS.	Minimum of <u>73</u> credit hours including specific subject requirements.	Minimum of 2.90 overall or 3.10 (last 45 SCH). Completion of set core curriculum with GPA as high as possible.	Official scores required	Not applicable	Priority consideration is given to qualified applicants who are residents of Texas & U.S. citizens, or residents of Texas who live in the U.S. under a visa permitting permanent residence.	. Three letters required. Application interview at the option of the Selection Committee.

CAMPUS/ Programs	Application Fee	Previous Degree	Undergraduate Cumulative GPA	GRE <sup>+</sup>	GMAT <sup>+</sup> (Business)	International Requirements + +	Letters of Recommendation /Other
<b>TAMU at Galveston &amp; Qatar</b>	\$50 N-R fee. <del>\$75</del> <b>\$90 fee</b> for international applicants.	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)	See individual department for additional specific requirements.	Official scores required  ( <i>See note* below</i> )	Official scores required	See individual departments for additional specific requirements.	Minimum of three letters required.
<b>Texas A&amp;M University- Central Texas</b>	\$30 non-refundable fee	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)	Minimum 2.5 GPA & Writing Sample. See individual program for additional specific requirements.	Official scores required.	Official scores required.	TOEFL: 550 Paper; 213 Computer; 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.	Comprehensive examination prior to graduation is required of all students.
<b>TAMU- Commerce</b>	<del>\$35</del> <b>\$50</b> fee for domestic students. <del>\$50</del> <b>\$75</b> fee for international students.	Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the US are evaluated for equivalency to US degrees)	Master's Minimum of 2.75 overall or 3.0 (last 60 SCH).  Doctoral Minimum of 2.75 overall or 3.0 (last 60 SCH or 3.40 overall on graduate work.	Official score is required. Some master's programs use other standardized test scores or a higher minimum GPA.	Required if undergraduate GPA less than 2.75 or 3.0 on last 60 hours	TOEFL: <del>500</del> <b>550</b> Paper <del>173</del> <b>213</b> Computer <del>60</del> <b>79</b> Internet based IELTS <del>5.0</del> <b>6.0</b>  Sponsor statement with current bank statement. Immigration documents.	See individual department for additional specific requirements.

<b>CAMPUS/ Programs</b>	<b>Application Fee</b>	<b>Previous Degree</b>	<b>Undergraduate Cumulative GPA</b>	<b>GRE <sup>+</sup></b>	<b>GMAT <sup>+</sup> (Business)</b>	<b>International Requirements + +</b>	<b>Letters of Recommendation /Other</b>
<b>TAMU- Corpus Christi</b>	\$50 non-refundable fee. \$70 for international students.	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)  *(Does not apply to students enrolled in the RN to MSN option.)	GPA last 60 SCH (See individual department for specific requirements.)	Official scores  See individual department for specific requirements.	Official scores required	TOEFL: 550 Paper; 213 Computer; 79-80 Internet based  Notarized Affidavit of Support. Approved evaluation of credentials. Visa status documentation. Official scores on GRE or GMAT, depending on program	See individual department for additional specific requirements.
<b>TAMU- Kingsville</b>	\$35 non-refundable fee for U.S. applicants. \$50 non-refundable fee for international applicants.	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)	Minimum of 2.6 undergraduate cumulative GPA or 3.0 last 60 hours; GPA below 2.6 GRE/GMAT score used to determine admission.	Official scores required	Official scores required	TOEFL: 550 Paper; 213 Computer; 79 Internet based	See individual department for additional requirements.

<b>CAMPUS/ Programs</b>	<b>Application Fee</b>	<b>Previous Degree</b>	<b>Undergraduate Cumulative GPA</b>	<b>GRE <sup>+</sup></b>	<b>GMAT <sup>+</sup> (Business)</b>	<b>International Requirements + +</b>	<b>Letters of Recommendation /Other</b>
<b>Texas A&amp;M University- San Antonio</b>	\$35 non- refundable fee for U.S. applicants. \$50 non- refundable fee for international applicants	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)	Minimum of 2.6 undergraduate cumulative GPA or 3.0 last 60 hours;	Official scores required.	Official scores required.	TOEFL: 550 Paper; 213 Computer; 79 Internet based  See admissions department for additional SEVIS requirements.	See individual department for additional requirements.
<b>TAMU- Texarkana</b>	<del>\$25</del> <b>\$30</b> Fee for international students.	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)	Minimum 2.5 GPA on last 60 hours toward Bachelor's degree.  Exception: MS in CounPsy requires min. 3.00 GPA on last 60 hours towards bachelor's degree	Official scores (not over 5 years old) required during first semester of enrollment.  MS in CounPsy and MSN may use GRE or MAT  <u><i>Scores for the MS CounPsy are due before enrollment</i></u>	Official scores (not over 5 years old) required during first semester of enrollment.  MSBA may use GMAT or GRE.	TOEFL: 550 Paper  Notarized Affidavit of Sponsor Support and Visa Status Documentation.	Three letters of academic recommendation. Resume Letter summarizing professional interest and commitment to chosen program.
<b>TAMU- Texarkana MBA and MSA Programs</b>	None	Must hold a baccalaureate degree or higher from a regionally accredited college or university.	Minimum 2.5 GPA in last 60 SCH's of coursework.	N/A	Official Scores Requested		Three letters required along with a resume and letter of interest.

CAMPUS/ Programs	Application Fee	Previous Degree	Undergraduate Cumulative GPA	GRE <sup>+</sup>	GMAT <sup>+</sup> (Business)	International Requirements ++	Letters of Recommendation /Other
WTAMU	\$25 <del>\$40.00</del> non-refundable fee for U.S. and permanent resident applicants.  \$75 International. student application/ transcript analysis fee	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)	For Master's level, Composite score of undergraduate GPA (overall or last 60 SCH)  For Doctoral level, Master's GPA.	<del>Official scores required for both master's and doctoral level work before 1<sup>st</sup> semester of enrollment.</del>  <u>For programs requiring the GRE, official scores required.</u>  <u>See individual department for specific requirements.</u>	Official scores required before 1 <sup>st</sup> semester of enrollment.	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	<u>See Individual department for additional specific requirements.</u>

**Column Heading Explanations**

+ **GRE and GMAT:** Evaluated in a manner that complies with Statute 51.842 (per HB 1641, 77<sup>th</sup> 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 University System Health Science Center  
Undergraduate, Graduate and Professional Admission Standards  
Academic Year 2012**

<b>CAMPUS/ Programs</b>	<b>Application Fee</b>	<b>Bachelor's Degree</b>	<b>Official College Transcripts</b>	<b>Undergraduate Cumulative GPA</b>	<b>GRE<sup>+</sup></b>	<b>GMAT<sup>+</sup> (Business)</b>	<b>International Requirements<sup>++</sup></b>	<b>Letters of Recommendation (LOR) / Other</b>
<b>Under-graduate</b>								
<b>Baylor College of Dentistry  Dental Hygiene Program  (B.S.)</b>	\$35 non-refundable (NR) fee	Not applicable	Official transcript from all institutions of higher education attended	Completion of required courses with GPA as high as possible. Admission is competitive	Not applicable	Not applicable	Not applicable	Three LOR required and TSI assessment; Also, interview; comprehensive biographical sketch; and 16 hours of verified observation of a dental hygienist

<b>CAMPUS/ Programs</b>	<b>Application Fee</b>	<b>Bachelor's Degree</b>	<b>Official College Transcripts</b>	<b>Undergraduate Cumulative GPA</b>	<b>GRE<sup>+</sup></b>	<b>GMAT<sup>+</sup> (Business)</b>	<b>International Requirements<sup>++</sup></b>	<b>Letters of Recommendation (LOR) / Other</b>
<b>Under- graduate</b>								
<b>College of Nursing  Generic, Accelerated and RN to BSN Tracks  (B.S.N.)</b>	Nursing application service fee - \$45 for first school  TAMHSC Supplemental app. Fee - \$50 non-refundable	Not required for generic or RN to BSN applicants but must complete prerequisite coursework.  Required for accelerated applicants	Official transcript of all undergraduate work from previously attended institutions	Admission is competitive.  It is strongly recommended that applicants present an overall grade point average of 2.75 (on a 4.0 scale) and a minimum grade of "C" in each of the prerequisite courses	Not applicable	Not applicable	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	One letter of recommendation required; up to 3 can be submitted  Essay  Admissions Assessment (HESI) entrance exam

<b>CAMPUS/ Programs</b>	<b>Application Fee</b>	<b>Bachelor's Degree</b>	<b>Official College Transcripts</b>	<b>Undergraduate Cumulative GPA</b>	<b>GRE<sup>+</sup></b>	<b>GMAT<sup>+</sup> (Business)</b>	<b>International Requirements<sup>++</sup></b>	<b>Letters of Recommendation (LOR) / Other</b>
<b>Graduate/ Professional</b>								
<p><b>Baylor College of Dentistry</b></p> <p><b>Graduate Dentistry (Cert./M.S.)</b></p>	<p>(MATCH, PASS applications required for some programs)</p> <p>\$35 NR fee;</p> <p>a \$100 NR fee is required of international applicants</p>	Requirements vary for specific graduate programs	Official transcript of all undergraduate & graduate work from previously attended institutions	A minimum total GPA of 2.7 & a record of study & experience which is predictive of success in advanced education; for some programs, acceptable scores on the National Board Examination	Acceptable scores required on GRE or on other national tests approved by graduate program	Not applicable	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 ECE: International applicants required to have independent grade audit conducted by ECE	LOR Required; Approval for admission from the Program Admissions Committee and the Associate Dean for Research and Graduate Studies
<p><b>Baylor College of Dentistry</b></p> <p><b>D.D.S.</b></p>	<p>Online at website of TMDSAS. <sup>1</sup></p> <p>All materials sent to Application Service, except BCD Secondary Application</p>	Not required but current competitive level dictates BA or BS from accredited college or university prior to matriculation	Official transcript of all undergraduate & graduate work from previously attended institutions	Completion of required courses with GPA as high as possible (90 SCH's minimum/ BA or BS degree recommended); Dental Admission Test (DAT) scores; admission is competitive	Not applicable	Not applicable	At least 90 SCHs from a fully accredited college or university in the U.S. 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	LOR from practicing dentist, health professions advisor or committee letter; Also interview; Comprehensive bio-graphical sketch; Observation of a general dentist; and community service experiences.

CAMPUS/ Programs	Application Fee	Bachelor's Degree	Official College Transcripts	Undergraduate Cumulative GPA	GRE <sup>+</sup>	GMAT <sup>+</sup> (Business)	International Requirements++	Letters of Recommendation (LOR) / Other
<b>College of Medicine</b>  <b>Combined M.D./Ph.D.</b>	AMCAS <sup>1</sup> (\$160 for the first school)  College of Medicine Secondary Application \$60 NR fee	At least 90 SCHs from a fully accredited college or university in the US or its territories including specific subject requirements  Degree preferred	Official transcript of all undergraduate & graduate work from previously attended institutions	Completion of set core curriculum with competitive GPA & MCAT scores required  Admission is competitive	Not applicable	Not applicable	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	<del>One letter from            health            professions            advisor;            or two letters            from            current/former            Professors.</del>  <u>Three letters of            recommend-            ation, at least            one of which is            from a research            mentor</u> Personal interview required
<b>College of Medicine</b>  <b>M.D.</b>  See note on page 9 Partnership for Primary Care	TMDSAS <sup>2</sup> \$55 <u>\$75</u> for the first school <u>for            Texas            residents; \$120            for non-Texas            residents</u>  College of Medicine Secondary Application \$60 NR fee	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.	Official transcript of all undergraduate & graduate work from previously attended institutions	Completion of set core curriculum with competitive GPA & MCAT scores required  Admission is competitive	Not applicable	Not appli- cable	At least 90 SCHs from a fully accredited college or university in the US or its territories including specific subject requirements.  Degree preferred. from a US accredited college or university  Preference given to U.S. permanent residents	One composite letter from health professions advisory committee; or <u>at least</u> two letters from current/former Professors.  Personal interview required.

AMCAS<sup>1</sup> = American Medical College Admission Service

TMDSAS<sup>2</sup> = Texas Medical Dental School Application Service

<b>CAMPUS/ Programs</b>	<b>Application Fee</b>	<b>Bachelor's Degree</b>	<b>Official College Transcripts</b>	<b>Undergraduate Cumulative GPA</b>	<b>GRE<sup>+</sup></b>	<b>GMAT<sup>+</sup> (Business)</b>	<b>International Requirements<sup>++</sup></b>	<b>Letters of Recommendation (LOR) / Other</b>
<b>Graduate/ Professional</b>								
<b>Irma Lerma Rangel College of Pharmacy (COP)  Pharm.D.</b>	\$100 NR fee	Degree not required. Minimum of 72 SCHs college credit from a regionally-accredited college or university.	Official transcripts from each academic institution attended. **Transcripts in English as stated below	Minimum cumulative GPA of 2.75 or higher and a 40 percent minimum score on the Pharmacy College Admission Test (PCAT)	Not applicable	Not applicable	An official TOEFL score of 550 (213 or higher computer-based, 80 or higher internet) Score a 6.0 overall band score on the Academic Module of the I E L Testing Exam	Three completed LOR forms in sealed envelopes; at least two of these references should be from college professors.  Personal interview required.

<p><b>Graduate School of Biomedical Sciences</b></p> <p><u>School of Graduate Studies</u></p> <p>Ph.D. or M.S.</p>	<p>Domestic: \$50 NR fee. (The Medical Sciences program does not charge a fee for domestic applications.) International: \$75 NR fee</p> <p><u>Apply Texas application form (Bryan/College Station, Houston, Temple campuses) Graduate application located on the BCD "Prospective Students" webpage (Dallas campus)</u></p> <p><u>Bryan/College Station, Houston, Temple: Domestic Application fee waived.</u></p> <p><u>International: \$75 NR fee</u> <u>Dallas: Domestic/International: \$35 NR fee</u></p>	<p>Bachelor's <u>Bacca-laureate, graduate, or clinical</u> degree in appropriate discipline <u>from an accredited institution</u></p>	<p>Official college transcripts from each academic institution attended beyond high school</p>	<p>Minimum GPA of 3.0 or better in an appropriate discipline expected; specific requirements vary slightly by component</p>	<p>Required</p> <p>Verbal + Quantitative</p>	<p>Not applicable</p>	<p>TOEFL of 550 or better OR 213 (computer based; 80 or higher internet) or 450 (verbal GRE) OR Score a 6.0 overall band score on the Academic Module of the I E L Testing Exam</p>	<p>Three LOR Forms Required</p>
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CAMPUS/ Programs	Application Fee	Bachelor's Degree	Official College Transcripts	Undergraduate Cumulative GPA	GRE <sup>+</sup>	GMAT <sup>+</sup> (Business)	International Requirements++	Letters of Recommendation (LOR) / Other
<b>Graduate/ Professional</b>								
<b>School of Rural Public Health  M.H.A</b>	SOPHAS/ SRPH Graduate Admissions Form; \$115 NR fee;  \$115 NR fee for international students  <del>SRPH secondary application \$25 NR-fee</del>	Bachelor's or professional degree from an accredited college or university	Official transcripts from each academic institution attended since high school	Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative, <u>or upper division</u>	Official scores required	Official scores required	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  Transcripts <u>in</u> English & WES/ECE <sup>2</sup> Transcript Analysis	Three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance  Interviews are required
<b>School of Rural Public Health  M.P.H.</b>	SOPHAS/ SRPH Graduate Admissions Form; \$115 NR fee;  \$115 NR fee for international students  <del>SRPH secondary application \$25 NR-fee</del>	Bachelors or professional degree from an accredited college or university	Official transcripts from each academic institution attended since high school	Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative, <u>or upper division</u>	Official scores required from one of GRE, GMAT, LSAT, MCAT, DAT, or PCAT (GRE Preferred)	Will accept GMAT for M.P.H.	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  Transcripts in English & WES/ECE <sup>2</sup> Transcript Analysis	Three LOR forms are required from persons who are familiar with the applicant's professional and/or academic performance.  Interviews highly likely and encouraged but not required.

CAMPUS/ Programs	Application Fee	Bachelor's Degree	Official College Transcripts	Undergraduate Cumulative GPA	GRE <sup>+</sup>	GMAT <sup>+</sup> (Business)	International Requirements++	Letters of Recommendation (LOR) / Other
<b>Graduate/ Professional</b>								
<b>School of Rural Public Health</b>  <b>M.S.P.H</b>	SOPHAS/ SRPH Graduate Admissions Form; \$115 NR fee;  \$115 NR fee for international students  <b>SRPH</b> <b>secondary</b> <b>application \$25</b> <b>NR-fee</b>	Bachelors or professional degree from an accredited college or university	Official transcripts from each academic institution attended since high school	Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative, <u>or</u> <u>upper division.</u>	Official scores required	Not applicable	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  Transcripts in English & WES/ECE <sup>2</sup> Transcript Analysis	Three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance
<b>School of Rural Public Health</b>  <b>Ph.D.</b>	SOPHAS/ SRPH Graduate Admissions Form  \$115 NR fee  \$115 NR fee for international students  <b>SRPH</b> <b>secondary</b> <b>application \$25</b> <b>NR-fee</b>	Bachelors or professional degree and relevant <u>degree</u> containing research training from an accredited college or university	Official transcripts from each academic institution attended since high school	Competitive GPA	Official scores required	Official scores required	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  Transcripts in English & WES/ECE <sup>2</sup> Transcript Analysis	At least three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance



<p><b>School of Rural Public Health</b></p> <p><b>Dr. P.H.</b></p>	<p>SOPHAS/ SRPH Graduate Admissions Form</p> <p>\$115 NR fee</p> <p>\$115 NR fee for international students</p> <p><del>SRPH secondary application \$25 NR fee</del></p>	<p>Bachelors or professional degree and relevant Masters degree from an accredited college or university</p>	<p>Official transcripts from each academic institution attended since high school</p>	<p>Competitive GPA</p>	<p>Official scores required</p>	<p>Not applicable</p>	<p>TOEFL score of 587 or higher (paper); 95 or higher (internet)</p> <p>240 or higher (computer)</p> <p>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</p> <p>Transcripts in English &amp; WES/ECE<sup>2</sup> Transcript Analysis</p>	<p>At least three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance</p>
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*SOPHAS=Schools of Public Health Application Service*

<sup>2</sup>*WES/ECE = World Education Services/Educational Credentials Evaluators*

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.

+ GRE and GMAT: Evaluated in a manner which complies with HB 1641 (77<sup>th</sup> Session, 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 US residents) are required to be covered under the Student Health Insurance Plan or have equivalent insurance coverage as described 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/>).

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** George C. Wright, President  
Prairie View A&M University

**Subject:** Approval to Offer Existing Bachelor's and Master's Degree Programs at the Prairie View A&M University Northwest Houston Center, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

**Proposed Board Action:**

Approve the delivery of the existing Master of Business Administration (M.B.A.) degree program and the Bachelor of Arts (B.A.) in Communications degree program at the Prairie View A&M University (PVAMU) Northwest Houston Center (NWHC), authorize submission to the Texas Higher Education Coordinating Board (THECB) for approval, and certify that all applicable THECB criteria have been met.

**Background Information:**

PVAMU has the authority to offer the M.B.A. and B.A. in Communications and requests permission to provide instruction in support of the programs at the NWHC through blended courses combining face-to-face and online instruction.

The request has been approved by the University Consortium and Coordinating Council made up of representatives from The Texas A&M University System, The Texas State University System, the University of Houston System and Texas Southern University which coordinates degree offerings at the NWHC.

**A&M System Funding or Other Financial Implications:**

Sufficient faculty will be present to offer the programs at a high level of quality and a critical mass of students will exist so the programs are self-sufficient within five years.

Agenda Item No.

**PRAIRIE VIEW A&M UNIVERSITY**

Office of the President

June 2, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval to Offer Existing Bachelor's and Master's Degree Programs at the Prairie View A&M University Northwest Houston Center, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A& M University System approves the request to offer the existing Bachelor of Arts in Communications and the Master of Business Administration degree programs at the Prairie View A&M University Northwest Houston Center.**

**The Board also authorizes submission of this request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

George C. Wright, President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**EXECUTIVE SUMMARY**

**Prairie View A&M University**  
Request to Offer Bachelor's/Master's Degrees  
Through Distance Education  
Off-Campus Face-to-Face Delivery

Prairie View A&M University  
Northwest Houston Center  
9449 Grant Road  
Houston, TX 77970

***Proposed Degrees***

Prairie View A&M University (PVAMU) requests permission to offer existing upper division courses leading to a Bachelor of Arts degree in Communications and graduate courses leading to a Master of Business Administration through distance education. The programs named in this proposal will be delivered at the PVAMU Northwest Houston Center (NWHC), 9449 Grant Road, Houston, Texas 77070.

Courses related to the degree programs named in this proposal will be delivered primarily face-to-face and some courses may be offered online and as blended courses combining online and face-to-face instruction.

PVAMU certifies that the proposed degree offerings meet the criteria of the Texas Higher Education Coordinating Board (THECB) set forth in THECB Rules Chapter 4 *Subchapter Q Approval of Off-Campus and Self-Supporting Courses and Programs for Public Institutions*.

***Rationale***

The degree program requests are part of the strategic plan to offer higher education opportunities to the northwest Houston area. The NWHC is a consortium made up of representatives from The Texas A&M University System, The Texas State University System, The University of Houston System and Texas Southern University organized to help meet the higher education needs of the northwest Houston area. All program offerings must be approved by the University Consortium and Coordinating Council comprised of representatives of these institutions prior to submission to institutional governing boards and the THECB.

***Cost Implications***

Five-year funding estimates exceed the five-year cost estimates associated with delivering the proposed programs.

***Effective Date***

The proposed implementation date for off-campus delivery of the programs named in this proposal is the fall 2011 semester.

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** F. Dominic Dottavio, President/CEO  
Tarleton State University

**Subject:** Approval of a Bachelor of Arts in International Studies Degree Program, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

**Proposed Board Action:**

Approve the establishment of a new degree program at Tarleton State University (Tarleton) leading to the Bachelor of Arts (B.A.) in International Studies, authorize the submission of this degree program to the Texas Higher Education Coordinating Board (THECB), and certify that all applicable THECB criteria have been met.

**Background Information:**

Tarleton currently offers no undergraduate degree explicitly tailored to give students a thorough understanding of the new "Flat World" in which they will increasingly live. This degree will be explicitly designed to pull together, into a coherent program of study, courses in many different disciplines that contribute to a holistic understanding of the international environment. It will draw upon required courses in world history, international politics, international law, international economics and world geography to give students a well-rounded understanding of the international community.

**A&M System Funding or Other Financial Implications:**

There will be minimal new costs to the university for adding this degree program. The B.A. in International Studies is an interdisciplinary degree composed of courses that currently exist in the various academic areas of study.

Agenda Item No.

**TARLETON STATE UNIVERSITY**

Office of the President

May 12, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of a Bachelor of Arts in International Studies Degree Program, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves the establishment of a new degree program at Tarleton State University leading to a Bachelor of Arts in International Studies.**

**The Board also authorizes submission of Tarleton’s new degree program request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

F. Dominic Dottavio  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

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B. J. Crain  
Chief Business Officer

Tarleton State University  
Bachelor of Arts  
with a major in International Studies  
(CIP 30.2001.00)

**Program Review Outline**

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**BACKGROUND & PROGRAM DESCRIPTION**

Administrative Unit: The Department of Social Sciences in the College of Liberal and Fine Arts

The Bachelor of Arts in International Studies will be a cross-disciplinary degree that draws upon existing faculty and resources in several different departments.

This degree is designed to prepare students (a) to recognize and capitalize on educational, social and economic opportunities in an increasingly interconnected world, (b) for a wide range of high demand careers in an increasingly competitive international environment and (c) to be political, economic and educational leaders in critical international institutions.

The degree will consist of a cross disciplinary curriculum which includes a required 53 credit hours of coursework in world geography, foreign language, world history, world literature, political science, economics and international business and law. The degree will also require an additional 21 credit hours of prescribed electives drawn mainly from courses in the history and literature of various world regions outside of the United States. Finally, the degree will require students to take a minimum of six credit hours of classes while residing outside the United States.

Tarleton State University certifies that the proposed new degree program meets the criteria under the Texas Administrative Code Section 5.50 (b) in regards to need, quality, resources, standards and costs. New costs during the first five years will not exceed \$2 million.

The proposed implementation date for the program is fall 2011.

**I. NEED**

**A. Employment Opportunities**

Economic growth rates in emerging markets such as India, China, and Brazil are projected to be three to four times larger than in the United States for at least the next decade. Most large American corporations are currently generating ever-larger portions of their profits from overseas operations. Of Coke's 93,000 global employees, less than 13 percent were in the U.S. in 2009, down from 19 percent five years ago. DuPont's work force also reflects the shift in overseas growth: In a presentation on emerging markets, the company said its number of employees in the U.S. shrank by nine percent between January 2005 and October 2009. In the same period, its work force grew 54

percent in the Asia-Pacific countries. The strategy is not restricted to just the largest American companies. Entrepreneurs, whether in technology, retail or in manufacturing, today hire globally from the start.

The rapid growth of international organizations as well as the tremendous expansion of international manufacturing, trade and finance growth seen in recent years guarantees a strong and enduring demand for students well trained in International Studies. American students fluent in foreign languages and well trained in the political and economic realities of what Thomas Friedman calls the new “Flat world” will increasingly be in demand to fill positions in American firms with expanding international operations, as well as the growing number of professional positions in non-U.S. firms overseas.

## **B. Projected Enrollment**

The projected enrollment for the program over its first five years is a head count of 94 students of which 72 will be new students. These enrollment projections assume an initial new student enrollment of 10 students growing to 18 new students a year by the fifth year of the program’s existence.

It should be noted that projected student enrollments in similar International Studies programs in other state universities in Texas have consistently underestimated future student demand. The International Studies program at College Station in the early 1990s, for example, initially projected a maximum enrollment of 100 students. Today, the program enrolls over 750 students and is one of the most popular programs in the College of Liberal Arts.

## **C. Existing State Programs**

Nearly all of the major state universities now have some form of an International Studies program. These programs vary somewhat from one institution to another. Nearly all of these programs draw on faculty and resources from a wide range of academic disciplines and either require or strongly encourage students to master a foreign language and spend some time overseas.

# **II. QUALITY & RESOURCES**

## **A. Faculty**

There are six core faculty that will be working in the proposed program. All of these faculty currently teach courses that are required courses in the International Studies curriculum. The faculty teach in several different academic disciplines including Political Science, History, Economics and Geography. All of these professors hold a doctorate degree and are full-time members of the faculty. There are five additional support faculty in the program, teaching in the areas of languages, literature, history and business. These faculty also are full-time and have the Ph.D. or comparable degree for their particular field of study.



## B. Supplies, Materials

Current supplies and materials are sufficient for the delivery of this degree.

## C. Library

The combined resources of monographs and journals in Tarleton State's Dick Smith Library are sufficient to support the proposed B.A. in International Studies.

## D. Equipment, Facilities

The proposed program will draw upon classrooms, technology and other facilities and equipment already dedicated to existing courses that will be combined into the new B.A. in International Studies. The O.A. Grant Humanities Building, which houses the Department of Social Sciences, the administrative home for the proposed new program, has recently undergone an upgrade in technology to support the needs of the current student body.

## III. COSTS AND FUNDING

Estimated New Five-Year Costs		Estimated New Five-Year Funding	
Personnel <sup>1</sup>		Reallocated Funds	\$93,945
Faculty (new faculty year 3)	\$168,750		
Administration (reallocation)	\$71,425		
Graduate Assistants (new year 4)	\$6,400		
Clerical/Staff (reallocation)	\$22,320		
Other Personnel	\$0		
Facilities, Equipment & IT Resources	\$0	Anticipated New Formula Funding <sup>3</sup>	\$135,387
Supplies and Materials	\$0	Special Item Funding	\$0
Library	\$0	Designated Tuition	\$807,104
Other <sup>2</sup>	\$0	Other <sup>4</sup>	0
<b>Total Costs</b>	<b>\$268,895</b>	<b>Total Funding</b>	<b>\$1,036,436</b>

1. Report costs for new faculty hires, graduate assistants, and technical support personnel. For new faculty, prorate individual salaries as a percentage of the time assigned to the program. If existing faculty will contribute to program, include costs necessary to maintain existing programs (e.g., cost of adjunct to cover courses previously taught by faculty who would teach in new program).
2. Specify other costs here (e.g., administrative costs, travel).
3. Indicate formula funding for students new to the institution because of the program; formula funding should be included only for years three through five of the program and should reflect enrollment projections for years three through five.
4. Report other sources of funding here. In-hand grants, "likely" future grants, and designated tuition and fees can be included.

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** F. Dominic Dottavio, President/CEO  
Tarleton State University

**Subject:** Approval of a New Master of Science in Kinesiology, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

**Proposed Board Action:**

Approve the establishment of a new degree program at Tarleton State University leading to the Master of Science (M.S.) in Kinesiology, authorize the submission of this degree program to the Texas Higher Education Coordinating Board (THECB) and certify that all applicable THECB criteria have been met.

**Background Information:**

The Board of Regents of The Texas A&M University System granted approval of the preliminary proposal request for the M.S. in Kinesiology in May 2011. The Department of Kinesiology currently supports a Master of Education (M.Ed.) program. Based upon recommendations of an outside review of the Kinesiology graduate program and a survey of students, the Department of Kinesiology is recommending the establishment of a M.S. degree with support areas in Sports Medicine and Athletic Administration. The establishment of the M.S. degree will not require any additional funding as current faculty, staff, facilities and budget can accommodate the new program.

**A&M System Funding or Other Financial Implications:**

There will be no new costs to the university for adding this program. Students entering the master's program will be given the choice of either the M.S. or the current M.Ed. degree.

Agenda Item No.

**TARLETON STATE UNIVERSITY**

Office of the President

May 11, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of a New Master of Science in Kinesiology, and Authorization to Request  
Approval from the Texas Higher Education Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves the establishment of a new degree program at Tarleton State University leading to a Master of Science in Kinesiology with support areas in Sports Medicine and Athletic Administration.**

**The Board also authorizes submission of Tarleton State University’s new degree program request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

F. Dominic Dottavio  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

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B. J. Crain  
Chief Business Officer

Tarleton State University  
Proposed Master of Science Degree  
with a Major in Kinesiology (CIP 31.0505.00)

**Program Review Outline**

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**BACKGROUND & PROGRAM DESCRIPTION**

The Master of Science (M.S.) degree with a major in Kinesiology will be located in the Department of Kinesiology within the College of Education.

The Department of Kinesiology currently offers a Master of Education (M.Ed.) degree designed to promote the professional growth of teachers, administrators and exercise specialists. The establishment of a M.S. degree with support areas in Sports Medicine and Athletic Administration is designed to provide a quality academic experience rich in critical thinking and leadership opportunities. A 36 hour non-thesis option and a 30 hour thesis option are proposed. Students entering the master's program will be given the choice of either the M.S. or the M.Ed. degree. Existing faculty will deliver the existing courses and no new courses will be added to the degree.

Tarleton State University (Tarleton) certifies that the proposed new degree program meets the criteria under the Texas Administrative Code Section 5.50 (b) in regards to need, quality, resources, standards and costs. New costs during the first five years will not exceed \$2 million.

Proposed implementation: fall 2011

**I. NEED**

**A. Employment Opportunities**

- Rapid job growth and excellent job opportunities are expected. Jobs will be in the educational setting (secondary and/or higher education), clinical setting (hospitals and private clinics/offices) and for-profit settings (corporate fitness, leisure services and private enterprise).
- Employment is expected to grow faster than average for all occupations except sports officials. It should be noted that although employment for sports officials will grow 10% within the next 10 years, this occupation is considered a 'moonlighting' job for most individuals within the industry of athletics (Bureau of Labor Statistics, 2010-11).

**B. Enrollment Projections**

YEAR	2011	2012	2013	2014	2015
Headcount	46	51	56	61	67

### **C. Existing State Programs**

There are 11 graduate programs at state institutions of similar size and scope in the state of Texas. Comparable programs in Tarleton's geographic area include Angelo State University and Midwestern State.

## **II. QUALITY & RESOURCES**

### **A. Faculty**

There are nine core faculty within the Kinesiology department; eight are full-time and one is a retired faculty member with adjunct status. At this time, there are no plans to add any additional faculty members.

### **B. Program Administration**

One faculty member serves as Coordinator for the Kinesiology Graduate Program but does not receive release time for this administrative effort.

### **C. Other Personnel**

One person serves as support personnel for both the Graduate and Undergraduate Programs.

Graduate Assistants. Two students currently serve as Graduate Assistants (GAs) in the Kinesiology Department; however, many of the graduate students are GAs within the Athletic Department, Recreation Sports Department or Sports Medicine program.

### **D. Supplies, Materials**

Current supplies and materials supporting the M.Ed. will be utilized for the M.S. degree.

### **E. Library**

Library services are able to provide access to necessary information resources and services in support of program requirements.

### **F. Facilities and Equipment**

Facilities that support the existing M.Ed. program are housed in Wisdom Gymnasium. These same facilities will be utilized to support the M.S. degree.

### **G. Clinical/Internship Sites**

Internship sites for the M.S. with Athletic Administration have been approved at Tarleton and local surrounding school districts.

## **III. COSTS & FUNDING SOURCES**

There will be no new costs to the university for adding this program.

**AGENDA ITEM BRIEFING**

**Submitted by:** F. Dominic Dottavio, President/CEO  
Tarleton State University

**Subject:** Approval to Offer Existing Bachelor's and Master's Degrees at the Southwest Metroplex Center Locations, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

**Proposed Board Action:**

Approve the delivery of existing upper division courses leading to bachelor's degree completion programs and graduate courses leading to master's degree programs at the Southwest Metroplex Center locations, and authorize the submission of these requests to the Texas Higher Education Coordinating Board for approval.

**Background Information:**

Tarleton has the authority to offer the programs listed below and requests permission to provide instruction in support of the programs at the Southwest Metroplex Center via face-to-face instruction at the Southwest Metroplex Center locations. Limited courses may be offered by interactive video conferencing between the main campus in Stephenville and the Southwest Metroplex Center and some courses may be offered online and as blended courses combining online instruction and face-to-face instruction.

Tarleton State University (Tarleton) has the authority to offer all of the courses leading to the following degree programs: Bachelor's Degree Completion Programs: Bachelor of Applied Arts and Sciences in Criminal Justice Administration; Bachelor of Applied Arts and Sciences in Manufacturing and Industrial Management; Bachelor of Applied Arts and Sciences in Information Technology; Bachelor of Applied Technology in Health Professions Technology; Bachelor of Business Administration/Bachelor of Science in Accounting; Bachelor of Business Administration in Computer Information Systems; Bachelor of Business Administration in Management; Bachelor of Science in Family and Consumer Science; Bachelor of Social Work; and, Master's Degree Programs: Master of Criminal Justice and Master of Science in Medical Laboratory Science.

**A&M System Funding or Other Financial Implications:**

Sufficient faculty will be present to offer the programs at a high level of quality and a critical mass of students will exist so the programs are self-sufficient within five years.

Agenda Item No.

**TARLETON STATE UNIVERSITY**

Office of the President

April 7, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval to Offer Existing Bachelor's and Master's Degrees at the Southwest Metroplex Center Locations, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves the delivery of existing Bachelor’s and Master’s Degrees at the Southwest Metroplex Center locations.**

**The Board also authorizes the submission of Tarleton State University’s requests to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

F. Dominic Dottavio, President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

\_\_\_\_\_  
Scott A. Kelly  
Deputy General Counsel

\_\_\_\_\_  
Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**Tarleton State University**

**Request to Offer Existing Bachelor's/Master's Degrees Off-Campus Face-to-Face**

H. Hickman Building  
6777 Camp Bowie Blvd., Suite 500  
Fort Worth, Texas 76616

R. C. Schaffer Building  
1501 Enderly Place  
Fort Worth, Texas 76104

**EXECUTIVE SUMMARY**

***Proposed Off-Campus Face-to-Face Degrees***

Tarleton State University (Tarleton) requests permission to offer existing upper division courses leading to Bachelor's degree programs and graduate courses leading to Master's degree programs as described below. The programs named in this proposal will be delivered at the H. Hickman Building, 6777 Camp Bowie Boulevard, Suite 500, Fort Worth, Texas, 76616 and at the R. C. Schaffer Building, 1501 Enderly Place, Fort Worth, Texas, 76104. The Southwest Metroplex Center was chosen because the sites are several of the fastest growing counties in Texas and because the Center was previously approved for instructional delivery by the Texas A&M Board of Regents.

Bachelor's Degree Completion Programs:

- Bachelor of Applied Arts and Sciences (B.A.A.S.) in Criminal Justice Administration
- Bachelor of Applied Arts and Sciences (B.A.A.S.) in Manufacturing and Industrial Management
- Bachelor of Applied Arts and Sciences (B.A.A.S.) in Information Technology
- Bachelor of Applied Technology (B.A.T.) in Health Professions Technology
- Bachelor of Business Administration/Bachelor of Science (B.B.A./B.S.) in Accounting
- Bachelor of Business Administration (B.B.A.) in Computer Information Systems
- Bachelor of Business Administration (B.B.A.) in Management
- Bachelor of Science (B.S.) in Family and Consumer Science
- Bachelor of Social Work (B.S.W.)

Master's Degree Programs:

- Master of Criminal Justice (M.C.J.)
- Master of Science (M.S.) in Medical Laboratory Science

Courses related to the degree program named in this proposal will be delivered primarily face-to-face at the Southwest Metroplex locations. Limited courses may be offered by interactive video conferencing between the main campus in Stephenville and the Southwest Metroplex locations and some courses may be offered online and as blended courses combining online instruction and face-to-face instruction.

This site was previously approved by the Board of Regents for instructional delivery by Tarleton.



### ***Rationale***

Tarleton requests to offer the above named programs at the Southwest Metroplex locations based on a community needs assessment. Importantly, workforce data for the Dallas-Fort Worth Metroplex area suggests that these degrees will prepare students for growing areas of the workforce. Tarleton has authority to offer the entire degree program named in this proposal.

### ***Cost Implications***

Five year funding estimates exceed the five year cost estimates associated with delivering the proposed program at the Southwest Metroplex Center locations.

### ***Effective Date***

The proposed implementation date for off-campus delivery of the program named in this proposal is the spring 2012 semester.

Agenda Item No.

## **AGENDA ITEM BRIEFING**

**Submitted by:** F. Dominic Dottavio, President  
Tarleton State University

**Subject:** Approval to Offer Existing Bachelor's and Master's Degrees at Tarleton State University-Waco at McLennan Community College University Center, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

### **Proposed Board Action:**

Approve the delivery of existing upper division courses leading to bachelor's degree completion programs and graduate courses leading to master's degree programs at Tarleton State University-Waco at McLennan Community College (MCC) University Center, as part of the existing partnership between Tarleton State University (Tarleton) and MCC, and authorize the submission of this request to the Texas Higher Education Coordinating Board for approval.

### **Background Information:**

Tarleton has the authority to offer the programs listed below and requests permission to provide instruction in support of the programs at MCC via face-to-face instruction. Limited courses may be offered by interactive video conferencing between the main campus in Stephenville and MCC, and some courses may be offered online and as blended courses combining online instruction and face-to-face instruction.

Bachelor's Degree Completion Programs will include: Bachelor of Business Administration in Accounting; Bachelor of Business Administration in Computer Information Systems; Bachelor of Business Administration in Management; Bachelor of Science in Agricultural Services and Development (Agricultural Extension/Industry and Agricultural Science with Teacher Certification options); Bachelor of Science in Interdisciplinary Studies—Early Childhood—6 Teacher Certification (Generalist/ ESL/Bilingual/All-Level Special Education options); Bachelor of Science in Family and Consumer Science: Child and Family Studies; and Bachelor of Social Work.

Master's Degree Programs will include: Master of Education in Curriculum and Instruction and Master of Criminal Justice.

### **A&M System Funding or Other Financial Implications:**

Sufficient faculty will be present to offer the programs at a high level of quality and a critical mass of students will exist so the programs are self-sufficient within five years.

Agenda Item No.

**TARLETON STATE UNIVERSITY**

Office of the President

April 8, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval to Offer Existing Bachelor's and Master's Degrees at Tarleton State University-Waco at McLennan Community College University Center, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves the delivery of existing Bachelor’s and Master’s Degrees at Tarleton State University-Waco at McLennan Community College University Center.**

**The Board also authorizes the submission of Tarleton State University’s request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

F. Dominic Dottavio, President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**Tarleton State University**

**Request to Offer Existing Bachelor's/Master's Degrees Off-Campus Face-to-Face**

Tarleton State University–Waco  
at McLennan Community Center University Center  
1400 College Drive  
Waco, Texas 76708

**EXECUTIVE SUMMARY**

***Proposed Off-Campus Face-to-Face Degrees***

Tarleton State University requests permission to offer existing upper division courses leading to bachelor's degree programs and graduate courses leading to master's degree programs as described below. The programs named in this proposal will be delivered at Tarleton State University–Waco at McLennan Community College (MCC) University Center, as part of the existing partnership between Tarleton and MCC.

Bachelor's Degree Completion Programs:

- Bachelor of Business Administration (B.B.A.) in Accounting
- Bachelor of Business Administration (B.B.A.) in Computer Information Systems
- Bachelor of Business Administration (B.B.A.) in Management
- Bachelor of Science (B.S.) in Agricultural Services and Development (Agricultural Extension/Industry and Agricultural Science with Teacher Certification options)
- Bachelor of Science (B.S.) in Interdisciplinary Studies–Early Childhood–6 Teacher Certification (Generalist/ESL/Bilingual/All-Level Special Education options)
- Bachelor of Science (B.S.) in Family and Consumer Science: Child and Family Studies
- Bachelor of Social Work (B.S.W)

Master's Degree Programs:

- Master of Education (M.Ed.) in Curriculum and Instruction
- Master of Criminal Justice (M.C.J.)

Courses related to the degree programs named in this proposal will be delivered primarily face-to-face at the MCC campus. Limited courses may be offered by interactive video conferencing between the main campus in Stephenville and the MCC campus and some courses may be offered online and as blended courses combining online instruction and face-to-face instruction. This site was previously approved by the Board of Regents for instructional delivery by Tarleton.

***Rationale***

Tarleton requests to offer the above-named programs at this location based on a request from MCC as part of the existing partnership between the university and MCC's University Center. Tarleton has the authority to offer all of the courses leading to the degree programs named

above. Importantly, student interest data and workforce data support a need for the delivery of these undergraduate degree completion programs and master's degree programs at the MCC location.

***Cost Implications***

Five-year funding estimates exceed the five year cost estimates associated with delivering the proposed programs at the MCC University Center.

***Effective Date***

The proposed implementation date for off-campus delivery of the programs named in this proposal is the spring 2012 semester.

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** R. Bowen Loftin, President  
Texas A&M University

**Subject:** Approval of a New Master of Science in Athletic Training Degree Program, and Authorization to Submit the Proposal to the Texas Higher Education Coordinating Board for Approval

**Proposed Board Action:**

Approve the establishment of a new degree program at Texas A&M University (Texas A&M) leading to a Master of Science in Athletic Training, authorize submission to the Texas Higher Education Coordinating Board (THECB) for approval, and certify that all applicable THECB criteria have been met.

**Background Information:**

The Master of Science in Athletic Training will provide students the opportunity to pursue a course of study to prepare them for certification and advancement in this growing field. Educational instruction will combine existing courses in kinesiology theory, nutrition and research methods with new offerings in therapeutic recovery and exercise, pharmacology and clinical experiences in athletic training.

All certified athletic trainers must have received a degree from an accredited college or university. The Commission on Accreditation of Athletic Training Education (CAATE) accredits the academic programs by developing, maintaining and promoting appropriate minimum standards of quality of entry-level Athletic Training educational programs. The Master of Science Degree in Athletic Training is designed to meet CAATE standards, which will allow graduates to achieve certification as an athletic trainer (A.T.C.) by the Board of Certification.

This targeted graduate program continues the tradition of professional education at Texas A&M and builds from strengths in the Department of Health and Kinesiology, The Sydney and J.L. Huffines Institute for Sports Medicine and Human Performance and related programs in health. This program represents a particular mutually beneficial partnership between the Department of Health and Kinesiology and the Texas A&M Athletic Department, which serves over 600 student athletes in numerous NCAA sports. Currently, only two similar programs exist in Texas.

The Master of Science Degree in Athletic Training was reviewed and approved by Texas A&M's College of Education and Human Development's Graduate Council, the Faculty Senate and the President. The degree will be effective fall 2011 or as soon as approved.

**A&M System Funding or Other Financial Implications:**

Estimated costs for the first five years of the program total \$836,075. Sources of funding include prioritized reallocation within the department and college and a five-year commitment from the Athletic Department to fund a clinical position. Associated expenses appear negotiable with opportunity for program growth through student interest.

Agenda Item No.

**TEXAS A&M UNIVERSITY**  
Office of the President  
May 23, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of a New Master of Science in Athletic Training Degree Program, and Authorization to Submit the Proposal to the Texas Higher Education Coordinating Board for Approval

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves the establishment of a new degree program at Texas A&M University leading to a Master of Science Degree in Athletic Training.**

**The Board also authorizes submission of Texas A&M University’s new graduate degree program request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

R. Bowen Loftin  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

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B. J. Crain  
Chief Business Officer

Texas A&M University  
Proposed Master of Science Degree in Athletic Training  
(CIP 51.0913.02)

**Program Review Outline**

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**BACKGROUND AND PROGRAM DESCRIPTION**

The proposed Master of Science degree in Athletic Training will be administered by the Department of Health and Kinesiology within the College of Education and Human Development.

All certified athletic trainers must have received a degree from an accredited college or university. The Commission on Accreditation of Athletic Training Education (CAATE) accredits the academic programs by developing, maintaining and promoting appropriate minimum standards of quality of entry-level Athletic Training educational programs. The Master of Science Degree in Athletic Training is designed to meet CAATE standards, which will allow graduates to achieve certification as an athletic trainer (A.T.C.) by the Board of Certification (BOC). The degree program requires a total of 60 semester credit hours.

Texas A&M University (Texas A&M) certifies that the proposed new degree program meets the criteria under the Texas Administrative Code Section 5.50 (b) in regards to need, quality, resources, standards and costs. New costs during the first five years will not exceed \$2 million.

The proposed implementation date is fall 2011, or as soon as approved.

**I. NEED**

**A. Employment Opportunities**

Athletic trainers work in a variety of health care delivery systems including secondary schools, colleges and universities, professional sports programs, sports medicine clinics, corporate/industrial and other health care settings. A job search in February 2010 on the National Athletic Trainers' Association (NATA) showed a listing of 219 jobs. Previous searches during peak hiring times would have over 500 listings. There appear to be greater opportunities for those athletic trainers with a master's degree.

**B. Projected Enrollment**

The proposed program's projected enrollment for the first five years is seven student headcount and nine FTSE in the first year growing to 30 student headcount with 37.5 FTSE in the fifth year.

**C. Existing State Programs**

There are currently only two accredited entry-level master's programs in Texas, Stephen F. Austin University (SFA) and Texas Tech University. According to the directors of these respective programs, their universities are unable to accept the numbers of applying students. Two specific groups of people will benefit from this program. One group consists of licensed athletic trainers in



the state of Texas who would like to achieve certification. The added benefit for these individuals would be attainment of a master's degree. Several of our student athletic trainers who were Texas A&M graduates have continued their education at SFA for these reasons. According to NATA, 70 percent of credential holders nationally have a master's degree. A second group that would benefit would be those who have already graduated in other areas but have decided they would like to be able to achieve their goal of becoming an athletic trainer by completing this program. SFA reports approximately a 50/50 split between these two groups in their program.

## **II. QUALITY AND RESOURCES**

### **A. Faculty**

This program has been identified by the department and college as a unique opportunity and priority for resources. Two new clinical professor positions will be funded in support of this program. One position, 100% time assigned to the program for the first year, is being funded by internal reallocation within the College. The second position will be initiated the second year. One of these positions will be fully supported for five years by the Texas A&M Athletic Department.

### **B. Other Personnel**

Existing administrative personnel will be reallocated to support this program.

### **C. Facilities and Equipment/Supplies and Materials**

Classroom facilities will be housed within the Department of Health and Kinesiology located in the Read Building and G. Rollie White. Additional clinical facilities will be utilized in the Athletics Department. These facilities include athletic training rooms at the Bright Building and the West Campus Athletic Training Room. These athletic training rooms are fully equipped and will not need any improvements. The athletic director is in full support of this proposal and a willing partner in scheduling space utilization.

### **D. Library**

No additional library holdings are needed to support this program.

### **E. Accreditation**

Accreditation will be pursued with CAATE. This agency is responsible for the accreditation of 360 professional (entry-level) Athletic Training educational programs. The American Academy of Family Physicians, The American Academy of Pediatrics, the American Orthopedic Society for Sports Medicine and NATA cooperate to sponsor the CAATE and to collaboratively develop the Standards for Entry-Level Athletic Training Educational Programs. The process for accreditation includes an application, comprehensive self-study report and site visit by CAATE.

### III. COSTS & FUNDING SOURCES

Five-Year Costs		Five-Year Funding	
Personnel <sup>1</sup>		Reallocated Funds	\$836,075
Faculty	\$735,575		
Administration	\$30,000		
Graduate Assistants			
Clerical/Staff	\$0		
Other Personnel	\$0		
Facilities, Equipment & IT Resources	\$	Anticipated New Formula Funding <sup>3</sup>	\$912,808
Supplies and Materials	\$19,000	Special Item Funding	\$0
Library	\$0	Designated Tuition <sup>4</sup>	\$385,629
Other <sup>2</sup>	\$51,500	Other <sup>5</sup>	\$0
<b>Total Costs</b>	<b>\$836,075</b>	<b>Total Funding</b>	<b>\$2,134,512</b>

1. Report costs for reassigned faculty, new faculty hires, graduate assistants, and technical support personnel. Prorate individual salaries as a percentage of the time assigned to the program. If existing faculty will contribute to program, include costs necessary to maintain existing programs (e.g., cost of adjunct to cover courses previously taught by faculty who would teach in new program).
2. Specify other costs here (e.g., accreditation, travel).
3. Indicate formula funding for students new to the institution because of the program; formula funding should be included only **for years three through five** of the program and should reflect enrollment projections for years three through five.
4. SCH for **years one through five** times designated tuition minus required set asides (roughly 15%).
5. Report other sources of funding here. In-hand grants, "likely" future grants, and course specific fees can be included.

Agenda Item No.

## **AGENDA ITEM BRIEFING**

**Submitted by:** R. Bowen Loftin, President  
Texas A&M University

**Subject:** Approval of a New Master of Fine Arts Degree Program in Visualization, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

### **Proposed Board Action:**

Approve the establishment of a new Master of Fine Arts degree program in Visualization (MFA-V), authorize submission of Texas A&M University's (Texas A&M) program request to the Texas Higher Education Coordinating Board (THECB) for approval and certify that all applicable THECB criteria have been met.

### **Background Information:**

The MFA-V program will create a non-thesis 60-credit-hour terminal degree within the Department of Visualization in the College of Architecture at Texas A&M. The MFA-V will offer a technology-infused visual arts oriented degree that complements the existing Master of Science in Visualization by expanding post-graduate opportunities to include commercial art direction in digital media, self-employment as a contemporary artist and teaching positions in academia.

The MFA-V at Texas A&M creates a unique opportunity for Texas students to remain in state to receive a terminal fine arts degree that incorporates critical fields of science, technology, engineering and math (STEM) into coursework that includes animation, motion graphics, 3D modeling, interactive media, mobile device mediums, physical computing and robotics.

The MFA-V was reviewed and approved by Texas A&M's Department of Visualization, College of Architecture and the Faculty Senate. The degree will be effective as soon as it has approval.

### **A&M System Funding or Other Financial Implications:**

Estimated costs for the first five years of the program total \$845,250. Support for graduate students and a targeted new faculty hire is committed from prioritized reallocation within the department. Sources of funding and associated expenses appear negotiable with internal reallocation and opportunity for program growth through student interest.

Agenda Item No.

**TEXAS A&M UNIVERSITY**

Office of the President

May 23, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of a New Master of Fine Arts Degree Program in Visualization, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves the establishment of a new degree program at Texas A&M University leading to a Master of Fine Arts degree in Visualization.**

**The Board also authorizes submission of Texas A&M University’s new graduate degree program request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

R. Bowen Loftin  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

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B. J. Crain  
Chief Business Officer

Texas A&M University  
Proposed Master of Fine Arts in Visualization  
(CIP 50.0706 Intermedia/Multimedia [conditional])

**Program Review Outline**

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**BACKGROUND AND PROGRAM DESCRIPTION**

The proposed Master of Fine Arts in Visualization (MFA-V) will be administered by the Department of Visualization within the College of Architecture. The degree program requires a total of 60 semester credit hours.

The program will create a non-thesis 60-credit-hour terminal degree within the Department of Visualization. The MFA-V will offer a technology-infused visual arts oriented degree that complements the existing Master of Science in Visualization (MS VIZ) by expanding post-graduate opportunities to include commercial art direction in digital media, self-employment as a contemporary artist and teaching positions in academia.

Texas A&M University (Texas A&M) certifies that the proposed new degree program meets the criteria under the Texas Administrative Code Section 5.50 (b) in regards to need, quality, resources, standards and costs. New costs during the first five years will not exceed \$2 million.

The proposed implementation date is fall 2011, or as soon as approved.

**I. NEED**

**A. Employment Opportunities**

Graduates from the MFA-V program will be in demand for career positions in education, fine arts, entertainment and media industries. Holders of the MFA-V degree will be credentialed to teach in accredited post-secondary digital arts programs. The November 2008 College Art Association's career listing of 220 university teaching positions for studio artists announced 57 positions requiring expertise in digital mediums.

In the private sector, Dun & Bradstreet reports, as of January 2008, that Texas has 45,238 arts-related businesses employing 188,824 people, an 11% increase in businesses and a 6% increase in employment in just two years. A January 2009 report commissioned by the Texas Cultural Trust projects that by 2016, one in 12 jobs throughout Texas will be creative sector jobs (including computer & mathematical, architecture and engineering, sciences, art, design, entertainment, sport and media occupations). This represents a 22% increase from 2006. Wages for creative sector are 80.8% higher than non-creative industries. In San Antonio alone, the economic impact of design and advertising, museums and collections, and the visual arts totaled \$719 million in 2003. In Austin, the film and visual media, and the visual arts sectors employed over 6,500 people in 2006, generating \$167.5 million in wages.

Nationally, despite historically high unemployment rates in 2009, job opportunities for designers grew, according to the U.S. Bureau of Labor Statistics. Prior to the recession, there were 612,095 businesses nationwide involved in the creation or distribution of the arts as of January 2008. These businesses employed 2.98 million people (2.9 million as of January 2006). Between 2007 and 2008 the number of art-related businesses grew 12%.

### **B. Projected Enrollment**

A survey of former students of the Master of Science in Visualization was made in 2006 posing a question on preference of degree type. Sixteen percent stated preference of a Master of Fine Arts. The reasons given for this preference were a wider range of employment opportunities, the ability to teach at university level, a terminal degree preferred and a broader skill set. The proposed program's projected enrollment for the first five years is five student headcount, five FTSE in the first year growing to 20 student headcount with 20 FTSE in the fifth year.

### **C. Existing State Programs**

While a number of institutions offer the MFA degree in Texas, few offer a focus in visualization and none match Texas A&M's proposed program for strength of curricula, depth of science-based studio experience, affiliation with science, technology and math coursework and requirements for full GRE examination for admissions. The one that most closely matches Texas A&M's proposed program is the Arts & Technology (ATEC) Program at the University of Texas at Dallas, which is overflowing with more than 600 undergraduates, 200 master's students and 40 Ph.D. students. This program is a non-studio program in their School of Arts and Humanities.

Today, many students seeking a MFA with digital media and arts focus attend programs out of state, such as UC San Diego's MFA in Computing for the Arts and Clemson's MFA in Digital Production. In the case of Clemson, Texas A&M's Visualization faculty assisted in formulating the curriculum of the program they offer today.

## **II. QUALITY AND RESOURCES**

### **A. Faculty**

Support for an additional faculty member and graduate student support is currently planned from departmental prioritized reallocation. A number of the coursework from the MS VIZ is interchangeable. Existing faculty percent of time will be reallocated to fulfill this offering.

### **B. Other Personnel**

No new administrative positions are requested. Existing administrative personnel will be reallocated to support this offering.

### **C. Facilities and Equipment**

Adequate facility support exists for classrooms, sound stage studios, fabrication facilities for short-term projects (Texas A&M Riverside Campus Architecture Ranch), wood shop,

computing laboratories, color and black/white wet darkrooms, film processing, audio suite, image-processing/post-production suite and a small format printing/scanning facility.

Students enrolled in the MFA-V program will need individually assigned "cold-desk" studio space that does not currently exist. In order for a student to complete the Studio Research sequence, a workspace assigned to the student for the duration of their research is necessary. Space at Texas A&M is currently at a premium. One of the competitors for space in Building C of the Langford Architecture Complex, where Visualization is housed, is the Department of Construction Science. Construction Science is now in a capital campaign for a multi-storied building to be built within the next five years. Once that building is completed, additional space will become available in Building C. Also, it is likely the Department of Visualization will have access to classroom and studio space in that new building. Based on these projections, there will be an estimated five-year period during which assigned cold-desk studio space for MFA-V students will need to be outsourced.

Given the existing space requirements on campus, renting off-campus commercial space is a possible solution. The cold-desk studio space requirements are estimated at a total of 3,000 square feet. There are many empty commercial spaces of adequate size adjacent to or within biking distance of the campus. Many other rental spaces in the downtown area of Bryan exist, with most having excellent high-bandwidth network service potential and the possibility of being configured inside of Texas A&M's network firewall connection. A downtown Bryan location also provides an opportunity for enhancing community engagement, and for a vibrant Texas A&M presence in the revitalization of that urban fabric.

A hallmark of the MFA-V program at Texas A&M will be the provision of robust, professional-grade digital tools to form a core-level of technological studio resources. Specialized equipment resources to support the MFA-V students in the first five years are:

- High-performance graphical workstations: Two large format archival printers, one high-resolution scanner, one post-production area and one audio production area. These will be deployed over the 5-year period, in step with projected enrollment, and with a replacement cycle of 3.5 years.
- High-definition image acquisition devices: Five professional HD digital still cameras, three HD video cameras and portable field production kits (tripods, lighting and sound equipment). These will be deployed over the 5-year period; the replacement cycle will be 6 years.
- High-definition display systems: Large format flat screen devices that are mounted for easy relocation to accommodate a variety of small-group view situations.
- High Dynamic Range Input/Output devices: Latest generation large format archival ink-jet printers, and a medium format high-resolution image scanner.
- Studio furnishings: workstation tables and seating.
- Studio tools: general-purpose mechanical and electrical tools for use within the studio space.
- Other tools: Rigging and project-specific equipment will be provided by the student through extra-mural means, such as donation, gifts-in-kind and directed grantsmanship. This process would be an important adjunct to professional preparation.

Each student will be expected to provide a robust personal computer. There are also a number of generic open-access computing labs across the university that students may use. Additionally, the department currently provides two general purpose high-performance graphical computing labs for its graduate students.

**D. Library**

Resources available in the library to support the current Master of Science in Visualization degree are adequate for the requested MFA-V. Additionally, active participation of the Library in Internet activities ensures that visual arts students can locate and use materials from institutions and agencies around the world,

**E. Accreditation**

Accreditation for the MFA-V program will be sought from the National Association of Schools of Art and Design (NASAD). Founded in 1944, NASAD is recognized in the United States as a respected accreditation body for programs in art. NASAD recognizes programs in Electronic Art, which may include courses in computer science, engineering, animation and film/video languages as important contributors to the curriculum.

**III. COSTS & FUNDING SOURCES**

Estimated New Five-Year Costs		Estimated New Five-Year Funding	
Personnel <sup>1</sup>		Reallocated Funds	\$366,670
Faculty	\$270,000		
Administration	\$67,500		
Graduate Assistants	\$150,000		
Clerical/Staff	\$30,000		
Other Personnel	\$0		
Facilities, Equipment & IT Resources	\$275,000	Anticipated New Formula Funding <sup>3</sup>	\$200,588
Supplies and Materials	\$19,000	Special Item Funding	\$0
Library	\$0	Designated Tuition <sup>4</sup>	\$77,449
Other <sup>2</sup> (Travel)	\$33,750	Other <sup>5</sup>	\$220,000
<b>Total Costs</b>	<b>\$845,250</b>	<b>Total Funding</b>	<b>\$864,707</b>

1. Report costs for reassigned faculty, new faculty hires, graduate assistants, and technical support personnel. Prorate individual salaries as a percentage of the time assigned to the program. If existing faculty will contribute to program, include costs necessary to maintain existing programs (e.g., cost of adjunct to cover courses previously taught by faculty who would teach in new program).
2. Specify other costs here (e.g., accreditation, travel).
3. Indicate formula funding for students new to the institution because of the program; formula funding should be included only for **years three through five** of the program and should reflect enrollment projections for years three through five.
4. SCH for **years one through five** times designated tuition minus required set asides (roughly 15%).
5. Report other sources of funding here. In-hand grants, “likely” future grants, and course specific fees can be included.



Agenda Item No.

## **AGENDA ITEM BRIEFING**

**Submitted by:** Dan R. Jones, President  
Texas A&M University-Commerce

F. Dominic Dottavio, President  
Tarleton State University

**Subject:** Approval to Establish the Midlothian Higher Education Center, a Multi-Institutional Teaching Center on the Midlothian Campus of Navarro College, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

### **Proposed Board Action:**

Approve the establishment of the Midlothian Higher Education Center (MHEC), a multi-institutional teaching center on the Midlothian Campus of Navarro College, in partnership with Texas A&M University-Commerce (A&M-Commerce), Tarleton State University (Tarleton), and Navarro College, authorize the submission of this request to the Texas Higher Education Coordinating Board for approval and certify that all applicable criteria have been met.

### **Background Information:**

The leadership teams at A&M-Commerce, Tarleton and Navarro College have worked collaboratively and in good faith to develop a plan for the MHEC, a multi-institutional teaching center, to be located on the Midlothian Campus of Navarro College. The MHEC will bring baccalaureate and graduate degree programs to residents of Ellis County, providing students with convenient access to higher education. This expanded partnership will capitalize on the resources of multiple institutions of higher education in a cost-effective solution to meet the increasing demand for higher education opportunities within the community. The partnership will control education costs for students and families by relying upon Navarro College to provide all the lower level courses with a seamless transition to a four-year university.

### **A&M System Funding or Other Financial Implications:**

Reallocation of resources and tuition and fees will provide the funds necessary for the program.

Agenda Item No.

**TEXAS A&M UNIVERSITY-COMMERCE  
TARLETON STATE UNIVERSITY**

Offices of the President

May 26, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval to Establish the Midlothian Higher Education Center, a Multi-Institutional Teaching Center on the Midlothian Campus of Navarro College, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves the establishment of the Midlothian Higher Education Center, a multi-institutional teaching center on the Midlothian Campus of Navarro College.**

**The Board also authorizes the submission of Texas A&M University-Commerce and Tarleton State University’s request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

Dan R. Jones, President  
Texas A&M University-Commerce

F. Dominic Dottavio, President  
Tarleton State University

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

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B. J. Crain  
Chief Business Officer

**EXECUTIVE SUMMARY**

Texas A&M University-Commerce  
Tarleton State University  
Proposal to Establish the  
Midlothian Higher Education Center

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**BACKGROUND AND OVERVIEW OF PROPOSAL**

Texas A&M University-Commerce (A&M-Commerce), Tarleton State University (Tarleton) and Navarro College propose a partnership to bring baccalaureate and graduate degree programs to residents of Ellis County through the establishment of the Midlothian Higher Education Center (MHEC), a multi-institutional teaching center (MITC) located on the Midlothian Campus of Navarro College.

Navarro College has operated in Midlothian since 2005 and offers lower level undergraduate core curriculum at the Midlothian campus. Enrollment in fall 2010 was 990 students. A&M-Commerce currently offers courses at the campus, but no degree programs. Upon approval of the MHEC, both A&M-Commerce and Tarleton will request approval to offer a select group of bachelor's degrees as well as several graduate degrees in high demand disciplines.

The Navarro/Midlothian location comprises 20 acres committed by the City of Midlothian for higher education. There are two existing buildings, the newest having opened in spring 2011 and the land holds potential for a total of 4 buildings. Each building has 25,000 square feet for a total of 50,000 square feet. The initial building has 12 classrooms (including labs), one electronic library, 13 faculty offices, and one adjunct faculty office, 1,000 square feet of administrative office space, two computer labs with 35 seats each, two open computer labs and three science labs. The new building has 17 classrooms which hold approximately 35 students each. The offices provided for the university representatives are located in the new building. The Corporation for the Economic Development of Midlothian (CEDM) has dedicated \$1,500,000 to support the MITC.

**I. Need for the Midlothian Higher Education Center**

Midlothian is located south of the Dallas-Fort Worth Metroplex in Ellis County. Ellis County's population now exceeds 151,737. In addition, within a 20-mile radius of Midlothian, the population exceeds one million and increases to over three million within a 30-mile radius. There are higher education options in North Central Texas, but affordability and commuting are obstacles for working adults as well as commuting students.

Based on U.S. census data in 2009, 81.3 percent of Ellis County residents 25 years of age or older, or approximately 72,672 people, have earned a high school diploma or higher, with only 16.6% earning a bachelor's degree or higher. Navarro College is able to meet the immediate post-secondary education demands of the high school graduates seeking to earn an associate's

degree. The presence of a university partnership in Midlothian will provide convenient options for transition to a university for those students wanting to earn a higher degree.

### **Student Demand**

A&M-Commerce began offering classes at the Navarro College-Midlothian Campus in fall 2006 with an initial enrollment of 53 students. In fall 2010, that number had increased to 345 students. This represents a 551% enrollment increase over a five-year time span. This tremendous enrollment growth demonstrates the increased need for higher education in the area. The lower tuition cost of community college is attractive to students and families who may not be able to afford four years of university tuition or housing costs. Navarro College, A&M-Commerce, Tarleton and the CEDM have conducted an extensive community needs assessment by surveying current Navarro College students and Ellis County residents and reviewing census demographics.

### **Workforce Need**

The MHEC is located approximately 30 miles south of downtown Dallas and downtown Ft. Worth. The accessibility of Interstates 20, 35E and 35W makes the area a prime location for business growth and expansion. Employers in the Dallas/Fort Worth Metroplex and Ellis County seeking qualified candidates look to university graduates of quality academic programs. For example, the North Central Texas Interlink's Labor Market Survey, as outlined in the Targeted Occupations Identified by Employers for Long Term Potential Growth report, lists the following occupations among the region's projected growth industries to 2014: management of companies and enterprises; educational services; health care and social assistance; agriculture; and arts, entertainment and recreation. These are the initial areas of programmatic focus for the MHEC.

### **Meeting the Need**

In light of the escalating costs, increasing demand and local need for higher education, the collaboration of three institutions of higher education, the MHEC, will improve access to higher education by delivering programs in a high-demand region of North Texas. This initiative supports the Texas Higher Education Coordinating Board's (THECB) *Closing the Gaps* goals to increase participation and success. In 2009, enrollment at Navarro College-Midlothian campus was 957 students. At that time, Navarro College-Midlothian was bound by the number of students it could serve due to space limitations. With the new building, it is estimated that the campus can accommodate up to 1800 students. By 2012, enrollment is estimated to be 1235 and growing in 2014 to 1400; in 2015 it is expected to grow to 1463 and swelling to 1772 by 2020. If the proposed partnership is approved, it is projected that enrollment will reach 1800 by 2015, requiring an additional building. Furthermore, the ease of transfer from community college to the university and the proposed student support systems will facilitate an increase in degree completion.

## **II. Administrative Structure**

Navarro College will exercise primary administrative oversight of facilities and operations for the MHEC. Each university will have one or more representatives present on the campus and will increase their level of support as enrollment increases. University academic advisors will schedule days and times for program advising.

A MHEC advisory committee will be formed to provide information and recommendations to the presidents of the three institutions. The committee will consist of 12 representatives from the four entities; three members from the CEDM and each institution of higher education will nominate three individuals to serve on the committee.

Navarro College administrators will coordinate facility scheduling, as well as the services currently provided by Navarro College including campus custodial staff, utilities, security, maintenance, media services, academic computer services, telephone and internet. Classroom supplies and equipment will be provided and scheduled by the Midlothian campus administrative staff. The MITC and each university representative will also advise Midlothian campus administrators of library/learning technology needs. Additional services, supplies, furnishings and technology that may be required to support specific academic programs will be the responsibility of the institution offering those programs.

The teaching facilities will be scheduled on a flex-time system to accommodate varied instructional styles and modalities. General purpose classrooms, computer labs, seminar rooms and two-way interactive video classrooms will be available for both universities' use. In addition, each university partner will have one dedicated office plus flex-time office space for professors and university staff to use for preparation time, office hours or scheduled meetings with students.

### **III. Financial Arrangements to Support the MHEC**

Navarro College assumes the fiscal and operational responsibility for the MHEC. For use of the facility, each university partner will pay Navarro College a fee based on credit hour enrollment. Included in the fee is classroom use, services provided by student services staff, general building maintenance and operations, and one designated office for recruiting/advising. Fees paid to Navarro College will be set by the Navarro College Board of Trustees to help offset a portion of the operational and personnel costs that support the MHEC. Finances will be reviewed annually by the MHEC Advisory Committee and adopted by university partners through a memorandum of understanding.

The CEDM has dedicated \$1,500,000 to assist with these costs for the first five years.

### **IV. Student Services Delivery**

Success of students attending the MHEC is dependent on support services comparable to those experienced on the main campus. Students must have access to academic advising, admission and enrollment services, and other student services. Available student services will be communicated through printed materials as well as through the MHEC website.

#### **Student Services**

Many university student services such as admission, registration, bursar and bookstore will be provided by the home campus via internet. To accommodate the largely internet-based services, the MHEC will have multiple computers available for students to access university websites as well as wireless connectivity throughout the MHEC College, and university staff will be trained to navigate each university partner website and assist MHEC students with online services.

## **Academic Advising**

Academic advising needs will differ for transfer and graduate students. Most transfer students will be on Navarro College campuses and, therefore, advising will be available to students. All Navarro College advisers will be versed in the 2+2 degree plans for MHEC undergraduate degrees; therefore, current Navarro College students can visit with any Navarro advisor to develop transfer plans. Navarro College transfer students also have the option to meet with university advisors or admission counselors on Navarro College campuses. Each university partner has access to the three Navarro College campuses to recruit and advise current Navarro College students through the transfer process.

Dedicated office space is available for university staff to meet with students at the facility. Navarro College's advisers will be trained by university advisors to provide general information about all degree programs offered at the MHEC.

## **V. Access to Library Resources**

Students registered for classes at the MHEC will have access to all electronic library resources and searchable databases available through their respective university. Students may access libraries from home, links on the MHEC website, computers available in the MHEC learning resource center or a personal laptop through the MHEC wireless network. Through the online university library sites, students will have online access to librarians for individual assistance. In addition, the TexShare system will enable students to request print materials, including books and journal articles, to be mailed to their home or the MHEC University's office. MHEC university representatives/directors will assist students with library access and each partnering university will communicate any additional details relative to available library services directly to students enrolled in courses at the MHEC.

## **VI. Articulation and Transfer of Community College Credit**

All of the undergraduate programs offered at the MHEC will have a formally articulated 2+2 degree plan. Each plan will identify the Texas Common Course Numbers (TCCN) for lower-division community college courses and the upper-division university courses needed to complete the various baccalaureate degrees offered by both A&M-Commerce and Tarleton. Although the articulation agreements for MHEC programs will be designed for Navarro College transfer students, the TCCN used in the 2+2 degree plans will assist any community college student transferring to a MHEC partner university.

Depending on the university, pre-admitted students receive a variety of university benefits such as library privileges, priority registration, faculty advising and student rates to athletic and theatrical events. Pre-admitted students are guaranteed admission if they meet the minimum university admission criteria. The pre-admission program identifies transfer students early allowing for long-term academic planning and a seamless transition from Navarro College to the partner university.

## **VII. Academic Oversight**

Universities delivering the degree programs at the MHEC are solely responsible for academic oversight and meeting standards of accreditation. With the support of MHEC staff, universities will maintain admissions criteria, degree requirements, faculty qualifications, standards of instruction, learning resources, learning outcomes, instructional materials and support, evaluation of courses and other accreditation requirements at the same level of quality as those on the main university campus.

## **VIII. Participating Institutions and Programs Offered**

Representatives of the participating institutions proposed program offerings based on the demonstrated need. Each proposed degree program addresses a student and workforce need, as demonstrated by the assessment surveys that identified the proposed degree programs as areas of interest among current students and community members. Furthermore, The North Central Texas Interlink's Labor Market Survey for the North Central Texas region lists elementary and secondary teachers as well as general and operations managers as long-term growth careers for North Texas (2009). The Bureau of Labor Statistics identified training and development specialists as a fastest growing occupation (2009).

The table below lists the degree programs each institution proposes to bring to the MHEC.

Each university will acquire approvals from and comply with the THECB, the Southern Association of Colleges and Schools (SACS) and other accrediting agencies prior to program implementation.

Participating Institutions and Programs Offered

<b>Institution</b>	<b>Bachelors</b>	<b>Masters</b>
Texas A&M University-Commerce	BSIS, BAIS Interdisciplinary Studies- EC-6; with ESL; with bilingual BS Criminal Justice BSIS, BAIS Interdisciplinary Studies-Elementary Education BS Environmental Science* BGS, BGA General Studies BS Agricultural Education* BSIS,BAIS Interdisciplinary Studies-4-8 Science; Math; Math and Science; English/Language Arts/Reading Specializations BSN Nursing*	MS or MEd Curriculum and Instruction MS, MA Mathematics MS, MA English MS, MA History MBA Business Administration MEd Educational Leadership MEd Special Education MEd Early Childhood Education MEd Agricultural Education* MSN Nursing*
Tarleton State University	BAAS Industrial Occupations BS Agriculture* BS Environmental Science* BBA Interdisciplinary Business BSAS Business Administration BS General Business BAAS Criminal Justice Administration BS Nursing* BAT Veterinary Technology BS Psychology	MEd, MS Counseling Psychology MS Agriculture Education* MSN Nursing*
Navarro College	Core Curriculum for Associate of Arts/Associate of Science	

\*Cooperative programs between A&M-Commerce and Tarleton



Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Maria Hernandez Ferrier, President  
Texas A&M University-San Antonio

**Subject:** Approval of a Bachelor of Science in Computer Science Degree Program, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

**Proposed Board Action:**

Approve the establishment of a new degree program at Texas A&M University-San Antonio (A&M-San Antonio) leading to a Bachelor of Science in Computer Science, authorize the submission of this degree program to the Texas Higher Education Coordinating Board (THECB) for approval, and certify that all applicable THECB criteria have been met.

**Background Information:**

Computer science is one of the fastest growing fields with excellent opportunities for application in almost all areas of business, industry, government and education. The Computer Science program will prepare career-oriented adults and high-tech professionals in the areas of cyber security, computer programming, systems development, software engineering, network systems and data communications, and database design and administration. The program will focus on the theory and design of digital computer hardware, software and their applications with particular emphasis on secure system design and development. A&M-San Antonio has already begun the process of applying for designation as a National Center of Excellence in Information Assurance Education, having had its computer information systems security curriculum certified by the National Security Agency Information Assurance Courseware Evaluation (NSA IACE) office as mapping 100% to the Committee on National Security Systems National Standards 4011 and 4012. The same security curriculum will be incorporated into the computer science degree program.

San Antonio is experiencing a growing cyber security government and industry presence (e.g., the 24th Air Force's recent move to San Antonio) with business, military/government and academic communities coming together in the development and implementation of the San Antonio Cyber Action Plan aimed at strengthening capabilities in cyber security. As noted in The United States Cyber Challenge, there is a critical shortage of professionals with technical cyber security skills. The report estimates the shortage to be between 10,000 and 30,000 security professionals. With its emphasis in cyber security, the computer science degree program will make an important contribution to meeting the needs for more graduates in this field.

**A&M System Funding or Other Financial Implications:**

Revenue from reallocated faculty salaries, designated tuition and formula funding for years three through five will provide sufficient funds to support the program.

Agenda Item No.

**TEXAS A&M UNIVERSITY-SAN ANTONIO**

Office of the President

May 20, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of a Bachelor of Science in Computer Science Degree Program, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves the establishment of a new degree program at Texas A&M University-San Antonio leading to a Bachelor of Science degree in Computer Science.**

**The Board also authorizes submission of Texas A&M University-San Antonio’s request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria of the Coordinating Board have been met.”**

Respectfully submitted,

Maria Hernandez Ferrier, President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

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B. J. Crain  
Chief Business Officer

Texas A&M University-San Antonio  
Proposed Bachelor of Science Degree  
with a major in Computer Science (CIP 11.0101.00)

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**Program Review Outline**

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**BACKGROUND & PROGRAM DESCRIPTION**

The Bachelor of Science degree with a major in Computer Science will be administered in the School of Business.

The program will focus on the theory and design of digital computer hardware, software and their applications with particular emphasis on secure system design and development.

The goal of the computer science program is to produce graduates with broad and up-to-date knowledge, skills and judgment, prepared for professional careers in industry and/or graduate studies. The educational objectives of the program are:

- To prepare graduates for careers as computer science professionals and/or for graduate studies.
- To enable graduates to pursue state-of-the-art solutions to software development problems and to evaluate and embrace new technologies.
- To instill in graduates personal commitment to high ethical standards, sound business decisions and professional excellence.

The computer science program's curriculum includes coursework in the areas of cyber security, computer programming, systems development, software engineering, network systems and data communications, and database design and administration. The degree requires 120 semester credit hours with 28-34 hours in computer science.

Texas A&M University-San Antonio (A&M-San Antonio) certifies that the proposed new degree program meets the criteria under the Texas Administrative Code Section 5.50 (b) in regards to need, quality, resources, standards and costs. New costs during the first five years will not exceed \$2 million.

The proposed implementation date is January 17, 2012.

**I. NEED**

**A. Employment Opportunities**

The Bureau of Labor Statistics national employment projections for computer science-related occupations (computer network, systems, and database administrators; computer software engineers and computer programmers; and computer systems analysts) show an expected 19% increase for the 2008-2018 period resulting in the creation of 677,700 new positions (<http://www.bls.gov/>). Texas Workforce Commission employment

projections for these occupations show an expected 20% increase for the state resulting in the creation of 46,000 new positions. Alamo Workforce Development Area projections for the same period show a higher rate of growth with an expected 26% increase resulting in the creation of 5,340 new positions (<http://www.twc.state.tx.us/>). In addition, with San Antonio's growing cyber security government and industry presence (e.g., the 24<sup>th</sup> Air Force's recent move to San Antonio), San Antonio's business, military/government and academic communities have come together in the development and implementation of the San Antonio Cyber Action Plan aimed at strengthening capabilities in cyber security (<http://www.cybercityusa.org>). As noted in The United States Cyber Challenge<sup>1</sup>, there is a critical shortage of professionals with technical cyber security skills. The report estimates the shortage to be between 10,000 and 30,000 security professionals. With its emphasis in cyber security, the computer science degree program will make an important contribution to meeting the needs for more graduates in this field.

## B. Projected Enrollment

YEAR	1	2	3	4	5
Headcount	25	30	40	50	60
FTSE	15	18	24	30	36

This program is being developed to meet the needs of a growing number of students both at A&M-San Antonio and at the Alamo Community colleges who wish to enhance their career opportunities by obtaining a bachelor's degree in computer science. The Alamo Colleges, serving the Bexar County community, now have five colleges. Four of the five colleges offer one or more programs in computer science, computer information systems, information technology and security. Enrollment in computer science-related programs for the Alamo Colleges is strong and growing at a rate of approximately 15%. A&M-San Antonio is one of the first-choice universities in the greater San Antonio Area for the community college students to continue their education by seeking a bachelor's degree.

## C. Existing State Programs

Enrollments in computer science programs are strong both in the state of Texas and in the San Antonio area. Computer science programs at public universities in Texas saw enrollment growth of 13% over the period from fall 2006 to fall 2009. Total enrollment in these programs was 6,734 in fall 2009. The two closest public universities in the San Antonio area, The University of Texas at San Antonio (UTSA) and Texas State University, saw enrollment growth from fall 2006 to fall 2009 of 20% and 32%, respectively. The fall 2009 computer science enrollment at UTSA was 531. The enrollment at Texas State University was 420.

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<sup>1</sup> The United States Cyber Challenge,  
[http://www.whitehouse.gov/files/documents/cyber/The%20United%20States%20Cyber%20Challenge%201.1%20\(updated%205-8-09\).pdf](http://www.whitehouse.gov/files/documents/cyber/The%20United%20States%20Cyber%20Challenge%201.1%20(updated%205-8-09).pdf)

The growth in San Antonio-area computer science enrollments is encouraging and suggests that interest in the field is continuing to grow. Distinguishing characteristics of the program proposed by A&M-San Antonio include its focus on secure design and development throughout the curriculum and its commitment to partnering with national and regional industry to ensure that the curriculum continues to be relevant to employers' needs.

## **II. QUALITY & RESOURCES**

### **A. Faculty**

At the beginning of the program, there will be one core faculty member with a Ph.D. in Computer Science at 50%, one part-time computer science faculty member with a master's degree with 18 graduate hours in computer science at 25% and one part-time electrical engineering faculty member with a master's degree with 18 graduate hours in electrical engineering at 25%. An additional core faculty member with a Ph.D. in Computer Science is planned to be added to the program in year three.

### **B. Program Administration**

Dr. Mark Huson, Ph.D. in Computer Science from Arizona State University will serve as the program coordinator.

### **C. Other Personnel**

Clerical and academic advising support for the program will be provided by existing personnel in the Department of Business.

### **D. Library**

The University Library at A&M-San Antonio is relatively new and, as such, is in the process of building electronic and print collections to support the programs currently offered and planned. The databases that are currently available to all students, faculty and staff that support this degree program include: Computer Source, Information Science & Technology Abstracts, Internet & Personal Computing Abstracts and Science & Technology Collection. In addition, the ACM Digital Library will be available by September 2011. Other interdisciplinary databases and full-text journal packages that support the program include: Business Source Complete, Cambridge Journals Online, Communication & Mass Media Complete, Lexis-Nexis, Military & Government Collection, NetLibrary, Sage Journals Online and Wiley Interscience.

A new librarian position is planned for FY12. This position will be dedicated to supporting all disciplines within the School of Business, including the computer science program.

### E. Equipment and Facilities

Students will have access to open computer labs equipped with the software required for the computer science, math and computer information systems classes taken as part of the degree plan. As appropriate, classes will be conducted in classrooms equipped with computer workstations for in-class use. Students will also have access to a specialized lab equipped to support the needs of information security and networking curriculum included in the computer science degree program. Faculty in the computing disciplines are also pursuing grants and external funding that will enable the department to establish additional lab facilities. Additional computing equipment will be acquired as the program develops.

### F. Accreditation

A&M-San Antonio plans to pursue ABET accreditation of the computer science program after the university has achieved separate accreditation from SACS.

## III. COSTS & FUNDING SOURCES

NEW FIVE-YEAR COSTS		NEW FIVE-YEAR FUNDING	
Faculty	\$498,000	Formula Income	\$424,229
Program Administration	\$3,000	Other State Funding	
Graduate Assistants		Reallocation	\$225,000
Supplies & Materials	\$2,100	Federal Funding	
Library & IT Resources	\$46,375	Other Funding	
Equipment, Facilities	\$3,000	Designated Tuition	\$344,400
Other			
<b>Estimated 5-Year Costs</b>	<b>\$552,475</b>	<b>Estimated 5-year Revenues</b>	<b>\$993,629</b>

**AGENDA ITEM BRIEFING**

**Submitted by:** Carlisle B. Rathburn III, President  
Texas A&M University-Texarkana

**Subject:** Approval of the Administrative Change Request for Academic Reorganization, and Authorization to Request Approval from the Texas Higher Education Coordinating Board

**Proposed Board Action:**

Approve Texas A&M University-Texarkana's (A&M-Texarkana) administrative change request for academic reorganization to eliminate the College of Health and Behavioral Sciences, authorize submission of this request to the Texas Higher Education Coordinating Board (THECB) for approval and certify that all applicable criteria of the THECB have been met.

**Background Information:**

A&M-Texarkana currently has four colleges – *College of Business; College of Science, Technology, Engineering, and Mathematics; College of Education and Liberal Arts; and the College of Health and Behavioral Sciences*. The purpose of this administrative change request is to seek approval to reorganize and eliminate the College of Health and Behavioral Sciences as follows:

1. Move all B.S. and M.S. degrees in Nursing currently located within this college into the College of Science, Technology, Engineering, and Mathematics (CSTEM); and
2. Move the B.S. degrees in Sociology, Psychology and Criminal Justice and the M.S. degree in Counseling Psychology to the College of Education and Liberal Arts (CELA).

The attached Executive Summary item provides the rationale and proposed effective date for this reorganization.

The proposed changes will have no substantive impact on any of the degree programs currently within the College of Health and Behavioral Sciences nor will it impact the role and mission of the institution.

**A&M System Funding or Other Financial Implications:**

The proposed change will promote a reduction in operational costs to the university.

Agenda Item No.

**TEXAS A&M UNIVERSITY-TEXARKANA**

Office of the President

May 23, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of the Administrative Change Request for Academic Reorganization,  
and Authorization to Request Approval from the Texas Higher Education  
Coordinating Board

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System approves Texas A&M University-Texarkana’s administrative change request for academic reorganization to eliminate the College of Health and Behavioral Sciences, effective September 1, 2011.**

**The Board also authorizes submission of Texas A&M University-Texarkana’s administrative change request to the Texas Higher Education Coordinating Board for approval and hereby certifies that all applicable criteria have been met.”**

Respectfully submitted,

Carlisle B. Rathburn III  
President  
Texas A&M University-Texarkana

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

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B. J. Crain  
Chief Business Officer



**EXECUTIVE SUMMARY**

Texas A&M University-Texarkana  
 Administrative Change Request  
 Academic Reorganization of Colleges

***Proposed Administrative Change***

Texas A&M University-Texarkana requests permission to eliminate the College of Health and Behavioral Sciences (CHBS) and place the six existing degree programs in two of the remaining three colleges:

<b>Degree</b>	<b>New College</b>
Bachelor of Science in Nursing	College of Science, Technology, Engineering, and Mathematics (CSTEM)
Master of Science in Nursing	
Bachelor of Science in Sociology	College of Education and Liberal Arts (CELA)
Bachelor of Science in Criminal Justice	
Bachelor of Science in Psychology	
Master of Science in Counseling Psychology	

***Rationale***

The proposed administrative change will facilitate closer alignment of existing CHBS degree programs with related degree programs in the new assigned colleges, as well as promote a higher level of efficiency and productivity in operation. For example, we offer a Criminal Justice concentration within the Master of Science in Interdisciplinary Studies (MSIS) degree. Placing the Criminal Justice program into the same academic college that houses the MSIS degree (CELA) will facilitate ease in faculty advising as well as logistical management. The Master of Science degree in Counseling Psychology, currently in the CHBS, includes a track that leads to school counselor certification. Placing this program in the same college as other education program degrees and certificates (CELA) will reduce fragmentation as well as increase smoothness of implementation and accountability for outcomes. The existing Nursing degree programs (BSN and MSN) are a natural fit with the other science programs in the CSTEM. Furthermore, reassignment of these two programs will foster closer collaboration between the respective CSTEM faculties for future degree programs or concentrations that will involve shared faculty as well as other resources such as labs (e.g., Physician Assistant program in which nursing, biology and chemistry faculty will be involved).

***Cost Implications and Certification***

No additional costs or revenues are associated with this organizational change. However, annual cost savings are projected to be in excess of \$100,000 annually and \$500,000 over the next five years. These savings will be realized through adjustments in salary to persons assuming new roles within the reorganization, the elimination of clerical positions and cost avoidance related to the reassignment of the CHBS Dean to the Director of Nursing position with teaching responsibilities.

In accordance with THECB rule 5.44 for automatic approval of an administrative change, the institution certifies that the proposed administrative change has been approved by the institution; that adequate funds are available to cover the costs of the proposed administrative change; that new costs during the first five years will not exceed \$2 million; and that the proposed administrative change meets all other criteria regarding administrative overhead costs.

**Anticipated Five-Year Cost Savings of College Reorganization**

<b>Item</b>	<b>Annual Savings</b>	<b>5-Year Savings</b>
<b>Dean/Director of Nursing salary savings (\$112,327-98,000)</b>	\$14,327	\$71,635
<b>Elimination of Dean’s secretary position</b>	29,121	145,605
<b>Cost avoidance by Dean assuming 75% teaching load (3/4) in fall and spring</b>	52,500	262,500
<b>Secretarial assistance salary savings (50% of \$20,503)</b>	10,251	51,255
<b>Total</b>	<b>\$106,199</b>	<b>\$530,995</b>

*Effective Date*

The effective date for this administrative change is fall 2011.

# Policy Review Committee

(Agenda Items 2, 12 and 16)

## Agenda Items

2	Approval of Revisions to System Policy 22.02 ( <i>System Investment</i> ) ( <i>This item will also be considered by the Committee on Finance</i> )	A&M System
12	Approval of Revisions to System Policy 51.06 ( <i>Naming of Buildings and Other Entities</i> ) ( <i>This item will also be considered by the Committee on Buildings and Physical Plant</i> )	A&M System
16	Approval of Revisions to System Policy 11.03 ( <i>Shortened Courses</i> ) ( <i>This item will also be considered by the Committee on Academic and Student Affairs</i> )	A&M System

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Janet Smalley, Chief of Staff  
The Texas A&M University System

**Subject:** Approval of Revisions to System Policy 22.02, *System Investment*

**Proposed Board Action:**

Approve revisions to System Policy 22.02, *System Investment*.

**Background Information:**

As part of the on-going review by treasury personnel and the system's investment consultant, revisions are recommended to System Policy 22.02, *System Investment*. Based on recommendations for best practices from the State Auditors' Office, changes have been incorporated to address securities lending criteria, benchmarks for asset class and total fund performance, a policy index benchmark for the System Endowment Fund and the use of placement agents.

In addition, it is recommended that agreements with system depositories be executed in accordance with System Policy 25.07, *Contract Administration* for consistency with other system contracts.

Finally, based on the strengths of the System's core fixed income manager in managing corporate credit investments, it is recommended that the quality restrictions for long-term securities be changed to "B" from "BB" to enhance the diversification of the fixed income portfolio. In concert with this change, the overall rating on the fixed income portfolio will change to "A" from "AA."

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**

Office of the Treasurer

June 6, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Revisions to System Policy 22.02, *System Investment*

I recommend adoption of the following minute order:

**“The revisions to System Policy 22.02, *System Investment*, as shown in Exhibit , are approved and effective immediately.”**

Respectfully submitted,

Janet Smalley  
Chief of Staff

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Gregory R. Anderson  
Chief Investment Officer and Treasurer

## 22.02 System Investment

Approved February 27, 1995 (MO 44-~~1995~~)  
Revised December ~~56~~, 1996 (MO 220-~~1996~~)  
Revised July ~~2425~~, 1997 (MO 95-~~1997~~)  
Revised August 13, 1999 (MO 201-1999)  
~~Revised October 15, 1999 (MO 233, 234, 235-1999)~~  
Revised September 22, 2000 (MO 165-2000)  
Revised July 27, 2001 (MO 145-2001)  
Revised July 26, 2002 (MO 161-2002)  
Revised July ~~2425~~, 2003 (MO 130-2003)  
Revised July ~~2223~~, 2004 (MO 93-2004)  
Revised July ~~2422~~, 2005 (MO 127-2005)  
Revised January 27, 2006 (MO ~~038~~-2006)  
Revised July 28, 2006 (MO 162-2006)  
Revised July 27, 2007 (MO 159-2007)  
Revised August 1, 2008 (MO 233-2008)  
Revised July 17, 2009 (MO 144-2009)  
Revised July 23, 2010 (MO ~~132~~-2010)  
~~Revised July 22, 2011 (MO -2011)~~  
Next Scheduled Review: July ~~23, 2011~~22, 2012



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### Policy Statement

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This policy sets out the responsibilities of the Board of Regents (board), as assigned by law, to act as a fiduciary in the management of assets under the control of The Texas A&M University System (system).

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### Reason for Policy

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This policy delineates the roles and responsibilities of the board, chancellor and system staff regarding the management of assets under the control of the board.

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### Procedures and Responsibilities

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#### 1. GENERAL

- 1.1 As provided in the Texas Education Code, each member of the board has the legal responsibilities of a fiduciary in the management of funds under the control of the system. All investments will be made in accordance with applicable state and federal regulations. All assets of the system will at all times be vested in the board, and such

assets will be deemed to be held by the board as a fiduciary regardless of the name in which the securities may be registered.

- 1.2 The board has granted to the chancellor of the system the authority for the purchase, sale, assignment, transfer and management of all investments of any kind or character of the system or any member thereof and has authorized the chancellor to execute on behalf of the board of the system or any member thereof any and all documents required in the purchase, sale, assignment, transfer and management of these investments.
- 1.3 The chancellor may delegate to treasury personnel, the authority to execute any and all documents required to accomplish the actions outlined above and the deposit, withdrawal, or transfer of assets on behalf of the system members.
- 1.4 Investments are defined to include, but are not limited to, any monetary or negotiable asset or property right held by a system member including all operating, non-operating, and other funds. This includes any asset or property right acquired or held by any system member as trustee of a trust or as executor of an estate. Assets shall include land and other real property, market investments, business enterprises and any other investments of any kind or character held or acquired by such funds.
- 1.5 Prudent Person Rule – Each person responsible for making or retaining each and all investments and in acquiring, investing, reinvesting, exchanging, retaining, selling, supervising and managing funds shall do so in good faith and with the care an ordinarily prudent person in a like position would exercise under similar circumstances.
- 1.6 In the management of system investments, consideration will be given to general economic conditions, the possible effect of inflation or deflation, the expected tax consequences, the role that each investment or course of action plays within the overall investment portfolio, and the requirements for liquidity, diversification, safety of principal, yield, maturity, quality and capability of investment management, with the primary emphasis on safety. Consideration will also be given to incur only costs that are appropriate and reasonable in relation to the assets.
- 1.7 The overall objective of the investment policy is to invest the system's available funds in such a manner as to earn as high a level of return as can reasonably be achieved within the framework of the policy and consistent with the system's primary objective of the safety and preservation of capital.
- 1.8 Each custodian bank will furnish monthly statements to the Office of the Chief Investment Officer and Treasurer that will include cost and market value for all positions, industry segmentation, and percentage composition of the portfolio represented by each issue. The custodian bank statements will be used as the basis for quarterly investment performance reports to the board.
- 1.9 Coordination of investment policy, cash management, and system depositories' activities will be maintained by the chancellor through the Office of the Chief Investment Officer and Treasurer.

- 1.10 The chancellor will provide the Committee on Finance of the board an annual report on the need to revise the System Investment Policy in regard to authorized securities, asset allocation, payout, or any other pertinent matters.

## 2. INVESTMENT OF FUNDS

### 2.1 Quality Restrictions

For the purpose of this policy all securities which use long-term credit ratings must be rated the equivalent of "BB" or better by a nationally recognized credit rating organization. The fixed income portfolio must have an overall credit rating of "AA" or better by a nationally recognized statistical rating organization. Securities using short-term credit ratings must be rated at least A-2, P-2, F-2 or the equivalent by a nationally recognized credit rating service.

### 2.2 Authorized Investments

- 2.2.1 Direct obligations of the principal and interest which are guaranteed by the United States Government or its agencies to include:

- (a) obligations of the U.S. Treasury.
- (b) direct obligations guaranteed by the Federal Intermediate Credit Bank (FICB), Federal National Mortgage Association (FNMA), Federal Farm Credit Bank (FFCB), Government National Mortgage Association (GNMA), Student Loan Marketing Association (SLMA), Federal Home Loan Mortgage Corporation (FHLMC), Federal Home Loan Bank (FHLB), Tennessee Valley Authority (TVA), or other Government Sponsored Enterprises.

- 2.2.2 Obligations of states, agencies, counties, cities, and other political subdivisions of any state.

- 2.2.3 United States dollar denominated debentures or obligations and preferred and common stocks issued by corporations, associations, or other institutions, and convertible securities of all kinds issued by corporations. Not more than 4.9% of the voting stock of any one corporation shall be owned by the system at any given time. This includes participation in publicly traded domestic Real Estate Investment Trusts (REITs).

- 2.2.4 Debentures or obligations, and preferred or common stock of international governments and corporations. International preferred and common stock issues must be listed on an organized stock exchange. Utilization of derivatives for the hedging of currency risk is permissible.

- 2.2.5 Certificates of Deposit issued by state and national banks not to exceed 10% of banks' total deposits. Certificates of Deposit must be insured by the Federal Deposit Insurance Corporation, or its successor, or secured (collateralized) by surety bond, or obligations described in this policy, with such collateral to be held by a third party, and that at all times will have a market value of not less



than the principal amount of the certificates or in any manner and amount provided by law for deposits of the investing entities, and with the additional provision that all collateral based on direct agency or instrumentality issued mortgage backed securities must have been rated the equivalent of "AAA" by a nationally recognized credit rating organization (NRSRO).

- 2.2.6 Negotiable Certificates of Deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized rating agency or that is associated with a holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency.
- 2.2.7 Deposits in federally insured savings and loan associations, building and loan associations, and state and national banks not to exceed the amount insured by the Federal Savings and Loan Insurance Corporation, the Federal Deposit Insurance Corporation, or their successors.
- 2.2.8 Bankers Acceptances, accepted by a bank organized and existing under laws of the U.S. or any state, in accordance with Section 2.1.
- 2.2.9 Money Market Mutual Funds. Funds must be registered with the Securities and Exchange Commission, have a maximum maturity of 13 months, and be no-load funds. Fund must have assets consisting of securities authorized under this policy and seek to maintain a stable net asset value of \$1.00 per share (or unit).
- 2.2.10 Mutual Funds. Funds must be registered with the Securities and Exchange Commission and invest in assets authorized under this policy.
- 2.2.11 Direct Security Repurchase Agreements. Direct Repos must be fully secured (collateralized) by obligations authorized under this policy. Such collateral must be held by a third party. All agreements will be in compliance with Federal Reserve Bank guidelines.
- 2.2.12 Securities Lending. The securities lending agent is required to provide indemnification against borrower default. Further, loan exposure to borrowers shall be diversified and managed within prudent limits to avoid concentrated borrower risk. The securities lending agent must provide credit approval for all borrowers and is required to perform on-going review and monitoring of borrower default risk and exposures. The amount of the portfolio out on loan shall be limited to one-third of each portfolio. Cash collateral will be held in excess of the market value of lent securities in an amount no less than 102% of the market value. The securities lending agent is required to market the value of collateral daily and shall review collateral positions and prices to ensure adequate collateral is received and prices used are current and valid. The investment collateral shall be invested within the restrictions delineated under SEC Rule 2a-7 under the Investment Company Act of 1940. Basis risk in the portfolio is limited to 30 days when accounting for variable rate securities and loans by their respective reset dates. If loans are not in accordance with these guidelines, they are subject to termination.

~~2.2.12 Securities Lending must be fully secured (collateralized) by obligations authorized under this policy. Such collateral will be held by a third party. All agreements will be in compliance with Federal Reserve Bank guidelines.~~

2.2.13 Bank Loans, invested through commingled institutional funds, may be used to diversify and enhance the return of the portfolio.

2.2.14 Investment in a derivative investment class requires written approval of the chancellor or designee. Derivative investments will not be utilized for the purpose of introducing leverage to the portfolio other than in accordance with Section 2.2.16.

2.2.15 Investments in venture capital and/or private equity partnerships may be used to enhance the expected return of the portfolio. These investments are long-term, illiquid, private partnerships with high variability of returns. No investment will be made that would comprise more than 10% of any individual partnership's assets.

2.2.16 Investments in absolute return strategies may be used to diversify and enhance the return of the portfolio. Absolute return strategies may invest in derivative instruments, employ leverage and sell securities short. Hedge fund investments may be made in offshore limited partnership shares or by using blocker corporations in order to avoid unrelated business income tax (UBIT). No investment will be made that will comprise more than 10% of any individual partnership's assets.

2.2.17 Inflation hedging investments including timber, energy, and real estate may be used to diversify and enhance the return of the portfolio. These investments are long-term, illiquid, and have high variability of returns.

### 2.3 Stock Rights, Fractional Shares, and Proxies

In each instance, exercise or sale of the rights is to be made at the discretion of the chancellor. The chancellor is authorized to execute proxies within the approved investment policies.

### 2.4 Quasi-Endowments

The board may, on recommendation of the chancellor, establish a quasi-endowment using any source of funding at its disposal except educational (program) and general funds and restricted gifts or grants. Income from funds held in quasi-endowments is available for the purpose established by the board. The corpus of such funds will be held until such time as the board, on recommendation of the chancellor, abolishes the quasi-endowment, at which time the corpus is available for such purpose(s) as may be designated by the board. All quasi-endowments established by the board will be invested in the System Endowment Fund.

### 2.5 Matching of Private Gifts from Available University Fund (AUF)

Subject to the availability of matching funds appropriated for that purpose by the board, and with the approval of the chancellor, the presidents of Texas A&M University and Prairie View A&M University are authorized to accept private gifts and to match such gifts with AUF monies, provided such actions will be reported to the board at its next regularly scheduled meeting.

Authorization for the expenditure of AUF to match endowments is in the general appropriations act, subject to biennial renewal by the legislature. Matching may be completed so long as the pledge is received during a time when the rider authorization is in effect.

## 2.6 Investment Transactions

Sales, purchases and exchanges will be effected through financial institutions or through well capitalized, nationally known investment firms which are recognized as being major participants in the equity and fixed income markets, in accordance with normal investment practices, if, in the judgment of the chancellor, these services will produce the maximum benefit to the system.

## 2.7 Use of Outside Investment Managers

2.7.1 The chancellor, within statutory and other regulatory authority, may place selected funds of the system with investment managers outside the system for investment purposes. The investment of such funds will be subject to the same authorizations and criteria as prescribed for investments consistent with this investment policy.

2.7.2 External investment manager(s) will be governed by either a Letter of Instruction outlining investment instructions and asset allocation parameters expressed in writing by the chancellor, or subscription/limited partnership/similar agreement(s). The Letter of Instruction will detail the specific investment benchmark to be used to evaluate the external investment manager.

2.7.3 Consistent with this investment policy statement and their Letter of Instruction or subscription/limited partnership/similar agreement(s), the external investment manager(s) will be responsible for making decisions on a fully discretionary basis. This includes buy, hold, sell, and timing decisions.

2.7.4 External Manager(s) will invest only into the security class(es) for which they were retained to manage. Fixed income manager(s) have full discretion to place funds into cash; however, their performance will be measured against the investment benchmark detailed in the Letter of Instruction~~an index which fully measures their security class.~~

2.7.5 When prudent, system investment personnel may accept appointments on advisory boards or committees for external managers, serving in an advisory capacity with no additional compensation other than reimbursement for out-of-pocket expenses.

### 3. CASH MANAGEMENT

- 3.1 A centralized cash management program will be maintained with the objective that all available cash or cash equivalents are invested and reported in accordance with applicable rules and regulations.
- 3.2 The cash management system will provide competitive and enhanced returns for each system member. There will be no subsidy from one system member to another. The benefits of the cash management system will exceed the full incremental costs associated with implementing and managing the system.
- 3.3 The Office of the Chief Investment Officer and Treasurer is assigned staff responsibility for the management oversight of the system-wide cash management system, in coordination with appropriate system member officials.

### 4. INVESTMENTS AND OTHER RELATIONSHIPS WITH DEPOSITORIES

- 4.1 The Office of the Chief Investment Officer and Treasurer is responsible for the overall coordination and direction of banking relationships, to include investments, deposits, custody, and other services with banking and similar financial institutions for the system and its members. Once each year, the Office of the Chief Investment Officer and Treasurer will provide to the chancellor certification that the investments and banking relationships are in compliance with the policy.

#### 4.2 System Depositories

- 4.2.1 The system is authorized to maintain time and demand bank deposits with only those depositories recommended by the chancellor and approved by the board which have executed a depository agreement. Depository agreements will be executed in accordance with System Policy 25.07, Contract Administration will be selected on the basis of competitive bids at least every five years. Depositories will be selected on the basis of competitive bids and ~~The~~ bids will be reviewed by the Office of the Chief Investment Officer and Treasurer and made a part of the permanent records of the system. The only exceptions to the above are those working funds (imprest funds) which may be authorized within the system with the approval of the chancellor. Such working funds are excluded from the provisions of the System Investment Policy inasmuch as such funds are not authorized to be invested. Whenever the amount of a working fund is in excess of needs, the excess will be transferred to the appropriate fiscal officer for management in accordance with System Investment Policy.
- 4.2.2 The amount of funds which may be deposited with any system bank will be limited to \$100,000,000 or 10% of total deposits, whichever is less. Collateral of 102% will be pledged against all deposits.
- 4.2.3 Only the chancellor and those officers and/or employees of the system members specifically designated in writing by the chief executive officer of each system member are authorized to deposit, withdraw, invest, transfer or otherwise manage local funds of the respective members in time and demand deposits with system depositories.

### 4.3 Responsibilities of System Offices

The Office of the Chief Investment Officer and Treasurer is responsible for the overall administration of system banking relationships. This responsibility includes:

- (a) identification of proposed depositories;
- (b) securing approval of depositories by the board;
- (c) negotiating System Depository and Pledge Agreement(s);
- (d) preparation of depository, safe keeping and trust accounts agreements with depositories and trustee institutions for execution by the chancellor;
- (e) acceptance and release of securities pledged to secure deposits of the system;
- (f) maintenance of relationships with depositories and trustee institutions;
- (g) monitoring the amount of funds on deposit for each system member in each depository, and maintaining collateral at sufficient levels; and
- (h) maintenance of records of the specific deposits and related collateral levels for each system member for both time and demand deposits;

### 4.4 Responsibilities of the Chancellor or the Chancellor's Designee at each System Member

Within the overall investment and cash management program of the system, the chancellor or the chancellor's designee at each system member and his or her successor in office, is responsible for:

- (a) reporting and making available for investment by the Office of the Chief Investment Officer and Treasurer all local funds for the system member in deposits or other arrangements with system depositories;
- (b) designating in writing those persons who are authorized to withdraw, transfer, or otherwise place local funds for the system member in system depositories; and
- (c) furnishing one copy of each designation required by (b) above to the Office of the Chief Investment Officer and Treasurer.

## 5. SYSTEM ENDOWMENT FUND

### 5.1 Fund Name, Purpose, and Eligibility for Participation

5.1.1 The System Endowment Fund as herein established will be known as "The Texas A&M University System Endowment Fund" (SEF) and will be under the control of the board, as Trustee.

5.1.2 The purpose of the SEF is to provide for the collective investment of all endowment and trust funds held by the system or by the board in a fiduciary capacity. The SEF is to provide funding for scholarships, fellowships, professorships, and academic chairs and other uses as specified by donors.

5.1.3 No endowment or trust fund will be admitted unless it is under the sole control, with full discretion as to investments, of the board and/or an official or officials

of the system in their official capacity. However, no such official, other than the board, chancellor will have any control over the management of the SEF other than to request admittance or withdrawal of any endowment or trust fund under his or her control as designated trustee thereof. No endowment or trust will be admitted which contains a specific provision against commingling or whose investment restrictions prohibit purchase of securities authorized in this System Investment Policy.

## 5.2 Investments

Investments of system funds shall be accomplished in accordance with the following principles, objectives and purposes:

- 5.2.1 There are two primary investment objectives. One is to provide a continuing and dependable cash payout, stable and preferably growing in real terms, after giving effect to inflation. The second is to cause the total value of the Fund to appreciate, over time, exclusive of growth derived from donations.
- 5.2.2 The cash payout requirement on the SEF is substantial and continuous. Income and capital appreciation must be sufficient to provide an adequate and consistent cash stream for the development of excellence and distinction in the academic programs of the system. In addition, the SEF needs to appreciate to ensure preservation of the purchasing power of the SEF, and also to satisfy the need for payout growth in the future.
- 5.2.3 Management of the SEF attempts to meet these objectives by maximizing the return on the SEF's investments, consistent with an appropriate level of risk. Additionally, the SEF shall be diversified at all times to provide reasonable assurance that investment in a single security, a class of securities, or industry will not have an excessive impact on the SEF
- 5.2.4 A goal of the SEF is to maintain a balance between investment objectives and liquidity needs. Liquidity is necessary to meet the cash payout requirements and any extraordinary events. In many instances, the most appropriate investment option is one that comes with liquidity constraints. The tradeoff between appropriateness and liquidity will be considered throughout the portfolio construction process.

## 5.3 Asset Allocation

- 5.3.1 The SEF's asset allocation policy will be consistent with the investment objectives and risk tolerances. These policies, developed after examining the historical relationships of risk and return among asset classes and integrating an analysis of both assets and liabilities, are designed to provide the highest probability of meeting or exceeding the SEF's return objectives at the lowest possible risk. The overall objective of the SEF is to invest the funds in such a manner as to achieve a reasonable balance of growth of corpus and consistent payout while maintaining the purchasing power of these endowments, as can reasonably be achieved within the framework of the policy consistent with the system's objective of the safety and preservation of capital. Although dynamic capital markets may cause fluctuating risk/return opportunities over a market

cycle, the following standards will be used as a flexible framework for asset allocation as measured at market value. The targets outlined below represent the current allocation objective of the board and shall be adhered to within the range for each asset class as outlined below. The board recognizes markets will fluctuate and accordingly charges the Office of the Chief Investment Officer and Treasurer with aligning the actual allocation towards these targets on a quarterly basis.

<u>Types of Securities</u>	<u>Target</u>	<u>Range</u>
Fixed Income	15%	10% - 20%
Domestic Equity	24%	19% - 29%
International Equity	20%	15% - 25%
Inflation Hedging*	12%	8% - 16%
Absolute Return	16%	12% - 20%
Private Equity**	13%	9% - 20%

\* Inflation Hedging allocation, which is committed but not funded, will be added to the Fixed Income allocation.

\*\* Private Equity allocation, which is committed but not funded, will be added to the Domestic Equity allocation.

The SEF will compare total fund performance to a Policy Index that approximates the long-term asset allocation and an Asset Allocation Index that approximates the actual asset allocation of the SEF, adjusted quarterly. The investment benchmarks that comprise the Policy Index and the Asset Allocation Index will be those detailed in the Letters of Instruction and/or designated by the Office of the Chief Investment Officer and Treasurer.

5.3.2 Fixed income will be managed with a duration of +/- 20% of the effective duration of the investment benchmark detailed in the Letter of Instruction~~appropriate index~~ while seeking to outperform ~~such the investment benchmark index~~ and to attain performance in the top quartile when compared to an appropriate manager universe over a five-year moving time period. Long-term preservation of capital is the primary objective when making any fixed income investment.

5.3.3 Bank loans will be invested through institutional commingled funds.

5.3.4 The equity allocation will be diversified among the various management styles in order to attain the desired expected return within appropriate risk tolerances. These assets will be managed at a risk level (beta) of no greater than 1.20 times ~~an the investment benchmark detailed in the Letter of Instruction~~appropriate index while seeking to outperform ~~such the investment benchmark index~~ and to attain performance in the top quartile when compared to an appropriate manager universe over a five-year moving time period. Diversification of each equity manager's portfolio will require no more than 25% of equities in one industry. Each equity manager is expected to stay fully invested in equities. In general, cash or cash equivalents should not exceed 5% of the market value of each equity portfolio. In the event of severe economic/market conditions or strong liquidity needs, the investment managers may raise a significant amount of cash.

Any such decision arising from economic/market conditions must be explained in writing to the system staff within 10 working days thereafter. Any other deviations must first be communicated to, and approved in writing by, the designated member of the system staff. Long-term appreciation of the fund is the primary objective when making any equity investment.

5.3.5 Inflation Hedge, Absolute Return, and Private Equity funds will be selected and evaluated based on, but not limited to, the following criteria: Tenure and track record of management team; expertise in targeted areas of investment; diversification strategy; use of leverage; liquidity of investments; and, performance relative to similar investments.

#### 5.4 Distribution of Income

Distribution will be made quarterly as soon as practicable after the last calendar day of November, February, May, and August of each fiscal year to the endowment and trust funds participating in the SEF during the respective quarter. The income distribution per unit for each fiscal year will be to distribute, excluding fees, 5% of the 20-quarter average market value per unit as of the end of the previous February.

#### 5.5 Amendment or Termination of Plan

The board reserves the right to amend or terminate the SEF as it deems necessary or advisable.

### 6. SYSTEM CASH CONCENTRATION POOL

#### 6.1 Fund Name, Purpose, and Eligibility for Participation

6.1.1 The Cash Concentration Pool herein established will be known as "The Texas A&M University System Cash Concentration Pool" (Pool) and will be under the control of the board. The direction of the Pool will be under the chancellor in accordance with Section 1.3.

6.1.2 The purpose of the Pool is to provide for the collective investment of all operating, non-operating, and other funds resting with system or its members. The Pool was established to provide incremental return to assist in meeting the operating needs of system.

6.1.3 All funds deposited into the Pool must be under sole control of the board and/or an official or officials of system in their official capacity. However, no such official, other than the chancellor shall have any control over the management of the Pool other than to request deposits or withdrawals on the fund.

#### 6.2 Investments

The Pool will be limited to such investments as are eligible under System Investment Policy as adopted by the board as amended from time to time.

#### 6.3 Asset Allocation



## 6.3

6.3.1 The Pool's asset allocation policy will reflect, and be consistent with, the investment objectives and risk tolerances. These policies, developed after examining the historical relationships of risk and return among asset classes and integrating an analysis of both assets and liabilities, are designed to provide the highest probability of meeting or exceeding the Pool's return objectives at the lowest possible risk. The overall objective of the Pool is to invest the funds in such a manner as to achieve a reasonable balance of growth of corpus and consistent payout to meet the operating needs of the system, as can reasonably be achieved within the framework of the policy consistent with the system's objective of the safety and preservation of capital. Although dynamic capital markets may cause fluctuating risk/return opportunities over a market cycle, the following standards will be used as a flexible framework for asset allocation and portfolio structure (as measured at market value). The targets outlined below represent the current allocation objective of the board and shall be adhered to within the range for each asset class as outlined in this section. The board recognizes markets will fluctuate and accordingly charges the Office of the Chief Investment Officer and Treasurer with aligning the actual allocation towards these targets on a quarterly basis. All allocation percentages are to be exclusive of debt proceeds which are to be invested in the Short-Term Portfolio.

<u>Types of Securities</u>	<u>Target</u>	<u>Range</u>
Short-Term Portfolio	8%	6% - 12%
Liquidity Portfolio	10%	8% - 12%
Fixed Income	25%	20% - 30%
Domestic Equity	24%	21% - 27%
International Equity	15%	13% - 17%
Absolute Return	18%	16% - 20%

6.3.16.3.2 The Short-Term Portfolio will be managed to meet short-term cash requirements with a duration not to exceed one year.

6.3.26.3.3 The Liquidity Portfolio will be managed with a duration +/- 20% of the effective duration of the investment benchmark detailed in the Letter of Instruction ~~a comparable index~~, while seeking to outperform the investment benchmark ~~comparable index~~ and to attain performance in the top quartile when compared to an appropriate manager universe over a five-year moving time period.

6.3.36.3.4 Fixed Income will be managed with a weighted average duration +/- 20% of the effective duration of the investment benchmark detailed in the Letter of Instruction ~~an appropriate index~~, while seeking to outperform ~~such the investment benchmark~~ ~~index~~ and to attain performance in the top quartile when compared to an appropriate manager universe over a five-year moving time period.

6.3.46.3.5 The Equity Portfolios will be diversified among the various management styles and equity asset classes in order to attain the desired expected return within appropriate risk tolerances. These assets will be managed at a risk level (beta) not to exceed 1.20 times the investment benchmark detailed in the Letter of Instruction~~an appropriate index~~ while seeking to outperform ~~such the investment benchmark index~~ and to rank in the top quartile when compared to an appropriate manager universe over a five-year moving time period. Diversification of each manager's portfolio will require no more than 25% of equities in one industry. Each equity manager is expected to stay fully invested in equities. In general, cash and cash equivalents should not exceed 5% of the market value of each equity portfolio.

6.3.56.3.6 Bank loans will be invested through institutional commingled funds.

6.3.66.3.7 Absolute return strategies will be selected and evaluated based on, but not limited to, the following criteria: Tenure and track record of management team; expertise in targeted areas of investment, diversification strategy, use of leverage, liquidity of investments, level of general partner investment, fees and potential conflicts of interest.

#### 6.4 Amendment or Termination of Plan

The board reserves the right to amend or terminate the Pool as it deems necessary or advisable.

### 7. PLACEMENT AGENTS

Prior to investing with an investment manager, the system shall obtain a statement from the manager that it did not use a placement agent in connection with the system's investment or, if the manager has used a placement agent, it will disclose details about the placement agent including: the name of the placement agent; fee paid or payable to the placement agent; copy of the agreement between the manager and the placement agent; representation that the fee is the sole obligation of the investment manager and not the system; current or former board members, treasury personnel, or consultants or a member of the immediate family of such person that is employed by or receiving compensation from the placement agent; and regulatory agencies with which the placement agent or affiliates are registered or why registration is not required.

### 7.8. CONFLICTS OF INTEREST

Members of the board are frequently persons of wide-ranging business interests. Therefore, a prudent, independent investment decision process may result in investments in firms or organizations with which a member of the board is affiliated. Affiliation shall be interpreted within this section to mean an employee, officer, director, or owner of five percent or more of the voting stock of a firm or organization. The investment staff or an unaffiliated investment manager may invest in such securities. However, the following restrictions shall apply:

- (a) a member of the board shall not direct nor participate in the decision to purchase or sell securities of a firm with which such member is affiliated; and

(b) investments will not be purchased from or sold to a member of the board.

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## **Related Statutes, Policies, or Requirements**

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[System Policy 25.07, Contract Administration](#)

[Texas: Education: Code Chapter §§ 51.003, 51.0031](#)

[Texas: Property: Code Chapter 163](#)

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## **Contact Office**

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Office of the Chief Investment Officer and Treasurer  
(979) 458-6330

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Janet U. Smalley, Chief of Staff  
The Texas A&M University System

**Subject:** Approval of Revisions to System Policy *51.06, Naming of Buildings and Other Entities*

**Proposed Board Action:**

Approve revisions to System Policy *51.06, Naming of Buildings and Other Entities*.

**Background Information:**

Proposed revisions to this policy include:

**Section 1:** Existing text is modified to encourage members to develop guidelines instead of rules to help determine what gifts warrant the recommended naming of a facility.

**Section 4.4:** Existing text is modified to clarify the responsibility of the system member CEO to notify an honoree of the action taken by the Board immediately following such action.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**SYSTEM OFFICES**  
Office of the Chief of Staff  
June 1, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Revisions to System Policy *51.06, Naming of Buildings and Other Entities*

I recommend adoption of the following minute order:

**“The revisions to System Policy *51.06, Naming of Buildings and Other Entities*, as shown in Exhibit , are approved, effective immediately.”**

Respectfully submitted,

Janet U. Smalley  
Chief of Staff

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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B. J. Crain  
Chief Business Officer

## 51.06 Naming of Buildings and Other Entities

Approved February 27, 1995 (MO 44-95)  
Revised May ~~2827~~, 1999 (MO 101-~~1999~~)  
Revised October ~~2728~~, 2005 (MO 199-2005)  
Revised July 27, 2007 (MO 167-2007)  
Revised December 5, 2008 (MO ~~400~~-2008)  
Revised July 22, 2011 (MO -2011)  
Next Scheduled Review: ~~December 5, 2010~~July 22, 2013



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### Policy Statement

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It shall be the policy of the Board of Regents (board) of The Texas A&M University System (system) to honor or memorialize individuals who have made significant contributions to the system by naming buildings, definable portions of buildings, geographical areas, or academic entities for such individuals.

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### Reason for Policy

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This policy establishes the process for naming buildings and other entities.

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### Procedures and Responsibilities

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#### 1. ADVANCE APPROVAL OF INDIVIDUALS RECOGNIZED

It shall be the policy of the board to honor or memorialize individuals who have made major financial contributions or had major financial contributions made on their behalf or who have performed outstanding services for the system or one of the system members by naming buildings, definable portions of buildings, geographical areas, or academic entities (e.g., colleges, centers, institutes, and similar organizational units) for such individuals. In all cases, except as cited in the following section, the board shall approve in advance the names of individuals to be so recognized.

System members ~~are encouraged to develop guidelines to help determine~~ will define by rule what donor gifts are considered to be major financial contributions warranting the recommended naming of a facility pursuant to Section 4 of this policy or the naming of a facility pursuant to Section 2 of this policy.

#### 2. FUNDRAISING ACTIVITIES AND DONOR RECOGNITION

In the event, however, that one of the system members wishes to undertake a plan of fundraising in which definable portions of a specific building or a well-defined geographical area under its jurisdiction would be given donors' names through member administrative action, the board will consider the approval of such a plan including the name in its entirety in advance. In such instances, the list of donors so recognized shall be returned to the board upon the completion of the fundraising campaign for the purposes of maintaining a permanent historical record.

### 3. LIMITATIONS ON INDIVIDUALS RECOGNIZED

No buildings or other entities of the system may be named for a current member of the board, a current employee of the system, or a current state or federal official unless:

- (a) The naming is done in conjunction with Section 2 of this policy; or
- (b) The naming is a result of a major financial contribution made by or on behalf of the individual and receives the unanimous approval of all the board members present at a regular meeting of the board. Naming a building or other entity for a current regent makes that regent ineligible to vote on that agenda item.

### 4. PROCEDURES FOR THE BOARD OF REGENTS

4.1 The board shall be responsible for the review, study, and consideration of all matters coming to the board regarding the naming of buildings, definable portions of buildings, other geographical areas and academic entities for persons who have made outstanding contributions to the system member, state or nation, or who have attained eminent accomplishments in their field of endeavor and other related matters.

4.2 The board as a whole shall seek persons to be recognized by having facilities and academic entities named in their honor. It shall also consider nominations by individual regents, the chancellor, and the system member chief executive officers (CEOs) and shall consider recommendations of the general public when they are transmitted through one of said officials. Faculty or staff recommendations shall be made to the system member CEO for consideration in submitting recommendations.

4.3 All recommendations other than those at board meetings shall be forwarded to the executive secretary to the board accompanied by biographical material and reasons for the nomination. The secretary shall forward copies of all recommendations to all members of the board and to the chancellor for study and review. The board may take action at any meeting on the recommendation.

4.4 ~~The executive secretary to the board shall notify the chancellor, in writing, of the action of the board in the naming of buildings, etc., immediately after such action is taken by the board; and the chancellor shall either notify the person so honored or shall give written authorization to~~ The system member CEO ~~shall~~ involved to notify the honoree of the action of the board immediately after such action is taken by the board.

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## Related Statutes, Policies, or Requirements

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[Texas Government Code Chapter 2165](#)

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## Contact Office

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~~The System~~ Office of ~~Budgets and Accounting~~ the Chief Business Officer  
(979) 458-6100



Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Janet U. Smalley, Chief of Staff  
The Texas A&M University System

**Subject:** Approval of Revisions to System Policy *11.03, Shortened Courses*

**Proposed Board Action:**

Approve revisions to System Policy *11.03, Shortened Courses*.

**Background Information:**

Proposed revisions to this policy include:

**Section 1.2:** This text is no longer applicable per the Texas Higher Education Coordinating Board.

**Section 2:** System academic institutions are required to develop procedures to assure compliance with this policy.

Additional revisions are made for clarification or to conform to system style guidelines.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**SYSTEM OFFICES**  
Office of the Chief of Staff  
June 1, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Revisions to System Policy *11.03, Shortened Courses*

I recommend adoption of the following minute order:

**“The revisions to System Policy *11.03, Shortened Courses*, as shown in Exhibit , are approved, effective immediately.”**

Respectfully submitted,

Janet U. Smalley  
Chief of Staff

**Approval Recommended:**

**Approved for Legal Sufficiency:**

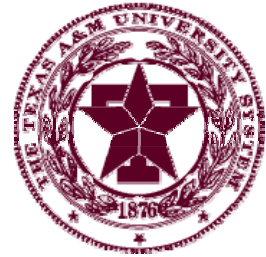
\_\_\_\_\_  
Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

## 11.03 Shortened Courses

Approved February 27, 1995 (MO 44-95)  
Revised March ~~23~~24, 2006 (MO 92-2006)  
Revised September 26, 2008 (MO ~~314~~-2008)  
Revised July 22, 2011 (MO -2011)  
Next Scheduled Review: ~~September 26, 2010~~July 22, 2013



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### Policy Statement

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This policy provides the universities and the health science center (academic institutions) of The Texas A&M University System (system) with the necessary guidelines by which to measure the number of contact hours required for each semester-~~credit-~~hour offered by a system academic institution for ~~a traditionally and non-traditional offered, face-to-face courses. This policy also provides for exceptions to this policy by which non-traditional formatted courses can reduce the mandated contact hours based upon alternative media usage such as the internet.~~

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### Reason for Policy

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The purpose of this policy is to reemphasize the expectations of academic quality and rigor for courses offered by the academic institutions in a shortened format. The Texas Higher Education Coordinating Board (coordinating board) has established set minimum requirements for consistency in generation of semester-~~credit-~~hours. The advent of internet-based distance education has created alternatives to previously required face-to-face contact hours.

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### Procedures and Responsibilities

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1. System academic institutions shall be guided by the following coordinating board rule concerning the minimum length of courses:
  - 1.1 The minimum length for traditionally delivered three-~~semester-~~credit-~~hour~~ courses shall be as follows:
    - 1.1.1 All shortened face-to-face courses shall consist of the same number of class contact hours as similar three hour courses offered in a regular session or summer session: that is, normally 45 to 48 contact hours. Courses shall also have the same objectives, requirements, and quality of instruction as regular length courses.
    - 1.1.2 Students should not carry more courses at a time in a shortened format than will give them total credit of one semester credit hour per week of instruction.

1.1.3 System academic institutions may offer courses in a non-traditional format, such as through the Internet or in a shortened intensive format, which do not meet contact hour requirements if the course has been reviewed by a faculty review committee and determined to have equivalent learning outcomes to a traditionally ~~offered~~ delivered course.

1.1.4 All requirements for three-semester-credit-hour courses shall apply proportionately to courses for one, two, four, or other semester-credit-hour values.

~~1.2 The commissioner of higher education is authorized to permit exceptions to these rules for research purposes to determine the efficacy of teaching a specific course in a shortened format.~~

2. System academic institution presidents shall develop ~~whatever rules are needed~~ procedures necessary to implement and assure compliance with this policy. Any exceptions to Section 1.1.2 must be included in the ~~rule~~ procedure.

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## Related Statutes, Policies, or Requirements

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19 Tex. Admin. Code § 4.6

<http://www.thecb.state.tx.us/index.cfm?objectid=3BBA5600-AB9B-55C7-A1C6ED6B09A1FD7>

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## Definitions

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Traditionally delivered course – a term to describe a face-to-face course in which students and instructor meet at a regular time over a fifteen-week semester for a total of between 45 and 48 contact hours.

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## Contact Office

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~~The System~~ Office of the Vice Chancellor for Academic Affairs  
(979) 458-6072

# Additional Items to be Considered by the Board (Not Assigned to Committee)

*(Agenda Items 28 through 43)*

## Agenda Items

28	Adoption of a Resolution Honoring Mr. Bob Surovik '58 for His Outstanding Dedication and Service as Trustee of the Texas A&M Foundation	Texas A&M
29	Reappointment of Mr. H. Jarrell Gibbs to the Board of Directors of the Private Enterprise Research Center	Texas A&M
30	Appointment of Lt. Gen. Randolph W. House and Mr. Bruce Nichols, and Reappointment of Mr. Ross D. Margraves, Jr. and Mr. Wayne Prescott to the Texas A&M University at Galveston Board of Visitors	Texas A&M
31	Approval of Academic Tenure, July 2011	Texas A&M
32	Approval of Academic Tenure, July 2011	A&M-Central Texas
33	Approval of Academic Tenure, July 2011	A&M-Commerce
34	Approval of Academic Tenure, July 2011	Texas A&M-Kingsville
35	Approval of Academic Tenure, July 2011	Texas A&M-Textarkana
36	Approval of Academic Tenure, July 2011	TAMHSC
37	Approval for Dr. Yongheng Huang, a System Employee, to Serve as an Officer and Member of the Board of Directors of Camris Technologies Corporation, a Business Entity that Has an Agreement with the A&M System in which the A&M System has an Ownership Interest	AgriLife Research
38	*Appointment of Provost and Vice President of Academic and Student Affairs	A&M-Central Texas
39	*Appointment of Deputy Director	TEES
40	*Appointment of Associate Director for Forest Resource Development and Sustainable Forestry	TFS
41	*Appointment of Associate Director for Forest Resource Protection	TFS
42	*Authorization for the President to Execute Employment Contracts with the Head Football Coach, Assistant Football Coach, Head Strength Coach, Assistant Men's Basketball Coach, Head Men's Tennis Coach and Head Women's Golf Coach	Texas A&M

**\*To be considered in Executive Session**

Agenda Item No.

**TEXAS A&M UNIVERSITY**

Office of the President

May 20, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Adoption of a Resolution Honoring Mr. Bob J. Surovik '58 for His Outstanding Dedication and Service as Trustee of the Texas A&M Foundation

I respectfully request the Board of Regents' approval of the following resolution honoring Mr. Bob J. Surovik for his service to Texas A&M University.

“WHEREAS, Mr. Bob J. Surovik, a member of the Class of 1958, has served Texas A&M University with honor and distinction in a variety of capacities; and

WHEREAS, Mr. Surovik earned a bachelor's degree in accounting from Texas A&M University, where he was a member of the Corps of Cadets, sophomore class president, Student Senate president, Memorial Student Center Council member, a Singing Cadet; and

WHEREAS, Mr. Surovik served in the U.S. Army as a first lieutenant for two years; and

WHEREAS, Mr. Surovik obtained a law degree from the University of Texas, taught business law at the University of Texas School of Business, is president and shareholder of the Abilene law firm McMahon Surovik Suttle Attorneys; and

WHEREAS, Mr. Surovik is past president of the Abilene Junior Bar, past member of the State Junior Bar Board of Directors, Outstanding Young Lawyer in the State of Texas (1973), justice of the University of Texas Phi Alpha Delta Legal Fraternity, a Life Fellow of the Texas Bar Foundation, past president of the Abilene Bar Association, past chairman of the State Bar of Texas District 17 Grievance Committee, past chairman of the Abilene Bar Association Criminal Legal Services Committee, member of the Texas Aggie Bar Association Network; and

WHEREAS, Mr. Surovik is a member of the Abilene Industrial Foundation, past board member of the Abilene First Financial Bank, past chairman of the Community Foundation of Abilene, past vice president of the Abilene Chamber of Commerce Board of Directors, past chairman and trustee of the Abilene Alliance for Women and Children, past member of the Abilene YMCA Board of Directors, past chairman and board member for the Abilene State School Volunteer Council, past board member of the Chisholm Trail Council of Boy Scouts of America, director of the First Financial Bank of Abilene and the Abilene Industrial Foundation, trustee of St. Paul United Methodist Church Foundation, a past trustee for McMurry University; and

WHEREAS, Mr. Surovik was a member of the 2001-02 Texas A&M University Presidential Search Committee, participated in *Vision 2020* planning, is an Endowed Diamond Century Club member and past president of The Association of Former Students, established the Elaine and Bob J. Surovik '58 Excellence Endowment to provide unrestricted support to The Association, generously supports the 12<sup>th</sup> Man Foundation; and

Agenda Item No.  
May 20, 2011

WHEREAS, Mr. Surovik will from this day forward be known as a valued partner to Texas A&M University for more than 30 years of generous support, as a contributor to a Foundation Excellence Award in honor of Kay '02 and Jerry '72 Cox, the Corps of Cadets, Singing Cadets, Class of '58, and other Texas A&M University programs, is a member of the A&M Legacy and Heritage Societies, a charter member of the Texas A&M Foundation Planned Giving Council; and

WHEREAS, Mr. Surovik has served the Texas A&M Foundation's Board of Trustees with distinction for seven years, including two terms as chairman; now, therefore, be it

RESOLVED, that we, the members of the Board of Regents of The Texas A&M University System gratefully recognize the outstanding dedication and service of Mr. Surovik as a trustee of the Texas A&M Foundation and his lifelong efforts to maintain the excellence that defines Texas A&M University and the Texas A&M Foundation; and, be it, further

RESOLVED, that this resolution be spread among 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 Mr. Surovik and to the Archives of Texas A&M University as an expression of great appreciation and respect for Mr. Bob J. Surovik '58.

ADOPTED, this 22nd day of July 2011."

Respectfully submitted,

R. Bowen Loftin  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** R. Bowen Loftin, President  
Texas A&M University

**Subject:** Reappointment of Mr. H. Jarrell Gibbs to the Board of Directors of the  
Private Enterprise Research Center

**Proposed Board Action:**

Reappoint Mr. H. Jarrell Gibbs to the Board of Directors of the Private Enterprise Research Center (PERC), Texas A&M University.

**Background Information:**

As required by the “Authorization to Establish a Center for Education and Research in Free Enterprise” (the forerunner of the Private Enterprise Research Center) and approved by The Texas A&M University System Board of Regents on January 24, 1977, nominations of members of the PERC Board of Directors must be approved by The Texas A&M University System Board of Regents.

The PERC Board of Directors voted on May 20, 2011, to recommend that Mr. H. Jarrell Gibbs be reappointed to a five-year term to the PERC Board of Directors. Mr. Gibbs has graciously agreed to serve pending the reappointment by the Board of Regents.

**A&M System Funding or Other Financial Implications:**

None



Agenda Item No.

**TEXAS A&M UNIVERSITY**

Office of the President

May 20, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Reappointment of Mr. H. Jarrell Gibbs to the Board of Directors of the Private Enterprise Research Center

I recommend adoption of the following minute order:

**"The Board of Regents of The Texas A&M University System hereby reappoints Mr. H. Jarrell Gibbs to the Board of Directors of the Private Enterprise Research Center, Texas A&M University, for a term of five years."**

Respectfully submitted,

R. Bowen Loftin  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

H. Jarrell Gibbs

Mr. H. Jarrell Gibbs holds a Bachelor degree in Business Administration in Finance and a Master's degree in Management and Administration from Texas A&M University. He is also a graduate of Harvard Business School Advanced Management Program and the U.S. Army Command and General Staff College. In October 1999, Mr. Gibbs was honored as an Outstanding Alumni-Lowry Mays College & Graduate School of Business of Texas A&M University and in 2010 was inducted into the Texas A&M Corps of Cadets Hall of Honor.

He is the retired President of TXU Corp. having served for 22 years in various executive positions. Mr. Gibbs' career with TXU included senior management positions responsible for strategy, mergers & acquisitions, business development, finance and administration, legislative affairs, marketing and operations. Prior to joining TXU in 1980, he served over 20 years in the U.S. Army.

Mr. Gibbs is presently active in private investments. He is chairman of the board of trustees of the Texas A&M Research Foundation, York College and a member of the board of directors of the Private Enterprise Research Center, Texas A&M University. Mr. Gibbs also serves as a member and former chairman of the Board of Visitors for the Texas A&M Corps of Cadets. He is a member of the Chancellors Century Council and the President's Advisory Council. He also served as chair of the Aggie Spirit Development Council for the Vice President of Student Affairs for its initial eight years.

**AGENDA ITEM BRIEFING**

**Submitted by:** R. Bowen Loftin, President  
Texas A&M University

**Subject:** Two Appointments and Two Reappointments to the Texas A&M University at Galveston Board of Visitors

**Proposed Board Action:**

Appoint Lieutenant General Randolph W. House and Mr. Bruce Nichols to the Texas A&M University at Galveston (TAMUG) Board of Visitors for a term of three years each, effective upon approval by the Board.

Reappoint Mr. Ross D. Margraves, Jr. and Mr. Wayne Prescott to the TAMUG Board of Visitors for a term of three years each, effective upon approval by the Board.

**Background Information:**

The TAMUG Board of Visitors unanimously recommended that Lieutenant General Randolph W. House and Mr. Bruce Nichols be appointed to three-year terms and that Mr. Ross D. Margraves, Jr. and Mr. Wayne Prescott be reappointed to three-year terms. They all have an interest in Texas higher education and are highly supportive of TAMUG. All have graciously agreed to serve pending approval of the Board of Regents. Their biographical information is attached.

Lieutenant General Randolph W. House is currently a consultant at the Department of Defense and has received numerous awards and decorations from his military career. He is a member of various advisory councils at Texas A&M University. Lieutenant General House graduated from Texas A&M University in 1967 as a Distinguished Military graduate and received a Regular Army Commission in the U. S. Army Infantry Branch. He also holds a Master's Degree from Clemson University.

Mr. Bruce Nichols, Operations Manager at Motorola in Austin, Texas, has more than thirty years of experience in a broad array of management areas including construction, engineering planning and design, land use planning and petrochemical operations. Mr. Nichols has a Bachelor of Science in Chemical Engineering from Tulane University.

Mr. Ross D. Margraves, Jr. is the managing shareholder of the Houston office of Winstead Attorneys, where he also serves as a member of the firm's recruiting committee. He graduated from Texas A&M University in 1963.

Mr. Wayne Prescott is the owner of the Law Offices of Wayne H. Prescott in Austin, Texas. His primary focus is family law. He received a B.A. in Economics from Texas A&M University in 1969.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**TEXAS A&M UNIVERSITY**

Office of the President

June 1, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Two Appointments and Two Reappointments to the Texas A&M University at Galveston Board of Visitors

I recommend adoption of the following minute order.

**“The Board of Regents of The Texas A&M University System hereby appoints Lieutenant General Randolph W. House and Mr. Bruce Nichols and reappoints Mr. Ross D. Margraves, Jr. and Mr. Wayne Prescott to the Texas A&M University Board of Visitors for a term of three years each.”**

Respectfully submitted,

R. Bowen Loftin  
President

**Approval Recommended:**

\_\_\_\_\_  
Michael D. McKinney  
Chancellor

**Approved for Legal Sufficiency:**

\_\_\_\_\_  
Scott A. Kelly  
Deputy General Counsel

\_\_\_\_\_  
Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**Randolph W. House**  
Lieutenant General (U.S. Army Retired)

Lieutenant General Randy House graduated from Texas A&M University (1967) as a Distinguished Military graduate and received a Regular Army Commission in the U.S. Army Infantry. After his second tour in Vietnam he received a Master's Degree from Clemson University.

Lieutenant General House has commanded in peace and war at every level of command from an infantry platoon in the 82d Airborne Division to Deputy Commander in Chief of the U.S. Pacific Command. He was a helicopter platoon leader in Vietnam and an Infantry Company Commander in Vietnam and in Germany. He commanded a Mechanized Infantry Battalion at Ft. Polk, Louisiana and a Tank Brigade during Operation Desert Storm in Iraq. Other accomplishments include Assistant Division Commander of the 4<sup>th</sup> Division at Ft. Carson, Colorado, and Deputy Commandant at the U.S. Army's Command and General Staff College at Ft. Leavenworth, Kansas. He commanded the U.S. Army's First Infantry Division, the famed "Big Red One" at Ft. Riley, Kansas, and was the Senior Military Assistant to the Secretary of Defense, Dr. William Perry. As a Lieutenant General he commanded the 8<sup>th</sup> Army in Korea and had a second three star command as Deputy Commander in Chief of the Pacific Command in Hawaii.

Lieutenant General House was highly decorated receiving many awards for valor in combat to include the Combat Infantryman's Badge, the Silver Star, the Soldiers Medal, four Distinguished Flying Crosses and 32 Air Medals.

He retired with 33 years of service and is a senior mentor for military training exercises at the Department of Defense. Lieutenant General House also serves on advisory boards at Texas A&M University, The Bush School of Government and Public Service and is a Vice President of the 2011 Brazos Valley Veterans Memorial Board of Directors.

## **Bruce Nichols**

Mr. Bruce Nichols received a Bachelor of Science in Chemical Engineering at Tulane University. He is currently an Operations Manager at Motorola with more than thirty years of experience in a broad array of management areas including facilities operations, construction, maintenance, utilities operations, engineering planning and design, land use planning and petrochemical operations. He is a licensed professional engineer in the state of Texas and an officer in Public Works, Construction Administration and Military Construction Battalions (SEABEES) U.S. Navy.

Mr. Nichols is involved in extensive community service including Chairman of the Building and Personnel Committees, Tarrytown UMC, Austin, Texas; Corps of Cadets, Nichols Rising Leaders Conference, College Station, Texas. He is a Member of the Aggie Spirit Development Council; a Member of the Corps of Cadets Board of Visitors; and a regular volunteer with Habitat for Humanity.

**Ross D. Margraves, Jr.**

Mr. Ross D. Margraves, Jr. graduated from Texas A&M University in 1963. He is the managing shareholder of the Houston office of Winstead Attorneys, where he also serves as a member of the firm's recruiting committee.

For more than 40 years, Mr. Margraves has focused his practice in the areas of corporations and financial institutions, as well as public law and governmental affairs. He has extensive experience in both the public and private sectors, having served as a director of governmental agencies and as a director of both closely-held and public companies.

## **Wayne H. Prescott**

Mr. Wayne H. Prescott earned a B.A. in Economics at Texas A&M University in 1969 and a J.D. degree from the University Of Texas School of Law in Austin in 1972. He is the owner of the Law Offices of Wayne H. Prescott in Austin, Texas, and limits his focus on family law.

Mr. Prescott has been engaged in private practice of law in Austin, Texas, since 1975. He has served as the head of the Litigation Section for a 100+ attorney law firm and has over 35 years of experience in civil litigation, including extensive trial experience. He is AV rated by Martindale-Hubbell and Board Certified in Civil Trial Law and Family Law by the Texas Board of Legal Specialization.

Mr. Prescott has been honored and affiliated with a number of organizations. He served as Chair on the Chancellor's Century Council for The Texas A&M University System from 2005-2006; former president of the Capital City A&M Club; and a former member of the Board of Directors of the Association of Former Students. He has also been a member of the President's Advisory Council at Texas A&M University.

He is trained as a Collaborative Family Law Practitioner and is a member of the Collaborative Law Institute of Texas, the Texas Family Law Section, the Texas Academy of Family Law Specialists and the Travis County Family Law Advocates. Mr. Prescott is also a Founding Life Fellow of the Austin Bar Foundation and a member of the Family Law Section of the Austin Bar Association, in which he now serves on its Board of Directors. He is a member of the College of the State Bar of Texas and the Pro Bono College of the State Bar of Texas. Mr. Prescott is a former chair of the State Bar Tort and Compensation and a former member of the Pattern Jury Charges Committee.



Agenda Item No.

**TEXAS A&M UNIVERSITY**

Office of the President

May 20, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Academic Tenure, July 2011, Texas A&M University

I recommend adoption of the following minute order.

**“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 at Texas A&M University as set forth in Exhibit , Tenure List No. 11-06.”**

Respectfully submitted,

R. Bowen Loftin  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**TEXAS A&M UNIVERSITY  
RECOMMENDATIONS FOR TENURE  
TENURE LIST NO. 11-06**

ITEM  
EXHIBIT

<u>Name</u>	<u>Present Rank</u> <u>Department</u>	<u>Years Teaching</u>		<u>Effective</u> <u>Date/Tenure</u>
		<u>Univ.</u>	<u>Other Inst.</u>	
<b>BUSH SCHOOL OF GOVERNMENT AND PUBLIC SERVICE</b>				
*Dr. Leonard Bright	Associate Professor Bush School of Government and Public Service	0	8	Upon Approval by the Board and Faculty Arrival
<b>DWIGHT LOOK COLLEGE OF ENGINEERING</b>				
*Dr. Panganamala R. Kumar	Professor Electrical and Computer Engineering	0	34	Upon Approval by the Board and Faculty Arrival
*Dr. Christos T. Maravelias	Associate Professor Chemical Engineering	0	7	Upon Approval by the Board and Faculty Arrival
<b>COLLEGE OF LIBERAL ARTS</b>				
*Dr. Laura Mandell	Professor English	0	18	Upon Approval by the Board and Faculty Arrival
*Dr. Nancy Bradley Warren	Professor English	0	19	Upon Approval by the Board and Faculty Arrival
<b>MAYS BUSINESS SCHOOL</b>				
*Dr. Richard D. Metters	Professor Information and Operations Management	0	18	Upon Approval by the Board and Faculty Arrival
*Dr. K. Sivaramakrishnan	Professor Accounting	8	15	Upon Approval by the Board and Faculty Arrival

\*Tenure on Arrival

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

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
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**BUSH SCHOOL OF GOVERNMENT AND PUBLIC SERVICE**

Dr. Leonard Bright	Bush School of Government and Public Service	Associate Professor	Upon Approval by the Board and Faculty Arrival
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Dr. Leonard Bright is currently an Associate Professor with tenure, at the School of Urban and Public Affairs, University of Louisville.

Dr. Bright received his B.A. in Psychology at the University of Southern Florida (1996), an M.P.A. in Public Administration at University of Idaho, Moscow, Idaho (1998) and a Ph.D. in Public Administration and Policy at the Hatfield School of Government, Portland State University (2003).

He is an experienced instructor, having taught full-time at the university level since 2003, offering a wide range of courses central to the Master of Public Service and Administration degree at the Bush School. Dr. Bright's research contributions have been recognized by his peers through publications in the leading academic journals in his specialty of public sector human resource management. His publications are both quantitatively and qualitatively meritorious and have had a measurable impact on his field of study. He is considered to be the top national expert on motivation for public service, an important contribution to the mission of the Bush School. Dr. Bright also has an extensive set of service activities, both on campus and in the profession, that exhibit his commitment to the development of public administration and to community outreach, further exemplified by his role as President of the Metropolitan Louisville Chapter of the American Society for Public Administration.

**DWIGHT LOOK COLLEGE OF ENGINEERING**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
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Dr. Panganamala Kumar	R. Electrical and Computer Engineering	Professor	Upon Approval by the Board and Faculty Arrival
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Dr. Panganamala R. Kumar is currently the Franklin W. Woeltge Professor of Electrical and Computer Engineering with tenure at the University of Illinois at Urbana-Champaign (UIUC).

Dr. Kumar received his B.Tech in Electrical Engineering (Electronics) at Madras Indian Institute of Technology (1973), a M.S. in Systems Science and Mathematics at Washington University, St. Louis (1975) and a D.Sc. in Systems Science and Mathematics at Washington University, St. Louis.

## DWIGHT LOOK COLLEGE OF ENGINEERING (Continued)

Dr. Panganamala R. Kumar (continued)

Dr. Kumar also holds the titles of Research Professor in the Coordinated Sciences Laboratory, Research Professor of the Information Trust Institute and Affiliate of the Department of Computer Science, at UIUC. He is also a Guest Chair Professor at Tsinghua University, Beijing, China. Dr. Kumar has held several visiting positions during his career, including at the Massachusetts Institute of Technology, the University of California at Berkeley, and the University of Ulm, Germany.

Dr. Kumar has developed an extensive teaching and research career since joining UIUC in 1985. During this longevity he has worked to bring his research and real world knowledge to both undergraduate and graduate courses in adaptive control and wireless networks. His teaching and advising has been ranked “excellent” 19 times by his students. He has mentored and graduated 26 Ph.D. and 33 Masters students to date.

In 2007, he was selected as a member of the National Academy of Engineering “for contributions to adaptive control, manufacturing systems and wireless networks”. Other honors include Fellow of Institute of Electrical & Electronic Engineering.

Dr. Christos T. Maravelias	Chemical Engineering	Associate Professor	Upon Approval by the Board and Faculty Arrival
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Dr. Christos T. Maravelias is currently an Associate Professor of Chemical Engineering with tenure at the University of Wisconsin.

Dr. Maravelias received his Diploma in Chemical Engineering at the National Technical University of Athens (1996), a M.Sc. in Operational Research at London School of Economics (1997) and a Ph.D. in Chemical Engineering at Carnegie Mellon University (2004) and a M.Sc. in Operational Research at London School of Economics (1997). He completed his military service then received a PhD in Chemical Engineering at Carnegie Mellon University (2004).

In the fall of 2004, Dr. Maravelias joined the faculty of Chemical & Biological Engineering at University of Wisconsin-Madison. During his time he has taught undergraduate and graduate courses in process design, dynamics, applied mathematics and optimization. He has been ranked by his students in the first quartile of teachers. To date he has mentored and graduated three Ph.D. students.

His research focus is primarily in areas of production planning, process synthesis, optimization under uncertainty and the development of computational tools for design of chemical and biological catalysts. He is the recipient of the Inaugural Olaf A. Hougen Fellowship, and National Science Foundation Career Award and the 2008 W. David Smith, Jr. Award from the American Institute of Chemical Engineers.

## COLLEGE OF LIBERAL ARTS

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Laura Mandell	English	Professor	Upon Approval by the Board and Faculty Arrival

Dr. Laura Mandell is currently a Professor of English Literature and affiliate of Armstrong Interactive Media with tenure at the Miami University of Ohio.

Dr. Mandell received her B.A. in English and French at the University of New Mexico (1986) (summa cum laude with Distinction) a M.A. in English at Cornell University (1991) and a Ph.D. in English from Cornell University (1992).

Dr. Mandell has taught a variety of undergraduate and graduate courses during her 18 year career. These courses have ranged from traditionally-themed courses in literature to innovative courses that integrate digital media and communications. She is the recipient of several awards from teaching at Miami University of Ohio and has presented workshops to other educators on using digital humanities materials in research and instruction.

She is editor of the Poetess Archive, an online scholarly edition and database of women poets and is currently participating in the development of 18thConnect, a similar online network for eighteenth –century scholars. Her current research involves development of new methods for visualizing poetry, developing software that allows scholars to deep-code documents for data mining and improving OCR software for early modern and 18<sup>th</sup> century texts. She has published *Misogynous Economies: The Business of Literature in Eighteenth-Century Britain*.

Dr. Nancy Bradley Warren	English	Professor	Upon Approval by the Board and Faculty Arrival
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Dr. Nancy Bradley Warren is currently a Professor of English with tenure at Florida State University.

Dr. Warren received her B.A., in English and French at Vanderbilt University (1991) (summa cum laude) and a Ph.D. in English from Indiana University (1997).

Specializing in medieval literature and culture; early modern religious cultures and intersections of gender, religion and nationality, Dr. Warren has offered more than 20 distinct courses in her teaching career, ranging from introductory undergraduate to advanced graduate seminars. She received Provost commendation for her exceptionally strong teaching evaluations while at Florida State University.

She has published three books and numerous articles that speak to her work in analyzing and communicating the ongoing importance of lessons from “the medieval” for early modern cultures and the social and political order of our own society today. In 2007, Dr. Warren was honored as a Fellow of the National Humanities Center.

## MAYS BUSINESS SCHOOL

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Richard D. Metters	Information and Operations Management	Professor	Upon Approval by the Board and Faculty Arrival

Dr. Richard D. Metters is currently an Associate Professor with tenure at Emory University, Goizueta Business School.

Dr. Metters received his B.A., in Economics at Stanford University (1982), a M.B.A. in Operations Management at Duke University (1989) and a Ph.D. in Operations Management from the University of North Carolina–Chapel Hill (1993).

Dr. Metters is an accomplished teacher, as evidenced by consistently high praise from his undergraduate and executive program students from previous positions he has held at Emory University and Southern Methodist University. He is the principal author of the textbook, *Successful Service Operations Management*. His contributions to teaching case studies in operations management curriculum have been adopted at top business schools across the country.

His research interests concentrate in service sector operations management. He has published over 40 articles in leading operations management journals and magazines utilized by academia and industry alike. These include *Management Science*, *Operations Research*, *Journal of Operations Management* and *Harvard Business Review*. He is an Associate Editor of *Decision Sciences and Interfaces*.

Dr. K. Sivaramakrishnan	Accounting	Professor	Upon Approval by the Board and Faculty Arrival
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Dr. K. Sivaramakrishnan is currently a Professor with tenure at Bauer College of Business at the University of Houston.

Dr. Sivaramakrishnan received his B.Tech. in Mechanical Engineering at the Indian Institute of Technology, Madras, India, (1977), a M.B.A. at Xavier Labor Relations Institute, Jamshedpur, India (1980) and a Ph.D. in Accounting and Information Systems, Kellogg Graduate School of Management, Northwestern University (1989).

Dr. Sivaramakrishnan has taught a wide range of topics in financial and managerial accounting at all levels - undergraduate, masters, and doctoral. He is the recipient of a University Teaching Award at Carnegie Mellon and the MBA Association Distinguished Core Faculty Award at Texas A&M University for excellence in the classroom.

Dr. Sivaramakrishnan's research has focused on two broad areas: the design of information systems for planning and control in organizations and the examination of the interactions between corporate managers, shareholders, and financial analysts. He has published in leading scholarly journals including *The Accounting Review*, *Journal of Accounting Research*,

**MAYS BUSINESS SCHOOL (Continued)**

Dr. K. Sivaramakrishnan (continued)

*Contemporary Accounting Research, Journal of Accounting, Auditing and Finance, Journal of Management Accounting Research, Accounting Horizons and Management Science.* He recently received the 2003 Best Paper Award from the Management Accounting Section of the American *Management Accounting Research, Accounting Horizons and Management Science* for his work on the use of cost information for capacity planning and pricing.

Agenda Item No.

**TEXAS A&M UNIVERSITY-CENTRAL TEXAS**

Office of the President

June 16, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Academic Tenure, July 2011, Texas A&M University-Central Texas

I recommend adoption of the following minute order.

**“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 faculty member at Texas A&M University-Central Texas as set forth in Exhibit , Tenure List No. 11-06.”**

Respectfully submitted,

Marc A. Nigliazzo, Ph.D.  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

\_\_\_\_\_  
Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs



TEXAS A&M UNIVERSITY-CENTRAL TEXAS  
RECOMMENDATION FOR TENURE  
TENURE LIST NO. 11-06

<u>Name</u>	<u>Present Rank</u> <u>Department</u>	<u>Years Teaching</u>		<u>Effective</u>
		<u>Univ./</u>	<u>Other Inst.</u>	<u>Date/Tenure</u>
<b>SCHOOL OF ARTS AND SCIENCES</b>				
*Dr. Margaret Gray-Vickrey	Professor School of Arts and Sciences	0	18	Upon Approval by the Board and Faculty Arrival

\*Tenure on Arrival.

**TEXAS A&M UNIVERSITY-CENTRAL TEXAS  
BACKGROUND OF FACULTY  
RECOMMENDED FOR ACADEMIC TENURE**

**SCHOOL OF ARTS AND SCIENCES**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
*Dr. Margaret Gray-Vickrey	School of Arts and Sciences	Professor	Upon Approval by the Board and Faculty Arrival

Dr. Margaret Gray-Vickrey is currently a professor without tenure at Florida Gulf Coast University, a continuing contract rather than tenure granting system and institution. Dr. Gray-Vickrey was a tenured assistant professor at Lycoming College prior to taking a position at Florida Gulf Coast University in 1996. She received her Doctor of Nursing Science degree from the University of Buffalo in 1993. She achieved the rank of Professor in 2001.

Dr. Gray-Vickrey began her academic career as an Instructor in the Department of Nursing at Lycoming College in 1986, and was appointed to the rank of Assistant Professor in 1993. Prior to accepting an academic appointment at Lycoming, she spent a number of years in the field as a staff and charge nurse and held various teaching positions at the Robert Packer Hospital School of Nursing, Northern Illinois University, the State University of New York at Binghamton and the University of Buffalo. From 1983-89, she also served as a Captain in the Army Reserve Nurse Corps.

Dr. Gray-Vickrey has published more than forty articles in peer-reviewed journals and has contributed chapters to nine books. She has made numerous professional presentations and received notable awards for research, teaching and leadership. She is an acknowledged expert in the study and treatment of Alzheimer's disease, and she has or continues to serve on a half-dozen editorial boards, including the *American Journal of Nursing*, *Geriatric Nursing*, *Nursing* and *Alzheimer's Care Today*, where she was Editor in Chief from 2007-10.

Her teaching awards include Professor of the Year in 1999 at Florida Gulf Coast University, the Junior Faculty Teaching Award at Lycoming College in 1994 and the University at Buffalo Excellence in Teaching Award for Graduate Assistants in 1991.

Agenda Item No.

**TEXAS A&M UNIVERSITY-COMMERCE**

Office of the President

May 24, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Academic Tenure, July 2011, Texas A&M University-Commerce

I recommend adoption of the following minute order.

**“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 member at Texas A&M University-Commerce as set forth in Exhibit , Tenure List No. 11-06.”**

Respectfully submitted,

Dan R. Jones  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**TEXAS A&M UNIVERSITY-COMMERCE  
RECOMMENDATION FOR TENURE  
TENURE LIST NO. 11-06**

<u>Name</u>	<u>Present Rank</u> <u>Department</u>	<u>Years Teaching</u> <u>Univ./ Other Inst.</u>		<u>Effective</u> <u>Date/Tenure</u>
<b>COLLEGE OF EDUCATION AND HUMAN SERVICES</b>				
* Dr. Betty Block	Professor Health and Human Performance	2	18	Upon Approval by the Board and Faculty Arrival

\* Tenure on Arrival.

**TEXAS A&M UNIVERSITY-COMMERCE  
BACKGROUND OF FACULTY  
RECOMMENDED FOR ACADEMIC TENURE**

**COLLEGE OF EDUCATION AND HUMAN SERVICES**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
*Dr. Betty Block	Health and Human Performance	Professor	Upon Approval by the Board and Faculty Arrival

Dr. Betty Block is currently an associate professor without tenure at Adams State College. Dr. Block received a B.S. degree in Education (1976), a M.S. (1978) and an Ed.D. (1989) from Texas A&M University-Commerce. Before beginning at Adams State College in 2010, Dr. Block was a visiting professor at Missouri Western State University for one year. She was at Georgia College and State University as an assistant professor, associate professor and professor for 16 years, and had previously served as an assistant professor at Texas A&M University-Commerce for two years. Dr. Block has twenty-four publications, one textbook and forty-five professional presentations. She is a member of numerous professional and academic associations, including the National American Society for Sport Sociology, Western Society for Kinesiology and Wellness, National Association of Kinesiology and Physical Education in Higher Education and Missouri Association for Health, Physical Education, Recreation and Dance.

Agenda Item No.

**TEXAS A&M UNIVERSITY-KINGSVILLE**

Office of the President

May 16, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Academic Tenure, July 2011, Texas A&M University-Kingsville

I recommend adoption of the following minute order:

**“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 at Texas A&M University-Kingsville as set forth in Exhibit , Tenure List No. 11-06.”**

Respectfully submitted,

Steven H. Tallant  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**TEXAS A&M UNIVERSITY-KINGSVILLE  
RECOMMENDATIONS FOR TENURE  
TENURE LIST NO. 11-06**

<u>Name</u>	<u>Present Rank Department</u>	<u>Years Teaching Univ. /Other Inst.</u>		<u>Effective Date/Tenure</u>
<b>DICK AND MARY LEWIS KLEBERG COLLEGE OF AGRICULTURE, NATURAL RESOURCES AND HUMAN SCIENCES</b>				
Dr. Randall DeYoung	Assistant Professor Animal, Rangeland and Wildlife Sciences	5	0	09/01/11
Dr. Roger Hanagriff	Associate Professor Agriculture, Agribusiness and Environmental Sciences	3	5	09/01/11
Dr. Greta Schuster	Associate Professor Agriculture, Agribusiness and Environmental Sciences	3	9	09/01/11
<b>COLLEGE OF ARTS AND SCIENCES</b>				
Dr. Angel Ball	Assistant Professor Biological and Health Sciences	4	0	09/01/11
Dr. Xiaoliu Chi	Associate Professor Chemistry	6	0	09/01/11
Dr. Jingbo Liu	Assistant Professor Chemistry	5	0	09/01/11
Dr. Stephen Oller	Assistant Professor Biological and Health Sciences	6	0	09/01/11
*Dr. Kathryn Stoner	Professor and Chair Biological and Health Sciences	0	13	Upon Approval by the Board and Faculty Arrival
Dr. Jaehyung Yu	Associate Professor Physics and Geosciences	6	0	09/01/11

\*Tenure on Arrival

<u>Name</u>	<u>Present Rank</u> <u>Department</u>	<u>Years Teaching</u> <u>Univ. /Other Inst.</u>		<u>Effective</u> <u>Date/Tenure</u>
<b>COLLEGE OF BUSINESS ADMINISTRATION</b>				
Dr. Priti Verma	Assistant Professor Accounting and Finance	6	0	09/01/11
<b>COLLEGE OF EDUCATION AND HUMAN PERFORMANCE</b>				
Dr. Linda Challoo	Assistant Professor Educational Leadership and Counseling	6	0	09/01/11
Dr. LaVonne Fedynich	Assistant Professor Educational Leadership and Counseling	6	0	09/01/11
Dr. Jaya Goswami	Assistant Professor Teacher and Bilingual Education	5	0	09/01/11
<b>FRANK H. DOTTERWEICH COLLEGE OF ENGINEERING</b>				
Dr. Hong Zhou	Assistant Professor Mechanical Engineering and Industrial Engineering	6	4	09/01/11



**TEXAS A&M UNIVERSITY-KINGSVILLE  
BACKGROUND OF FACULTY  
RECOMMENDED FOR ACADEMIC TENURE**

**DICK AND MARY LEWIS KLEBERG COLLEGE OF  
AGRICULTURE, NATURAL RESOURCES AND HUMAN SCIENCES**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Randall DeYoung	Animal, Rangeland and Wildlife Sciences	Assistant Professor	09/01/11

Dr. Randall DeYoung received the B.S. degree in Agriculture (1993) from Texas A&I University; the M.S. degree in Range and Wildlife Management (1997) from Texas A&M University-Kingsville; and the Ph.D. degree in Wildlife Ecology (2004) from Mississippi State University. He conducted research at Texas A&M University-Kingsville's Caesar Kleberg Wildlife Research Institute from 2004-2006 and was then hired as an Assistant Professor at the university in 2006. During his work on his doctorate degree at Mississippi State University, Dr. DeYoung was a Graduate Research Assistant. He authored and co-authored 28 refereed journal articles, seven refereed proceedings and four book chapters and monographs and presented papers at the international, national, regional, state and local levels. Since 2004, Dr. DeYoung has received \$1,615,426 in grant funding. He received the Research Award for Junior Faculty from the College of Agriculture, Natural Resources and Human Sciences for 2007-2008 and the Outstanding Publication in Wildlife Ecology and Management from the Wildlife Society (national level) in September 2004.

Dr. Roger Hanagriff	Agriculture, Agribusiness and Environmental Sciences	Associate Professor	09/01/11
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Dr. Roger Hanagriff received the B.S. degree in Agricultural Business (1990) from Sam Houston State University and the Master of Agriculture degree in Agricultural Economics (1992) and the Ph.D. degree in Agricultural Leadership, Education and Communication (2002) from Texas A&M University. Prior to coming to Texas A&M University-Kingsville in 2008, Dr. Hanagriff was an Assistant Professor (2002-2005) and an Associate Professor (2005-2007) at Sam Houston State University. Dr. Hanagriff has demonstrated his scholarly ability by authoring and co-authoring 18 refereed journal articles and seven proceedings. He has acquired approximately \$1,184,542 in funded grants from 2005 to 2010. He is active on many committees. In 2010, Dr. Hanagriff received the A&M System's Teaching Excellence Award and the Outstanding Junior Faculty Teaching Award from the Dick and Mary Lewis Kleberg College of Agriculture, Natural Resources and Human Sciences.

**DICK AND MARY LEWIS KLEBERG COLLEGE OF  
AGRICULTURE, NATURAL RESOURCES AND HUMAN SCIENCES (Continued)**

Dr. Greta Schuster	Agriculture, Agribusiness and Environmental Sciences	Associate Professor	09/01/11
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Dr. Greta Schuster received the B.S. degree in Animal Science (1985) and the M.S. degree in Agronomy (1991) from East Texas State University; and the Ph.D. degree in Plant Virology/Plant Pathology (1994) from Texas A&M University. Before coming to Texas A&M University-Kingsville in 2008, Dr. Schuster worked at West Texas A&M University as an Assistant Professor (1998-2004) and an Associate Professor (2004-2007). Dr. Schuster has been active on graduate thesis committees and university committees, especially the Institutional Biosafety Committee. Her scholarly achievements include 14 refereed articles and manuscripts and six refereed abstracts. Dr. Schuster was funded for over \$7,000,000 in grant monies since 2002. She received the A&M System's Teaching Excellence Award in 2008 and 2009 and the Outstanding Junior Researcher Award from the Dick and Mary Lewis Kleberg College of Agriculture, Natural Resources and Human Sciences in 2010.

**COLLEGE OF ARTS AND SCIENCES**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Angel Ball	Biological and Health Sciences	Assistant Professor	09/01/11

Dr. Angel Ball received the B.A. degree in English Literature (1985), the M.A. degree in Speech Pathology (1987) and the Ph.D. degree in Speech Pathology (1998), all from the University of Cincinnati. Before coming to Texas A&M University-Kingsville in 2007, Dr. Ball taught at the University of Cincinnati as an Adjunct Instructor, a Visiting Assistant Professor and an Adjunct Assistant Professor. While these assignments represented teaching experience, none were tenure-track positions. Dr. Ball's scholarly accomplishments include authoring and co-authoring 12 journal articles and five refereed abstracts. He is a member of various professional societies, including the Texas Speech and Hearing Association, the American Academy of Neurology and the National Student Speech Language Hearing Association, among others.

Dr. Xiaoliu Chi	Chemistry	Associate Professor	09/01/11
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Dr. Xiaoliu Chi received the B.S. degree in Chemistry (1988) and the M.S. degree in Chemistry (1991) from East China University of Science and Technology (China); the M.S. degree in Analytical Chemistry (1996) from Western Kentucky University; and the Ph.D. degree in Physical Chemistry (2001) from the University of Kentucky. Before coming to Texas A&M University-Kingsville in 2005, Dr. Chi held post-doctoral fellowships at the Los Alamos National Laboratory and Columbia University. Over the past five years, Dr. Chi was awarded \$775,518 in grant funding. He co-authored 32 refereed journal articles and received various awards, including the A&M System's Teaching Excellence Award in fall 2009 and the American Institute of Chemists Award in 1996.



## COLLEGE OF ARTS AND SCIENCES (Continued)

Dr. Jaehyung Yu	Physics and Geosciences	Associate Professor	09/01/11
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Dr. Jaehyung Yu received the B.S. degree in Geology (1997) and the M.S. degree in Geology (1999) from Chungnam National University (Korea) and the Ph.D. degree in Geography (2005) from Texas A&M University. Before coming to Texas A&M University-Kingsville in 2005, Dr. Yu worked as a teaching and research assistant at Texas A&M University and at Chungnam National University while obtaining his various degrees. During the past five years, Dr. Yu was co-author of eight refereed journal articles, two refereed abstracts, one refereed proceedings and numerous non-refereed abstracts. Since 2006, Dr. Yu was awarded \$206,000 in grant funding. Honors and awards include the John I. Davidson President's Award for Practical Papers, 2<sup>nd</sup> place (2009) and Texas A&M-Kingsville's College of Arts and Sciences Olan Kruse Science Faculty Award (2008).

## COLLEGE OF BUSINESS ADMINISTRATION

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Priti Verma	Accounting and Finance	Assistant Professor	09/01/11

Dr. Priti Verma received the B.A. degree in Mathematics (1993) from Lady Shriram College (India), the M.B.A. degree in Finance (1995) from the Institute for Technology and Management (India) and the Ph.D. degree in International Business (2005) from The University of Texas-Pan American. Before coming to Texas A&M University-Kingsville in 2005, Dr. Verma was a Research and Teaching Assistant at The University of Texas-Pan American while working on her doctorate. She worked in private industry for five years. Dr. Verma's research interests are financial econometrics, international financial markets, volatility and risk management, commodities markets and behavioral finance. Since 2006, Dr. Verma received \$21,838 in grant funding. She co-authored nine refereed journal articles and two book chapters.

## COLLEGE OF EDUCATION AND HUMAN PERFORMANCE

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Linda Challoo	Educational Leadership and Counseling	Assistant Professor	09/01/11

Dr. Linda Challoo received the B.S. degree in Electrical Engineering (1994), the M.S. degree in Mechanical Engineering (1999) and the Ed.D. degree in Educational Leadership (2002), all from Texas A&M University-Kingsville. Dr. Challoo first began working at Texas A&M University-Kingsville in 1998. She held the positions of Graduate Assistant, Lecturer and Visiting Assistant Professor. In 2005, she began her tenure-track position of Assistant Professor. Dr. Challoo co-authored 16 refereed journal articles and proceedings. Since 2006, Dr. Challoo was awarded \$1,150,498 in grant funding. Professional memberships include the International Technology Education Association, the Association for Supervision and Curriculum Development and the International Society for Technology in Education, among others.

## COLLEGE OF EDUCATION AND HUMAN PERFORMANCE (Continued)

Dr. LaVonne Fedynich	Educational Leadership and Counseling	Assistant Professor	09/01/11
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Dr. LaVonne Fedynich received the B.S. degree in Social Science (1996) from the University of Montevallo, the M.Ed. degree in Education (1999) from Rivier College and the Ed.D. degree in Educational Leadership (2004) from Argosy University. Before coming to Texas A&M University-Kingsville in 2005, Dr. Fedynich held the positions of Adjunct Professor and Multicultural Recruiter at Hew Hampshire Community Technical College, Educator of Shaker History at Canterbury Shaker Village and taught in the public schools. Dr. Fedynich authored and co-authored five refereed journal articles and made presentations at the international, national, regional and state levels. She was funded \$125,000 for a grant on "Gaining Early Awareness and Readiness for Undergraduate Programs." Dr. Fedynich received the Outstanding Junior Faculty Member Award in the College of Education (2006) at Texas A&M University-Kingsville. Dr. Fedynich holds membership in the Southwest Educational Research Association, the National Council of Professors of Educational Administration and the National Social Science Association, among others.

Dr. Jaya Goswami	Teacher and Bilingual Education	Assistant Professor	09/01/11
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Dr. Jaya Goswami received the B.A. degree in English (1981) from the University of Gauhati (India), the M.S. degree in Linguistics (1983) and the M.Phil. degree in Linguistics (1985) from the University of Delhi (India) and the Ph.D. degree in Linguistics (1991) from the University of Connecticut, Storrs. Before her tenure-track appointment with Texas A&M University-Kingsville in 2006, Dr. Goswami was a Graduate Teaching Assistant at the University of Connecticut, worked as an Instructor at Texas A&M University-Kingsville and taught in a private school in Kingsville, Texas. Dr. Goswami authored and co-authored eight refereed journal articles and two refereed proceedings. Recent research activities in the amount of \$13,468 have been funded. Dr. Goswami was recognized as the Outstanding Junior Faculty Member in the College of Education and Human Performance at Texas A&M University-Kingsville in 2010. Professional memberships include the National Association of Bilingual Education, the American Association of Applied Linguistics and the United States Distance Learning Association, among others.

## FRANK H. DOTTERWEICH COLLEGE OF ENGINEERING

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Hong Zhou	Mechanical Engineering and Industrial Engineering	Assistant Professor	09/01/11

Dr. Hong Zhou received the B.S. degree in Mechanical Engineering (1983) from Northern Jiaotong University (China), the M.S. degree in Mechanical Engineering (1989) from Southeast University (China) and the Ph.D. degree in Mechanical Engineering (2005) from Tennessee Technological University. Before coming to Texas A&M University-Kingsville in 2005, Dr. Zhou taught as an Associate Professor at Zhejiang University of Technology (China) for four years (1996-2000). He also held non-tenure-track positions at Zhejiang University of Technology (China), Tennessee

**FRANK H. DOTTERWEICH COLLEGE OF ENGINEERING (Continued)**

Dr. Hong Zhou (continued)

Technological University and Jinhua Railway College (China). Dr. Zhou authored and co-authored 14 refereed journal articles and 14 refereed conference publications. During 2010, he received \$56,000 in grant funding. Professional memberships include the American Society of Mechanical Engineering, the Society of Manufacturing Engineers and the American Society of Engineering Education.

Agenda Item No.

**TEXAS A&M UNIVERSITY-TEXARKANA**

Office of the President

May 23, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Academic Tenure, July 2011, Texas A&M University-Texarkana

I recommend adoption of the following minute order.

**“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 at Texas A&M University-Texarkana as set forth in Exhibit , Tenure List No. 11-06.”**

Respectfully submitted,

Carlisle B. Rathburn III, Ph.D.  
President

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**TEXAS A&M UNIVERSITY-TEXARKANA  
RECOMMENDATIONS FOR TENURE  
TENURE LIST NO. 11-06**

<u>Name</u>	<u>Present Rank</u> <u>Department</u>	<u>Years Teaching</u> <u>Univ. /Other Inst.</u>		<u>Effective</u> <u>Date/Tenure</u>
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**COLLEGE OF EDUCATION AND LIBERAL ARTS**

Dr. Gaynell Green	Associate Professor Adult Education	6	0	09/01/11
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**COLLEGE OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS**

Dr. Massimiliano Laddomada	Associate Professor Electrical Engineering	3	0	09/01/11
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**TEXAS A&M UNIVERSITY-TEXARKANA  
BACKGROUND OF FACULTY  
RECOMMENDED FOR ACADEMIC TENURE**

**COLLEGE OF EDUCATION AND LIBERAL ARTS**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Gaynell Green	Adult Education	Associate Professor	09/01/11

Dr. Gaynell Green received a B.S. in Engineering Technology (1981) and a M.S. in Human Resource Development (1993) at Texas A&M and an Ed.D. in Adult Education (2004) from the University of Arkansas. Before coming to Texas A&M University-Texarkana in 2005, Dr. Green worked as a senior training specialist, director of publications/technical writer, and design/analysis engineer, in the Aerospace Division of Hercules Incorporated for twelve years; a senior human resources specialist for the Sabine Mining Company for four years; and an adjunct instructor for East Texas Baptist University and McLennan Community College for two years. Dr. Green assisted with the proposal development for the Master of Science in Adult Education and has developed three of the six core courses for the program. Her passion for working with adult students and her previous experience in business and industry have equipped her to support students as they write a portfolio to validate their experiential knowledge in the adult degree program, the BAAS degree. Dr. Green's publications include three refereed articles (including the *Journal of Continuing Higher Education*), and she has presented at national, regional, state and local conferences. Dr. Green is a member of various professional organizations and is active on many university committees, including the Internal Review Board for Institutional Research and Undergraduate Curriculum Committee.

**COLLEGE OF SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Massimiliano Laddomada	Electrical Engineering	Associate Professor	09/01/11

Dr. Massimiliano Laddomada received his M.S. (Laurea Degree) in Electrical Engineering (1999) and a Ph.D. in Electrical Engineering with a concentration in signal processing and wireless communications (2002) from Polytechnic University of Turin, Italy. Prior to coming to A&M-Texarkana in 2008, he was a senior R&D Engineer at Technoconcepts; a Research Associate at Istituto Superiore Marioi Boella in Torino, Italy; and Visiting Assistant Professor in the Electronics Department at Polytechnic University of Turin. Dr. Laddomada has published over 40 peer-reviewed manuscripts and presented many invited papers at distinguished international conferences. He serves as an associate editor of four international journals and has organized and chaired numerous technical sessions at international conferences. He has played a key role in the development and teaching of the Electrical Engineering program and was the principal investigator of a Texas Higher Education Coordinating Board grant to develop "Introduction to Electrical Engineering" as a dual credit course with very creative and effective "Just in Time Calculus" tutorials as integral elements of the class. He has effectively served on departmental, college and university committees.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM  
HEALTH SCIENCE CENTER**

Office of the President and Vice Chancellor for Health Affairs  
May 26, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Academic Tenure, July 2011, The Texas A&M University System  
Health Science Center

I recommend adoption of the following minute order.

**“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 at The Texas A&M University System Health Science Center as set forth in Exhibit , Tenure List No. 11-06.”**

Respectfully submitted,

Nancy W. Dickey, M.D.  
President, Texas A&M Health Science Center,  
and Vice Chancellor for Health Affairs,  
The Texas A&M University System

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**THE TEXAS A&M UNIVERSITY SYSTEM  
HEALTH SCIENCE CENTER  
RECOMMENDATIONS FOR TENURE  
TENURE LIST NO. 11-06**

<u>Name</u>	<u>Present Rank</u> <u>Department</u>	<u>Years Teaching</u>		<u>Effective</u> <u>Date/Tenure</u>
		<u>Univ./</u>	<u>Other Inst.</u>	
<b>BAYLOR COLLEGE OF DENTISTRY</b>				
Dr. Carolyn Kerins	Assistant Professor Pediatric Dentistry	5	0	09/01/11
<b>COLLEGE OF MEDICINE</b>				
Dr. Mark C. Sadoski	Professor Humanities in Medicine	7	32	09/01/11
Dr. Paul E. Ogden	Professor Internal Medicine	26	0	09/01/11
<b>INSTITUTE OF BIOSCIENCES AND TECHNOLOGY</b>				
Dr. Dekai Zhang	Assistant Professor Center for Infectious and Inflammatory Diseases	6	0	09/01/11
<b>SCHOOL OF RURAL PUBLIC HEALTH</b>				
Dr. Charles John Huber, Jr.	Assistant Professor Epidemiology and Biostatistics	6.5	0	09/01/11
Dr. Hongwei Zhao	Associate Professor Epidemiology and Biostatistics	3	11	09/01/11

**THE TEXAS A&M UNIVERSITY SYSTEM  
HEALTH SCIENCE CENTER  
BACKGROUND OF FACULTY  
RECOMMENDED FOR ACADEMIC TENURE**

**BAYLOR COLLEGE OF DENTISTRY**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Carolyn Kerins	Pediatric Dentistry	Assistant Professor	09/01/11

Dr. Kerins is currently an Assistant Professor without tenure in the Department of Pediatric Dentistry at Baylor College of Dentistry (BCD). She received her D.D.S. in 2002 from BCD, Dallas, Texas. While in dental school, she pursued a Ph.D. and received grant funding from the National Institute of Dental and Craniofacial Research for the joint D.D.S./Ph.D. program. She continued her research while participating in a year-long internship at Children's Medical Center Dental Clinic. Dr. Kerins completed her Ph.D. in 2004 while in her first year of pediatric dentistry residency training. Following completion of her residency, Dr. Kerins joined the faculty in 2005. She has utilized her research training to assist the residents in completion of their certificate and/or Masters' projects in addition to pursuing her own clinical research. Dr. Kerins represents the BCD Pediatric Dentistry Department at the national level through her involvement on the American Academy of Pediatric Dentistry (AAPD) committees, her acceptance in the AAPD Leadership Institute, her commitment to be an oral board examiner for the pediatric dentistry specialty boards, as well as through her publications.

**COLLEGE OF MEDICINE**

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Mark C. Sadoski	Humanities in Medicine	Professor	09/01/11

Dr. Mark C. Sadoski was jointly appointed as Professor of Humanities in Medicine within the College of Medicine (COM), Texas A&M Health Science Center (HSC) in 2004; and was a tenured Professor, Department of Teaching, Learning and Culture, College of Education, Texas A&M University (TAMU) since September 1991. Dr. Sadoski received a B.S. in English and History in 1968, a M.S. in Reading Education in 1973 from Southern Connecticut State University and a Ph.D. in Curriculum and Instruction, University of Connecticut in 1981. For 13 years (1968-81), Dr. Sadoski was also a Classroom Teacher for Reading and Language Arts for grades 7 and 8 (1968-74), a Reading Consultant for grades 9-12 (1974-79) and K-8 (1980-81) and Director, Reading Improvement for Adults Program (1975-78). He joined the Graduate Faculty, Reading Department, Southern Connecticut State University for three years (1978-81). Dr. Sadoski was successfully recruited to TAMU as Assistant Professor in 1981 and promoted to Associate Professor and awarded tenure in 1986. Five years later (1991), Dr. Sadoski was promoted to tenured, Full Professor. In 2004, he was appointed as Joint Professor, Humanities in Medicine, COM, as well as Director, Office of Educational Development. Dr. Sadoski is author/co-author of 62 manuscripts published in peer review journals, with two *In Press*; first

## COLLEGE OF MEDICINE (Continued)

Dr. Mark C. Sadoski (continued)

author on 38 and senior author on 11. He has authored/coauthored two books and one monograph; 18 chapters or articles in edited volumes; five book reviews; nine technical research reports and Education Resources Information Center Documents. He has presented 70 refereed papers at national and international meetings; 20 at state and regional meetings and 25 at local meetings. Since 1975, he authored/coauthored 16 funded proposals for research and instruction. Dr. Sadoski has been acknowledged by the College of Education TAMU as a Distinguished Research Fellow for 20 years; first named Distinguished Research Fellow (1991) for ten years and reviewed and re-awarded for another ten years (2001). Dr. Sadoski has been on the editorial boards of six major journals: *Reading Psychology* for 20 years (1990-2010); *Reading and Writing* for nine years (2001-10); *Information Design Journal* for 11 years (1999-2010); *National Reading Conference Yearbook* for 11 years (1987-88, 1990, 1993, 2001-08); *Reading Research Quarterly* for 19 years (1989-2008); and *Journal of Literacy Research* (1990-2005) for 15 years; and remains on the Editorial Board of the McGraw Hill Teacher Education Series (2005- ). Dr. Sadoski has been a guest reviewer for another 27 journals in the education and reading fields. Over the past 29 plus years, he has taught, on average, five courses annually: two courses per semester (fall and spring) and one course (summer). Annual teaching evaluations on the average have been 4.5 (1-5 scale). Dr. Sadoski is an active member of the International Reading Association, National Reading Conference, Society for Scientific Study of Reading and National Conference on Research in Language and Literacy. Within the COM, Dr. Sadoski serves on the Curriculum Committee, Curriculum Study Group and Curriculum Coordinating Group; in the College of Education, TAMU, on his departmental Tenure and Promotion Committee, as Chair; Faculty Search Committee in Reading and Annual Faculty Evaluation Committee. At the College level, Dr. Sadoski has served on the Distinguished Research Fellows Selection Committee (1992-2003); Outstanding Dissertation Awards Committee (1991-96 and 1998); Nominating Committee for University Distinguished Professor (1993, 1997 and 2003); Dean's Advisory Committee on Research (1986-87) and Faculty Advisory Committee (1989-91), serving the first year as Secretary. Dr. Sadoski was elected by peers to the EDCI Faculty Evaluation Committee three times (1982-84, 1986-87 and 1996-97); Faculty Representative Council for one term (1982-84) and College Tenure and Promotion Committee once (1994-96), serving as Chair the last year. He was also elected to the University Tenure Mediation Committee for two three-year terms (1999 and 2002). Also, Dr. Sadoski served on the University Distinguished Lectures Committee for four years (2001-05); serving as vice chair (2003-04) and then as chair (2004-05).

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Paul E. Ogden	Internal Medicine	Professor	09/01/11

Dr. Paul E. Ogden is a tenure track Professor, Department of Internal Medicine (IM), College of Medicine (COM), Texas A&M Health Science Center (HSC). He completed a Faculty Development Fellowship at the University of North Carolina, Chapel Hill, North Carolina (1992-94). Contributions in research/scholarly activity are directly related to his focus on education/teaching, and are nationally renowned. Over the last six academic years, he spent about 25 hours/week working with/in education, either actively teaching, administration of the

## COLLEGE OF MEDICINE (Continued)

Dr. Paul E. Ogden (continued)

internal medicine 3<sup>rd</sup> year clerkship; administering the clerkship, residency program and nine fellowship programs or being involved in educational research. He has developed and continues to modify the IM Clerkship curriculum, which includes both outpatient and inpatient components, EKG lecture series, simulation curriculum, Free Clinic rotation and associated curriculum. Dr. Ogden teaches simulation and clinics four hours/week. He lectures on Professionalism to 2<sup>nd</sup> and 3<sup>rd</sup> year medical students. Student ratings for the previous five years have been: 4.55 (04-05); 4.45 (05-06); 4.42 (06-07); 4.58 (07-08); and 4.34 (08-09), with 5.0 being the maximum. Curriculum development includes: Internal Medicine Outpatient (1998), EKG (1999), Inpatient (2005), Simulation (2005) and Harvey mannequin (2008). Teaching Materials Dr. Ogden has developed include a faculty development CD-ROM on “Evaluating Medical Students and Resident Performance” (2002); “Student Abuse or Not” (2005); and “Harvey Training” (2009). Over the past five years Dr. Ogden has delivered 12 Continuing Medical Education Programs on simulation, medical student abuse and student evaluation. Education/teaching has been formally rewarded/recognized by his students five times. Dr. Ogden has been a Visiting Professor on simulation education at University of North Carolina Moses Cone in (2008); and University of Texas HSC at San Antonio and University of Oklahoma HSC in (2009). Dr. Ogden has funded research endeavors in education/scholarly activity primarily through intramural funding (ten applications funded since (1987). He is author or co-author of 23 manuscripts published in peer review journals and 27 abstracts. Dr. Ogden served on the Admissions Committee (2007), Liaison Committee on Medical Education Preparation Committee (2004), S&W Education Committee (1997-2004), S&W Graduate Medical Education Committee (1997-2004), S&W Pharmacy and Therapeutics Committee (1993-97), S&W Government Relations Committee (2006-09) and Executive Education Program (2008-09). He is a member of the Curriculum Committee, Year III and Phase III Committee, Academic Council and Executive Committee. Dr. Ogden has played a major role in the evolution of new third year clerkships on the Round Rock and College Station Campuses. He has provided essential faculty development opportunities for new faculty in these areas. He was appointed Associate Dean for Academic Affairs and then Vice Dean. Dr. Ogden still plays a major role in patient care activities. His practice includes 6-10 weeks of hospital service and also averages 50-80 outpatients/week.

## INSTITUTE OF BIOSCIENCES AND TECHNOLOGY

<u>Name</u>	<u>Department</u>	<u>Present Rank</u>	<u>Effective Date</u>
Dr. Dekai Zhang	Center for Infectious and Inflammatory Diseases	Assistant Professor	09/01/11

Dr. Dekai Zhang is currently an Assistant Professor without tenure in the Institute of Biosciences and Technology’s Center for Infectious and Inflammatory Diseases. Dr. Zhang received his Ph.D. degree in 1998 from the University of Hong Kong and joined the Texas A&M Health Science Center Institute of Biosciences in 2005 from Yale University where he had discovered toll-like receptor number 11, a key factor that prevents urinary tract infections. He is an expert

## **INSTITUTE OF BIOSCIENCES AND TECHNOLOGY (Continued)**

Dr. Dekai Zhang (continued)

in cell-mediated immunity, the process by which individual cells resist infection by all sorts of foreign invaders. His teaching contributions include graduate lectures in host-pathogen relationships, training a new generation of Ph.D. scientists in the immunology of infection and cancer and organizer of continuous workshops for training of Ph.D. students in his institute. He is a past recipient of a Howard Hughes postdoctoral scholar award, an Anna Fuller postdoctoral fellowship and an outstanding Young Investigator award from the American Association of Cancer Research.

## **SCHOOL OF RURAL PUBLIC HEALTH**

<b><u>Name</u></b>	<b><u>Department</u></b>	<b><u>Present Rank</u></b>	<b><u>Effective Date</u></b>
Dr. Charles John Huber, Jr.	Epidemiology and Biostatistics	Assistant Professor	09/01/11

Dr. Charles John Huber, Jr. is currently an Assistant Professor without tenure in the Department of Epidemiology and Biostatistics at the School of Rural Public Health (SRPH). He received a Ph.D. in Biostatistics from the University of Texas School Of Public Health in 2004. He joined the faculty of the Department of Epidemiology and Biostatistics at the Texas A&M Health Science Center, School of Rural Public Health in 2005. Dr. Huber's primary area of specialization is the analysis of genetic data. In addition, as a biostatistician in an applied multidisciplinary field, he has played an important role on large, team-based research projects within the SRPH as well as other research institutions in the state of Texas. His responsibilities on these projects include developing the study design, computing sample size requirements and writing the relevant sections of grant proposals as well as monitoring the collection of data, leading the data analysis and interpreting the results for manuscripts once the project is complete. Since joining the SRPH, he has been involved in 12 such research projects and written or co-written 30 grant proposals totaling \$39.8 million in potential funding. He has also contributed greatly to the department's teaching mission by being the lead instructor on Biostatistics II, Categorical Data Analysis and Sample Survey Methodology, as well as serving on 17 thesis and dissertation committees.

He is the recipient of two consecutive awards given by the SRPH Student Association 2009 Professor of the Year, Department of Epidemiology and Biostatistics and 2010 Favorite Professor, Department of Epidemiology and Biostatistics.

<b><u>Name</u></b>	<b><u>Department</u></b>	<b><u>Present Rank</u></b>	<b><u>Effective Date</u></b>
Dr. Hongwei Zhao	Epidemiology and Biostatistics	Associate Professor	09/01/11

Dr. Hongwei Zhao is currently an Associate Professor without tenure in the Department of Epidemiology and Biostatistics at the School of Rural Public Health (SRPH). Dr. Zhao received a Sc.D. in Biostatistics from Harvard University School of Public Health in 1997. She joined the

## SCHOOL OF RURAL PUBLIC HEALTH (Continued)

Dr. Hongwei Zhao (continued)

faculty of the Department of Epidemiology and Biostatistics at the Texas A&M Health Science Center, SRPH as an Associate Professor in 2008. Her major research interest is in the area of survival analysis, especially in the estimation of medical costs and quality adjusted lifetime with censored data. She is also interested in longitudinal data analysis and semi-parametric inference. In 2009 she received funding as a co-principal investigator and subcontract principal investigator for a National Institute of Health grant titled "A Unified Approach of Cost-Effectiveness Analysis". She has published the findings from her research in many prestigious statistical and medical journals including *Biometrika*, *Statistics in Medicine*, and *The Lancet*. In addition, Dr. Zhao's commitment to collaborative and interdisciplinary research is especially relevant to the mission of a school of public health. Her ability to transfer her methodological expertise and knowledge to applied public health problems has meant that she has become an indispensable collaborator to colleagues within the department and throughout the SRPH. Dr. Zhao has also contributed greatly to the department's teaching mission by being the lead instructor on Biostatistics I, Longitudinal Data Analysis and Survival Analysis. These courses have proved especially important to the department as it is in the process of redeveloping its biostatistics Masters of Public Health program and increasing the size of the student body. Dr. Zhao has made significant contribution to the field of cost effectiveness analysis with censored data. She also collaborated with researchers from diverse fields such as Neurology, Cancer, Cardiovascular Diseases, Community and Preventive Medicine, Health Policy and Management. She brought expertise in curriculum designs for the M.S. and M.S.P.H. students majoring in Biostatistics.

Dr. Zhao received the Excellence in Research Award from the University of Rochester in 2006. She was recently selected as a faculty member of the Delta Omega Honorary Society in Public Health, Alpha Tau Chapter, School of Rural Public Health, TAMHSC.



Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Dr. Craig Nessler, Director  
Texas AgriLife Research

**Subject:** Approval for Dr. Yongheng Huang, a System Employee, to Serve as an Officer and Member of the Board of Directors of a Business Entity that has an Agreement with The Texas A&M University System Relating to the Research, Development, Licensing or Exploitation of Intellectual Property in which the A&M System has an Ownership Interest

**Proposed Board Action:**

Approve for Dr. Yongheng Huang, an Assistant Professor of Biological and Agricultural Engineering at Texas A&M University with a joint appointment in Texas AgriLife Research (AgriLife Research), to serve in his individual capacity as an officer and member of the board of directors of Camris Technologies Corporation (CTC). CTC is a new venture commercializing technology developed by Dr. Huang in AgriLife Research.

**Background Information:**

CTC was formed by the System's Office of Technology Commercialization in April 2011. The A&M System exclusively licensed to CTC certain technologies around a novel, proprietary process for significantly reducing the concentrations of heavy metals from industrial wastewater. This technology was developed by Dr. Huang and could be revolutionary in helping the industrial market satisfy the increasingly stringent requirements regarding toxic metals such as mercury, selenium and arsenic which are present in industrial waste streams and are known to have human health effects. The technology has been proven on a bench scale basis, and in an extended pilot plant trial at a major electric power producer, to consistently reduce toxic metals at a removal efficiency greater than 99.8%. Upon commercialization, this new chemical system will help the industrial market satisfy strict water discharge requirements of the National Pollutant Discharge Elimination System, and thus avoid costly plant shutdowns due to pollution non-compliance and large environmental liabilities.

Dr. Huang is the inventor of technology licensed and under commercialization and further development by CTC. He is an equity holder in CTC and wishes to serve as the Chief Technology Officer of the company. As the company expands, Dr. Huang will likely be asked to serve as a member of its board of directors. It is anticipated that Dr. Huang will conduct research sponsored by CTC in the course of his work at AgriLife Research. Prior to accepting funds from CTC for his research program, Dr. Huang will have any potential conflict of interest considerations reviewed by the administration.

Pursuant to Texas Education Code §51.912, Section 4.6 of System Policy *17.01, Intellectual Property Management and Commercialization*, and Section 4.3.1 of System Regulation *31.05.01, Faculty Consulting, External Employment and Conflicts of Interest*, Board of Regents approval is required before Dr. Huang can serve as an officer and member of the board of directors of CTC. If approved by the Board, Dr. Huang will become an officer and, perhaps later, a member of the board of directors for CTC.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**TEXAS AGRILIFE RESEARCH**

Office of the Director

June 7, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval for Dr. Yongheng Huang, a System Employee, to Serve as an Officer and Member of the Board of Directors of a Business Entity that has an Agreement with The Texas A&M University System Relating to the Research, Development, Licensing or Exploitation of Intellectual Property in which the A&M System has an Ownership Interest

I recommend adoption of the following minute order:

**“The Board of Regents of The Texas A&M University System hereby grants approval for Dr. Yongheng Huang, Assistant Professor of Biological and Agricultural Engineering at Texas A&M University with a joint appointment in Texas AgriLife Research, to serve in his individual capacity as an officer and a member of the board of directors of Camris Technologies Corporation, a business entity that has an agreement with The Texas A&M University System relating to the research, development, licensing or exploitation of intellectual property in which the A&M System has an ownership interest.”**

Respectfully submitted,

Craig Nessler  
Director

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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R. Bowen Loftin, President  
Texas A&M University

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Jeffrey R. Seemann  
Chief Research Officer

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Mark A. Hussey  
Vice Chancellor and Dean  
Agriculture and Life Sciences

## **Consent Agenda Items**

*(Agenda Items 43-A through 43-D)*

43	CONSENT AGENDA ITEMS	
A	(PLACEHOLDER) Approval of Minutes	BOR, A&M System
B	Approval of FY 2012 Holiday Schedule	A&M System
C	Granting of the Title of Emeritus/Emerita, July 2011	A&M System
D	Confirmation of Appointment and Commissioning of Peace Officers	A&M System

Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Michael D. McKinney, Chancellor  
The Texas A&M University System

**Subject:** Approval of Fiscal Year 2012 Holiday Schedule

**Proposed Board Action:**

Approve the 2011-2012 holiday schedule for The Texas A&M University System.

**Background Information:**

In accordance with Chapter 662, Texas Government Code, state employees will be entitled to observe **thirteen (13)** holidays during the fiscal year ending August 31, 2012. Section 662.011 of the Government Code allows institutions of higher education to adjust their schedules within the total number of holidays authorized by law. Pursuant to System Policy *31.04, Holidays*, the holiday schedule is submitted by the Chancellor for approval by the Board of Regents.

Recommendations by the system members are incorporated into the attached agenda item and reviewed by the Chancellor. Exceptions to the holiday schedule proposed by the system are listed individually.

**A&M System Funding or Other Financial Implications:**

None.

**THE TEXAS A&M UNIVERSITY SYSTEM**

Office of the Chancellor

June 8, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Approval of Fiscal Year 2012 Holiday Schedule

I recommend adoption of the following minute order:

**“Holidays for the fiscal year ending August 31, 2012, for the System Offices of The Texas A&M University System, Texas A&M University, Texas A&M University at Galveston, Texas A&M International University, the Texas Engineering Experiment Station, the Texas Engineering Extension Service, the Texas Transportation Institute, the Texas AgriLife Extension Service (A&M campus employees) and Texas AgriLife Research (A&M campus employees), shall be as follows:**

<u>Holiday</u>	<u>Number of Days</u>	<u>Date</u>
<u>Holiday</u>	<u># Days</u>	<u>Dates</u>
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	6	December 23-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	2	March 15-16, 2012
Memorial Day	1	May 28, 2012
Independence Day	1	July 4, 2012

**Exceptions are established as set forth below:**

**The proposed holiday schedule for Prairie View A&M University is as follows:**

<u>Holiday</u>	<u>Number of Days</u>	<u>Date</u>
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	6	December 23-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	1	March 16, 2012
Memorial Day	1	May 28, 2012
Emancipation Day	1	June 19, 2012
Independence Day	1	July 4, 2012

**The proposed holiday schedule for Tarleton State University is as follows:**

<b>Holiday</b>	<b>Number of Days</b>	<b>Date</b>
Labor Day	1	September 5, 2011
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	6	December 23-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	1	March 16, 2012
Memorial Day	1	May 28, 2012
Independence Day	1	July 4, 2012

**The proposed holiday schedule for Texas A&M University at Qatar is as follows:**

<b>Holiday*</b>	<b>Number of Days</b>	<b>Date</b>
Eid Al-Fitr	3	August 30-September 1, 2011**
Eid Al-Adha	3	November 6-8, 2011
Qatar National Day	1	December 18, 2011
Christmas – New Year	5	December 25-29, 2011
Martin Luther King, Jr. Day	1	January 15, 2012

\* Standard work week is Sunday – Thursday.

\*\* Texas A&M University is required in its agreement with the Qatar Foundation to “abide by the applicable laws and regulations of the State of Qatar, and shall respect the cultural, religious and social customs of the State of Qatar.”

Consequently, the university is required to observe this holiday even though it spans two fiscal years, FY2011 and FY2012. In order to correct this imbalance, the university will observe two fewer days on its holiday schedule during FY2012.

**The proposed holiday schedule for Texas A&M University–Central Texas is as follows:**

<b>Holiday</b>	<b>Number of Days</b>	<b>Date</b>
Labor Day	1*	September 5, 2011
Veterans Day	1	November 11, 2011
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	6	December 23-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	2	March 15-16, 2012
Memorial Day	1*	May 28, 2012
Independence Day	1	July 4, 2012

\* Employees will be required to work four, 10-hour days the weeks of September 5-9, 2011 and May 28-June 1, 2012.

**The proposed holiday schedule for Texas A&M University–Commerce is as follows:**

<b>Holiday</b>	<b>Number of Days</b>	<b>Date</b>
Labor Day	1	September 5, 2011
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	6	December 23-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	1	March 16, 2012
Memorial Day	1	May 28, 2012
Independence Day	1	July 4, 2012

**The proposed holiday schedule for Texas A&M University–Corpus Christi is as follows:**

<b>Holiday</b>	<b>Number of Hours*</b>	<b>Date</b>
Labor Day	08	September 5, 2011
Thanksgiving	14	November 24-25, 2011
Christmas – New Year	52	December 22 (6 hours only)-30, 2011
Martin Luther King, Jr. Day	08	January 16, 2012
Spring Break	06	March 16, 2012
Memorial Day	08	May 28, 2012
Independence Day	08	July 4, 2012

\*Texas A&M University–Corpus Christi operates a ten-hour day on Tuesdays and a six-hour day on Fridays.

**The proposed holiday schedule for Texas A&M University–Kingsville is as follows:**

<b>Holiday</b>	<b>Number of Days</b>	<b>Date</b>
Labor Day	1	September 5, 2011
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	6	December 23-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	1	March 16, 2012
Memorial Day	1	May 28, 2012
Independence Day	1	July 4, 2012

**The proposed holiday schedule for Texas A&M University–San Antonio is as follows:**

<b>Holiday</b>	<b>Number of Days</b>	<b>Date</b>
Labor Day	1	September 5, 2011
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	6	December 23-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	1	March 12, 2012
Memorial Day	1	May 28, 2012
Independence Day	1	July 4, 2012

**The proposed holiday schedule for Texas A&M University–Texarkana is as follows:**

<b>Holiday</b>	<b>Number of Days</b>	<b>Date</b>
Labor Day	1	September 5, 2011
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	5	December 26-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	3	March 14-16, 2012
Independence Day	1	July 4, 2012

**The proposed holiday schedule for West Texas A&M University is as follows:**

<b>Holiday</b>	<b>Number of Days</b>	<b>Date</b>
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	6	December 23-30, 2011
Martin Luther King, Jr. Day	1	January 16, 2012
Spring Break	3	March 14-16, 2012
Memorial Day	1*	May 28, 2012
Independence Day	1	July 4, 2012

\*WTAMU will work four, 10-hour days the week of May 28-June 1, 2012, in order to be closed on Memorial Day.

**Texas Engineering Extension Service employees with the Ras Laffan Emergency & Safety College in Qatar will follow the same schedule as Texas A&M University at Qatar.**

**The proposed holiday schedules for the Texas Forest Service, Texas Veterinary Medical Diagnostic Laboratory and certain units of Texas AgriLife Research and Texas AgriLife Extension Service are shown on Exhibit .**



Agenda Item No.  
June 8, 2011

**The proposed holiday schedule for The Texas A&M University System Health Science Center is as follows:**

<b>Holiday</b>	<b>Number of Days</b>	<b>Date</b>
Labor Day	1	September 5, 2011
Thanksgiving	2	November 24-25, 2011
Christmas – New Year	7	December 23, 2011 – January 2, 2012
Martin Luther King, Jr. Day	1	January 16, 2012
Memorial Day	1	May 28, 2012
Independence Day	1	July 4, 2012

**The Chancellor is hereby authorized to modify the holiday schedule when such a change is deemed to be in the public interest.”**

Respectfully submitted,

Michael D. McKinney  
Chancellor

**Approved for Legal Sufficiency:**

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Scott A. Kelly  
Deputy General Counsel

**Request for Alternate Holiday Schedule for Agencies/Units Reporting Through the Vice Chancellor for Agriculture - 2011-2012**

	Labor Day	Thanksgiving	Christmas/New Years	M.L. King, Jr. Day	Spring Break	Good Friday	Memorial Day	Independence Day	Other/Personal Holidays (to be used before 8/31/2012)
	Sept. 5, 2011	Nov. 24-25, 2011	Dec. 23, 2011-Jan. 1, 2012	Jan. 16, 2012	March 15-16, 2012	April 6, 2012	May 28, 2012	July 4, 2012	
<b>Texas AgriLife Research</b>									
<i>Research and Extension Centers</i>									
Amarillo	1	2	6	1	1-March 16, 2012		1	1	
Beaumont/EagleLake		3-Nov. 23-25, 2011	7-Dec. 22, 2011-Jan. 1, 2012	1			1	1	
Corpus Christi/ Beeville/Port Aransas/ Flour Bluff	1	3-Nov. 23-25, 2011	6	1			1	1	
Dallas		2	6	1			1	1	2-Personal Days
El Paso	1	2	6	1			1	1	1-Personal Day
Lubbock/Halfway-Pecos		2	6	1	2		1	1	
McGregor		2	6	1	2		1	1	
Overton	1	2	7-Dec. 22, 2011-Jan. 1, 2012	1			1	1	
San Angelo	1	2	7-Dec. 22, 2011-Jan. 1, 2012	1			1	1	
Stephenville	1	2	6	1	1-March 16, 2012		1	1	
Temple (Blackland)	1	2	6	1			1	1	Veteran's Day, Nov. 11, 2011
Uvalde	1	2	6	1	1-March 16, 2012		1	1	
Vernon/Chillicothe	1	2	6	1	1-March 16, 2012		1	1	
Weslaco		2	6	1			1	1	2-Personal Days
<b>Texas AgriLife Extension Service</b>									
<i>Extension District Offices</i>									
District 1	1	2	6	1	1-March 16, 2012		1	1	
District 2		2	6	1	2		1	1	
District 3	1	2	6	1	1-March 16, 2012		1	1	
District 4		2	6	1			1	1	2-Personal Days
District 5	1	2	7-Dec. 22, 2011-Jan. 1, 2012	1			1	1	
District 6	1	3-Nov. 23-25, 2011	6	1			1	1	
District 7	1	2	7-Dec. 22, 2011-Jan. 1, 2012	1			1	1	
District 8	1	2	6	1	1-March, 16, 2012		1	1	
District 9		2	6	1	2		1	1	
District 10	1	2	6	1	1-March 16, 2012		1	1	
District 11	1	3-Nov. 23-25, 2011	6	1			1	1	
District 12		2	6	1			1	1	2-Personal Days

**Request for Alternate Holiday Schedule for Agencies/Units Reporting Through the Vice Chancellor for Agriculture - 2011-2012**

	Labor Day	Thanksgiving	Christmas/New Years	M.L. King, Jr. Day	Spring Break	Good Friday	Memorial Day	Independence Day	Other/Personal Holidays (to be used before 8/31/2012)
	Sept. 5, 2011	Nov. 24-25, 2011	Dec. 23, 2011-Jan. 1, 2012	Jan. 16, 2012	March 15-16, 2012	April 6, 2012	May 28, 2012	July 4, 2012	
<i>Expanded Nutrition Program</i>									
Bexar County		2	6	1		2-April 6 & 9, 2012	1	1	
Cameron County		2	6	1	2		1	1	
Dallas County	1	2	6	1		1	1	1	
El Paso County	1	2	7-Dec. 22, 2011-Jan. 1, 2012	1			1	1	
Harris County	1	2	6	1		1	1	1	
Hidalgo County		2	6	1	2		1	1	
Nueces County	1	2	6	1	1-March 16, 2012		1	1	
Tarrant County	1	2	Christmas 2-Dec. 23 & 26, 2011, New Year's 2-Dec. 30, 2011 & Jan. 2, 2012	1		1	1	1	President's Day-2/20/2012 & Cesar Chavez Day-March 26, 2012
Travis County	1	2	6	1			1	1	1-April 9, 2012
<i>Military Programs: Ft. Sam Houston, Ft. Hood &amp; Riverside Campus</i>									
	1	2	Christmas 2-Dec. 23 & 26, 2011, New Year's 2-Dec. 30, 2011 & Jan. 2, 2012	1			1	1	Columbus Day-10/10/11, Veteran's Day-11/11/11, President's Day-2/20/12
<i>Military Programs: Ft. Bliss</i>									
	1	2	Christmas 2-Dec. 23 & 26, 2011, New Year's Jan. 2, 2012	1			2-May 25 & 28, 2012	1	Columbus Day-10/10/11, Veteran's Day-11/11/11, President's Day-2/20/12
<i>4-H Military Program-Temple</i>									
	1	2	6	1			1	1	Veteran's Day, Nov. 11, 2011
<i>Wildlife Services</i>									
	1	2	7-Dec. 23, 2011-Jan. 2, 2012	1			1	1	
<i>4-H Center - Brownwood</i>									
		2	6	1	2		1	1	
<b>Texas Forest Service</b>									
		2	6	1	1-March 16, 2012	1	1	1	
<b>Texas Veterinary Medical Diagnostic Laboratory</b>									
<i>All Offices</i>									
	1	2	3-Dec.23 & 26, 2011 & Jan. 2, 2012	1	1-March 16, 2012		1	1	Veteran's Day-11/11/2011, President's Day-2/20/2012 & 1 Personal Holiday

Agenda Item No.

**SYSTEM OFFICES**

Office of the Vice Chancellor for Academic Affairs

June 20, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Granting of the Title of Emeritus/Emerita, July 2011, The Texas A&M University System

In accordance with System Policy 31.08, *Emeritus/Emerita Titles*, the designation of “Emeritus/Emerita,” to be added to the then current designation of a rank or position upon complete retirement of a person, may be granted by the Board upon the recommendation of the Chancellor.

The Chief Executive Officers of The Texas A&M University System recognize individuals from their respective institutions and agencies, as shown on the attached Emeritus/Emerita lists, who have retired from The Texas A&M University System institutions and agencies and have made outstanding contributions through their dedicated and loyal service.

I recommend adoption of the following minute order:

**“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 , Emeritus/Emerita Title List No. 11-06, and grants all rights and privileges of this title.”**

Respectfully submitted,

Frank B. Ashley III  
Vice Chancellor for Academic Affairs

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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R. Bowen Loftin, President  
Texas A&M University

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Edward G. Smith, Director  
Texas AgriLife Extension Service

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Flavius C. Killebrew, President/CEO  
Texas A&M University-Corpus Christi

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Dan R. Jones, President  
Texas A&M University-Commerce

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F. Dominic Dottavio, President  
Tarleton State University

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Craig L. Nessler, Director  
Texas AgriLife Research

**THE TEXAS A&M UNIVERSITY SYSTEM  
CONFIRMATION OF EMERITUS/EMERITA TITLES  
EMERITUS/EMERITA TITLE LIST NO. 11-06**

<b>System Member Honoree</b>	<b>Years of Service</b>	<b>Current Rank</b>	<b>Title Conferred</b>	<b>Effective Date</b>
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**TARLETON STATE UNIVERSITY**

Dr. Dale Johnson	8	Professor	Professor Emeritus of Educational Administration	Upon Approval by the Board
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**THE TEXAS A&M UNIVERSITY SYSTEM  
CONFIRMATION OF EMERITUS/EMERITA TITLES  
EMERITUS/EMERITA TITLE LIST NO. 11-06**

<b>System Member Honoree</b>	<b>Years of Service</b>	<b>Current Rank</b>	<b>Title Conferred</b>	<b>Effective Date</b>
<b>TEXAS A&amp;M UNIVERSITY</b>				
Dr. John W. Allen	42	Professor	Professor Emeritus of Economics	Upon Approval by the Board
Dr. Ray M. Bowen	16	Professor	Professor Emeritus of Mechanical Engineering	Upon Approval by the Board
Dr. Edgar K. Browning	27	Professor	Professor Emeritus of Economics	Upon Approval by the Board
Dr. Frank Buffa	41	Professor	Professor Emeritus of Information and Operations Management	09/01/11
Dr. Andrew K. Chan	35	Professor	Professor Emeritus of Electrical and Computer Engineering	Upon Approval by the Board
Dr. Warren A. Dixon	42	Assistant Professor	Assistant Professor Emeritus of Political Science	Upon Approval by the Board
Dr. Roy B. Flemming	22	Professor	Professor Emeritus of Political Science	Upon Approval by the Board
Dr. John Groth	36	Professor	Professor Emeritus of Finance	Upon Approval by the Board
Dr. Gary M. Halter	43	Professor	Professor Emeritus of Political Science	Upon Approval by the Board
Dr. Jo W. Howze	39	Professor and Senior Associate Dean	Professor and Senior Associate Dean Emeritus of Electrical and Computer Engineering	09/01/11

<b>System Member Honoree</b>	<b>Years of Service</b>	<b>Current Rank</b>	<b>Title Conferred</b>	<b>Effective Date</b>
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**TEXAS A&M UNIVERSITY (Continued)**

Dr. John R. Moroney	30	Professor	Professor Emeritus of Economics	09/01/11
Dr. William H. Neill	36	Professor	Professor Emeritus of Wildlife and Fisheries Sciences	09/01/11
Dr. Raghvendra K. Pandey	20	Professor	Professor Emeritus of Electrical and Computer Engineering	Upon Approval by the Board
Dr. R. Douglas Slack	37	Regents Professor	Regents Professor Emeritus of Wildlife and Fisheries Sciences	09/01/11
Dr. William Stein	26	Professor	Professor Emeritus of Information and Operations Management	Upon Approval by the Board
Dr. Mariette Tretter	30	Professor	Professor Emerita of Information and Operations Management	Upon Approval by the Board

**THE TEXAS A&M UNIVERSITY SYSTEM  
CONFIRMATION OF EMERITUS/EMERITA TITLES  
EMERITUS/EMERITA TITLE LIST NO. 11-06**

<b>System Member Honoree</b>	<b>Years of Service</b>	<b>Current Rank</b>	<b>Title Conferred</b>	<b>Effective Date</b>
<b>TEXAS A&amp;M UNIVERSITY-COMMERCE</b>				
Dr. James H. Conrad	29	University Archivist	Archivist Emeritus	Upon Approval by the Board
*Dr. Susan Espinoza	19	Professor	Professor Emerita of Educational Leadership	Upon Approval by the Board
Dr. James A. Vornberg	37	Professor	Professor Emeritus of Educational Leadership	08/31/11

\*Posthumous designation



**THE TEXAS A&M UNIVERSITY SYSTEM  
CONFIRMATION OF EMERITUS/EMERITA TITLES  
EMERITUS/EMERITA TITLE LIST NO. 11-06**

<b>System Member Honoree</b>	<b>Years of Service</b>	<b>Current Rank</b>	<b>Title Conferred</b>	<b>Effective Date</b>
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**TEXAS A&M UNIVERSITY-CORPUS CHRISTI**

Dr. Paul L. Hain	21	Dean and Professor	Dean Emeritus of the College of Arts and Humanities and Professor Emeritus of Political Science	Upon Approval by the Board
Dr. Richard E. Shepperd	34	Professor	Professor Emeritus of Occupational Training and Development	Upon Approval by the Board

**THE TEXAS A&M UNIVERSITY SYSTEM  
CONFIRMATION OF EMERITUS/EMERITA TITLES  
EMERITUS/EMERITA TITLE LIST NO. 11-06**

<b>System Member Honoree</b>	<b>Years of Service</b>	<b>Current Rank</b>	<b>Title Conferred</b>	<b>Effective Date</b>
<b>TEXAS AGRILIFE EXTENSION SERVICE</b>				
Dr. Bill L. Harris	27 Extension 10 Texas Water Resources Institute	Associate Director and Professor	Associate Director and Professor Emeritus	09/01/11
Dr. Bonnie McGee	22	Associate Director for 4-H, Youth and Human Sciences	Associate Director Emerita	09/01/11
Ms. Jane Parker	32	County Extension Agent – Family and Consumer Sciences	County Extension Agent Emerita	Upon Approval by the Board
Ms. Patricia Rasor	33	County Extension Agent – Family and Consumer Sciences	County Extension Agent Emerita	Upon Approval by the Board
Ms. Susan Schramm	29	County Extension Agent – Family and Consumer Sciences	County Extension Agent Emerita	Upon Approval by the Board
Mr. Kyle L. Smith	39	Executive Associate Director	Executive Associate Director Emeritus	09/01/11

**THE TEXAS A&M UNIVERSITY SYSTEM  
CONFIRMATION OF EMERITUS/EMERITA TITLES  
EMERITUS/EMERITA TITLE LIST NO. 11-06**

<b>System Member Honoree</b>	<b>Years of Service</b>	<b>Current Rank</b>	<b>Title Conferred</b>	<b>Effective Date</b>
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**TEXAS AGRILIFE RESEARCH**

Dr. John K. Thomas	34	Professor	Professor Emeritus	Upon Approval by the Board
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Agenda Item No.

**AGENDA ITEM BRIEFING**

**Submitted by:** Christopher M. Meyer, Chief Safety Officer  
The Texas A&M University System

**Subject:** Confirmation of Appointment and Commissioning of Peace Officers

**Proposed Board Action:**

In accordance with System Policy 34.06, *Appointment, Commissioning and Authority of Peace Officers*, the Board of Regents shall confirm the appointment and commissioning of peace officers by the Presidents of their respective members of The Texas A&M University System, as shown in the Exhibit.

**Background Information:**

Presidents of member universities are authorized by System policies to appoint and commission campus police as peace officers, subject to confirmation by the Board of Regents.

**A&M System Funding or Other Financial Implications:**

None.

Agenda Item No.

**THE TEXAS A&M UNIVERSITY SYSTEM**

Office of the Chief Safety Officer

June 10, 2011

Members, Board of Regents  
The Texas A&M University System

Subject: Confirmation of Appointment and Commissioning of Peace Officers

I recommend adoption of the following minute order:

**“In accordance with System Policy 34.06, *Appointment, Commissioning and Authority of Peace Officers*, the Board of Regents of The Texas A&M University System 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 , attached to the official minutes, subject to their taking the oath required of peace officers.”**

Respectfully submitted,

Christopher M. Meyer  
Chief Safety Officer

**Approval Recommended:**

**Approved for Legal Sufficiency:**

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Michael D. McKinney  
Chancellor

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Scott A. Kelly  
Deputy General Counsel

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Ray M. Keck, III, Ph.D., President  
Texas A&M International University

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R. Bowen Loftin, President  
Texas A&M University

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Flavius C. Killebrew, President/CEO  
Texas A&M University-Corpus Christi

The Texas A&M University System  
Appointed and Commissioned Peace Officers  
June 10, 2011

University	Officer's Name	Title	Hire Date
<b>TEXAS A&amp;M INTERNATIONAL UNIVERSITY</b>			
	Fonseca, Rausel A.	Patrol Officer	06/09/11
	Moreno, Sergio	Lieutenant	06/09/11
<b>TEXAS A&amp;M UNIVERSITY</b>			
	Brown, Andrew P.	Police Officer	06/10/11
	Collins, Shantell A.	Police Officer	06/10/11
	Wester, Justin D.	Police Officer	06/10/11
<b>TEXAS A&amp;M UNIVERSITY–CORPUS CHRISTI</b>			
	Smith, Byron Keith	Police Officer	06/09/11

# **Executive Session**

*(this item will be considered in executive session)*

# **Placeholder**

*(this item has not been finalized)*