MINUTES

OF THE

MEETING OF THE

BOARD OF REGENTS

OF

THE TEXAS A&M UNIVERSITY SYSTEM

HELD IN

COLLEGE STATION, TEXAS

September 25-26, 2008

(Approved December 4-5, 2008)
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**September 25-26, 2008**

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Mr. Bill Jones, Chairman, convened a regular meeting of the Board of Regents of The Texas A&M University System (TAMUS) at 11:30 a.m., Thursday, September 25, 2008, College Station, Texas. The following members of the Board were present:

Mr. Bill Jones, Chairman  
Mr. John D. White, Vice Chairman  
Mr. Morris Foster  
Mr. Lupe Fraga  
Mr. Gene Stallings  
Ms. Ida Clement Steen  
Mr. Jim Wilson  
Mr. Anthony Cullins, Student Regent

The following members of the Board were not present:

Mr. J.L. Huffines (joined the meeting on Friday, September 26)  
Mr. Erle Nye (joined the meeting on Friday, September 26)

Mr. Jones announced that a quorum of the Board was present.

RECESS TO EXECUTIVE SESSION

Mr. Jones announced that the Board would recess to executive session to consider matters as provided in Chapter 551 of the Texas Government Code: Section 71 for consultation with system attorneys regarding legal matters or pending and/or contemplated litigation or settlement offers; Section 72 for deliberations regarding the purchase, exchange, lease or value of real property; Section 73 for deliberations regarding negotiated contracts for prospective gifts or donations; and Section 74 for deliberations regarding personnel matters relating to appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an officer or employee, or to hear complaints or charges against an officer or employee (including Items 64 through 67).

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

(Secretary’s Note: The Board met in executive session from 11:35 a.m. until 1:25 p.m.)
RECONVENE IN OPEN SESSION

Mr. Jones reconvened the meeting in open session at 1:40 p.m. in Room 292 of the Memorial Student Center (MSC) and announced that a quorum of the Board was present. He said that the Board met in executive session from 11:35 a.m. until 1:25 p.m. and considered executive session agenda items and conferred with the Chancellor; several system and university administrators; and system attorneys on personnel, land, and legal matters.

INVOCATION

Mr. Jones called on Mr. Shane Henry, a senior communications major at Tarleton State University (TSU) from Kennesaw, Georgia. Mr. Henry serves as the student body president at TSU and as the vice-chair for research and legislation for the Chancellor’s Student Advisory Board (CSAB).

CHAIRMAN’S REMARKS

Mr. Jones began by introducing Dr. Dan Jones, the 11th President of Texas A&M University-Commerce (TAMU-C). Prior to his appointment at TAMU-C, Dr. Jones was provost and vice president for academic affairs, chief student affairs officer, and professor of English at Texas A&M International University (TAMIU). Dr. Jones served in a variety of leadership roles at the University of Houston-Downtown from 1985-2003, including dean and interim dean of University College, associate dean of the College of Humanities and Social Sciences and professor and assistant chair of the Department of English.

Mr. Jones said it seemed that at every meeting they have something to talk about in terms of extraordinary acts of service by the institutions, students, professors, and administrators. He said that Hurricane Ike caused the evacuation of the Galveston, Corpus Christi and Kingsville campuses and this was no small feat -- there are a series of things that must be done to make sure classes can resume when the students return. He said the Galveston students are still unable to return. Mr. Jones said the Texas A&M main campus and its students stepped up to help evacuees that were not students and took care of those who could not take care of themselves in Reed Arena, with the efforts being led by the Corps of Cadets and other students on campus. TAMU stepped up by making their homes, dorm rooms, classrooms and other facilities available to the Galveston students. Mr. Jones said the previous weekend they had a system day at the Texas A&M football game with the Corps marching in prior to the game as usual but they were also joined by the Galveston and Prairie View Corps. The Aggie Band and Prairie View Marching Storm also performed at halftime. He said that this was a day to appreciate the System and the fact that we are a system and we operate like a system; a demonstration of one of Mr. White’s favorite words, “collaboration.” He acknowledged Dr. Elsa Murano, President of TAMU, for the efforts she put into helping the evacuees from the hurricane and the students in Galveston. He said that Dr. Bowen Loftin, Vice President and Chief Executive Officer (CEO) of Texas A&M University at Galveston (TAMUG), deserved a medal for his efforts in helping the students and for making sure
that every student at the Galveston campus had an opportunity to attend classes this fall to complete their education so that they would not lose a semester.

Mr. Jones said on Thursday evening, the Board planned to have dinner with the Corps and on Friday morning, breakfast with the CSAB.

**CHANCELLOR’S REMARKS**

Dr. Mike McKinney, Chancellor, said that he could not say enough about the way that TAMU and TAMUG responded to Hurricane Ike. It was no small feat to transfer 1,500 students and to start classes on Wednesday. He said it took the cooperation of the students, administration, faculty, Dr. Loftin, and his faculty members. He said the most difficult task was finding enough housing for everyone. Dr. McKinney said they did what they expected Aggies to do – take care of the situation, take care of other Aggies and move on. He said the evacuation of the Corpus Christi and Kingsville campuses was a group effort. TAMU sent buses to help transport students to TAMU, which took care of the students and looked after their well-being. Dr. McKinney said that TAMU-C opened its dorms to over 90 evacuees. Dr. McKinney said the Health Science Center (HSC), Dr. Nancy Dickey, President and Vice Chancellor for Health Affairs, and the brand new nursing school students assisted the Corps of Cadets at Reed Arena. He said the Texas Engineering Extension Service (TEEX) Taskforce 1, and Taskforce 2 were part of the emergency first responders, and the Texas AgriLife Extension Service helped take care of the livestock. He said that the Texas Forest Service (TFS) was part of the incidence management and command process.

Dr. McKinney acknowledged Dr. Dominic Dottavio who was attending his first meeting as President of TSU.

He acknowledged Dr. Robert Strawser, Interim President of TAMU-K. He said Dr. Strawser had done a yeoman’s service in not acting like an interim, but acting like a president. Dr. McKinney said that Dr. Steven H. Tallant, President-designee, would assume those duties on October 1, 2008.

Dr. McKinney briefly discussed the “Mission Military Friendly” project, which included setting up a process whereby all System universities and training agencies would be designated as “military friendly.”

Dr. McKinney said that several members of the taskforce would be attending the TAMU vs. Army football game. He said the 12th Man Foundation had given them 175 tickets to the game for use by the Wounded Warriors from Fort Hood.

He said fall enrollment figures had been published and the headcount had increased to 109,766 (approximately 4 percent). He said the fulltime student equivalent (FTSE) was up 3 percent. Tarleton-Central Texas was at 813 FTSEs and headcount enrollment was up 9 percent. The Kingsville System Center-San Antonio was at 895 FTSEs (up 57 percent). He said that both campuses were on a trajectory to exceed the
threshold of 1,000 required for independence by the spring. Dr. McKinney complimented them for doing a great job. He announced that Kingsville’s enrollment was up by 7.2 percent.

Dr. McKinney said that Kingsville and Prairie View were ready for the Teaching Excellence Awards, but there was more work to do at TAMU. He said the Faculty Senate at TAMU applauds the idea, but opposes the plan. Dr. McKinney said that it was the intent for all academic units within the System to participate in these awards by the spring semester.

Dr. McKinney said the strategic plan would be presented at the December meeting.

**STATUS REPORT ON TEXAS A&M UNIVERSITY AT GALVESTON**

Dr. Murano said that this had been an interesting couple of weeks. She said they would provide a brief synopsis of what had happened as a result of Hurricane Ike. Dr. Murano said she was very proud of Dr. Loftin for all the things he had done and continued to do, not for his own benefit or glory, but for the sake of the students and his faculty.

Dr. Loftin presented slides of Hurricane Ike a day and a half before landfall. He said that they have four campus locations in Galveston: the Mitchell Campus-Pelican Island (or main campus), gifted to them by Mr. George Mitchell ’40, the historic Fort Crockett Campus, University Home and the Teichman Campus.

On September 10, at 2:30 p.m., Dr. Loftin said he made the decision that they had to leave campus. He closed the campus by 5:00 p.m. and by 7:15 p.m., all students were gone and the last bus to College Station had departed. He said they had all staff members off the island by mid-day the following day. On September 10, they opened the emergency operations center in College Station. On September 11, they moved the Texas Clipper to a safer harbor and secured the campus facilities. On September 12, at 2:00 a.m., Hurricane Ike made landfall in Galveston. He said that hurricane force winds extended 115 miles from the center of the storm, and that the maximum surge in Galveston was 11 feet on Pelican Island.

Dr. Loftin said the first thing he saw when he toured the campus was the destruction of the entrance to the Pelican Island Bridge. The most damaged building was the Sea Aggie Center. The bookstore, financial offices and student affairs office came out okay in terms of contents. He said the roof was torn from their largest dormitory, “C” Dorm. He said they were also the weakest buildings on their campus—the ones that were most cheaply constructed and they showed it. He said that the good news was that no surge water reached any of the major buildings on their campus. The major buildings on campus were not touched with a few exceptions.
Dr. Loftin showed slides of debris next to the shoreline and sailboats that had been moved. He said the Earl L. Milan came through fine and they were using it for channel ferrying. He said the training area for lifeboat drills came through fine and the Classroom Lab Building did not sustain any damage. Emmett O. Kirkham Hall, the oldest building, had damage to two windows. The Engineering Complex received damage from windblown water under the doorways. The Fort Crockett Campus, built in 1934 by the U. S. Army, received little to no damage.

He said that Teichman Campus, home to their sailing and rowing crew, received the worst hit. He said that there was 10 feet of water above the ground level.

Dr. Loftin said that in 2005, they were threatened by Hurricane Rita. He and Dr. Robert Gates, then president of TAMU, sat down and said they must have a plan for operational continuity for the Galveston campus. He said they had plans for how to evacuate and how to secure the campus, but no plan for operational continuity. They began that process in 2005 and finished in 2006. Dr. Loftin said that plan was executed during the past two weeks. He added that the Texas Clipper had been an extraordinary asset providing power, water, housing, and food to the contractors doing repair work.

Dr. Loftin said that they met on September 14 and decided to move operations to the TAMU campus. The plan said that if they could not resume operations in Galveston within two weeks, they would relocate to College Station. He said that two weeks is all you have to salvage a semester. If you go longer than that, you could not bring the students back up academically. Work began on Monday, September 15 to relocate students, faculty, and staff to College Station. He said that housing and classroom/laboratory space have been their greatest challenges. Texas A&M stood up to the challenge and had done an extraordinary job, not just the university, but also its people.

He said that they had two simple principles. They did not want to degrade the academic experience that these students deserve and they wanted to make the transition “cost neutral” to students. This had been difficult and would cost some of them dearly, but it would not cost the students, which was their major concern.

Dr. Loftin said that as of the previous day, 88 percent (1,572 of the 1,777) of their student population had relocated to College Station and more might come. He said some students were not there physically, but by distance learning. He said next week, they would begin the process of contacting the 200 students they had not been able to reach and ask if they could help them in some way where they were currently living. Dr. Loftin said that all but four faculty members have been able to serve the students in College Station. Their entire Corps was in College Station with most being housed in the Corps dorms. He said that Lt. General John Van Alstyne, Commandant of the TAMU Corps, had been an extraordinary asset by offering the spaces he had available.

Dr. Loftin said some students could not continue with the traumatic experience they had gone through. Those students were being allowed to withdraw this semester.
with no penalty. He said that they could roll forward all tuition and fees into the spring semester and would be able to return fully paid. They felt this would be a great incentive to bring students back. Dr. Loftin said that he would be working hard to get staff back in Galveston to begin lining up housing for the off-campus students they have to support next semester. They are well along in repairs with almost all emergency repairs completed in terms of securing all their buildings.

Dr. Loftin said that the support they needed from the state of Texas and the A&M System was right there. They had increased their enrollment last year by almost 9 percent. He said that they were asking through the System, the Legislative Budget Board (LBB) and the Texas Higher Education Coordinating Board (THECB) to allow them to use their 12th day class figures, which was the day they left, toward base funding for the next biennium. Further, to allow them to use normal fall-to-spring attrition rate to calculate spring headcount.

He said they would aggressively pursue FEMA and insurance. He said this would not cover all damages and they would need one-time funding or assistance from the university, system and state to be able to recover quickly and fully. An example of which was the approval of a $5 million request for funds to correct erosion issues and to strengthen the dock of the Clipper.

Dr. Loftin said thanks to some great Aggies named Sullivan. He said this family worked from Monday through Friday of the previous week to restore a road.

Dr. Loftin said when they were done both Galveston and College Station would recognize those who contributed to the success of this transition. He said that student leadership had been wonderful throughout this process. They would look at what they did, learn from it and modify their plan accordingly so that the next time this happens they would be better prepared. Dr. Loftin said his dream was for the Regents, Dr. McKinney and Dr. Murano to be in Galveston to graduate the December class in Galveston and open classes as normal in January 2009.

Dr. Murano said that College Station was part of the same plan to see what they could do to assist the Galveston Aggies. She said they decided to close the College Station campus on September 12 to allow students to make preparations. Students were encouraged to stay in their dorms and residences to allow for evacuations from Houston and Dallas. She said they wanted to make sure they did not contribute to traffic congestion.

Dr. Murano said Aggieland was spared from a direct hit and received minimal damage. She said about 20 percent of A&M’s students are from the Houston area and needed to help their families. These students were provided university-excused absences for up to one week if needed.

She said Reed Arena was designated as a special needs shelter for Texas. Once the evacuees arrived it was recognized that the evacuees were in worse shape than was
anticipated. The U.S. Public Health Service (USPHS) staffed and managed the shelter. Dr. Murano said assistance was also provided by the Corps, numerous student organizations, HSC and TEEX’s Fire Recruit Academy. She said there was 230 medical staff from the USPHS and 400 patients housed at Reed Arena. She said she was told by one of the officers that typically when they have these types of operations, it is very difficult to return the patients back home because a lot of them do not have a home to return to. She said the USPHS indicated that they were impressed with the way the state of Texas was reabsorbing these patients back into their communities in a way that they had not seen before.

Dr. Murano said they had an emergency response team led by the College of Veterinary Medicine and Biomedical Sciences along with TAMU’s Environmental Health and Safety, TAMU’s Physical Plant, Brazos County Sheriff’s Office, Brazos Animal Shelter, Texas AgriLife Extension and the Brazos County Expo Center to take care of animals and pets that needed shelter.

She said on September 14 they implemented the Continuity of Operations Plan that was developed post-Hurricane Rita. Sixty administrators led by Dr. Russell Cross, Executive Vice President for Operations, in conjunction with Dr. Loftin worked on how best to implement the plan. She said that Dr. Cross guided an army of people into doing whatever it took in order to accomplish the goal of getting these Sea Aggies into classes. This was a major undertaking that included housing, transportation, food services, international students, parking, student IDs, orientation, accounts and billing, registrar’s office, classrooms and office, financial aid, medical services, counseling services communications, human resources and research.

Dr. Murano said on Monday and Tuesday of that week, registration and orientation sessions were held. Classes began on Wednesday with 1,572 students and over 70 faculty. She said providing adequate housing was a huge issue. They identified 300 beds on campus, 1,200 beds were contracted in rental units in the community, and 93 units were contracted for faculty and staff. They put out the call to the university community to help provide housing and received 350 offers.

She said that in terms of academics, their goal was to keep Galveston classes and professors together. They added 285 sections of courses, instead of dissipating the students within the existing sections. They added 12 evening or Saturday classes and secured additional, non-traditional classroom space at A&M United Methodist Church, St. Mary’s Catholic Church, Traditions, Calloway House and Sbisa Dining Hall. She said that faculty conducting research was very important and luckily, several faculty were already collaborating with faulty in College Station, so the relocation was easy. They projected that 105 students would graduate in December.

Mr. White commented that this was extraordinary and that it was understated. He said they needed to get the story out and make the legislature aware of the cost savings, attention to education, and everything that had been done. He commended them on their tremendous service to the students and Texas.
Dr. Ed Davis, President of the Texas A&M Foundation, said the mission of the Foundation is to raise endowment through fundraising and asset management to support academic excellence at TAMU. Their near term goals are to have approximately $1.5 billion in the endowment by 2010.

Dr. Davis said their core values are very straightforward. They are very mission focused and do not get distracted from what they do. He said that they raise money and they manage money. They believe that their integrity and reputation are fundamental to their success—they cannot afford to have anything negative. They serve both the campus and philanthropists in trying to be sure they have their wishes completed and fulfilled. He said they are leaders in everything that they do and they have a deep commitment to delivering superior results.

Dr. Davis reiterated their role and scope. He said they serve donors or anyone who wants to make a gift to TAMU. They also operate a fully functioning trust company. He said the Foundation is chartered to serve TAMU only, but through the trust company they also manage assets for a number of other system universities including Corpus Christi, Tarleton and Commerce. Dr. Davis said that they share fundraising responsibilities with The Association of Former Students and the 12th Man Foundation.

Next, Dr. Davis discussed major milestones. He said it took them 32 years to reach $100 million and their trajectory of growth in total assets has increased. To date they have assets totaling $1.3 billion. He pointed out the enormous growth in the number of living TAMU graduates. He explained some of the implications of this growth. In the One Spirit One Vision Campaign, they served a donor base of prospects of about 4,500 people. He said that a fully trained, experienced development officer could handle approximately 200 prospects. Dr. Davis projected forward to the campaign that would end around 2020 and said that the donor base would triple because of the growth in the number of living graduates. He added that they would need 63 and one-half professional fundraisers to serve this audience.

Dr. Davis said they wanted to build the capacity to increase the number of major gifts. He said they would accomplish this by increasing the circle of influence concentric to their board of trustees and university leadership. They would grow and enhance the partnership they already have with the 12th Man Foundation and the Association. Dr. Davis said that they already maintain a central prospect coordination process. He said they have to grow the number of central staff they have to serve and expand national reach. He said that one-third of the living graduates of TAMU live outside the borders of Texas. They would expand their planned giving staff and would fully integrate the university president’s involvement in fundraising. He said that they would continue to work closely with deans and would continue to grow the fundraising staff.

Dr. Davis said in the long-term, Vision 2020 called for a third campaign before 2020. He said in order to make that possible they would need to identify more
prospects—roughly 3,000 prospects at the million dollar level. He added that they would improve their database and the use of technology, both in interaction and fundraising. Dr. Davis said they would also focus on the impact donors have on this institution.

He summarized fundraising, funds transferred to the institution, and growth and assets since 1972. In 2005, for the first time, the combination of the university, the Association, the Foundation and the 12th Man exceeded the $100 million level in annual gifts. He said that over the years, the Foundation has provided more than $500 million and distributed funds to TAMU. The current asset base is approximately $1.3 billion.

Dr. Davis said that donors stipulate where they want their gifts placed and how they want them used. Thirty-three percent of their funds go toward supporting scholarships and fellowships, roughly 16 percent for chairs and professorships, and 26 percent for departmental support. He said that the majority of their support is devoted to the academic excellence of TAMU. Dr. Davis briefly discussed the annual payout to individual units from the endowments.

Dr. Davis said that as you look at the three organizations that support TAMU through fundraising, the Association raises approximately $8 million per year and distributes approximately $4 million to the university; the 12th Man raises approximately $32 million and distributes $15 million; and the Foundation raises $89 million and distributes $50 million. Dr. Davis said they now raise more than $40 million in planned gifts. He said the more important number is that they are maturing on average $18 million in planned gifts from individuals who made these plans in their estates. He said that they look at similar foundations across the country. As of June 30, 2008, they had a positive return for the year of 0.2 percent. He said this return was fueled by two things, energy and commodities.

Mr. Jones asked if Dr. Davis saw the Foundation doing anything differently in the short term, in light of the current market. Dr. Davis responded that this was one of the most unprecedented periods of time he has ever seen in the market place. He said that the world we live in works on credit markets and if those credit markets seize up, like they are currently, it is very difficult to get extracted from this. He said this affects everyone. Dr. Davis said that what they do is manage their portfolio defensively. He said they are diversified across a number of asset classes and what they have to do is endure this current period and hope that they see some rational approach return to the market place.

Mr. Wilson asked if they had seen any effects on the revenue or fundraising side of the business. Dr. Davis responded that they are in lockdown mode with regard to Houston. He said that it would be both impossible and disrespectful for them to go to prospects and donors in these areas, asking for their help at this point. He said they have redirected their efforts to San Antonio, Dallas, the rest of Texas and the country. Dr. Davis said that there would be an inevitable and significant impact on fundraising this year.
Mr. Wilson asked if the Association had its own development officers. Dr. Davis responded for the most part that the Association does only annual fundraising or small gifts provided by alumnus. He said they have one major gift fundraiser on their staff that has raised money for their building and for other associated needs. He said this person reports to the Association, but meets with them and coordinates their efforts with them on a weekly basis.

81ST LEGISLATIVE SESSION BRIEFING

Dr. Stanton Calvert, Vice Chancellor for Governmental Relations, said that it was his privilege to represent the A&M System institutions before the Texas Legislature. He said that the Capitol is a relatively small town with 181 chiefs who hold the charter and many supplicants. He said that what we do as a system, any one part of us affects the others.

Dr. Calvert said that the goal for governmental relations is that they do better than the state as a whole. He summarized the statewide budget and revenue outlook by saying that we are going to have more money in the upcoming session. He said that the legislature was going to have money to appropriate, but they did not know how much. He added that the reasons include the impact of Hurricane Ike. Dr. Calvert said the way this affects the budget was both on the revenue and cost sides.

He briefly discussed key higher education policy issues and said that some have declared the next session to be a higher education session. He said that there had been a number of blue ribbon panels appointed to take a hard look at higher education. Dr. Calvert said that for the most part he believes that these panels have in mind a fundamental interest in the relationship between the state’s investment in higher education and its future prosperity and perhaps the most important one is HCR159 Select Committee. He said they are taking a hard look at whether the state is adequately investing in higher education to get the results the state needs in respect to not only the number of graduates but the relationship between research, commercialization, and the economic prosperity of this state. Dr. Calvert said that their general conclusion is that we are falling short.

Dr. Calvert said that almost assuredly in the next session there is going to be a hard look taken regarding tuition. He said that incentive funding and proposed changes to the formulas derive from a similar concern.

Dr. Calvert briefly discussed the magnitude and the way in which state funding flows to our academic institutions, health-related institutions and agencies. With respect to both the academic and health-related institutions, both derive the majority of their funding (77 percent for academics and 70 percent for health-related) from formulas that are decided upon in one decision by the legislature. He said that the rest is distribution methodology.

Dr. Calvert said that at the end of the last session we needed to address a fundamental issue with respect to funding our agencies, or how to obtain ongoing base
funding for the agencies without having to seek a new special item each time. He said there was no formula for operational funding for the agencies. He said for years, they have spent an enormous amount of effort with diminishing success to obtain new special items. Dr. Calvert said they decided to tie the agencies’ base funding to whatever increase for inflation or cost of doing business that is granted to the academic institutions.

Dr. Calvert discussed funding priorities for the A&M System. He said incentive/reward funding was a recommendation that came out of the Governor’s Task Force on Incentive Funding and research/commercialization was a request that doubled the amount currently provided to the four institutions (TAMU, University of Texas, Texas Tech and University of Houston) that participate in the Competitive Knowledge Fund. He said this fund became the birthplace for the Institutional Enhancement money, known as faculty reinvestment. Dr. Calvert said that they would also ask the legislature to consider doubling the Research Development Fund. He said that group insurance was standard and health care costs would go up. Dr. Calvert said that financial aid would be a big issue because there had not been any new financial aid money for Texas Grants for the last two sessions.

Dr. Calvert discussed top funding priorities exclusive to the A&M System. He said this included Hurricane Ike recovery, teaching excellence, facilities renewal, student success initiatives, engineering programs support, agency’s base funding formula, TAMU-K redevelopment, continuing academic development initiative and research development fund at PVAMU, College of Medicine class expansion and the System centers.

Dr. Calvert did not address, but said itemized in the attachments to the appendix for each institution was the list of special item and tuition revenue bond (TRB) requests. A copy of his presentation is on file in the Office of the Board of Regents.

Mr. Jones said that it was a challenge to come out of the legislative session with as much as we do. He commended Dr. Calvert and his staff.

Mr. Jones said that if you want to get something done, the best time to get a legislator’s ear is during the interim, the time period when they are not bombarded with internal politics among themselves, their constituents and the 140 days of limited time that they have to make decisions. He suggested inviting them to your organization or campus during the interim. This way when you go to see them during the legislative session, they will say that they understand, they have been to your campus or organization, have the background—just tell me what you need and they say I will see what I can do. Mr. Jones said that we should not depend solely on Dr. Calvert and his staff to get the job done; he said that we should all help him get the job done.
RECESS

Mr. Jones recessed the meeting at 3:21 p.m.

(Secretary’s Note: The Committee on Academic and Student Affairs convened at 3:22 p.m. and adjourned at 3:54 p.m. The Committee on Buildings and Physical Plant convened at 3:55 p.m. and recessed at 5:09 p.m.)

RECONVENE AND RECESS

Mr. Jones reconvened and recessed the meeting at 5:10 p.m.

RECONVENE EXECUTIVE SESSION – FRIDAY, SEPTEMBER 26, 2008

Mr. Jones reconvened the Board in executive session at 8:26 a.m. in the Board Meeting Room.

RECESS EXECUTIVE SESSION

Mr. Jones recessed the executive session at 9:19 a.m., the same day.

RECONVENE BOARD MEETING

Mr. Jones reconvened the Board Meeting at 9:39 a.m., in Room 292 of the MSC. The following members of the Board were present:

Mr. Bill Jones, Chairman
Mr. John D. White, Vice Chairman
Mr. Morris Foster
Mr. Lupe Fraga
Mr. J.L. Huffines
Mr. Erle Nye
Mr. Gene Stallings
Ms. Ida Clement Steen
Mr. Jim Wilson
Mr. Anthony Cullins, Student Regent

Mr. Jones said that the Board had met in executive session from 8:26 a.m. until 9:19 a.m., Friday, September 26, to complete its executive session agenda.

Dr. McKinney said that the Chancellor’s Student Advisory Board (CSAB) was comprised of representatives from the universities and the HSC. He said that he thought the world; the A&M System and the state of Texas were in good hands. He said the CSAB had been helpful in advising him with the teaching excellence awards.
REPORT FROM THE
CHANCELLOR’S STUDENT ADVISORY BOARD (CSAB)

Mr. Brady Black, a junior at TAMU majoring in agriculture economics from Muleshoe, Texas, said that it was a pleasure and honor to serve as the CSAB chair. He said that the CSAB consists of two students from each institution who are dedicated to promoting the interests of the 109,000 students that are part of this system. They act as the official voice of the students to the system leaders and in the same way, they act as the communication from the system back down to the student level. Mr. Black said that generally the two students serving on the Board are the student body president and another member who is usually heavily involved at their university. He said that the 2008-2009 CSAB convened at the System Symposium held in Laredo in May to begin preparing its agenda. They have been working diligently over the summer and the first month of classes to implement their goals.

Mr. Black briefly discussed the issues placed at the top of their list. He said they felt as students, they should be part of the teaching excellence awards and they are the consumers for the universities. He said that one of the main things they were looking into was the student and professor exchange problem throughout the universities. He discussed one of their goals was the “Adopt a Sea Ag,” to help students in Galveston with relief efforts.

Mr. Black said that the big initiative on everyone’s mind was the 81st legislative session. He said they are ready to mobilize their student bodies and to move forward in progressing higher education in the state of Texas and are excited by the opportunity. He said that they are passionate about it and truly want to invest themselves to the future of higher education. They know that it does not only affect them while they are still in school, but also will affect the job market, Texas and the country. He said that during the last legislative session they worked on tax-free text books, which did not pass. He said they still feel like this is the main initiative that they should tackle.

In closing, Mr. Black said that they are excited about the progress of the System and wanted the Regents, Chancellor and university presidents to know that they are dedicated to higher education and the progress of TAMUS.

The following members of the CSAB presented remarks specific to their respective universities: Mr. Johnie Jones (by video), PVAMU; Mr. Shane Henry, TSU; Mr. James Cortez, TAMIU; Mr. Mark Gold, TAMU; Mr. Michael Spears, TAMUG; Mr. Byron Johnson, TAMU-C; Mr. Eric Rohne, TAMU-CC; Mr. Gabriel Geyne, TAMU-K; Mr. Richard Seymour, TAMU-T; Ms. Amy Lee Thompson, WTAMU; and Mr. Nathan Bertoldo, HSC.

Mr. Black concluded by saying that one of the things he felt was important to the students was the student regent. He said that CSAB had changed its bylaws and constitution to make the student regent an ex-officio, non-voting member.
Mr. Black thanked the regents for their sacrifice of time and their talent. He also thanked Chancellor and Mrs. McKinney for inviting them to dinner the previous evening. He said that as a boy who was away from his mother it was nice to have Mrs. McKinney as a mother figure. Mr. Black gave a special thanks to the CSAB administrative advisor, Ms. Verna Dewees, Assistant Vice Chancellor for Academic Affairs.

Mr. Jones said that while watching television one night he began to worry about the future of our country, but after having dinner with the Corps of Cadets the previous evening and having breakfast with the CSAB, he thought we were in good hands. He said that if these students were representative of the students that we have in our system, then congratulations were in order for the System and university presidents. He said that things these students talked about are not the kinds of things that you typically hear from students. Mr. Jones said that they discussed everything from student fees, to presidents and administrations, concerns about athletics, retention, growth in the student body, legislative funding, Vision 2020, changing but remaining grounded, building openings and dedications, internships, sports facilities, housing, tutors, community leadership, preparedness, crusades to Africa, voting, deans, assisting others and evacuees, and public health.

Mr. Jones said that it was the Board’s honor to have them present. He said that hearing from the students and understanding what they are about helps motivate the Board and administration to continue doing what they are doing. Mr. Jones welcomed student feedback on what they felt was appropriate through Dr. McKinney and Mr. Cullins. Mr. Jones commented that some of them were not in favor of the student regent idea. He said that it was not that they were afraid that the students could not participate and actively give input, their fear was that some of the things they discussed were sensitive and they needed to be sure they could share back and forth information needed to make decisions and not jeopardize people’s lives, jobs or families. He said that the student regents had been actively involved in every meeting including executive session and they had not once had any such issue of information getting out among the student population. Mr. Jones said that this demonstrates the maturity level of the students within the system.

RECESS

Mr. Jones recessed the meeting at 10:51 a.m.

(Secretary’s Note: The Committee on Finance convened at 10:52 a.m. and adjourned at 11:15 a.m. The Policy Review Committee convened at 11:16 a.m. and adjourned at 11:35 a.m.)

RECONVENE

Mr. Jones reconvened the meeting at 11:36 a.m. He announced that the Board had not received any requests for public testimony in the Board Office.
Mr. Jones called on Mr. White to present the report from the Committee on Audit.

REPORT FROM THE COMMITTEE ON AUDIT

Mr. White, Chairman of the Committee on Audit, reported that the Committee met on Thursday, September 25, 2008, and discussed the Fourth Quarter Audit Report, Audit Tracking Report, and management responses to the Audit Tracking Report. He said that Ms. Smock also covered some emerging areas of interest and research and conflict of interest. He said that there was no action item to be brought before the Board.

Mr. Jones said that as a point of information, the Board was continually impressed with the progress in the audit function and the good it does throughout the System. He said that the process is working exactly like it is supposed to.

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

REPORT FROM THE COMMITTEE ON FINANCE

Mr. Nye, Chairman of the Committee on Finance, reported that the Committee met earlier that same day and considered and approved Items 1 through 5 and 7 through 9. The Board took action as set forth below:

*(Secretary’s Note: Item 6 was withdrawn.)*

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MINUTE ORDER 281-2008 (AGENDA ITEM 1)

AUTHORIZATION TO ESTABLISH A QUASI-ENDOWMENT ENTITLED “DOROTHY ROSE LALA QUASI-ENDOWMENT,” TEXAS A&M UNIVERSITY

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

Authority is hereby granted to the President of Texas A&M University to establish a quasi-endowment to be called the “Dorothy Rose Lala Quasi-Endowment.” The account will be created with funds from the Estate of Dorothy Rose Lala. Payout distributions from the quasi-endowment will be used to provide support for the Stevenson Companion Animal Life-Care Center at Texas A&M University.
MINUTE ORDER 282-2008 (AGENDA ITEM 2)

AUTHORIZATION TO ESTABLISH A QUASI-ENDOWMENT ENTITLED “K-12 OUTREACH QUASI-ENDOWMENT,” TEXAS A&M UNIVERSITY

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

Authority is hereby granted to the President of Texas A&M University to establish a quasi-endowment named the “K-12 Outreach Quasi-Endowment.” The account will be created with funds from the Chemistry IDC Return account, 230069, held at Texas A&M University. Payout distributions from the quasi-endowment will be used to support research and outreach activities for current graduate students and future undergraduate students in science, technology, engineering, and mathematics at Texas A&M University.

(Secretary’s Note: Mr. Foster recused himself from the vote on Item 3 and was not in the room for the vote.)

MINUTE ORDER 283-2008 (AGENDA ITEM 3)

AUTHORIZATION FOR THE CHANCELLOR TO EXECUTE CONTRACT WITH SCOTT & WHITE CLINIC AND SCOTT AND WHITE MEMORIAL HOSPITAL, THE TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER

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

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 an annual agreement with Scott & White Clinic and Scott and White Memorial Hospital for medical education teaching services for the fiscal year 2009.

MINUTE ORDER 284-2008 (AGENDA ITEM 4)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE PATENT LAW FIRM OF BAKER BOTTS, L.L.P., THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Mr. Nye, seconded by Mr. White and by a unanimous vote, the following minute order was adopted:
The Board of Regents of The Texas A&M University System requests that the Attorney General of Texas amend the contract with the law firm of Baker Botts, L.L.P., to increase the current cap amount in excess of $300,000 to no more than a proposed cap of $1,500,000 to provide patent prosecution related legal services to The Texas A&M University System for FY 09.

The Board of Regents of The Texas A&M University System, subject to approval by the Attorney General of Texas, authorizes The Texas A&M University System to expend up to $1,500,000 with the law firm of Baker Botts, L.L.P. in exchange for legal fees and expenses in the area of patent prosecution for FY 09.

**MINUTE ORDER 285-2008 (AGENDA ITEM 5)**

**ESTABLISHMENT OF THE TEXAS A&M UNIVERSITY SYSTEM PERMANENT UNIVERSITY FUND (PUF) COMMERCIAL PAPER PROGRAM, THE TEXAS A&M UNIVERSITY SYSTEM**

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

The resolution establishing the Board of Regents of The Texas A&M University System Permanent University Fund Commercial Paper Program, in substantially the form of Exhibit A attached to the official minutes, is hereby adopted and effective immediately. The Associate Vice Chancellor or other Authorized Representative is hereby authorized to take such actions as are necessary to accomplish the purposes of the resolution in accordance with the provisions of the resolution.

**MINUTE ORDER 286-2008 (AGENDA ITEM 7)**

**APPROVAL OF REVISIONS TO SYSTEM POLICY 25.07 (CONTRACT ADMINISTRATION), THE TEXAS A&M UNIVERSITY SYSTEM**

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

The revisions to System Policy 25.07 (Contract Administration), as shown in Exhibit B, a copy of which is attached to the official minutes, are approved and effective immediately.
MINUTE ORDER 287-2008 (AGENDA ITEM 8)

APPROVAL OF REVISIONS TO SYSTEM POLICY 51.08
(REVERSION OF UNEXPENDED BALANCES IN PLANT FUND ACCOUNTS),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 51.08 (Reversion of Unexpended Balances in Plant Fund Accounts), as shown in Exhibit C, a copy of which is attached to the official minutes, are approved and effective immediately.

MINUTE ORDER 288-2008 (AGENDA ITEM 9)

APPROVAL OF REVISIONS TO SYSTEM POLICY 60.01
(RELATIONSHIPS WITH AFFILIATED ORGANIZATIONS),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 60.01, (Relationships with Affiliated Organizations), as shown in Exhibit D, a copy of which is attached to the official minutes, are approved and effective immediately.

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Mr. Jones called on Mr. Foster to present the report from the Committee on Buildings and Physical Plant. He said that since the Committee did not have a quorum when they met, their items would be voted on by the full board.

REPORT FROM THE COMMITTEE ON BUILDINGS AND PHYSICAL PLANT

Mr. Foster, Chairman of the Committee on Buildings and Physical Plant, reported that the Committee met on Thursday, September 25, 2008 and considered Items 10 through 22. The Board took action as set forth below:

(Secretary’s Note: Item 23 was withdrawn prior to the meeting.)

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MINUTE ORDER 289-2008 (AGENDA ITEM 10)

APPROVAL OF THE PROJECT SCOPE AND BUDGET, APPROPRIATION FOR CONSTRUCTION SERVICES AND APPROVAL FOR CONSTRUCTION FOR THE NUCLEAR MAGNETIC RESONANCE (NMR) FACILITY, TEXAS A&M UNIVERSITY

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

The project scope along with a project budget of $13,126,600 for the Nuclear Magnetic Resonance (NMR) Facility project is approved.

The amount of $5,126,600 is appropriated from Account No. 01-084242, Permanent University Fund Debt Proceeds for construction services and related project costs.

The Nuclear Magnetic Resonance (NMR) Facility at Texas A&M University, College Station, Texas, is approved for construction.

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

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

MINUTE ORDER 290-2008 (AGENDA ITEM 11)

APPROVAL OF THE PROJECT SCOPE AND BUDGET, APPROPRIATION FOR CONSTRUCTION SERVICES AND APPROVAL FOR CONSTRUCTION FOR THE EMERGING TECHNOLOGIES & ECONOMIC DEVELOPMENT INTERDISCIPLINARY BUILDING, TEXAS A&M UNIVERSITY

On motion of Mr. Foster, seconded by Mr. Nye and by a unanimous vote, the following minute order was adopted:
The project scope along with a project budget of $104,000,000 for the Emerging Technologies & Economic Development Interdisciplinary Building project is approved.

The amount of $66,975,000 is appropriated from Account No. 01-083536, Revenue Financing System Debt Proceeds (TRB), the amount of $29,000,000 is appropriated from Account No. 01-084242 Permanent University Fund Debt Proceeds (AUF) for construction services and related project costs.

The Emerging Technologies & Economic Development Interdisciplinary Building, Texas A&M University, College Station, Texas, is approved for construction.

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

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

MINUTE ORDER 291-2008 (AGENDA ITEM 12)

APPROVAL OF THE PROJECT SCOPE AND BUDGET, APPROPRIATION FOR CONSTRUCTION SERVICES AND APPROVAL FOR CONSTRUCTION FOR THE RECREATION SPORTS CENTER, TEXAS A&M UNIVERSITY-KINGSVILLE

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

The project scope along with a project budget of $12,000,000 for the Recreation Sports Center project is approved.

The amount of $12,000,000 is appropriated from Account No. 01-083536, Revenue Financing System Debt Proceeds (Recreational Sports Fees) for construction services and related project costs.
The amount of $25,000 is reverted to Account No. 17-215080 Marriott Concessions and $954,000 is reverted to Account No. 17-216759, Student Center Complex Fee – Unappropriated.

The Recreation Sports Center, Texas A&M University-Kingsville, Kingsville, Texas, is approved for construction.

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

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

MINUTE ORDER 292-2008 (AGENDA ITEM 13)

APPROVAL OF THE PROJECT SCOPE AND BUDGET,
APPROPRIATION FOR CONSTRUCTION SERVICES
AND APPROVAL FOR CONSTRUCTION
FOR THE NEW STUDENT HOUSING,
TEXAS A&M UNIVERSITY-KINGSVILLE

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

The project scope along with a project budget of $35,000,000 for the New Student Housing project is approved.

The amount of $35,000,000 is appropriated from Account No. 01-083536, Revenue Financing System Debt Proceeds (Housing Revenues) for construction services and related project costs.

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

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

MINUTE ORDER 293-2008 (AGENDA ITEM 14)

APPROVAL OF THE PROJECT SCOPE AND BUDGET,
APPROPRIATION FOR CONSTRUCTION SERVICES AND
APPROVAL FOR CONSTRUCTION FOR THE MUSIC BUILDING,
TEXAS A&M UNIVERSITY-COMMERCE

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

The project scope, along with a project budget of $29,607,000 for the Music Building project, is approved.

The amount of $21,770,000 is appropriated from Account No. 01-083536, Revenue Financing System Debt Proceeds (TRB), the amount of $7,237,000 is appropriated from Account No. 01-083536, Revenue Financing System Debt Proceeds (HEF), and the amount of $600,000 is appropriated from Account No. 21-944302 Music for construction services and related project costs.

The amount of $2,800,000 is reverted to Account No. 21-800013 Higher Education Fund Music Building Project.

The Music Building, Texas A&M University-Commerce, Commerce, Texas, is approved for construction.

The Board of Regents of The Texas A&M University System (Board) reasonably expects to incur debt in one or more obligations for this project, and all or a portion of the proceeds received from the sale of such obligations is reasonably expected to be used to reimburse the account(s) for amounts previously appropriated and/or expended from such account(s).
As required by Section 5(a) of the Master Resolution of the Revenue Financing System, the Board hereby determines that it will have sufficient funds to meet the financial obligations of The Texas A&M University System, including sufficient Pledged Revenues to satisfy the Annual Debt Service Requirements of the Revenue Financing System, and to meet all financial obligations of the Board relating to the Revenue Financing System and that the Participants, on whose behalf the debt is issued, possess the financial capacity to satisfy their Direct Obligations.

Any additional gifts received for this project are hereby appropriated, and a like amount of previous appropriations of Revenue Financing System Debt Proceeds (HEF) are reverted.

MINUTE ORDER 294-2008 (AGENDA ITEM 15)

APPROVAL OF THE PROJECT SCOPE AND BUDGET,
APPROPRIATION FOR CONSTRUCTION SERVICES AND
APPROVAL FOR CONSTRUCTION FOR THE
MULTIPURPOSE LIBRARY BUILDING AND CENTRAL PLANT,
TEXAS A&M UNIVERSITY-TEXARKANA

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

The project scope along with a project budget of $75,000,000 for the Multipurpose Library Building and Central Plant project is approved.

The amount of $67,500,000 is appropriated from Account No. 01-083536, Revenue Financing System Debt Proceeds (TRB) for construction services and related project costs.

The Multipurpose Library Building and Central Plant, Texas A&M University-Texarkana, Texarkana, Texas, is approved for construction.

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

As required by Section 5(a) of the Master Resolution of the Revenue Financing System, the Board hereby determines that it will have sufficient funds to meet the financial obligations of The Texas A&M University System, including sufficient Pledged Revenues to satisfy the Annual Debt Service Requirements of the Revenue Financing System and to meet all financial obligations of the Board relating to the Revenue Financing System and that the Participants, on whose behalf the debt is issued, possess the financial capacity to satisfy their Direct Obligations.
MINUTE ORDER 295-2008 (AGENDA ITEM 16)

NAMING OF THE
“WAYNE AND WANDA GALYEAN CLASSROOM,”
TEXAS A&M UNIVERSITY-COMMERCE

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

Room 123 in the Science Building at Texas A&M University-Commerce is hereby named the “Wayne and Wanda Galyean Classroom.”

MINUTE ORDER 296-2008 (AGENDA ITEM 16)

NAMING OF THE
“HARRY AND RHEBA MARTIN ICENHOWER ADMINISTRATIVE ASSISTANT’S OFFICE,”
TEXAS A&M UNIVERSITY-COMMERCE

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

Room 112 in the Alumni Center on the campus of Texas A&M University-Commerce is hereby named the “Harry and Rheba Martin Icenhower Administrative Assistant’s Office.”

MINUTE ORDER 297-2008 (AGENDA ITEM 16)

NAMING OF THE
“ARTHUR GLOVER ACCOUNTING CLASSROOM,”
WEST TEXAS A&M UNIVERSITY

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

A classroom on the second floor of the Classroom Center (currently under renovation) on the campus of West Texas A&M University is hereby named the “Arthur Glover Accounting Classroom.”
MINUTE ORDER 298-2008 (AGENDA ITEM 17)

AUTHORIZATION TO EXECUTE
HOUSING LEASE AGREEMENTS IN DUBAI,
TEXAS A&M UNIVERSITY

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

The Board of Regents of The Texas A&M University System authorizes the President of Texas A&M University, or designee, to execute housing lease agreements in Dubai provided that prior to execution of such lease agreements, the documents must be reviewed and approved for legal sufficiency by the Office of General Counsel, and the System Real Estate Office must be provided with a statement explaining the process used in the selection of the apartment units to be leased and a certification that the source of funds to be used for these leases is Executive MBA Program fees or institutional funds. Once the leases have been executed, copies of the leases must be delivered to the System Real Estate Office.

MINUTE ORDER 299-2008 (AGENDA ITEM 18)

AUTHORIZATION TO PURCHASE
45.0 ACRES OF LAND, MORE OR LESS, AND IMPROVEMENTS
AT 4011 SH-47 IN THE CITY OF BRYAN, BRAZOS COUNTY, TEXAS,
TEXAS A&M UNIVERSITY

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

The Chancellor of The Texas A&M University System, or designee, after obtaining approval from the Texas Higher Education Coordinating Board, is authorized to execute and deliver all documents, and to take all other actions, necessary to purchase the land and improvements municipally known as 4011 SH-47, Bryan, Brazos County, Texas. The form of the purchase contract and the documents of conveyance must be approved for legal sufficiency by the Office of General Counsel. The purchase price of $2,950,000, plus closing costs, is hereby approved.

MINUTE ORDER 300-2008 (AGENDA ITEM 19)

AUTHORIZATION TO EXECUTE A GROUND LEASE FOR
0.877 ACRES OF LAND IN BURLESON COUNTY, TEXAS,
TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT,
TEXAS A&M UNIVERSITY

On motion of Mr. Foster, seconded by Mr. Nye and by a unanimous vote, the following minute order was adopted:
The Chancellor of The Texas A&M University System, or designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to take all steps necessary to negotiate, execute, and deliver a thirty (30) year ground lease with the Texas Parks and Wildlife Department for 0.877 acres of land within the Aquacultural Research and Teaching Facility at the Texas A&M University Farm in Burleson County, Texas, to support the location of a new district office for the fisheries division of the Texas Parks and Wildlife Department.

MINUTE ORDER 301-2008 (AGENDA ITEM 20)

AUTHORIZATION TO RENEW A
PIPELINE EASEMENT IN BRAZORIA COUNTY, TEXAS,
THE TEXAS A&M UNIVERSITY SYSTEM

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

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 non-exclusive pipeline easement for a twenty-inch (20”) natural gas pipeline, ten feet (10’) in width and approximately 998.67 rods (16,478.05 linear feet) in length across A&M System property in Brazoria County, Texas. This easement will be for a ten (10) year term in favor of Kinder Morgan Tejas Pipeline LLC. Total consideration for this easement is $99,867.

MINUTE ORDER 302-2008 (AGENDA ITEM 21)

AUTHORIZATION TO GRANT A CONDITIONAL
ROADWAY EASEMENT IN HIDALGO COUNTY, TEXAS,
THE TEXAS A&M UNIVERSITY SYSTEM

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

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 for the expansion of Mile 2 West Road across A&M System property in Hidalgo County, Texas. This easement will remain in effect so long as the property is used as a roadway.
MINUTE ORDER 303-2008 (AGENDA ITEM 22)

AUTHORIZATION TO GRANT A CONDITIONAL ROAD RIGHT-OF-WAY EASEMENT TO VTLM TEXAS, LP IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, THE TEXAS A&M UNIVERSITY SYSTEM

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

The Chancellor of The Texas A&M University System, or designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to execute all documents necessary to grant a conditional road right-of-way easement to VTLM Texas, LP, or assigns, along the northern boundary of a 50-acre portion of the future site of Texas A&M University-San Antonio. The conditional road right-of-way easement may be granted without further consideration.

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Mr. Jones called on Ms. Steen to present the report from the Committee on Academic and Student Affairs.

REPORT FROM THE COMMITTEE ON ACADEMIC AND STUDENT AFFAIRS

Ms. Steen, Chairman of the Committee on Academic and Student Affairs, reported that the Committee met on Thursday, September 25, 2008. She said that they approved Items 24 through 33 and 35 through 39. The Board took action as set forth below:

(Secretary’s Note: Item 34 was withdrawn prior to the meeting.)

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MINUTE ORDER 304-2008 (AGENDA ITEM 24)

APPROVAL OF ADMISSION REQUIREMENTS FOR SYSTEM MEMBER UNIVERSITIES AND THE HEALTH SCIENCE CENTER FOR THE 2009-10 ACADEMIC YEAR, THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Ms. Steen, seconded by Mr. Nye and by a unanimous vote, the following minute order was adopted:
The Board of Regents of The Texas A&M University System hereby approves the 2009-10 admission requirements of the System member universities and the Health Science Center, on terms and conditions substantially the same as those shown in Exhibits E, F.1 and F.2, copies of which are attached to the official minutes.

MINUTE ORDER 305-2008 (AGENDA ITEM 25)

AUTHORIZATION TO OFFER THE
MASTER OF EDUCATION IN EDUCATIONAL ADMINISTRATION
DEGREE VIA DISTANCE EDUCATION,
PRAIRIE VIEW A&M UNIVERSITY

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

Having complied with all of the requirements of the Texas Higher Education Coordinating Board Guidelines for Distance Education, Prairie View A&M University is hereby authorized to offer the Master of Education in Educational Administration via distance education (the Internet), effective Spring 2009.

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

MINUTE ORDER 306-2008 (AGENDA ITEM 26)

AUTHORIZATION TO OFFER THE
MASTER OF ARTS IN COUNSELING DEGREE VIA DISTANCE EDUCATION,
PRAIRIE VIEW A&M UNIVERSITY

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

Having complied with all of the requirements of the Texas Higher Education Coordinating Board Guidelines for Distance Education, Prairie View A&M University is hereby authorized to offer the Master of Arts in Counseling via distance education (the Internet), effective Spring 2009.

The Board of Regents finds that the program offering authorized by this minute order is within the role and scope and capacity of the institution and will benefit students.
MINUTE ORDER 307-2008 (AGENDA ITEM 27)

APPROVAL TO CHANGE REPORTING STRUCTURE OF THE ACADEMY FOR ADVANCED TELECOMMUNICATIONS AND LEARNING TECHNOLOGIES, TEXAS A&M UNIVERSITY

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

The Board of Regents of The Texas A&M University System hereby amends Minute Order 61-96, which established the Academy for Advanced Telecommunications and Learning Technologies reporting to the Provost, and approves the change in reporting to the College of Science at Texas A&M University. The Director will be appointed by the Dean of the College of Science.

MINUTE ORDER 308-2008 (AGENDA ITEM 28)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE DUBAI TECHNOLOGY AND MEDIA FREE ZONE AUTHORITY (TECOM/DUBAI KNOWLEDGE VILLAGE) FOR THE DELIVERY OF TEXAS A&M’S EXECUTIVE MBA IN DUBAI, TEXAS A&M UNIVERSITY

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

The Board of Regents of The Texas A&M University System authorizes the President of Texas A&M University, following approval for legal sufficiency by the Office of General Counsel, to enter into a contract with The Dubai Technology and Media Free Zone Authority (TECOM/Dubai Knowledge Village) for the Delivery of Texas A&M’s Executive MBA Program in Dubai.

MINUTE ORDER 309-2008 (AGENDA ITEM 29)

AUTHORIZATION TO OFFER THE MASTER OF SCIENCE OR MASTER OF EDUCATION IN EDUCATIONAL TECHNOLOGY-LEADERSHIP AND EDUCATIONAL TECHNOLOGY-LIBRARY SCIENCE BY DISTANCE EDUCATION, TEXAS A&M UNIVERSITY-COMMERCE

On motion of Ms. Steen, seconded by Mr. Nye and by a unanimous vote, the following minute order was adopted:
Having complied with all of the requirements of the Texas Higher Education Coordinating Board, Texas A&M University-Commerce is hereby authorized to offer the following degree programs online to individuals, effective Spring 2009:

Master of Science or Master of Education in:

(1) Educational Technology – Leadership
(2) Educational Technology – Library Science

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

MINUTE ORDER 310-2008 (AGENDA ITEM 30)

AUTHORIZATION TO OFFER THE EXISTING MASTER OF SCIENCE DEGREE IN GEOSPATIAL SURVEYING ENGINEERING VIA DISTANCE DELIVERY, TEXAS A&M UNIVERSITY-CORPUS CHRISTI

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

Having complied with all of the requirements of the Texas Higher Education Coordinating Board, Texas A&M University-Corpus Christi is hereby authorized to offer the Master of Science degree in Geospatial Surveying Engineering via distance delivery, effective spring 2009.

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

MINUTE ORDER 311-2008 (AGENDA ITEM 31)

APPROVAL TO ESTABLISH A COOPERATIVE PHD PROGRAM AGREEMENT IN NURSING SCIENCE BETWEEN TEXAS WOMEN’S UNIVERSITY AND TEXAS A&M UNIVERSITY-CORPUS CHRISTI, AND AUTHORIZATION TO REQUEST APPROVAL FROM THE TEXAS HIGHER EDUCATION COORDINATING BOARD, TEXAS A&M UNIVERSITY-CORPUS CHRISTI

On motion of Ms. Steen, seconded by Mr. Nye and by a unanimous vote, the following minute order was adopted:
The Board of Regents approves the establishment of a Cooperative Ph.D. Program Agreement in Nursing Science between Texas Woman’s University and Texas A&M University-Corpus Christi.

The Board also authorizes submission of this Cooperative Program Agreement to the Texas Higher Education Coordinating Board.

**MINUTE ORDER 312-2008 (AGENDA ITEM 32)**

**AUTHORIZATION TO OFFER THE**
**MASTER OF SCIENCE IN EDUCATIONAL PSYCHOLOGY-**
**EXPERIMENTAL PSYCHOLOGY OPTION ONLINE,**
**TARLETON STATE UNIVERSITY**

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

Having complied with all of the requirements of the Texas Higher Education Coordinating Board, Tarleton State University is hereby authorized to offer the Master of Science in Educational Psychology-Experimental Psychology Option online, effective spring 2009.

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

**MINUTE ORDER 313-2008 (AGENDA ITEM 33)**

**DISSOLUTION OF THE**
**CENTER FOR MECHANICS OF COMPOSITES:**
**THE AEROSPACE DESIGN, SAFETY/SECURITY AND**
**INTEGRATION CENTER; THE ANALOG AND MIXED SIGNAL CENTER;**
**AND THE CENTER FOR NANOSTRUCTURE MATERIALS**
**AND QUANTUM DEVICE FABRICATION,**
**TEXAS ENGINEERING EXPERIMENT STATION**

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

The Center for Mechanics of Composites, established by MO 141-92; the Aerospace Design, Safety/Security and Integration Center, established by MO 25-2003; the Analog and Mixed Signal Center, established by MO 232-98; and the Center for Nanostructure Materials and Quantum Device Fabrication established by MO 269-92; all assigned as administrative units of the Texas Engineering Experiment Station, are hereby dissolved as of September 26, 2008.
MINUTE ORDER 314-2008 (AGENDA ITEM 35)

APPROVAL OF REVISIONS TO
SYSTEM POLICY 11.03 (SHORTENED COURSES),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 11.03 (Shortened Courses), as shown in Exhibit G, a copy of which is attached to the official minutes, are approved and effective immediately.

MINUTE ORDER 315-2008 (AGENDA ITEM 36)

APPROVAL OF REVISIONS TO SYSTEM POLICY 11.04
(ENROLLMENT MANAGEMENT PLANS AND ADMISSION STANDARDS),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 11.04 (Enrollment Management Plans and Admission Standards), as shown in Exhibit H, a copy of which is attached to the official minutes, are approved and effective immediately.

MINUTE ORDER 316-2008 (AGENDA ITEM 37)

APPROVAL OF REVISIONS TO SYSTEM POLICY 11.05
(TRANSFERABILITY OF COURSES FOR CREDIT, STATE INSTITUTIONS),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 11.05 (Transferability of Courses for Credit, State Institutions), as shown in Exhibit I, a copy of which is attached to the official minutes, are approved and effective immediately.
MINUTE ORDER 317-2008 (AGENDA ITEM 38)

APPROVAL OF REVISIONS TO
SYSTEM POLICY 11.06 (CORE CURRICULUM),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 11.06 (Core Curriculum), as shown in Exhibit J, a copy of which is attached to the official minutes, are approved and effective immediately.

MINUTE ORDER 318-2008 (AGENDA ITEM 39)

APPROVAL OF REVISIONS TO
SYSTEM POLICY 11.08 (AWARD OF POSTHUMOUS DEGREES),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 11.08 (Award of Posthumous Degrees), as shown in Exhibit K, a copy of which is attached to the official minutes, are approved and effective immediately.

Mr. Jones called on Mr. Stallings to present the report from the Policy Review Committee.

REPORT FROM THE POLICY REVIEW COMMITTEE

Mr. Stallings, Chairman of the Policy Review Committee, reported that the Committee met earlier that same day. He said that they considered and approved Items 40 through 51. The Board took action as set forth below:

MINUTE ORDER 319-2008 (AGENDA ITEM 40)

APPROVAL OF REVISIONS TO
SYSTEM POLICY 02.05 (PRESIDENTS OF COMPONENT UNIVERSITIES),
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Mr. Stallings, seconded by Mr. Fraga and by a unanimous vote, the following minute order was adopted:
The revisions to System Policy 02.05 (*Presidents of Component Universities*), as shown in **Exhibit L**, a copy of which is attached to the official minutes, are approved and effective immediately.

**MINUTE ORDER 320-2008 (AGENDA ITEM 41)**

**APPROVAL OF REVISIONS TO SYSTEM POLICY 02.06 (DIRECTORS OF MEMBER AGENCIES), THE TEXAS A&M UNIVERSITY SYSTEM**

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

The revisions to System Policy 02.06 (*Directors of Member Agencies*), as shown in **Exhibit M**, a copy of which is attached to the official minutes, are approved and effective immediately.

**MINUTE ORDER 321-2008 (AGENDA ITEM 42)**

**APPROVAL OF REVISIONS TO SYSTEM POLICY 02.07 (PRESIDENT OF THE SYSTEM HEALTH SCIENCE CENTER), THE TEXAS A&M UNIVERSITY SYSTEM**

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

The revisions to System Policy 02.07 (*President of the System Health Science Center*), as shown in **Exhibit N**, a copy of which is attached to the official minutes, are approved and effective immediately.

**MINUTE ORDER 322-2008 (AGENDA ITEM 43)**

**APPROVAL OF REVISIONS TO SYSTEM POLICY 11.01 (COOPERATION AMONG THE TEXAS A&M UNIVERSITY SYSTEM INSTITUTIONS), THE TEXAS A&M UNIVERSITY SYSTEM**

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

The revisions to System Policy 11.01 (*Cooperation Among TAMUS Institutions*), as shown in **Exhibit O**, a copy of which is attached to the official minutes, are approved and effective immediately.
MINUTE ORDER 323-2008 (AGENDA ITEM 44)

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

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

The revisions to System Policy 12.01 (Academic Freedom, Responsibility and Tenure), as shown in Exhibit P, a copy of which is attached to the official minutes, are approved and effective immediately.

MINUTE ORDER 324-2008 (AGENDA ITEM 45)

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

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

The revisions to System Policy 12.02 (Institutional Procedures for Implementing Tenure), as shown in Exhibit Q, a copy of which is attached to the official minutes, are approved and effective immediately.

MINUTE ORDER 325-2008 (AGENDA ITEM 46)

APPROVAL OF REVISIONS TO
SYSTEM POLICY 12.03
(FACULTY ACADEMIC WORKLOAD AND REPORTING REQUIREMENTS),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 12.03 (Faculty Academic Workload and Reporting Requirements), as shown in Exhibit R, a copy of which is attached to the official minutes, are approved and effective immediately.
MINUTE ORDER 326-2008 (AGENDA ITEM 47)

APPROVAL OF REVISIONS TO
SYSTEM POLICY 12.06
(POST-TENURE REVIEW OF FACULTY AND TEACHING EFFECTIVENESS),
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 12.06 (Post-Tenure Review of Faculty and Teaching Effectiveness), as shown in Exhibit S, a copy of which is attached to the official minutes, are approved and effective immediately."

MINUTE ORDER 327-2008 (AGENDA ITEM 48)

APPROVAL OF NEW SYSTEM POLICY 12.07
(FIXED TERM ACADEMIC PROFESSIONAL TRACK FACULTY),
THE TEXAS A&M UNIVERSITY SYSTEM

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

New System Policy 12.07 (Fixed Term Academic Professional Track Faculty), as shown in Exhibit T, a copy of which is attached to the official minutes, is approved, effective immediately.

MINUTE ORDER 328-2008 (AGENDA ITEM 49)

APPROVAL OF NON-SUBSTANTIVE REVISIONS
TO VARIOUS SYSTEM POLICIES:
11.07 (GRANTING OF HONORARY DEGREES);
12.04 (ACADEMIC COUNCIL/FACULTY SENATE);
12.05 (TRAINING FOR ENGLISH PROFICIENCY);
13.02 (STUDENT RIGHTS AND OBLIGATIONS);
13.03 (SCHOLARSHIPS); 13.04 (STUDENT TRAVEL);
18.01 (ATHLETIC COUNCIL); 18.02 (PRINCIPLES FOR INTERCOLLEGIATE
ATHLETICS PARTICIPATION); 18.03 (POST-SEASON ATHLETICS
COMPETITION); 27.04 (BUDGET AUTHORIZATIONS, LIMITATION,
AND DELEGATIONS OF AUTHORITY); 31.08 (EMERITUS TITLE),
THE TEXAS A&M UNIVERSITY SYSTEM

On motion of Mr. Stallings, seconded by Mr. Fraga and by a unanimous vote, the following minute order was adopted:
The revisions to the System Policies, as shown in Exhibits U, V, W, X, Y, Z, AA, BB, CC, DD, and EE, copies of which are attached to the official minutes, are approved and effective immediately.

**MINUTE ORDER 329-2008 (AGENDA ITEM 50)**

**APPROVAL OF REVISIONS TO**

SYSTEM POLICY 24.01 *(RISK MANAGEMENT AND SAFETY)*,
DELETION OF SYSTEM POLICY 24.02 *(HEALTH AND SAFETY)*,
SYSTEM POLICY 24.03 *(INSURABLE RISK)* AND
SYSTEM POLICY 24.04 *(ENVIRONMENT)*,
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 24.01 *(Risk Management and Safety)*, as shown in Exhibit FF, a copy of which is attached to the official minutes, are approved and effective immediately. System Policies 24.02, *(Health and Safety)*, 24.03, *(Insurable Risk* and 24.04, *(Environment)*, are deleted, effective immediately.

**MINUTE ORDER 330-2008 (AGENDA ITEM 51)**

**APPROVAL OF REVISIONS TO**

SYSTEM POLICY 33.04 *(USE OF SYSTEM PROPERTY)*,
THE TEXAS A&M UNIVERSITY SYSTEM

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

The revisions to System Policy 33.04, *(Use of System Property)*, as shown in Exhibit GG, a copy of which is attached to the official minutes, are approved and effective immediately.

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**OTHER ITEMS**

Mr. Jones presented Items 52 and 53. The Board took action as set forth below:

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MINUTE ORDER 331-2008 (AGENDA ITEM 52)

APPROVAL OF THE MINUTES OF THE
JULY 31-AUGUST 1, 2008, REGULAR BOARD MEETING, AND
SPECIAL TELEPHONIC BOARD MEETINGS,
BOARD OF REGENTS THE TEXAS A&M UNIVERSITY SYSTEM

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

The Minutes of the July 31-August 1, 2008, Regular Board Meeting, and the April 23, 2008, August 15, 2008 and September 2, 2008, Special Telephonic Meetings are hereby approved.

MINUTE ORDER 332-2008 (AGENDA ITEM 53)

ADOPTION OF A RESOLUTION IN MEMORY OF
ANNE LEGENDRE ARMSTRONG, REGENT EMERITA,
BOARD OF REGENTS THE TEXAS A&M UNIVERSITY SYSTEM

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

Whereas, Ambassador Anne Legendre Armstrong was born in New Orleans, Louisiana, graduated valedictorian from Foxworth School and received her BA degree from Vassar College in 1949, where she was elected to Phi Beta Kappa in her junior year; and

Whereas, she met and married the love of her life, Tobin Armstrong, from Armstrong, Texas in 1950, and moved to the South Texas family ranch; and

Whereas, Ambassador Armstrong and Mr. Armstrong had five wonderful children: Barclay, Katharine, Sarita, James and Tobin, Jr.; and

Whereas, during this time, Ambassador Armstrong still found time to be involved in the Republican Party becoming Chairman of the Republican National Committee from 1971-1973; and,

Whereas, in 1973, Ambassador Armstrong was named counselor to President Richard Nixon with full Cabinet status (first for a woman); and

Whereas, in 1976-77, Ambassador Armstrong was named U.S. Ambassador to Great Britain under President Gerald Ford (first for a woman); and
Whereas, Ambassador Armstrong was named chairwoman of the Foreign Intelligence Advisory Board in 1981 under President Ronald Reagan where she advised him, and later President George H. W. Bush, on matters of intelligence and foreign policy during the height of the Cold War, a position she held until 1990; and

Whereas, in 1987, to honor her career of patriotic service, Anne Armstrong received the Presidential Medal of Freedom by President Reagan who said, “Her skill and unstinting effort in the service of her country have earned her the gratitude of our nation;” and

Whereas, Anne Armstrong served on numerous Boards including General Motors, American Express, Boise Cascade, Glaxo-Wellcome and Halliburton; and

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

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

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

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

Whereas, she served with distinction as chair or co-chair on many committees of the Board and provided outstanding leadership as the Board’s special liaison to the TAMU Center for Humanities Research Development Council and the Texas Higher Education Coordinating Board; and

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

Whereas, The Texas A&M University System and the State of Texas acknowledge Anne Armstrong’s lifetime contributions to Texas higher education, Texas A&M University, the A&M System and the nation and recognize she touched the lives of many people; now, therefore, be it
Resolved, that we, the members of the Board of Regents of The Texas A&M University System, meeting on this 26th day of September 2008, express our deepest gratitude and respect for her distinguished service; and, be it, further

Resolved, that this resolution be spread upon the minutes, and copies thereof be presented to Ambassador Armstrong’s family and to the archives of The Texas A&M University System as a permanent mark of the respect of this board for the life and work of the late Ambassador Anne Legendre Armstrong and as a token of this Board’s sympathy in her family’s great loss.

Mr. Jones called on Dr. Ray Keck, President of Texas A&M International University (TAMIU) to present Item 54. The Board took action as set forth below:

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MINUTE ORDER 333-2008 (AGENDA ITEM 54)

ADOPTION OF A RESOLUTION HONORING
JOSE GARCIA, VICE PRESIDENT FOR FINANCE AND ADMINISTRATION,
TEXAS A&M INTERNATIONAL UNIVERSITY

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

Whereas, Mr. José García has served Texas A&M International University for twenty-eight years as Chief Financial Officer and Vice President for Finance and Administration; and

Whereas, Mr. García managed a budget during his time at the University which grew from $2.8 million in 1980 to $64 million in 2007; and

Whereas, Mr. García has spent two decades on the Board of Directors of the United Way of Laredo, serving as President of United Way in 2002; and

Whereas, Mr. García, embodying the best models of our University in the community, has served in diverse capacities on the Board of Mary Help of Christians School and the Laredo Kiwanis Club, Laredo Development Foundation, and Laredo Chamber of Commerce; and
Whereas, Mr. García, served as President of both state and regional professional 
groups, the Texas Association of State College and University Business Officers and the 
Southern Association of College and University Business Officers and as Board member 
of the National Association of Colleges and Universities Business Officers, providing 
leadership in business and financial management through professional development, 
networking and advocacy; and

Whereas, Mr. García has guided the formation of the intercollegiate athletics 
program at Texas A&M International University, helping secure full membership in the 
NCAA’s Division II in a record three years; and

Whereas, Mr. García has served as the campus project director for the 
construction of all 15 buildings which comprise the beautiful new Texas A&M 
International University campus; and

Whereas, Mr. García has used his extensive experience to help guide and support 
the political process by which Texas A&M International University came into being and 
continues to flourish; and

Whereas, Mr. García established in 1973 the first collegiate-level ROTC program 
in Laredo, reestablishing that program at Texas A&M International University in 2003; and

Whereas, Mr. García served as Interim President of Texas A&M International 
University in 1995-1996; and

Whereas, under Mr. García’s leadership, Texas A&M International University, 
without any additional staff, has consistently achieved top rankings for its efforts and 
support of the State of Texas Historically Underutilized Businesses (HUB) Program; 
now, therefore, be it

Resolved, that the Board of Regents of The Texas A&M University System 
congratulates Mr. José García upon his retirement from Texas A&M International 
University in Laredo, and that the Board recognizes his significant contributions toward 
the success and prosperity of both Texas A&M International University and the Laredo 
community; and, be it, further

Resolved, that the Board of Regents of The Texas A&M University System, 
meeting on this 26th day of September 2008, congratulates Mr. José García for all his 
contributions to The University System of South Texas and to The Texas A&M 
University System; and, be it, further
Resolved, that this resolution be spread upon the minutes, and copies thereof be signed by the Chairman of the Board of Regents of The Texas A&M University System, and be presented to Mr. García, President Ray Keck, and to the Archives of Texas A&M International University in Laredo as a permanent mark of this Board’s appreciation and gratitude to Mr. García for a job well done.

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Mr. Jones called on Dr. J. Patrick O’Brien, President of WTAMU, to present Item 55. The Board took action as set forth below:

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**MINUTE ORDER 334-2008 (AGENDA ITEM 55)**

**ADOPITION OF A RESOLUTION TO EXPRESS APPRECIATION TO THE 2007-2008 WEST TEXAS A&M UNIVERSITY WOMEN’S BASKETBALL TEAM, WEST TEXAS A&M UNIVERSITY**

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

Whereas, the Women’s Basketball Team finished the 2007-2008 academic year with a cumulative team grade point average of 3.557; and

Whereas, the Women’s Basketball Team placed fifth nationally in NCAA Division II team academic rankings; and

Whereas, Dixie Bell of Canyon, Texas; Anna Berthel of Prosper, Texas; Chelsea Blackshear of Levelland, Texas; Emily Brister of Amarillo, Texas; Jamie Dreiling of Lake Kiowa, Texas; Ashley Dyer of Perryton, Texas; Holly Isaacs of Brownfield, Texas; Courtney Lee of Arlington, Texas; Jenessa McKray of Sandy, Utah; Megan McLain of Channing, Texas; Cherilyn McMenamy of Canyon, Texas; Joni Unruh of Amarillo, Texas; and Mariah Willis of Odessa, Texas are the 2007-2008 WTAMU Women’s Basketball Team; now, therefore, be it

Resolved, that we, the members of the Board of Regents of The Texas A&M University System, express our heartfelt congratulations to all the members of the West Texas A&M Women’s Basketball Team for their contributions to West Texas A&M University; and, be it, further
Resolved, that this resolution be spread upon the minutes, and copies thereof be
signed by the Chairman of the Board of Regents of The Texas A&M University System,
and be presented to each member of the team and to the Archives of West Texas A&M
University as a permanent mark of this Board’s appreciation and gratitude to the team for
a job well done.

Mr. Jones called on Dr. McKinney to present Items 56, 57 and 59 through 67. The Board took action as set forth below:

(Secretary’s Note: Item 58 was withdrawn prior to the meeting.)

MINUTE ORDER 335-2008 (AGENDA ITEM 56)
GRANTING OF FACULTY DEVELOPMENT LEAVE
FOR FISCAL YEAR 2009,
TEXAS A&M UNIVERSITY-KINGSVILLE

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

The Board of Regents of The Texas A&M University System, in accordance with
System Policy 31.03, System Regulation 12.99.01 and Sections 51.101-108 of the Texas
Education Code, authorizes faculty development leave to the faculty member as shown in
Exhibit HH, a copy of which is attached to the official minutes as Faculty Development
Leave List FY 2009, Texas A&M University-Kingsville.

MINUTE ORDER 336-2008 (AGENDA ITEM 57)
GRANTING OF FACULTY DEVELOPMENT LEAVE FOR FISCAL YEAR 2009,
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

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

The Board of Regents of The Texas A&M University System, in accordance with
System Policy 31.03, System Regulation 12.99.01 and Sections 51.101-108 of the Texas
Education Code, authorizes faculty development leave to the faculty members as shown in
Exhibit II, a copy of which is attached to the official minutes as Faculty Development
Leave List FY 2009, Texas A&M University-Corpus Christi.
MINUTE ORDER 337-2008 (AGENDA ITEM 59)

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

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

The Board of Regents of The Texas A&M University System, in accordance with System Policy 12.01 (Academic Freedom, Responsibility and Tenure), hereby authorizes the granting of tenure to the following faculty members as set forth in Exhibit JJ, a copy of which is attached to the official minutes as Tenure List No. 09-01.

MINUTE ORDER 338-2008 (AGENDA ITEM 60)

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

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

In recognition of long and distinguished service to The Texas A&M University System, the Board of Regents hereby confirms the recommendation of the Chancellor, and confers the title of “Emeritus/Emerita” upon the individuals as shown in Exhibit KK, a copy of which is attached to the official minutes as Emeritus Title List No. 09-01, and grants all rights and privileges of this title.

MINUTE ORDER 339-2008 (AGENDA ITEM 61)

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

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

In accordance with System Policy 34.06 (Appointment, Commissioning and Authority of Peace Officers), the Presidents of member universities are authorized to appoint and commission campus peace officers in accordance with the requirements of the law, subject to confirmation by the Board of Regents, as shown in Exhibit LL, a copy of which is attached to the official minutes.
MINUTE ORDER 340-2008 (AGENDA ITEM 62)

APPROVAL OF APPOINTMENT
AND COMMISSIONING OF PEACE OFFICERS,
TEXAS FOREST SERVICE

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

The Board of Regents of The Texas A&M University System hereby approves the appointments of and commissions Texas Forest Service employees Raymond R. McDonald and Jarred M. Lemmon as peace officers.

MINUTE ORDER 341-2008 (AGENDA ITEM 63)

AUTHORIZATION FOR KENNETH R. HALL,
A SYSTEM EMPLOYEE TO SERVE, AS THE
CHANCELLOR'S DESIGNEE, IN HIS OFFICIAL CAPACITY AS A
MEMBER OF THE GOVERNING BOARD OR AS AN
OFFICER OF AN ENTITY FORMED FOR THE PURPOSE
OF DEVELOPMENT AND COMMERCIALIZATION OF
TECHNOLOGY OWNED BY THE TEXAS A&M UNIVERSITY SYSTEM,
TEXAS ENGINEERING EXPERIMENT STATION

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

The Board of Regents of The Texas A&M University System hereby authorizes Kenneth R. Hall, Associate Director of the Texas Engineering Experiment Station, to serve, as the Chancellor's designee, in his official capacity as a member of the governing board or as an officer of AgFuture Energy LLC, an entity formed for the purpose of development and commercialization of technology owned by The Texas A&M University System.

MINUTE ORDER 342-2008 (AGENDA ITEM 64)

APPOINTMENT OF
DR. BONNIE D. MCGEE AS ASSOCIATE DIRECTOR
FOR 4-H YOUTH DEVELOPMENT AND HUMAN SCIENCES,
TEXAS AGRILIFE EXTENSION SERVICE

On motion of Mr. Nye, seconded by Mr. White and by a unanimous vote, the following minute order was adopted:
Dr. Bonnie D. McGee is hereby appointed Associate Director for 4-H, Youth Development and Human Sciences of Texas AgriLife Extension Service of The Texas A&M University System, effective October 1, 2008, at an annual salary of $130,000.

**MINUTE ORDER 343-2008 (AGENDA ITEM 65)**

**APPOINTMENT OF DR. DARRELL A. DROMGOOLE AS ASSOCIATE DIRECTOR FOR COUNTY PROGRAMS, TEXAS AGRILIFE EXTENSION SERVICE**

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

Dr. Darrell A. Dromgoole is hereby appointed Associate Director for County Programs of the Texas AgriLife Extension Service of The Texas A&M University System, effective October 1, 2008, at an initial salary of $127,000.

**MINUTE ORDER 344-2008 (AGENDA ITEM 66)**

**APPOINTMENT OF DR. PETE G. GIBBS AS ASSOCIATE DIRECTOR FOR AGRICULTURE, NATURAL RESOURCES AND COMMUNITY ECONOMIC DEVELOPMENT, TEXAS AGRILIFE EXTENSION SERVICE**

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

Dr. Pete G. Gibbs is hereby appointed Associate Director for Agriculture, Natural Resources, and Community Economic Development of the Texas AgriLife Extension Service of The Texas A&M University System, effective October 1, 2008, at an initial salary of $155,000.

**MINUTE ORDER 345-2008 (AGENDA ITEM 67)**

**AUTHORIZATION TO EXECUTE AMENDED EMPLOYMENT CONTRACT FOR JOLEEN EVAN, HEAD SOFTBALL COACH, TEXAS A&M UNIVERSITY**

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

Joleen Evans – Head Softball Coach

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ANNOUNCEMENTS

Mr. Jones asked if there were any announcements.

Dr. Strawser thanked the regents for the opportunity to go to Kingsville, and Dr. Murano for allowing him to go and then accepting him back. He also thanked the wonderful people at TAMU-K, and the town of Kingsville, especially Regent Steen and her family who made him feel welcome. Dr. Strawser invited the Regents to visit the campus so that they could see what had been done and meet the extraordinary students. He said that he was confident that Dr. Tallant would take the university to even greater heights.

Mr. Jones said that they appreciated Dr. Strawser for taking on the task of going to Kingsville and lending a hand when it was needed.

Mr. Jones asked if there was any new business to be presented to the Board. There was none. He announced that the next regular meeting was scheduled for December 4-5, 2008, on the campus of TAMU.

ADJOURNMENT

On motion of Mr. Nye, seconded by Mr. Fraga and by a unanimous vote, the meeting was adjourned at 12:00 p.m.

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

VBS:jb
RESOLUTION ESTABLISHING
THE BOARD OF REGENTS OF
THE TEXAS A&M UNIVERSITY SYSTEM
PERMANENT UNIVERSITY FUND
COMMERCIAL PAPER PROGRAM

Adopted September 26, 2008
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A RESOLUTION establishing an interim financing program; approving and authorizing the issuance of obligations in an aggregate principal amount at any one time outstanding of not to exceed $125,000,000 to provide interim financing to pay Project Costs for Eligible Projects; authorizing such obligations to be issued, sold and delivered as commercial paper notes, and prescribing the terms, features, and characteristics of such notes; approving and authorizing certain authorized officers and employees to act on behalf of the Board of Regents of The Texas A&M University System in the selling and delivery of such notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, security, and delivery of such notes; and providing an effective date.

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 Section 18 of Article VII of the Constitution of the State of Texas and Chapter 1371, Texas Government Code; and

WHEREAS, Section 18 of Article VII of the Texas Constitution authorizes the Board to issue bonds and notes not to exceed a total amount of ten percent (10%) of the cost value of investments and other assets of the Permanent University Fund (defined herein) (exclusive of real estate) at the time of issuance thereof, and to pledge all or any part of its 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 administration and certain member institutions of the System; and

WHEREAS, the Board, by this resolution (this “Resolution”), has determined to authorize the issuance of its Commercial Paper Notes (defined herein) authorized to be outstanding at any one time in an aggregate principal amount not to exceed $125,000,000, in order to provide interim financing to pay Project Costs (defined herein) for Eligible Projects (defined herein) and to refinance, renew, or refund Commercial Paper Notes and other Permanent University Fund Obligations (defined herein), all as herein provided; and

WHEREAS, the Commercial Paper Notes authorized hereby shall be secured in part by the Available University Fund Share, such lien and pledge thereof being of equal rank and dignity with the pledge thereof securing the payment of the Flexible Rate Notes but junior and subordinate to the lien and pledge thereof securing the payment of Fund Priority Obligations (defined herein) outstanding on or after the date of issuance of the Commercial Paper Notes; and

WHEREAS, the Board hereby finds that the purposes for which the Board may issue such Commercial Paper Notes constitute “eligible projects,” as contemplated by Chapter 1371, Texas Government Code; and
WHEREAS, arrangements relating to the interim financing program have been settled and the Board hereby finds and determines that the issuance of such Commercial Paper Notes, subject to the terms, conditions, and limitations hereinafter prescribed, should be approved and authorized at this time;

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

ARTICLE I
DEFINITIONS AND CONSTRUCTION OF TERMS

Section 1.01 Definitions. Unless the context shall indicate a contrary meaning or intent, the terms below defined, for all purposes of this Resolution or any resolution amendatory or supplemental hereto, shall be construed, are used and are intended to have the following meanings, to-wit:

“Acts” shall mean, collectively, the Constitutional Provision and Chapter 1371, Texas Government Code, as amended.

“Advances” shall mean advances or loans under a Promissory Note pursuant to a Liquidity Agreement for purposes of refunding Commercial Paper Notes.

“Approved Swap Agreement” shall mean each agreement authorized by the Board constituting a “credit agreement” under Chapter 1371, Texas Government Code, as amended, in relation to the payment or exchange of payments on Notes or other Permanent University Fund Obligations.

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

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

“Bank” shall mean any lender or other financial institution which becomes a party to or executes a Liquidity Agreement.

“Board” shall mean the Board of Regents of the System.
“Bond Counsel” shall mean McCall, Parkhurst & Horton L.L.P. or any other attorney or firm of attorneys nationally recognized as experienced in the field of bonds of governmental issuers and appointed by the Board.

“Bond Resolutions” shall mean, collectively, the resolutions authorizing any Fund Priority Obligations.

“Business Day” shall mean any day (a) when banks are open for business in Austin, Texas, and (b) when banks are not authorized to be closed in New York, New York.

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

“Commercial Paper Note” shall mean a commercial paper note issued pursuant to the provisions of this Resolution, having the terms and characteristics specified in Section 2.02 and in the form described in Exhibit A to this Resolution.

“Commercial Paper Construction Fund” shall have the meaning given to such term in Section 2.13.

“Commercial Paper Note Payment Fund” shall have the meaning given to such term in Section 2.10.

“Comptroller” shall mean the Comptroller of Public Accounts of the State or any successor thereto.

“Constitutional Provision” shall mean 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 amendment to the Constitution of the State relating to the Permanent University Fund hereafter approved by the voters of the State.

“Dealer” shall mean each dealer appointed by the Board pursuant to Section 3.04 and any successor thereto.

“Dealer Agreement” shall mean each dealer agreement executed and delivered by the Board and a Dealer pursuant to Section 3.04, as each such agreement may be amended from time to time pursuant to the terms thereof.

“Defeasance Obligations” shall mean (a) direct noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (b) 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 the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (c) 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 issuance of
refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

“DTC” shall mean The Depository Trust Company or any substitute securities depository appointed pursuant to this Resolution, or any nominee of either.

“DTC Letter of Representations” shall mean the Letter of Representations between the Board and DTC approved pursuant to Section 2.05(b) of this Resolution.

“DTC Participant” shall mean a member of, or the participant in, DTC that will act on behalf of a Holder.

“Eligible Project” shall mean 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” shall not include the construction, equipping, repairing, or rehabilitating of buildings or other permanent improvements that are to be used for student housing, intercollegiate athletics, or auxiliary enterprises.

“Fiscal Year” shall mean the twelve-month operational period of the System commencing on September 1 of each year and ending on the following August 31.

“Flexible Rate Notes” shall mean The Board of Regents of The Texas A&M University System Permanent University Fund Flexible Rate Notes authorized to be issued in the maximum aggregate principal amount of $125,000,000 at any one time outstanding, pursuant to the Flexible Rate Notes Resolution.

“Flexible Rate Notes Resolution” shall mean the resolution adopted by the Board on March 24, 2005 and amended on January 27, 2006 authorizing the issuance of the Flexible Rate Notes, as such resolution may be amended from time to time.

“Fund Priority Obligations” shall mean the Outstanding Parity Bonds and any other obligations issued by the Board pursuant to the Constitutional Provision which are secured by and payable from a lien on and pledge of the Available University Fund Share prior in rank and dignity to the lien and pledge securing the payment of the Notes.

“Holder” or “Noteholder” shall mean the Registered Owner or any person, firm, association, or corporation who is in possession of any Note issued to bearer or in blank.

“Interest and Sinking Fund” shall mean the “Board of Regents of The Texas A&M University System Permanent University Fund Bonds Interest and Sinking Fund,” as further described in Section 2.12.

“Issuing and Paying Agent” and “Registrar” shall mean with respect to the Commercial Paper Notes the agent appointed pursuant to Section 2.05, or any successor to such agent.

“Issuing and Paying Agent Agreement” shall mean the issuing and paying agent agreement authorized to be entered into by Section 3.03, as from time to time amended or supplemented.
"Liquidity Agreement" shall mean a Liquidity Agreement entered into with respect to Commercial Paper Notes as authorized by Section 2.08 of this Resolution. A Liquidity Agreement may be a standby bond purchase agreement, letter of credit, line of credit or similar agreement, but excludes the Note Purchase Agreement.

"Master Note" shall have the meaning given to such term in Section 2.05.

"Maximum Interest Rate" shall mean the lesser of (a) fifteen percent (15%) per annum and (b) the maximum net effective interest rate permitted by law to be paid on obligations issued or incurred by the Board in the exercise of its borrowing powers (prescribed by Chapter 1204, Texas Government Code, or any successor provision).

"Maximum Maturity Date" shall mean September 1, 2038.

"Note" or "Notes" shall mean the evidences of indebtedness authorized to be issued and at any time outstanding pursuant to this Resolution and shall include Commercial Paper Notes (including the Master Notes) or Promissory Notes as appropriate.

"Note Date" shall have the meaning given to such term in Section 2.02.

"Note Purchase Agreement" means the agreement executed pursuant to Section 4.02 of this Resolution between the Board and The University of Texas Investment Management Company, as investment manager of the Permanent University Fund, to manage the Board's liquidity obligations under this Resolution.

"Outstanding Parity Bonds" shall mean, collectively, the following outstanding obligations of the Board:

The Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series 1998, dated August 1, 1998, and issued in the aggregate original principal amount of $92,520,000;

The Board of Regents of The Texas A&M University System Permanent University Fund Refunding Bonds, Series 2003, dated March 1, 2003, and issued in the aggregate original principal amount of $102,645,000;

The Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series 2004, dated August 1, 2004, and issued in the aggregate original principal amount of $79,715,000; and

The Board of Regents of The Texas A&M University System Permanent University Fund Bonds, Series 2006, dated July 1, 2006, and issued in the aggregate original principal amount of $165,940,000.

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

“Project Costs” shall mean all costs and expenses incurred in relation to Eligible Projects, 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; financing costs, including interest and payments on credit agreements during construction and thereafter, underwriter’s discount and/or fees, legal, financial, and other professional services; any amounts due and payable under an Approved Swap Agreement; and reimbursement for any such Project Costs incurred prior to the issuance of any Commercial Paper Notes.

“Promissory Note” shall mean a promissory note described in Section 2.09 and issued pursuant to the provisions of this Resolution and a Liquidity Agreement in evidence of Advances made by a Bank to refund any Commercial Paper Note, or the interest thereon, having the terms and characteristics contained in such Liquidity Agreement and issued in accordance therewith, including any renewals or modifications thereof.

“Rating Agency” shall mean each nationally recognized securities rating agency which at the time has a credit rating assigned to the Commercial Paper Notes at the request of the Board.

“Registered Owner” shall mean the person or entity in whose name any Commercial Paper Note is registered in the Registration Books.

“Registration Books” shall mean the books or records relating to the registration, payment, and transfer or exchange of the Commercial Paper Notes maintained by the Issuing and Paying Agent pursuant to Section 2.10.

“Resolution” shall mean this resolution and any amendment, modification, or supplement hereto as permitted hereby.

“Short Term Obligations” shall mean bonds or other evidences of indebtedness hereafter issued and incurred by the Board (other than the Notes) payable from the same sources, or any portion of such sources, securing the payment of the Notes and equally and ratably secured by a parity lien on and pledge of such sources securing the Notes, or any portion thereof.

“State” shall mean the State of Texas.

“System” shall mean The Texas A&M University System.

“System Special Account” shall mean The State Comptroller - Texas A&M University System Special Account heretofore established by the Comptroller in the Treasury of the State of Texas pursuant to the Trust Agreement.
"Tax-Exempt Note" shall mean any Commercial Paper Note, the interest on which is excludable from gross income for federal income tax purposes.

"Taxable Note" shall mean any Commercial Paper Note, the interest on which is not excludable from gross income for federal income tax purposes.

"Trust Agreement" shall mean that certain "Amended and Restated Trust Agreement", dated as of December 6, 2002, by and between the Board and the Comptroller, acting by and through the Texas Treasury Safekeeping Trust Company, pursuant to which the Comptroller has agreed to act as the Board's trustee with respect to the Flexible Rate Notes for the purpose of investing and collateralizing funds in the System Special Account.

Section 1.02 Recitals, Table of Contents, Titles and Headings. The terms and phrases used in the recitals of this Resolution have been included for convenience of reference only and the meaning, construction, and interpretation of such terms and phrases for purposes of this Resolution shall be determined solely by reference to Section 1.01 of this Resolution. The table of contents, titles, and headings of the articles and section 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 and shall never be considered or given any effect in construing this Resolution or any provision hereof or in ascertaining intent, if any question of intent should arise.

Section 1.03 Interpretation. Unless the context requires otherwise, words of the singular number used in this Resolution shall be construed to include correlative words of the plural number and vice versa, and words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa. References in this Resolution to numbered Articles, Sections or portions thereof shall refer to the respective Articles and Sections of the Resolution, unless expressly specified otherwise. The terms "hereof," "herein," "hereunder," and similar terms shall refer to this Resolution as a whole and not to any particular provision of this Resolution. This Resolution and all the terms and provisions hereof shall be liberally construed to effectuate the provisions set forth herein and to sustain the validity of this Resolution.

ARTICLE II
AUTHORIZATION OF NOTES

Section 2.01 General Authorization. Pursuant to authority conferred by and in accordance with the provisions of the Constitution and laws of the State of Texas, particularly the Acts, Commercial Paper Notes shall be and are hereby authorized to be issued in an aggregate principal amount not to exceed One Hundred Twenty Five Million Dollars ($125,000,000) at any one time outstanding (as Tax-Exempt Notes, Taxable Notes, or any combination thereof) for the purpose of financing Project Costs of Eligible Projects and to refinance, renew, or refund Notes and other Permanent University Fund Obligations, including interest thereon all in accordance with and subject to the terms, conditions, and limitations contained herein; provided that the maximum aggregate principal amount of Commercial Paper Notes that may be issued under this Resolution shall be reduced by the aggregate principal amount of all then outstanding Promissory Notes. For purposes of this Section, any portion of outstanding Notes to be paid from money on deposit in the Commercial Paper Note Payment Fund or the System Special Account and from the available
proceeds of Notes, or other Permanent University Fund Obligations on the day of calculation shall not be considered outstanding. The authority to issue Notes from time to time under the provisions of this Resolution shall exist until the Maximum Maturity Date, regardless of whether at any time prior to the Maximum Maturity Date there are any Commercial Paper Notes Outstanding. As determined by an Authorized Representative in accordance with Section 2.02 and Section 3.01(c) hereof for each issuance of Commercial Paper Notes, such Commercial Paper Notes shall be issued either as (i) Tax-Exempt Notes, 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 or (ii) Taxable Notes, the interest on which is includable in the gross income of the owners thereof for federal income tax purposes. Commercial Paper Notes issued as Tax-Exempt Notes shall be designated “Board of Regents of The Texas A&M University System Permanent University Fund Commercial Paper Notes, Series A” and Commercial Paper Notes issued as Taxable Notes shall be designated as “Board of Regents of The Texas A&M University System Permanent University Fund Taxable Commercial Paper Notes, Series A”.

In connection with the refinancing or refunding of Notes and other Permanent University Fund Obligations through the issuance of Commercial Paper Notes, such Notes and other Permanent University Fund Obligations shall qualify as "obligations" as such term is defined in the Acts at the time any such refinancing or refunding occurs. The Notes and Other Permanent University Fund Obligations to be so refinanced or refunded shall be selected by the Board or as determined by an Authorized Representative.

Section 2.02 Commercial Paper Notes. Under and pursuant to the authority granted hereby and subject to the limitations contained herein, Commercial Paper Notes are hereby authorized to be issued, sold and delivered from time to time in such principal amounts as determined by an Authorized Representative in denominations of $100,000 or in integral multiples of $1,000 in excess thereof, numbered in ascending consecutive numerical order in the order of their issuance, and shall mature and become due and payable on such dates as an Authorized Representative shall determine at the time of sale; provided, however, that no Commercial Paper Note shall (i) mature after the Maximum Maturity Date or (ii) have a term in excess of 270 calendar days.

Subject to the limitations contained herein, Commercial Paper Notes herein authorized shall be dated as of their date of issuance (the “Note Date”) and shall bear no interest or bear interest at such rate or rates per annum or computed pursuant to such formula and on such basis (but in no event to exceed the Maximum Interest Rate in effect on the date of issuance thereof), as may be determined by an Authorized Representative. Interest, if any, on Commercial Paper Notes shall be payable at maturity. Commercial Paper Notes may be payable to bearer, may be issued in registered form, without coupons, or may be issued in book-entry-only form pursuant to Section 2.05(b) as determined by an Authorized Representative. Commercial Paper Notes may be issued as Tax-Exempt Notes or as Taxable Notes as determined by an Authorized Representative. Both principal of and interest on the Commercial Paper Notes shall be payable in lawful money of the United States of America, without exchange or collection charges to the Holder thereof in the manner provided in the Form of Commercial Paper Note set forth in Exhibit A to this Resolution.
Commercial Paper Notes issued hereunder may contain terms and provisions for the redemption or prepayment thereof prior to maturity, subject to any applicable limitations contained herein, as provided herein or otherwise as shall be determined by an Authorized Representative.

Subject to applicable terms, limitations, and procedures contained herein, the Commercial Paper Notes may be sold in such manner at public or private sale and at par or at such discount or premium (within the interest rate and yield restrictions provided herein, as applicable) as an Authorized Representative shall approve at the time of the sale thereof; provided, however, that if any Commercial Paper Notes are required to be sold through competitive bidding, such Commercial Paper Notes shall be sold in accordance with the procedures set forth in Section 3.01.

Section 2.03  Form of Commercial Paper Note. (a) If not issued in book-entry only form, the Commercial Paper Notes and the Certificate of Authentication to appear on each of the Commercial Paper Notes shall be substantially in the form set forth in Exhibit A to this Resolution with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Resolution and may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Banks Association) (“CUSIP” numbers) and such legends and endorsements thereon as may, consistently herewith, be approved by an Authorized Representative. Any portion of the text of any Commercial Paper Notes may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Commercial Paper Notes and the Commercial Paper Notes shall be printed, lithographed, or engraved or produced in any other similar manner, or typewritten, all as determined and approved by an Authorized Representative.

(b) If the Commercial Paper Notes are issued in book-entry only form pursuant to Section 2.05(b), they shall be issued in the form of a Master Note for Tax-Exempt Notes and a Master Note for Taxable Notes in substantially the forms attached as Exhibit B hereto, or such other forms as are required by DTC, to which there shall be attached the form of Commercial Paper Note set forth in Exhibit A and it is hereby declared that the provisions of Exhibit A are incorporated into and shall be a part of the applicable Master Note. It is further provided that this Resolution and the form of Commercial Paper Note set forth in Exhibit A shall constitute the “underlying records” referred to in each Master Note. In addition, whenever the beneficial ownership of the Commercial Paper Notes is determined by a book-entry at DTC, the Issuing and Paying Agent may, without further approval from the Board or an Authorized Representative, place such letters, numbers, marks of identification, legends and endorsements on the Commercial Paper Notes and Master Notes as are necessary to satisfy the requirements of DTC. Notwithstanding the provisions of Section 2.04, each Master Note shall be executed on behalf of the Board by the manual signature of the Chairman or Vice-Chairman of the Board.

Section 2.04  Execution and Authentication. The Notes shall be executed on behalf of the Board by the Chairman or Vice Chairman of the Board under its seal reproduced or impressed thereon and attested by the Executive Secretary to the Board. The signature of said officers on the Notes may be manual or facsimile. Notes bearing the manual or facsimile signatures of individuals who are or were the proper officers of the Board on the date of passage of this Resolution shall be deemed to be duly executed on behalf of the Board, notwithstanding that such individuals or either of them shall cease to hold such offices at the time of the initial sale and delivery of Notes
authorized to be issued hereunder and with respect to Notes delivered in subsequent sales, exchanges, and transfers, all as authorized and provided in Chapter 1201, Texas Government Code.

Other than pursuant to Section 2.03(b), no Commercial Paper Note shall be entitled to any right or benefit under this Resolution, or be valid or obligatory for any purpose, unless there appears on such Commercial Paper Note a certificate of authentication substantially in the form provided in Exhibit A to this Resolution, executed by the Issuing and Paying Agent by manual signature, and such certificate upon any Commercial Paper Note shall be conclusive evidence, and the only evidence, that such Commercial Paper Note has been duly certified or registered and delivered.

Section 2.05 Issuing and Paying Agent and Book-Entry Only System.

(a) Issuing and Paying Agent. The selection and appointment of U.S. Bank Trust, N.A., New York, New York, to serve as the initial Issuing and Paying Agent for the Notes is hereby confirmed. The Board covenants and agrees to keep and maintain the Registration Books at the office of the Issuing and Paying Agent, all as provided herein and pursuant to such reasonable rules and regulations as the Issuing and Paying Agent may prescribe. The Board covenants to maintain and provide an Issuing and Paying Agent at all times while the Notes are outstanding, which, if it is not acting in such capacity, shall be a national or state banking association or corporation organized and doing business under the laws of the United States of America or of any State and authorized under such laws to exercise trust powers. Should a change in the Issuing and Paying Agent for the Commercial Paper Notes occur, the Board agrees to promptly cause a written notice thereof to be (i) sent to each Registered Owner, if any, of the Commercial Paper Notes then outstanding by United States mail, first class, postage prepaid and (ii) published in a financial newspaper or journal of general circulation in The City of New York, New York, once during each calendar week for at least two calendar weeks; provided, however, that the publication of such notice shall not be required if notice is given to each Registered Owner in accordance with clause (i) above. Such notice shall give the address of the successor Issuing and Paying Agent. A successor Issuing and Paying Agent may be appointed without the consent of the Holders. Should the Issuing and Paying Agent resign or be removed, such resignation or removal shall not be effective until a successor Issuer and Paying Agent has been appointed by the Board and such appointment has been accepted.

Subject to the provisions of Section 2.03(b) hereof, the Board and the Issuing and Paying Agent may treat the bearer (in the case of Commercial Paper Notes so registered) or the Registered Owner of any Commercial Paper Note as the absolute owner thereof for the purpose of receiving payment thereof and for all purposes, and, to the extent permitted by law, the Board and the Issuing and Paying Agent shall not be affected by any notice or knowledge to the contrary.

A copy of the Registration Books and any change thereto shall be provided to the Board by the Issuing and Paying Agent, by means of telecommunications equipment or such other means as may be mutually agreeable thereto, within two Business Days of the opening thereof or any change therein, as the case may be.

(b) Book-Entry Only System. The Board has determined to issue the Commercial Paper Notes initially in book-entry form and has determined to appoint DTC to serve as the initial securities depository for the Commercial Paper Notes and to maintain a book-entry only system of recording the ownership and transfer of ownership of beneficial interests in the Commercial Paper
Notes in accordance with this Section. Notwithstanding any other provision of this Resolution to the contrary, (i) no physical Note certificates will be delivered to DTC and (ii) the Board will execute and deliver to the Issuing and Paying Agent, as custodian for DTC, a master note relating to the Commercial Paper Notes issued as Tax-Exempt Notes and a separate master note relating to Commercial Paper Notes issued as Taxable Notes (each, a “Master Note”) in substantially the form set forth in Exhibit B, or such other forms as are required by DTC. Except as provided herein, the ownership of the Commercial Paper Notes shall be registered in the name of Cede & Co., as nominee of DTC, which will serve as the initial securities depository for the Commercial Paper Notes. Ownership of beneficial interests in the Commercial Paper Notes shall be shown by book entry on the system maintained and operated by DTC and DTC participants, and transfers of ownership of beneficial interests shall be made only by DTC and the DTC participants by book entry, and the Board and the Issuing and Paying Agent shall have no responsibility therefor. DTC will be required to maintain records of the positions of the DTC participants in the Commercial Paper Notes, and the DTC participants and persons acting through the DTC participants will be required to maintain records of the purchasers of beneficial interests in the Commercial Paper Notes. Except as provided in subsection (b)(i) of this Section, the Commercial Paper Notes shall not be transferable or exchangeable, except for transfer to another securities depository or to another nominee of a securities depository.

With respect to Commercial Paper Notes registered in the name of DTC or its nominee, neither the Board nor the Issuing and Paying Agent shall have any responsibility or obligation to any DTC Participant or to any person on whose behalf a DTC Participant holds an interest in the Commercial Paper Notes. Without limiting the immediately preceding sentence, neither the Board nor the Issuing and Paying Agent shall have any responsibility or obligation with respect to (i) the accuracy of the records of DTC or any DTC Participant with respect to any ownership interest in the Commercial Paper Notes, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of the Commercial Paper Notes, as shown on the Registration Books, of any notice with respect to the Commercial Paper Notes, including any notice of redemption, and (iii) the payment to any DTC Participant or any other person, other than a registered owner of the Commercial Paper Notes, as shown in the Registration Books, of any amount with respect to principal of and premium, if any, or interest on the Commercial Paper Notes.

Whenever, during the term of the Commercial Paper Notes, the beneficial ownership thereof is determined by a book entry at DTC, the requirements in this Resolution of holding, registering, delivering, exchanging, or transferring the Commercial Paper Notes shall be deemed modified to require the appropriate person or entity to meet the requirements of DTC as to holding, registering, delivering, exchanging, or transferring the book entry to produce the same effect.

In the event that (i) DTC determines not to continue to act as securities depository for the Commercial Paper Notes (which determination shall become effective not less than 90 days after written notice to such effect is given to the Board and the Issuing and Paying Agent); (ii) the Board or the Issuing and Paying Agent determines (which determination is conclusive as to DTC, any DTC Participant, and the beneficial owners of the Notes) that DTC is incapable of discharging its responsibilities described herein and in the DTC Letter of Representations; or (iii) the Board or the Issuing and Paying Agent determines (which determination is conclusive as to DTC, any DTC Participant and the beneficial owners of the Commercial Paper Notes) that it is in the best interests
of the beneficial owners of the Commercial Paper Notes not to continue DTC’s book-entry only system of transfer for the Commercial Paper Notes, then the Board shall use its best efforts to appoint a successor securities depository, qualified to act as such under Section 17A of the Securities Exchange Act of 1934, as amended. In the event of such an appointment, the Board shall notify (A) DTC of the appointment of such successor securities depository and transfer one or more separate Commercial Paper Notes to such successor securities depository or (B) DTC Participants of the availability through DTC of Commercial Paper Notes and transfer one or more separate Commercial Paper Notes to DTC Participants having Commercial Paper Notes credited to their DTC accounts. In such event, the Master Notes and Commercial Paper Notes 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 registered owners transferring or exchanging Commercial Paper Notes shall designate, in accordance with the provisions of this Resolution. If at any time, DTC ceases to hold the Master Notes or the Commercial Paper Notes in book-entry only form, all references herein to DTC shall be of no further force or effect.

In the event that the Board fails to appoint a successor securities depository for the Commercial Paper Notes, the Board shall execute and cause to be authenticated and delivered physical certificates in the form set forth in Exhibit A shall be provided to the beneficial owners of the Commercial Paper Notes.

Notwithstanding any other provision of this Resolution to the contrary, as long as the Master Notes or the Commercial Paper Notes are registered in the name of Cede & Co., as nominee of DTC, (i) all payments with respect to the principal of and interest on the Commercial Paper Notes and all notices with respect to such Commercial Paper Notes shall be made and given, respectively, in the manner provided in the DTC Letter of Representations; (ii) the requirements of this Resolution of holding, registering, delivering, exchanging, or transferring the Commercial Paper Notes shall be deemed modified to require the appropriate person or entity to meet the requirements of DTC as to holding, registering, delivering, exchanging or transferring the book-entry to produce the same effect; and (iii) delivery of the Master Notes and the Commercial Paper Notes will be in accordance with arrangements among the Board, the Issuing and Paying Agent, and DTC.

The terms and provisions of the DTC Letter of Representations and the Master Note are hereby approved.

Section 2.06 Negotiability, Registration, and Exchangeability. The Notes shall be, and shall have all of the qualities and incidents of a negotiable instrument under the laws of the State of Texas, and each successive Holder, on accepting any of the obligations, shall be conclusively deemed to have agreed that such obligations shall be and have all of the qualities and incidents of a negotiable instrument under the laws of the State.

Registration Books relating to the registration, payment, and transfer or exchange of the Commercial Paper Notes shall at all times be kept and maintained by the Board at the office of the Issuing and Paying Agent, and the Issuing and Paying Agent shall obtain, record, and maintain in the Registration Books the name, and to the extent provided by or on behalf of the Holder, the address of each Holder of the Commercial Paper Notes, except for Commercial Paper Notes registered to bearer. A copy of the Registration Books shall be provided to and held by the Board in the manner
provided in Section 2.05 hereof. Any Commercial Paper Note may, in accordance with its terms and the terms hereof, be transferred or exchanged for Commercial Paper Notes of like tenor and character and of other authorized denominations upon the Registration Books by the Holder in person or by his duly authorized agent, upon surrender of such Commercial Paper Note to the Issuing and Paying Agent for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Registrar.

Upon surrender for transfer of any Commercial Paper Note at the designated office of the Registrar, the Issuing and Paying Agent shall register and deliver, in the name of the designated transferee or transferees, one or more new Commercial Paper Notes executed on behalf of, and furnished by, the Board of like tenor and character and of authorized denominations and having the same maturity, bearing interest at the same rate and of a like aggregate principal amount as the Commercial Paper Note or Commercial Paper Notes surrendered for transfer.

Furthermore, Commercial Paper Notes may be exchanged for other Commercial Paper Notes of like tenor and character and of authorized denominations and having the same maturity, bearing the same rate of interest and of like aggregate principal amount as the Commercial Paper Notes surrendered for exchange, upon surrender of the Commercial Paper Notes to be exchanged at the designated office of the Registrar. Whenever any Commercial Paper Notes are so surrendered for exchange, the Issuing and Paying Agent shall register and deliver new Commercial Paper Notes of like tenor and character as the Commercial Paper Notes exchanged, executed on behalf of and furnished by, the Board to the Holder requesting the exchange.

The Board and the Issuing and Paying Agent may charge the Holder a sum sufficient to reimburse them for any expenses incurred in making any exchange or transfer after the first such exchange or transfer. The Issuing and Paying Agent or the Board may also require payment from the Holder of a sum sufficient to cover any tax, fee, or other governmental charge that may be imposed in relation thereto. Such charges and expenses shall be paid before any such new Commercial Paper Note shall be delivered.

The Board and the Issuing and Paying Agent shall not be required to transfer or exchange any Commercial Paper Note selected, called, or being called for redemption in whole or in part.

New Commercial Paper Notes delivered upon any transfer or exchange shall be valid special obligations of the Board, evidencing the same debt as the Commercial Paper Notes surrendered, shall be secured by this Resolution and shall be entitled to all of the security and benefits hereof to the same extent as the Commercial Paper Notes surrendered.

The Board reserves the right to change the above registration and transferability provisions of the Commercial Paper Notes at any time on or prior to the delivery thereof in order to comply with applicable laws and regulations of the United States in effect at the time of issuance thereof. In addition, to the extent that the provisions of this Section conflict with or are inconsistent with the provisions of the Form of Commercial Paper Note set forth in Exhibit A, such other provisions shall control.
Section 2.07 Commercial Paper Notes Mutilated, Lost, Destroyed, or Stolen. If any Commercial Paper Note shall become mutilated, the Board, at the expense of the Holder of said Commercial Paper Note, shall execute and the Issuing and Paying Agent shall authenticate and deliver a new Note of like tenor and number in exchange and substitution for the Commercial Paper Note so mutilated, but only upon surrender to the Issuing and Paying Agent of the Commercial Paper Note so mutilated. If any Commercial Paper Note shall be lost, destroyed, or stolen, evidence of such loss, destruction, or theft may be submitted to the Board and the Issuing and Paying Agent. If such evidence be satisfactory to them and indemnity satisfactory to them shall be given, the Board, at the expense of the Holder, shall execute and the Issuing and Paying Agent shall authenticate and deliver a new Commercial Paper Note of like tenor in lieu of and in substitution for the Commercial Paper Note so lost, destroyed, or stolen. In the event any such Commercial Paper Note shall have matured, the Issuing and Paying Agent instead of issuing a duplicate Commercial Paper Note may pay the same without surrender thereof after making such requirement as it deems fit for its protection, including a lost instrument bond. Neither the Board nor the Issuing and Paying Agent shall be required to treat both the original Commercial Paper Note and any duplicate Commercial Paper Note as being outstanding for the purpose of determining the principal amount of Commercial Paper Notes which may be issued hereunder, but both the original and the duplicate Commercial Paper Note shall be treated as one and the same. The Board and the Issuing and Paying Agent may charge the Holder of such Commercial Paper Note with their reasonable fees and expenses for such service.

Section 2.08 Liquidity Agreements. The Board reserves the right to enter into one or more Liquidity Agreements to provide liquidity for all or a part of the Commercial Paper Notes to be outstanding under this Resolution.

Section 2.09 Promissory Notes. The Board reserves the right to authorize one or more Promissory Notes to evidence Advances under Liquidity Agreements and such Promissory Notes shall be on a parity and of equal dignity with the Commercial Paper Notes.

Section 2.10 Commercial Paper Note Payment Fund. There is hereby established with the Issuing and Paying Agent a separate and special fund designated as the “Board of Regents of The Texas A&M University System Permanent University Fund, Commercial Paper Note Payment Fund” (the “Commercial Paper Note Payment Fund”). The proceeds from the sale of Fund Priority Obligations issued for the purpose of refunding and retiring Notes shall be paid to the Issuing and Paying Agent for deposit to the credit of the Commercial Paper Note Payment Fund and used for such purpose. In addition, all amounts required to be deposited by the Board pursuant to Section 2.11 shall be paid to the Issuing and Paying Agent for deposit to the Commercial Paper Note Payment Fund and shall be used to pay principal of, premium, if any, and interest on Notes at the respective interest payment, maturity or redemption of such Notes as provided herein, including the repayment of any amounts owed with respect to the Promissory Notes in evidence of Advances under Liquidity Agreements. In the event no Notes are outstanding, any amounts remaining in the Commercial Paper Note Payment Fund not then necessary for the purposes thereof shall be transferred to the Interest and Sinking Fund at the written direction of an Authorized Representative.

Additionally, all Advances under a Liquidity Agreement shall be paid to the Issuing and Paying Agent for the account of the Board and deposited into Commercial Paper Note Payment
Fund and used to pay the principal of, premium, if any, and interest on the Commercial Paper Notes.

Pending the expenditure of moneys in the Commercial Paper Note Payment Fund for authorized purposes, moneys deposited therein 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. Any income received from investments in the Commercial Paper Note Payment Fund shall be retained in the Commercial Paper Note Payment Fund.

Section 2.11 Pledge of Revenues: Payment.

(a) The Notes are special obligations of the Board payable from and secured solely by the funds pledged therefor pursuant to this Resolution. The Board agrees to make payments into the Commercial Paper Note Payment Fund at such times and in such amounts as are necessary to provide for the full payment of the principal of, premium, if any, and interest on the Notes as the same shall become due and payable. Payments from the Commercial Paper Note Payment Fund shall be made from the first moneys deposited therein. Unless paid from the proceeds from the sale of Notes or other Permanent University Fund Obligations, such payments are to be made from the amounts required to be deposited in the Commercial Paper Note Payment Fund. Notwithstanding any other provision of this Resolution to the contrary, the Board reserves the right to pay the principal of, premium if any, and interest on the Notes from any lawfully available source.

(b) To provide security for the payment of the principal of, premium, if any, and interest on the Notes as the same shall come due and payable, there is hereby pledged, subject only to the provisions of this Resolution permitting the application thereof for purposes and on the terms and conditions set forth herein, (i) the proceeds from (A) the sale of the Fund Priority Obligations or Short Term Obligations or other obligations of the Board under the Constitutional Provision issued for such purpose and (B) the sale of Commercial Paper Notes issued pursuant to this Resolution for such purpose; (ii) the amounts held in the Commercial Paper Note Payment Fund and the System Special Account, such pledge of amounts held in the System Special Account being of equal rank and dignity with the pledge thereof securing the Flexible Rate Notes; and (iii) the Available University Fund Share, such pledge of the Available University Fund Share being of equal rank and dignity with the pledge thereof securing the payment of the Flexible Rate Notes but subordinate to the pledge thereof securing the payment of Fund Priority Obligations as described in Section 2.12, and it is hereby resolved and declared that the principal of, premium, if any, and interest on the Notes shall be, and hereby are, equally and ratably secured by and payable from a lien on and pledge of the sources hereinafter identified in clauses (i), (ii), and (iii) subject and subordinate only to the exceptions noted therein.

(c) An Authorized Representative shall implement the procedures necessary to make an Advance under a Liquidity Agreement, if in effect, if there is not anticipated to be lawfully available funds in an amount sufficient and in ample time to pay the principal of, premium, if any, and interest on the Commercial Paper Notes as such principal, premium, if any, and interest, respectively, come due, whether by reason of maturity or redemption. Amounts in the Commercial Paper Note Payment Fund attributable to and derived either from Advances under and pursuant to a Liquidity Agreement or from amounts provided pursuant to Section 4.03(b) shall be used only to pay the principal of, premium, if any, and interest on the Commercial Paper Notes.
Section 2.12  Application of Prior Covenants. The covenants and agreements (to the extent the same are not inconsistent herewith) contained in the Bond Resolutions are hereby incorporated herein and shall be deemed to be for the benefit and protection of the Notes and the Holders thereof in like manner as applicable to the Fund Priority Obligations.

In accordance with the provisions of the Bond Resolutions, the Notes represent obligations which are subordinate to the Fund Priority Obligations. There heretofore has been established in the Treasury of the State of Texas a fund designated as the “Board of Regents of The Texas A&M University System Permanent University Fund Bonds Interest and Sinking Fund” (hereinafter called the “Interest and Sinking Fund”). The Fund Priority Obligations are payable from moneys required to be transferred to the Interest and Sinking Fund. After provision has been made for the payment of the principal of and interest on the Fund Priority Obligations, based upon the projection of moneys to be deposited into the Interest and Sinking Fund from the Available University Fund Share which demonstrates that the deposits to the Commercial Paper Note Payment Fund and any payment account(s) established for the payment of Short Term Obligations will not impair the obligation of the Board to pay the principal of and interest on the Fund Priority Obligations as the same mature and come due, the balance of the Available University Fund Share shall be made available to the Board to deposit into the Commercial Paper Note Payment Fund and any payment account(s) established for the payment of Short Term Obligations such amounts as are necessary to pay the interest on and/or the principal of the Notes and any Short Term Obligations as the same come due and mature or are required to be purchased to the extent not paid from the proceeds of Notes, Short Term Obligations, Fund Priority Obligations, or other obligations of the Board issued pursuant to the Constitutional Provision, or with respect to Commercial Paper Notes, from the proceeds of Advances under a Liquidity Agreement; provided that, if such balance of the Available University Fund Share shall not be sufficient to pay such amounts due on the Notes and any Short Term Obligations, the Board shall deposit such balance of the Available University Fund Share into the Commercial Paper Note Payment Fund and any payment account(s) established for the payment of Short Term Obligations on a ratable basis according to such amounts due on the Notes and any Short Term Obligations without any discrimination or privilege. After provision has been made for the payment of the interest on and any principal of the Notes and the Flexible Rate Notes, the balance of the Available University Fund Share each year shall be made available to the Board in the manner provided by law and by regulations of the Board to be used by the Board as it may lawfully direct.

An Authorized Representative, acting for and on behalf of the Board, is hereby authorized and directed to establish such procedures and take such other actions as may be necessary and proper as determined by such Authorized Representative to ensure that moneys from the Available University Fund Share will be paid to the Issuing and Paying Agent for deposit in the Commercial Paper Note Payment Fund at the times and in the amounts such Authorized Representative estimates will be necessary from the Available University Fund Share to pay the interest on and/or principal of the Notes when due. An Authorized Representative is hereby further authorized and directed to execute and deliver an amendment or supplement to the Trust Agreement or to enter into a new trust agreement or similar agreement with the Comptroller, together with any documents called for thereunder, pursuant to which the Comptroller agrees to act as the Board’s trustee with respect to the Notes for the purpose of investing and collateralizing funds in the System Special Account.
If there is on deposit in the System Special Account from the Available University Fund Share, monies sufficient to pay the interest on and/or principal of the Notes as the same come due and payable, an Authorized Representative or such other designated officer or employee shall transfer from the System Special Account to the Issuing and Paying Agent for deposit in the Commercial Paper Note Payment Fund moneys sufficient to pay such amounts, and thereafter shall coordinate with the Comptroller and take such actions as shall be necessary to restore the System Special Account to an amount equal to the amount such official estimates will be necessary from the Available University Fund Share to pay said interest on and/or principal of the Notes. The requirements of this paragraph are in addition to any other requirements relating to the System Special Account as may be set forth in the Flexible Rate Notes Resolution.

Section 2.13 Commercial Paper Construction Fund. The Board hereby establishes a separate account designated as the “Board of Regents of The Texas A&M University System Commercial Note Construction Fund” (the “Commercial Paper Construction Fund”) and within such fund there is hereby established separate accounts designated as the “Tax-Exempt Note Account” and the “Taxable Note Account.” The Commercial Paper Construction Fund shall be maintained by the Board in an official depository of the System. Moneys on deposit or to be deposited in the Commercial Paper Construction Fund shall remain therein until from time to time expended for Project Costs, and shall not be used for any other purposes whatsoever, except as otherwise provided below. Pending the expenditure of moneys in the Commercial Paper Construction Fund, moneys deposited therein or credited thereto 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. Any income received from investments in the Commercial Paper Construction Fund shall be retained in the Commercial Paper Construction Fund.

Any amounts remaining in the Commercial Paper Construction Fund and not necessary for the payment of Project Costs shall be paid into the appropriate account of the Commercial Paper Note Payment Fund from which the proceeds were derived and used either for the payment of interest during construction and thereafter on the Commercial Paper Notes, payment of such maturities of the Commercial Paper Notes coming due at such times as may be selected by the Authorized Representative or for the payment of Promissory Notes, as the case may be. In the event no Commercial Paper Notes are outstanding and there are no outstanding amounts under the Promissory Notes, any amounts in the Commercial Paper Construction Fund not anticipated to be needed to pay Project Costs shall be transferred to the Interest and Sinking Fund.

Section 2.14 Cancellation. All Commercial Paper Notes which at maturity are surrendered to the Issuing and Paying Agent for the collection of the principal and interest thereof or are surrendered for transfer or exchange pursuant to the provisions hereof or are refunded through an Advance shall, upon payment or issuance of new Commercial Paper Notes, be cancelled by the Issuing and Paying Agent and forthwith transmitted to the Board, and thereafter the Board shall have custody of such cancelled Commercial Paper Notes.

Section 2.15 Approved Swap Agreements. The Board reserves the right to authorize and enter into one or more Approved Swap Agreements in relation to the payment or exchange of payments on the Notes.
Section 2.16 Fiscal and Other Agents. In furtherance of the purposes of this Resolution, the Board may from time to time appoint and provide for the payment of such additional fiscal, paying, or other agents or trustees as it may deem necessary or appropriate in connection with the Notes.

ARTICLE III
ISSUANCE AND SALE OF NOTES

Section 3.01 Issuance and Sale of Notes.

(a) Except as provided in subsection (b) hereof, all Commercial Paper Notes issued to provide funds to pay Project Costs shall be sold through competitive bidding as required by the Constitutional Provision. In connection with sales of Commercial Paper Notes to provide funds to pay Project Costs (specifically excluding Commercial Paper Notes described in subsection (b) hereof), an Authorized Representative shall prepare an Official Notice of Sale and Bidding Instructions with respect thereto.

(b) All Commercial Paper Notes sold to refund or refinance Notes and other Permanent University Fund Obligations, including amounts outstanding under a Promissory Note which evidence Advances under a Liquidity Agreement and advances of lawfully available funds by the Board pursuant to Section 4.03, are hereby deemed to be “refunding bonds” within the meaning of the Constitutional Provision and therefore may be sold in the manner deemed by an Authorized Representative to be most economically advantageous to the Board.

(c) The terms of the Commercial Paper Notes shall be established and they shall be delivered by the Issuing and Paying Agent in accordance with telephonic, facsimile, computer, or written instructions of an Authorized Representative and in the manner specified below and in the Issuing and Paying Agent Agreement. To the extent such instructions are telephonic, they shall be confirmed in writing (which shall include electronic transmission) within 24 hours of the transmission or communication thereof. Any such instructions from an Authorized Representative relating to the issuance of Commercial Paper Notes for the purpose of refinancing, renewing or refunding Commercial Paper Notes may be in the form of standing instructions to the effect that the Issuing and Paying Agent may rely on instructions it receives from a Dealer for the issuance and sale of such Commercial Paper Notes unless otherwise notified in writing by an Authorized Representative. Said instructions shall specify such principal amounts, dates of issue, maturities, rates of discount or interest, or the formula or method of calculating interest and the basis upon which it is to be computed, purchase price, and other terms and conditions which are hereby authorized and permitted to be fixed by an Authorized Representative at the time of sale of the Commercial Paper Notes. Such instructions shall also specify the amounts of the proceeds of such issue of Commercial Paper Notes which are to be deposited to the Commercial Paper Note Payment Fund and to be transferred to the Commercial Paper Construction Fund; provided, however, that to the extent proceeds of Commercial Paper Notes are to be used to refund or refinance other Permanent University Fund Obligations as determined by an Authorized Representative, such instructions shall so specify and shall identify the particular Permanent University Fund Obligations to be refunded. Such instructions shall also contain provisions representing that (i) all action on the part of the Board necessary for the valid issuance of the Commercial Paper Notes then to be issued has been taken, (ii) all provisions of Texas and federal law necessary for the valid issuance of such
Commercial Paper Notes and, in the event such Commercial Paper Notes are issued as Tax-Exempt Notes, interest exclusion from federal income taxation have been complied with, (iii) such Commercial Paper Notes will be valid and enforceable special obligations of the Board according to their terms, subject to the exercise of judicial discretion in accordance with general principles of equity and bankruptcy, insolvency, reorganization, moratorium, and other similar laws affecting creditors’ rights heretofore or hereafter enacted to the extent constitutionally applicable and (iv) in the event such Commercial Paper Notes are issued as Tax-Exempt Notes (based upon the advice of Bond Counsel), the earned original issue discount on the Tax-Exempt Notes or stated interest on the Tax-Exempt Notes, as the case may be, is, subject to the conditions set forth in the opinion of Bond Counsel delivered concurrently with the commencement of the issuance of such Tax-Exempt Notes, excludable from gross income for federal income tax purposes. Such instructions shall also certify that, as of the date of such certificate:

(i) if the Commercial Paper Notes are being issued to pay Project Costs, (A) the bidding requirements set forth in this Resolution have been satisfied, (B) the Board has been advised by Bond Counsel that the Commercial Paper Notes are being issued to pay Project Costs for Eligible Projects, and (C) attached to such instructions is a listing of the Eligible Projects expected to be financed, in whole or in part, by the Commercial Paper Notes and certifying that each of such Eligible Projects has been approved by the Texas Higher Education Coordinating Board (or is otherwise exempt from the requirement of such approval); provided, however, that at some future date, the Board may substitute other Eligible Projects (the “Substituted Projects”) to be financed, in whole or in part, by the Commercial Paper Notes for the Eligible Projects listed on the attachment to such instructions so long as each of such Substituted Projects has been approved by the Texas Higher Education Coordinating Board (or is otherwise exempt from the requirement of such approval);

(ii) if the Commercial Paper Notes are being issued as Tax-Exempt Notes, such proposed issuance of Tax-Exempt Notes will not cause the Board to be in violation of its covenants set forth in Section 4.04 hereof;

(iii) no Event of Default under Section 5.01 has occurred and is continuing as of the date of such instructions;

(iv) the Board is in compliance with the covenants set forth in Section 2.12 and Article IV as of the date of such instructions;

(v) the total principal amount of Notes and other Permanent University Fund Obligations that will be outstanding after the issuance and delivery of the Commercial Paper Notes will not exceed ten percent (10%) of the cost value of investments and other assets of the Permanent University Fund (exclusive of real estate) as of the time the Commercial Paper Notes are issued; provided that any obligation of the Board that is payable from amounts appropriated to the Board, pursuant to the Constitutional Provision, including any amendment hereafter made to said Constitutional Provision, for the support and maintenance of System administration, Texas A&M University or Prairie View A&M University (including, without limitation, any amounts payable by the Board under an Approved Swap
Agreement) does not and shall not constitute an obligation secured by and payable from a lien on and pledge of the Available University Fund Share;

(vi) based upon the projected monies to be deposited into the Interest and Sinking Fund from the Available University Fund Share, the payment of the interest on and/or principal of any Note from monies on deposit in the Interest and Sinking Fund by the Board will not impair the obligation of the Board to pay the principal of and/or interest on any Fund Priority Obligation as the same matures and comes due;

(vii) after the proposed issuance, the total principal amount of outstanding Commercial Paper Notes plus interest accrued or to accrue thereon for the following ninety (90) days shall not exceed available funds of the Board to be maintained pursuant to Section 4.02 plus the “Available Bank Loan Commitment” under a Liquidity Agreement, if then in effect; and

(viii) the sum of the interest payable on such Commercial Paper Notes issued and outstanding or in the process of issuance and any discount established for such Commercial Paper Notes will not exceed a yield to the maturity date of such Commercial Paper Notes in excess of the Maximum Interest Rate in effect on the date of issuance of such Commercial Paper Notes.

The representations and certifications made in such instructions shall be made for the benefit of and may be relied upon by the Issuing and Paying Agent, the Dealers, the Holders of the Commercial Paper Notes and, in the event such Commercial Paper Notes are issued as Tax-Exempt Notes, all persons interested in the exclusion from gross income for federal income tax purposes of the interest to be paid on the Commercial Paper Notes. Notwithstanding any other provision of this subsection to the contrary, the instructions required to be given by an Authorized Representative to the Issuing and Paying Agent in connection with the issuance of Commercial Paper Notes for the payment of Project Costs may include a provision to the effect that each sale of Commercial Paper Notes thereafter made by the Board for the purpose of refinancing, renewing or refunding the Commercial Paper Notes that are the subject of such instructions shall be deemed a representation and certification by the Board as of the date of each such sale that any one or more of the representations and certifications contained in such instructions are true and correct as if made on and as of each such date.

(d) If a Liquidity Agreement is in effect, a Promissory Note shall be delivered to the Bank and thereafter Advances may be made thereunder in accordance with the terms thereof.

Section 3.02 Proceeds of Sale of Commercial Paper Notes.

(a) Except as provided in subsection (b) below, the proceeds of the sale of any Commercial Paper Notes (net of all expenses and costs of sale and issuance) shall be deposited in the appropriate account of the Commercial Paper Note Payment Fund and shall be applied for any or all of the following purposes as directed by an Authorized Representative:

(i) for the payment and redemption or purchase of outstanding Commercial Paper Notes at or before maturity, the refunding of any Advances (evidenced by a Promissory Note) under
a Liquidity Agreement, the refunding of any advances of lawfully available funds by the Board pursuant to Section 4.03 or, if applicable, the payment of any amounts due and payable under an Approved Swap Agreement; or

(ii) proceeds not to be retained in the Commercial Paper Note Payment Fund as provided in clause (i) of this Section shall be transferred to the appropriate account of the Commercial Paper Construction Fund and used and applied in accordance with the provisions of Section 2.13.

(b) To the extent that the Commercial Paper Notes are being issued to refund or refinance Permanent University Fund Obligations other than Notes as determined by an Authorized Representative, the proceeds of the sale of such Commercial Paper Notes (net of all expenses and costs of sale and issuance) shall, to the extent required, be paid to the paying agent(s) for such Permanent University Fund Obligations in an amount sufficient, together with the moneys and investments held in the fund(s) securing such Permanent University Fund Obligations and any other lawfully available moneys of the Board, to accomplish the discharge and final payment of such Permanent University Fund Obligations. An 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 determine the particular Permanent University Fund Obligations to be refunded by the issuance of Commercial Paper Notes and the redemption date(s) of such Permanent University Fund Obligations, if applicable, and to take all other actions that are reasonably necessary to provide for the refunding or refinancing of such Permanent University Fund Obligations, including, without limitation, executing and delivering for and on behalf of the Board all notices, instructions, certificates, instruments, consents, receipts, requests and other documents as may be necessary or convenient to accomplish the refunding or refinancing of such Permanent University Fund Obligations as set forth above and in accordance with their terms and to direct the transfer and application of funds of the Board consistent with the provisions of this Resolution and the applicable resolution(s) authorizing the issuance of such Permanent University Fund Obligations.

Subject to the determination by an Authorized Representative of the Permanent University Fund Obligations to be refunded by the issuance of Commercial Paper Notes, the Board irrevocably calls such Permanent University Fund Obligations to be so refunded for redemption prior to maturity on the date(s) determined by an Authorized Representative at a redemption price determined in accordance with the provisions of the resolution(s) authorizing the issuance of such Permanent University Fund Obligations.

Section 3.03 Issuing and Paying Agent Agreement. An Authorized Representative, acting for and on behalf of the Board, is hereby authorized and directed to execute and deliver an Issuing and Paying Agent Agreement with U.S. Bank Trust, N.A., New York, New York, as the initial Issuing and Paying Agent, together with any other documents called for thereunder. An Authorized Representative is hereby authorized and directed to approve, execute, and deliver to the Issuing and Paying Agent any such changes, additions, or amendments thereto as may be necessary and proper to carry out the purpose and intent of the Board in authorizing this Resolution. An Authorized Representative is hereby authorized to enter into any supplemental agreements with the Issuing and Paying Agent or with any successor Issuing and Paying Agent.
Section 3.04 Dealer Agreements. An Authorized Representative, acting for and on behalf of the Board, is hereby authorized and directed to execute and deliver a Dealer Agreement with J.P. Morgan Securities, Inc. as the initial Dealer for the Commercial Paper Notes, together with any other documents called for thereunder. An Authorized Representative, acting for and on behalf of the Board, is hereby authorized to select and appoint one or more additional investment banking firms to serve as a Dealer for the Commercial Paper Notes and to execute and deliver a Dealer Agreement with each such additional Dealer, together with any other documents called for thereunder. Each Dealer Agreement shall be substantially in the form and substance of the dealer agreement approved by the Board in connection with its Revenue Financing System Commercial Paper Notes, Series B with such changes as are acceptable to the Authorized Representative. An Authorized Representative is hereby authorized and directed to approve, execute, and deliver to any Dealer any instrument evidencing such changes, additions, or amendments to any Dealer Agreement as may be necessary and proper to carry out the purpose and intent of the Board in authorizing this Resolution. An Authorized Representative is hereby authorized to enter any supplemental agreements with any Dealer or with any successor Dealer.

In connection with each issuance and sale of Commercial Paper Notes for the purpose of refinancing, renewing or refunding Notes, an Authorized Representative is hereby authorized to provide standing instructions to any Dealer to determine the interest rates and maturity dates for any such sale of Commercial Paper Notes; provided that, no such Commercial Paper Note shall (i) bear interest at a rate that exceeds the Maximum Interest Rate or (ii) mature after the Maximum Maturity Date or have a term in excess of 270 calendar days; and provided further that, the interest rates shall be the minimum interest rates which, in the opinion of such Dealer under then-existing market conditions, would result in the sale of such Commercial Paper Notes at a price equal to the principal amount thereof.

ARTICLE IV
COVENANTS OF THE BOARD

Section 4.01 Limitation on Issuance. Unless this Resolution is amended and modified by the Board in accordance with the provisions of Section 6.01, the Board covenants that there will not be issued and outstanding at any time more than $125,000,000 in aggregate principal amount of Commercial Paper Notes. In compliance with applicable laws, the Board, however, does reserve the right to issue additional commercial paper notes in excess of said amount by resolution (which may be in the form of an amendment to this Resolution) duly adopted by the Board and approved by the Attorney General of the State of Texas. For purposes of this Section any portion of outstanding Commercial Paper Notes to be paid on the day of calculation from moneys on deposit in the Commercial Paper Note Payment Fund or the System Special Account and the available proceeds of Notes or other Permanent University Fund Obligations shall not be considered outstanding.

Section 4.02 Provisions For Liquidity. The Board covenants to maintain available funds plus, if a Liquidity Agreement executed by a Bank is in effect, the “Available Bank Loan Commitment” (as defined in such Liquidity Agreement) in an amount equal to the total principal amount of outstanding Commercial Paper Notes plus interest to accrue thereon at the rate of 15% per annum for the following ninety (90) days.
In order to manage its liquidity obligations under this Resolution, an Authorized Representative is hereby authorized to execute and deliver the Note Purchase Agreement with The University of Texas Investment Management Company, as investment manager of the Permanent University Fund, in substantially the form and substance of the note purchase agreement approved by the Board in connection with its Flexible Rate Notes with such changes as are acceptable to the Authorized Representative.

Section 4.03  Available Funds.

(a) To the extent Commercial Paper Notes cannot be issued to renew or refund outstanding Notes and Advances cannot be drawn on the Promissory Notes, if any, the Board shall provide lawfully available funds or shall in good faith endeavor to sell a sufficient principal amount of other Permanent University Fund Obligations in order to have funds available, together with other moneys available therefor, to pay the Notes and the interest thereon, or any renewals thereof, as the same shall become due, and other amounts due under a Liquidity Agreement.

(b) Notwithstanding anything to the contrary contained herein, to the extent a Dealer cannot sell Commercial Paper Notes to renew or refund outstanding Commercial Paper Notes on their maturity date and such Commercial Paper Notes are not purchased pursuant to the terms of the Note Purchase Agreement, the Board covenants to make Advances under the Promissory Notes, if any, or to use lawfully available funds to purchase Commercial Paper Notes issued in order to renew and refund such maturing Commercial Paper Notes and such payment, issuance, and purchase are not intended to constitute an extinguishment of the obligation represented by such maturing Commercial Paper Notes and the Board may issue Commercial Paper Notes to renew and refund the Commercial Paper Notes held by it or The University of Texas Investment Management Company pursuant to the Note Purchase Agreement when a Dealer is again able to sell Commercial Paper Notes. While such Commercial Paper Notes are held by the Board they shall bear interest at the prevailing market rate for alternative taxable investments of similar maturity and credit rating.

Section 4.04  Commercial Paper Notes Issued as Tax-Exempt Notes to Remain Tax Exempt.

(a) In order to maintain the exclusion from gross income of the interest on the Commercial Paper Notes issued as Tax-Exempt Notes for federal income tax purposes, the Board will make all calculations required by section 148 of the Code, including, but not limited to, the calculation of rebate, in a reasonable and prudent fashion and to segregate and set aside the lawfully available amounts that such calculations indicate may be required to be paid to the United States of America. The Board further covenants to do and perform all acts and things within its power and authority necessary to comply with each applicable requirement of section 103 and sections 141 through 150 of the Code. The Board agrees to periodically execute or cause to be executed a Federal Tax Certificate as may be required by the Code, in the opinion of Bond Counsel, and the Form 8038-G, or any other forms designated by the Internal Revenue Service in substitution thereof. In furtherance of the foregoing, the Board will execute annually, or at any other time necessary in the opinion of Bond Counsel, a Federal Tax Certificate and Form 8038-G necessary to assure the tax-exempt status of the Tax-Exempt Notes.
(b) The Board covenants to refrain from any action which would adversely affect, or to take such action to assure, the treatment of the Tax-Exempt Notes 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 Notes (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 proceeds are so used, such amounts, whether or not received by the Board, with respect to such private business use, do not, under the terms of this Resolution 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 Notes, 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 (i) hereof exceeds 5 percent of the proceeds of the Tax-Exempt Notes less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which 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 which is greater than the lesser of $5,000,000, or 5 percent of the proceeds of the Tax-Exempt Notes (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 take any action to assure that no more than 5 percent of the proceeds of the Tax-Exempt Notes are used to provide any output facility (other than a facility for furnishing water) with respect to which there is any "private business use" as more fully set forth in section 141(b)(3) of the Code;

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

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

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

(A) proceeds of the Tax-Exempt Notes invested for a reasonable temporary period of 3 years or less until such proceeds are needed for the purpose for which the Tax-Exempt Notes are issued; and
(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations; and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the stated principal amount (or, in the case of a discount, the issue price) of the Bonds; and

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

(ix) 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 Notes issued to pay Project Costs) 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 Notes have been paid in full, 100 percent of the amount then required to be paid as a result of the Excess Earnings under section 148(f) of the Code.

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

(c) The Board covenants to account for the expenditure of Tax-Exempt Note sale proceeds and investment earnings to be used for Eligible Projects on its books and records in accordance with the requirements of the Code. The Board recognizes that in order for the proceeds to be considered used for the reimbursement of costs, the proceeds must be allocated to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the project being financed with the proceeds of the Tax-Exempt Notes is completed; but in no event later than three years after the date on which the original expenditure is paid. The foregoing notwithstanding, the Board recognizes that in order for proceeds to be expended under the Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Tax-Exempt Notes, or (2) the date the Tax-Exempt Notes are retired. The Board agrees to obtain the advice of Bond Counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Tax-Exempt Notes. 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.

(d) The Board covenants that the property constituting Eligible Projects financed with the proceeds of the Tax-Exempt Notes 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 Notes. 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.

(e) The Board shall not, expend, or permit to be expended, the proceeds of the Tax-Exempt Notes in any manner inconsistent with its reasonable expectations as certified in the Federal Tax Certificates to be executed from time to time with respect to the Tax-Exempt Notes; provided, however, that the Board may expend proceeds of the Tax-Exempt Notes in any manner if the Board first obtains an unqualified opinion of Bond Counsel that such expenditure will not impair the exemption from federal income taxation of interest paid on the Tax-Exempt Notes.

Section 4.05 Taxable Notes.

(a) The provisions of Section 4.04 of this Resolution notwithstanding, the Board reserves the ability to issue Commercial Paper Notes in a manner such that such obligations are not obligations described in section 103(a) of the Code or are obligations which constitute "specified private activity bonds" within the meaning of section 141(b) of the Code ("Taxable Notes").

(b) It is the intention of the Board that the interest on the Taxable Notes not be excludable from gross income for federal income tax purposes under section 103 of the Code. Accordingly, the Board covenants not to file any information return that would result in the interest on Taxable Notes being excludable from gross income under such section of the Code.

(c) The Board covenants and agrees to cause the Issuing and Paying Agent to undertake to report, to the extent required by the Code, interest payments on the Taxable Notes to the Internal Revenue Service. Such information shall be filed by the Issuing and Paying Agent on the form published by the Internal Revenue Service for this purpose and contain the information required by the Code.

(d) The Board covenants and agrees to cause the Issuing and Paying Agent to obtain or cause to be obtained from the holder of each of the Taxable Notes the information required by Code relating to the correct social security number or other taxpayer identification number for the holder of each of the Taxable Notes or to withhold the portion of the payment required to be withheld under the Code.

Section 4.06 Opinion of Bond Counsel. The Board shall cause the legal opinion of Bond Counsel as to the validity of the Commercial Paper Notes and, with respect to Tax-Exempt Notes, as to the exclusion of interest on the Commercial Paper Notes from gross income for federal income tax purposes, to be furnished to any Holder without cost. In addition, a copy of said opinion may be printed on or accompany each of the Commercial Paper Notes issued in physical format.

Section 4.07 General Covenant. The Board covenants and agrees that while Permanent University Fund Obligations are outstanding, the Board will use its best efforts to assure that the Board of Regents of The University of Texas System maintains and invests and keeps invested the Permanent University Fund in a prudent manner and as required by law.
Section 4.08 Payment of Fund Priority Obligations and Commercial Paper Notes. The Board hereby covenants and reaffirms to the holders or owners of any Fund Priority Obligations that the payment from time to time of the interest on and/or principal of the Notes shall not impair the ability or the obligation of the Board to pay the principal of and/or interest on any Fund Priority Obligations, and that the Board further covenants (i) that it shall establish appropriate procedures with the Comptroller with respect to deposits into the Commercial Paper Note Payment Fund and the System Special Account, and (ii) that such procedures shall not impair the ability of the Board to pay the principal of and/or interest on the Fund Priority Obligations.

Section 4.09 Compliance With Bond Resolutions and Other Documents. The Board will comply with the terms and provisions of the Bond Resolutions, and any other resolution or contract to which the Board is a party, the non-compliance with which would materially adversely affect the ability of the Board to make payments on the Notes when due.

Section 4.10 Reservation of Right to Issue Obligations of Superior Lien, Obligations of Inferior Lien, and Short Term Obligations. The Board hereby expressly reserves the right to hereafter issue obligations payable from and secured by a lien on and pledge of the Available University Fund Share prior in right and claim to the lien on and pledge of the Available University Fund Share covering the payment of the Notes. Furthermore, the Board expressly reserves the right to hereafter issue additional Notes or Short Term Obligations when and as the Board shall determine and authorize without any limitation as to principal amount or otherwise, which additional Notes or Short Term Obligations may be equally and ratably payable from and secured by a lien on and pledge of the Available University Fund Share of equal rank and dignity with the lien and pledge securing the payment of the Notes and may or may not be secured by a Liquidity Agreement. The Board also retains the right to issue obligations or other evidences of indebtedness or to incur contractual obligations secured by a lien on and pledge of the Available University Fund Share junior and subordinate to the lien and pledge securing the Notes. Notwithstanding any of the above to the contrary, the Board covenants that 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. For purposes of this Resolution, including but not limited to this Section, any obligation of the Board that is payable from amounts appropriated to the Board, pursuant to the Constitutional Provision, including any amendment hereafter made to said Constitutional Provision, for the support and maintenance of System administration, Texas A&M University or Prairie View A&M University (including, without limitation, any amounts payable by the Board under an Approved Swap Agreement) does not and shall not constitute an obligation secured by and payable from a lien on and pledge of the Available University Fund Share.

ARTICLE V

EVENTS OF DEFAULT AND REMEDIES OF NOTEHOLDERS

Section 5.01 Events of Default. Any one or more of the following events shall constitute an “Event of Default” hereunder, to-wit:

(i) if default shall be made in the due and punctual payment of any principal of any Commercial Paper Note when and as the same shall become due and payable, whether at stated maturity as therein expressed, by declaration or otherwise;
(ii) if the Board shall fail to make due and punctual payment of any interest on any Commercial Paper Note when and as such interest shall become due and payable and such failure shall continue for five (5) Business Days;

(iii) if an “event of default” under a Liquidity Agreement occurs; or

(iv) if default shall be made by the Board in the performance or observance of any other of the covenants, agreements or conditions on its part in this Resolution or in the Commercial Paper Notes contained, and such default shall continue for a period of sixty (60) days after written notice thereof to the Board by the Holders of not less than ten percent (10%) in principal amounts of the Commercial Paper Notes then outstanding.

Section 5.02 Suits at Law or in Equity and Mandamus. In case one or more Events of Default shall occur, then and in every such case the Holder of any Note at the time outstanding shall be entitled to proceed to protect and enforce such Holder's rights by such appropriate judicial proceeding as such Holder shall deem most effectual to protect and enforce any such right, either by suit in equity or by action at law, whether for the specific performance of any covenant or agreement contained in this Resolution, or in aid of the exercise of any power granted in this Resolution, or to enforce any other legal or equitable right vested in the Holders by this Resolution or the Notes or by law. The provisions of this Resolution shall be a contract with each and every Holder and the duties of the Board shall be enforceable by any Holder by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction.

Section 5.03 Remedies Not Exclusive. No remedy herein conferred upon or reserved to the Holders is intended to be exclusive of any other remedy, and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing, at law or in equity or by statute or otherwise, and may be exercised at any time or from time to time, and as often as may be necessary, by any Holder.

ARTICLE VI
AMENDMENTS

Section 6.01 Amendment of Resolution.

(a) Amendments Without Consent. This Resolution and the rights and obligations of the Board and of the Holders may be modified or amended at any time without notice to or the consent of any Holders, solely for any one or more of the following purposes:

(i) to add to the covenants and agreements of the Board contained in this Resolution, other covenants and agreements thereafter to be observed, or to surrender any right or power reserved to or conferred upon the Board in this Resolution;

(ii) to cure any ambiguity or inconsistency, or to cure or correct any defective provisions contained in this Resolution, 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 Resolution;
(iii) to supplement the security for the outstanding Notes issued hereunder, replace or provide additional credit facilities or to make changes in the provisions thereof, or change the forms of the outstanding Notes or make such other changes in the provisions hereof, including extending the Maximum Maturity Date, 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 Holders of the outstanding Notes;

(iv) to make any changes or amendments requested by any Rating Agency then rating or requested to rate Commercial Paper Notes, 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 Commercial Paper Notes; or

(v) to increase the amount of Commercial Paper Notes which may be outstanding hereunder.

(b) Amendments With Consent. Subject to the other provisions of this Resolution, the Holders of outstanding Commercial Paper Notes aggregating at least 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 Resolution 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 Commercial Paper Notes, the amendment of the terms and conditions in this Resolution or in the Commercial Paper Notes so as to:

(i) make any change in the maturity of the outstanding Commercial Paper Notes;

(ii) reduce the rate of interest borne by outstanding Commercial Paper Notes;

(iii) reduce the amount of the principal payable on outstanding Commercial Paper Notes;

(iv) modify the terms of payment of principal of or interest on the outstanding Commercial Paper Notes, or impose any conditions with respect to such payment;

(v) affect the rights of the Holders of less than all Commercial Paper Notes then outstanding;

(vi) change the minimum percentage of the outstanding principal amount of Commercial Paper Notes necessary for consent to such amendment; or

(vii) reduce or restrict the pledge made herein (Section 2.11) for payment of the Commercial Paper Notes.

(c) Notice. If at any time the Board shall desire to amend this Resolution pursuant to subsection (b), the Board shall cause notice of the proposed amendment to be published in a financial newspaper or journal of general circulation in The City of New York, New York, once during each calendar week for at least two successive calendar weeks. Such notice shall briefly set
forth the nature of the proposed amendment and shall state that a copy thereof is on file at the principal office of the Issuing and Paying Agent for inspection by all owners of Commercial Paper Notes issued hereunder. Such publication is not required, however, if the Board gives or causes to be given such notice in writing to each Registered Owner of Commercial Paper Notes. A copy of such Notice shall be provided in writing to (i) the Bank, if any, at the address shown in the respective Liquidity Agreement as the address to which notices to such Bank are to be sent and (ii) to each Rating Agency maintaining a rating on the Commercial Paper Notes.

(d) Receipt of Consents. Whenever at any time not less than thirty (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 all of the owners or the owners of at least 51 percent in outstanding principal amount of the Commercial Paper Notes, 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 Resolution pursuant to the provisions of this Section, this Resolution 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 Commercial Paper Notes and all future Commercial Paper Notes shall thereafter be determined, exercised, and enforced under this Resolution, as amended.

(f) Consent Irrevocable. Any consent given by any owner of Commercial Paper Notes 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 Commercial Paper Notes 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 Issuing and Paying Agent and the Board, but such revocation shall not be effective if the owners of at least 51 percent in outstanding Principal Amount of Commercial Paper Notes 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 Commercial Paper Notes registered as to ownership shall be determined from the registration books kept by the Issuing and Paying Agent therefor. The fact of the owning of Commercial Paper Notes issued hereunder not registered as to ownership by any Holder and the amount and the numbers of such Commercial Paper Notes and the date of the holding of the same may be proved by the affidavit of the person claiming to be such Holder if such affidavit shall be deemed by the Issuing and Paying Agent to be satisfactory, or by a certificate executed by any trust company, bank, banker or any other depository, wherever situated, if such certificate shall be deemed by Issuing and Paying Agent to be satisfactory, showing that at that date therein mentioned such person had on deposit with such trust company, bank, banker or other depository the Commercial Paper Notes described in such certificate. The Issuing and Paying Agent may conclusively assume that such
ownership continues until written notice to the contrary is served upon the Issuing and Paying Agent.

(h) Consent of Bank. While a Liquidity Agreement is in effect, for so long as a Bank is not in default under the applicable Liquidity Agreement, no amendment to this Resolution shall become effective without the prior written consent of such Bank, which consent shall not be unreasonably withheld.

ARTICLE VII
MISCELLANEOUS

Section 7.01 Resolution to Constitute a Contract; Equal Security. In consideration of the acceptance of the Notes by those who shall hold the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the Board and the Holders from time to time of the Notes and the pledge made in this Resolution by the Board and the covenants and agreements set forth in this Resolution to be performed by the Board shall be for the equal and proportionate benefit, security, and protection of all Holders of the Notes, without preference, priority, or distinction as to security or otherwise of any of the Notes 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 Resolution or, with respect to a Promissory Note, the respective Liquidity Agreement. The findings and recitals set forth in the preamble to this Resolution are hereby incorporated in and made a part of this Resolution.

Section 7.02 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, officer or employee of the Board in his or her individual capacity and neither the members of the Board nor agent, officer or employee of the Board shall be liable personally on the Notes or be subject to any personal liability or accountability by reason of the issuance thereof.

Section 7.03 Additional Actions. The Chairman of the Board, the Vice Chairman of the Board, the Executive Secretary to the Board, the Authorized Representatives, and the other officers, employees, and agents of the Board are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate the issuance, sale, and delivery of the Notes and otherwise to effectuate the purposes of this Resolution, any Liquidity Agreement, any Dealer Agreement, the Trust Agreement, the Note Purchase Agreement, the Depository Trust Company Letters of Representation and the Issuing and Paying Agent Agreement. In addition, the Chairman of the Board, the Vice Chairman of the Board, each Authorized Representative and Bond Counsel are hereby authorized to approve, subsequent to the date of this adoption of this Resolution, any technical amendments to this Resolution and the other above named documents, and any technical amendments to this Resolution as may be required by any Rating Agency as a condition to the granting or maintenance of a rating on the Commercial Paper Notes acceptable to an Authorized Representative, or as may be required by the Attorney General’s office in connection with the
approval of this Resolution or to correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Resolution.

Section 7.04 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 Notes issued hereunder.

Section 7.05 Payment and Performance on Business Days. Whenever under the terms of this Resolution or the Notes, the performance date of any provision hereof or thereof, including the payment of principal of or interest on the Notes, shall occur on a day other than a Business Day, then the performance thereof, including the payment of principal of and interest on the Notes, 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 is scheduled.

Section 7.06 Limitation of Benefits With Respect to the Resolution. With the exception of the rights or benefits herein expressly conferred, nothing expressed or contained herein or implied from the provisions of this Resolution or the Notes is intended or should be construed to confer upon or give to any person other than the Board, the Holders, the Issuing and Paying Agent, any Bank, and any Dealer any legal or equitable right, remedy, or claim under or by reason of or in respect to this Resolution or any covenant, condition, stipulation, promise, agreement, or provision herein contained. This Resolution 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, the Issuing and Paying Agent, any Bank, and any Dealer as herein and in the Issuing and Paying Agent Agreement, any Liquidity Agreement, and any Dealer Agreement provided.

Section 7.07 Approval of Attorney General. No Notes herein authorized to be issued shall be sold or delivered by an Authorized Representative until the Attorney General of the State of Texas shall have approved this Resolution, and other agreements and proceedings as may be required in connection therewith, and therefor the Notes to be issued in accordance with such proceedings, all as is required by the Acts.

Section 7.08 Approval of Offering Memorandum. An Authorized Representative is hereby authorized to approve the form of Offering Memorandum, to be used by any Dealer in the offering of the Commercial Paper Notes, and the use thereof by any Dealer in connection therewith and to cooperate with any such Dealer in periodically updating and approving the Offering Memorandum.

Section 7.09 Notice to Rating Agencies. Notice shall be given to each Rating Agency which maintains a rating on the Commercial Paper Notes of the execution and delivery of a Liquidity Agreement and any amendment, substitution, expiration or termination of such agreement and of any changes or amendments to this Resolution, a Dealer Agreement or the Issuing and Paying Agent Agreement. Notice will also be given upon termination of the commercial paper program.
Section 7.10  **Defeasance.** If, when all or any portion of the Commercial Paper Notes shall have become due and payable in accordance with their terms or otherwise as provided in this Resolution, the entire principal and interest so due and payable upon said Commercial Paper Notes shall be paid, or if at or prior to the date said Commercial Paper Notes have become due and payable, (i) sufficient moneys or Defeasance Obligations the principal of and interest on which will provide sufficient moneys for such payment upon maturity, to the date upon which the Commercial Paper Notes have been called for redemption, shall be held by the Issuing and Paying Agent, and (ii) provision shall also be made for paying all other sums payable hereunder by the Board with respect to said Commercial Paper Notes, the rights, title, and interest of the Holders of the Commercial Paper Notes in the Available University Fund Share shall thereupon cease, terminate and become discharged and said Commercial Paper Notes shall no longer be deemed outstanding for purposes of this Resolution and all the provisions of this Resolution, including all covenants, agreements, liens, and pledges made herein, shall be deemed duly discharged, satisfied, and released.
EXHIBIT A
FORM OF COMMERCIAL PAPER NOTES

United States of America
State of Texas
BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM
PERMANENT UNIVERSITY FUND
[TAXABLE]¹ COMMERCIAL PAPER NOTE, SERIES A

<table>
<thead>
<tr>
<th>Note Number</th>
<th>Interest Rate</th>
<th>Date</th>
<th>Note $</th>
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On __________________ (the “Maturity Date”) for value received, THE BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM (the “Board”)

Promises To Pay To The Order of ______________________________________
The Principal Sum Of __________________________________________________
Payable At ____________________________________________________________
(the “Issuing and Paying Agent”).

on the Maturity Date, specified above, and to pay interest, if any, on said principal amount, specified above, on said Maturity Date, from the above-specified Note Date to said Maturity Date at the per annum Interest Rate specified above (computed on the basis of actual days elapsed and a 365-day or 366-day year, as applicable, unless otherwise set forth in an exhibit attached to this Commercial Paper Note) solely from the sources hereinafter identified and as hereinafter stated; both principal and interest on this Commercial Paper Note being payable in immediately available lawful money of the United States of America at the principal office of the Issuing and Paying Agent, specified above, or its successor. No interest will accrue on the principal amount hereof after said Maturity Date.

This Commercial Paper Note is one of an issue of commercial paper notes (the “Commercial Paper Notes”) which, together with the below-referenced Promissory Notes (such Promissory Notes and the Commercial Paper Notes being hereinafter collectively referred to as, the “Notes”), has been duly authorized and issued in accordance with the provisions of a resolution (the “Resolution”) passed by the Board for the purpose of providing interim financing to pay Project Costs for Eligible Projects (each as defined in the Resolution) and to refinance, renew, or refund Notes and other Permanent University Fund Obligations; all in accordance and in strict conformity with the provisions of Section 18 of Article VII of the Constitution of the State of Texas, and Chapter 1371, Texas Government Code, all as amended. Capitalized terms used herein and not otherwise defined shall have the meaning given in the Resolution.

This Commercial Paper Note, together with the other Notes, is payable from and equally secured by (i) the proceeds from (a) the sale of Fund Priority Obligations, Short Term Obligations,

¹ Include bracketed language only if Commercial Paper Notes are being issued as Taxable Notes.
² Formula or alternate method of calculating interest may be attached as an exhibit hereto.
or other obligations of the Board issued under the Constitutional Provision for such purpose and (b) the sale of Commercial Paper Notes issued pursuant to the Resolution for such purpose; (ii) the amounts held in the Commercial Paper Note Payment Fund and the System Special Account, such pledge of amounts held in the System Special Account being of equal rank and dignity with the pledge thereof securing the Flexible Rate Notes; and (iii) the Available University Fund Share, such pledge of the Available University Fund Share being of equal rank and dignity with the pledge thereof securing the payment of the Flexible Rate Notes but subordinate to the pledge thereof securing the payment of Fund Priority Obligations now outstanding and hereafter issued by the Board.

This Commercial Paper Note, together with the other Notes, is payable solely from the sources hereinabove identified securing the payment thereof. The Notes do not constitute a legal or equitable pledge, charge, lien, or encumbrance upon any property of the Board, except with respect to the Available University Fund Share, and the holder hereof shall never have the right to demand payment of this obligation from any sources or properties of the Board except as identified above.

[This Commercial Paper Note is not an obligation described in section 103(a) of the Code.] 3

Reference is hereby made to the Resolution, copies of which may be obtained upon request to the Board, and by acceptance of this Commercial Paper Note the Holder hereof hereby assents to all of the terms and provisions of the Resolution, including, but not limited to, provisions relating to definitions of terms; the description of and the nature of the security for the Notes; the conditions upon which the Resolution may be amended or supplemented with or without the consent of the Holders of the Notes; and the right to issue obligations payable from and secured by the Available University Fund Share.

It is hereby certified and recited that all acts, conditions, and things required by law and the Resolution to exist, to have happened, and to have been performed precedent to and in the issuance of this Commercial Paper Note, do exist, have happened, and have been performed in regular and in due time, form, and manner as required by law and that the issuance of this Commercial Paper Note, together with all other Notes, is not in excess of the principal amount of Notes permitted to be issued under the Constitutional Provision or the Resolution.

This Commercial Paper Note has all the qualities and incidents of a negotiable instrument under the laws of the State of Texas.

This Commercial Paper Note may be registered to bearer or to any designated payee. Title to any Commercial Paper Note registered to bearer shall pass by delivery. If not registered to bearer, this Commercial Paper Note may be transferred only on the books of the Board maintained at the designated office of the Issuing and Paying Agent. Upon surrender hereof at the designated office of the Issuing and Paying Agent, this Commercial Paper Note may be exchanged for a like aggregate principal amount of fully registered (which registration may be to bearer) Commercial Paper Notes of authorized denominations of like interest rate and maturity, but only in the manner, and subject to

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3 Include bracketed language only if Commercial Paper Notes are being issued as Taxable Notes.
the limitations, and upon payment of the charges provided in the Resolution and upon surrender and cancellation of this Commercial Paper Note.

This Commercial Paper Note shall not be entitled to any benefit under the Resolution or be valid or become obligatory for any purpose until this Commercial Paper Note shall have been authenticated by the execution by the Issuing and Paying Agent of the Certificate of Authentication hereon.

IN WITNESS WHEREOF, the Board has authorized and caused this Commercial Paper Note to be executed and attested on its behalf by the manual or facsimile signatures of the Chairman of the Board and the Executive Secretary to the Board and its official seal impressed or a facsimile thereof to be printed hereon.

BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM

______________________________
Chairman

ATTEST:

______________________________
Executive Secretary to the Board

(SEAL)

CERTIFICATE OF AUTHENTICATION

This Commercial Paper Note is one of the Commercial Paper Notes delivered pursuant to the within mentioned Resolution.

______________________________
as Issuing and Paying Agent

By ______________________________

Countersignature

A-3
EXHIBIT B
FORM OF MASTER NOTES
The Depository Trust Company
A subsidiary of The Depository Trust & Clearing Corporation

MUNICIPAL COMMERCIAL PAPER — TECP MASTER NOTE

Tax Exempt

(Date of Issuance)

BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM ("Issuer"), for value received, hereby promises to pay to Cede & Co., as nominee of The Depository Trust Company, or to registered assigns: (i) the principal amount, together with unpaid accrued interest thereon, if any, on the maturity date of each obligation identified on the records of Issuer (the "Underlying Records") as being evidenced by this Master Note, which Underlying Records are maintained by U.S. BANK TRUST, N.A., ("Paying Agent"); (ii) interest on the principal amount of each such obligation that is payable in installments, if any, on the due date of each installment, as specified on the Underlying Records; and (iii) the principal amount of each such obligation that is payable in installments, if any, on the due date of each installment, as specified on the Underlying Records. Interest shall be calculated at the rate and according to the calculation convention specified on the Underlying Records. Payments shall be made solely from the sources stated on the Underlying Records by wire transfer to the registered owner from Paying Agent without the necessity of presentation and surrender of this Master Note.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS MASTER NOTE SET FORTH ON THE REVERSE HEREOF.

This Master Note is a valid and binding obligation of Issuer.

Not Valid Unless Countersigned for Authentication by Paying Agent.

U.S. BANK TRUST, N.A.  BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM

By: ________________________________  By: ________________________________
(Authorized Countersignature)  (Authorized Signature)

DTCC
The Depository Trust & Clearing Corporation

B-2
The provisions of the Board of Regents of The Texas A&M University System Permanent University Fund Commercial Paper Note, Series A, a form of which is attached hereto, are incorporated herein and made a part hereof for all purposes.

At the request of the registered owner, Issuer shall promptly issue and deliver one or more separate note certificates evidencing each obligation evidenced by this Master Note. As of the date any such note certificate or certificates are issued, the obligations which are evidenced thereby shall no longer be evidenced by this Master Note.

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

(Name, Address, and Taxpayer Identification Number of Assignee)

the Master Note and all rights thereunder, hereby irrevocably constituting and appointing ________________________ attorney to transfer said Master Note on the books of Issuer with full power of substitution in the premises.

Date:
Signature(s) Guaranteed: ________________________

(Signature)

Notice: The signature on this assignment must correspond with the name as written upon the face of this Master Note, in every particular, without alteration or enlargement or any change whatsoever.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to Issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.
MUNICIPAL COMMERCIAL PAPER — TECP MASTER NOTE

Taxable

(Date of Issuance)

BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM ("Issuer"), for value received, hereby promises to pay to Cede & Co., as nominee of The Depository Trust Company, or to registered assigns: (i) the principal amount, together with unpaid accrued interest thereon, if any, on the maturity date of each obligation identified on the records of Issuer (the "Underlying Records") as being evidenced by this Master Note, which Underlying Records are maintained by U.S. BANK TRUST, N.A., ("Paying Agent"); (ii) interest on the principal amount of each such obligation that is payable in installments, if any, on the due date of each installment, as specified on the Underlying Records; and (iii) the principal amount of each such obligation that is payable in installments, if any, on the due date of each installment, as specified on the Underlying Records. Interest shall be calculated at the rate and according to the calculation convention specified on the Underlying Records. Payments shall be made solely from the sources stated on the Underlying Records by wire transfer to the registered owner from Paying Agent without the necessity of presentation and surrender of this Master Note.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS MASTER NOTE SET FORTH ON THE REVERSE HEREOF.

This Master Note is a valid and binding obligation of Issuer.

Not Valid Unless Countersigned for Authentication by Paying Agent.

U.S. BANK TRUST, N.A. \hspace{2cm} BOARD OF REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM

By: \hspace{2cm} By: \\
(Authorized Countersignature) \hspace{2cm} (Authorized Signature)

The Depository Trust &
Clearing Corporation

B-4
The provisions of the Board of Regents of The Texas A&M University System Permanent University Fund Taxable Commercial Paper Note, Series A, a form of which is attached hereto, are incorporated herein and made a part hereof for all purposes.

At the request of the registered owner, Issuer shall promptly issue and deliver one or more separate note certificates evidencing each obligation evidenced by this Master Note. As of the date any such note certificate or certificates are issued, the obligations which are evidenced thereby shall no longer be evidenced by this Master Note.

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

(Name, Address, and Taxpayer Identification Number of Assignee)

the Master Note and all rights thereunder, hereby irrevocably constituting and appointing ______________________ attorney to transfer said Master Note on the books of Issuer with full power of substitution in the premises.

Date: ______________________
Signature(s) Guaranteed: ______________________ (Signature)

Notice: The signature on this assignment must correspond with the name as written upon the face of this Master Note, in every particular, without alteration or enlargement or any change whatsoever.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to Issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.
25.07 Contract Administration

Approved February 27, 1995 (MO 44-95)
Revised October 13, 1995 (MO 335-95)
Revised July 26, 1996 (MO 169-96)
Revised March 23, 2000 (MO 66-00)
Revised January 25, 2001 (MO 24-01)
Revised September 27, 2001 (MO 212-01)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

The effective administration of contracts is an essential operational function of The Texas A&M University System (system). All contracts entered into by a member of the system, unless specifically excluded by this or another policy adopted by the Board of Regents (board), are subject to this policy, including all original contracts, amendments, alterations, modifications, corrections, changes and extensions.

Reason for Policy

This policy provides guidance for development of the system contract administration regulations.

Procedures and Responsibilities

1. RESPONSIBILITY FOR DEVELOPMENT AND IMPLEMENTATION OF CONTRACT ADMINISTRATION PROCEDURES

It shall be the responsibility of the chancellor, university and health science center (HSC) presidents and agency directors to develop and implement contract administration procedures for all contracts that include the following:

(a) written express delegations of authority specifying those officers who are authorized to execute contracts on behalf of the system, university, HSC, or agency, and limiting contracting authority to those officers with written express delegations of authority;

(b) delegations of authority specifying the type of contract and dollar limitations applicable to each delegation; and
(c) a process for contract origination, recommendation and approval for each type of contract.

2. REPORTING OF PROCEDURES AND DELEGATIONS

The above procedures and delegations shall be reported annually to the chancellor and board in the format prescribed by the chancellor.

3. REQUIRED GENERAL COUNSEL REVIEW

All contracts must be submitted to the Office of General Counsel (OGC) for review as to form and legal sufficiency, except as noted below:

(a) OGC review is not necessary for those contracts entered into pursuant to an unaltered contract form approved by the OGC within the preceding three years.

(b) The chancellor may authorize system member chief executive officers (CEOs), or their designees, to enter into contracts that involve a stated or implied consideration of no more than $50,000 without submitting those contracts to the OGC, provided that such contracts are reviewed by the system member in accordance with guidelines approved by the chancellor on recommendation of the OGC.

4. REQUIRED BOARD APPROVAL

The following contracts must be submitted to the board for approval:

(a) Contracts that involve a stated or implied consideration of $300,000 or more, or have a primary term longer than five (5) years; excluding

(1) sponsored research contracts and grants;

(2) contracts transferring rights in technology or products protectable by patent or as a plant variety;

(3) contracts which are processed through state contract, state catalogue, or the appropriate bid process in accordance with the system requirements;

(4) contracts for athletic events and athletic contests; and

(5) other contracts as described in Section 6.

Contracts meeting any of the above exceptions (1) through (5) are not required to receive board approval regardless of dollar value or term.

(b) Employment contracts including:

(1) employment contracts, including letters of agreement or letters of understanding, with administrators that are to be paid in whole or in part from appropriated funds (see System Regulation 25.07.01, Contract Administration Procedures and Delegations, Section 3); and
(2) employment contracts having a primary term longer than five (5) years or contracts having a total salary consideration of $300,000 or more.

(c) Contracts with an entity in which a member of the board holds stock and/or serves as a director; and

(d) Any type of contract not addressed in approved contract administration procedures.

5. CONTRACTS GOVERNED BY OTHER POLICIES

All contracts for the purchase or sale of real property, the lease of system real property, the lease of real property from third parties, the granting or acceptance of easements or rights-of-way, and for any other acquisition or disposition of real property or real property interests shall be governed by the policies in Chapter 41, Real Estate Management, and any regulations promulgated under that chapter. The delegation of authority for all construction contracts shall be governed by System Policy 51.04, Delegations of Authority on Construction Projects, and the regulations promulgated under that policy.

6. CONTRACT APPROVAL AND DELEGATION OF AUTHORITY

Contracts and grants, including interagency and intrasystem contracts, to perform research, educational and/or service activities consistent with a member’s mission, as well as contracts described in Section 4(a)(3) and (4), may be approved by CEOs, or their designees, regardless of dollar value. The chancellor is authorized to approve all other contracts not reserved for approval by the board, and may delegate authority to deputy chancellors, vice chancellors, CEOs or others to execute all such other contracts less than $200,000.

7. WRITTEN AUTHORIZATION REQUIRED

The authority to enter into contracts on behalf of the system or any of its members must be by express written authority pursuant to the policies of the board and approved contract administration procedures.

8. EXTENSION OF PRE-EXISTING CONDITIONS FOR CONTRACTS WHICH PREDATE THIS POLICY

Contracts reviewed and authorized prior to the adoption of this policy shall remain in full force and effect; however, any modification or extension of such contracts shall be reviewed and authorized in accordance with this policy.

Related Statutes, Policies, or Requirements

Tex. Educ. Code § 51.159
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000051.00.htm#51.159.00
Definitions

Contract – an agreement that creates an obligation to do or not do a particular thing.

Contact Office

The System Office of Budgets and Accounting
(979) 458-6100
51.08 Reversion of Unexpended Balances in Construction Projects

Approved February 27, 1995 (MO 44-95)
Revised September 26, 1997 (MO 181-97)
Revised September 24, 1999 (MO 226-99)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy authorizes the chancellor, or designee, of The Texas A&M University System (system) to move funds at the completion of a Board of Regents’ (board) authorized project.

Reason for Policy

The policy authorizes the chancellor, or designee, to reallocate unexpended balances from construction projects.

Procedures and Responsibilities

1. REVERSION OF FUNDS

   The chancellor, or designee, is authorized to revert to the source accounts, or transfer to other approved accounts within the entity, all amounts of appropriations remaining unexpended for construction projects, land acquisitions and debt issuance costs which have been completed or discontinued. Construction project appropriations also include appropriations for furnishings, equipment, and art acquisition.

2. TIMING OF REVERSION

   Reversion of funds will be facilitated as soon as reasonably possible upon project completion. The reversion allows the use of those funds for further improvements within the system.
Related Statutes, Policies, or Requirements

U.S. Department of Transportation Order 5100.38C, Chapter 1, Section 3.33(k)
http://www.faa.gov/airports_airtraffic/airports/aip/aip_handbook/

Definitions

Appropriation – Amounts approved by the board for capital projects managed by Facilities Planning and Construction.

Reversion – The process of transferring funds from a construction project to the original source account or to other approved accounts within the entity.

Contact Office

The System Office of Budgets and Accounting
(979) 458-6100
60.01 Relationships with Affiliated Organizations

Approved February 27, 1995 (MO 44-95)
Revised January 25, 2001 (MO 23-01)
Revised October 27, 2005 (MO 335-05)
Revised September 26, 2008 (MO 2-2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides authority and guidance to The Texas A&M University System (system) members that engage in relationships with affiliated organizations.

Reason for Policy

Relationships between system members and affiliated organizations must be managed in accordance with state and federal law.

Procedures and Responsibilities

AUTHORITY

1. Section 2255.001 of the Texas Government Code requires a state agency (including an institution of higher education) that is authorized by statute to accept money from private donors, or for which a private organization exists that is designed to further the purposes and duties of the agency, to adopt rules governing the relationship between the donor or affiliated organization and the agency and its employees.

2. The chancellor shall establish regulation(s) setting forth rules governing all aspects of conduct of the system members and their employees who engage in a relationship with an affiliated organization or donor, and the regulation must specifically address the following criteria:

(a) administration and investment of funds received by the affiliated organization for the benefit of the system member;

(b) use of an employee or property of the system member by the donor or affiliated organization;

(c) service by an officer or employee of the system member as an officer or director of the affiliated organization; and
(d) the prohibition of monetary enrichment of an officer or employee of the system member by the donor or affiliated organization.

3. Regulation(s) adopted under this policy may not conflict with, or supersede, a requirement of a statute, system policy or regulation, or system member rule or procedure regulating the conduct of an employee.

Related Statutes, Policies, or Requirements

Tex. Gov’t Code § 2255.001
http://tlo2.tlc.state.tx.us/statutes/docs/GV/content/pdf/gv.010.00.002255.00.pdf

Texas Senate Concurrent Resolution No. 176, 69th Leg., R.S., 1985 Tex. Gen. Laws 3459

Regulation 60.01.01, Association with Affiliated Fund Raising Organizations

Regulation 60.01.02, Association with Affiliated Support Organizations

Contact Office

The System Office of Budgets and Accounting
(979) 458-6100

60.01 Relationships with Affiliated Organizations
### The Texas A&M University System Campuses: Undergraduate Admission Requirements
#### Academic Year 2009-10: Effective Fall Semester 2009

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<th>TOEFL **</th>
<th>LOR*** /Other</th>
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</thead>
<tbody>
<tr>
<td>Prairie View A&amp;M Freshmen Students</td>
<td>Yes</td>
<td>Top 10% - no course requirement* OR Honors Admission: 3.50 GPA or higher; passage of any state mandated HS exit examination. OR 2.50 GPA or higher; Passing State mandated HS exit exam.</td>
<td>All college transcripts must have a 2.0 GPA or better; only 90 SCH from an upper level institution and only 66 SCH of coursework from a lower level institution may be transferred</td>
<td>Yes</td>
<td>Honors Admission: 1200 SAT Score (V+M) or ACT Composite score of 25; Unconditional Admission: 820 SAT score (V+ M) or ACT Composite score of 17; Conditional Admission: 710 SAT score (V+M) or ACT Composite score of 15</td>
<td>500 or greater; Graduate of US HS or applicant with score of 18 on English section of ACT or 400 verbal section of SAT exempt</td>
<td>Counselor’s Evaluation of Student Readiness Survey</td>
</tr>
<tr>
<td>Prairie View A&amp;M Transfer Students</td>
<td>Yes</td>
<td>Not applicable</td>
<td>Official transcript from previous junior colleges or senior colleges/universities attended and a minimum GPA of 2.0 in at least 15 SCH of college level coursework. Students on probation or suspension at most recent institution will not be admitted.</td>
<td>Yes</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>Consult catalog for additional information</td>
</tr>
</tbody>
</table>

SCH = semester credit hours
See page 6 for footnote/column heading explanations.
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</thead>
<tbody>
<tr>
<td>Tarleton State Freshmen Students</td>
<td>Yes</td>
<td>Top 10% - no course requirement* OR Top 25% of HS class No minimum ACT/SAT score required OR If below Top 25%: Combination of Class Rank, HS Program, and ACT/SAT scores</td>
<td>Must be eligible to enroll at all institutions previously attended and submit all transcripts; 68 SCH from a 2-year institution will be used on a degree plan; With 1-11 SCH - 2.0 GPA and first-time freshman (F-TF) standard, With 12-29 SCH - 2.8 GPA or 2.0 and F-TF standard, With 30 or more SCH - 2.0 GPA</td>
<td>Required of students taking health-related courses</td>
<td>Top 25% of HS - no minimum (min); 2nd Quarter (QTR) of HS: no min with REC HS program; 930 SAT or 20 ACT without REC HSP; 3rd QTR: 930 SAT or 20 ACT with REC HSP; 1030 SAT or 22 ACT without REC HSP; 4th QTR: 1030 SAT or 22 ACT with REC HSP, 1110 SAT or 24 ACT without REC HSP</td>
<td>520 - Paper based; 190 - Computer based; 68 Internet-based (ibt)</td>
<td>No</td>
</tr>
<tr>
<td>Tarleton State Transfer Students</td>
<td>Yes</td>
<td>Only if F-TF requirements must be met.</td>
<td>Same as above, and Off-campus locations must have 30 or more SCH and 2.0 GPA.</td>
<td>Required of students taking health-related courses</td>
<td>Only if F-TF requirements must be met. Not required by upper-level institutions</td>
<td>520 - Paper based; 190 - Computer based; 68 Internet-based (ibt)</td>
<td>No</td>
</tr>
<tr>
<td>Texas A&amp;M International</td>
<td>Yes</td>
<td>Top 10% - no course requirement* OR 4 units of English; 3 units of Math (Algebra II, Geometry); 2 units of Science; 3 units of Social Studies. With 30 or more college SCH - not required.</td>
<td>All college transcripts &amp; must have 2.0 GPA; a grade below a C will not satisfy degree requirements</td>
<td>No</td>
<td>Top 50% must have official SAT/ACT scores; Lower 50% must have a 860 SAT, or an 18 ACT</td>
<td>550 Paper; 213 Computer; 79 ibt</td>
<td>No</td>
</tr>
</tbody>
</table>

F-TF = first-time freshman
See page 6 for footnote/column heading explanations.
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<tbody>
<tr>
<td>TAMU &amp; Galveston All</td>
<td>YES</td>
<td>YES</td>
<td></td>
<td>Not applicable</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freshmen Students</td>
<td>$60 non-refundable Fee – main campus</td>
<td>Top 10% - No course requirement *; All other HS graduates: 4 units of English, 3.5 units of Math (Algebra I, II, Geom. &amp; .5 advanced); 3 units of Science (with 2 units from Biol. I, Chem. I, or Phys I); 2 units of the same foreign language</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>Writing component required; Top 10% - no SAT/ACT minimum; Not Top 10% - SAT/ACT scores used in holistic evaluation of application or in automatic admission consideration.</td>
<td>Not applicable</td>
<td>Catalog has complete list of additional requirements</td>
</tr>
<tr>
<td>Transfer Students</td>
<td>$60 non-refundable Fee – main campus</td>
<td>Yes</td>
<td>Official transcript from each institution attended and must have a 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.</td>
<td>No</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>Catalog has complete list of additional requirements</td>
</tr>
<tr>
<td>International Students</td>
<td>$75 non-refundable Fee</td>
<td>Yes Transcripts in a language other than English must be accompanied by an official English translation. Successful applicants will rank near the top of their country's educational system (B average or better) and score well above average on national exams.</td>
<td>Yes</td>
<td>Official SAT or ACT scores with writing component beginning with applications for fall 2008.</td>
<td>550 paper; 213 computer; 80 internet</td>
<td>Catalog has complete list of additional requirements</td>
<td></td>
</tr>
</tbody>
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<tbody>
<tr>
<td>TAMU Commerce</td>
<td>Yes</td>
<td>Top 10% - no requirement; Top 25% -- requires 4 units of English, 3 of Math (Algebra 1 or higher), 2 of Science and 2.5 of Social Studies</td>
<td>All college transcripts; must have 2.0 GPA; must be eligible to return to all previously attended institutions</td>
<td>No</td>
<td>SAT: 950 ACT: 20</td>
<td>500</td>
<td>Please refer to catalog</td>
</tr>
<tr>
<td>TAMU Commerce</td>
<td>Yes</td>
<td>Not applicable</td>
<td>Official transcript from previous junior or senior colleges/universities attended and a minimum GPA of 2.0 in at least 21 SCH of college level course work.</td>
<td>No</td>
<td>Not applicable</td>
<td>500</td>
<td>Not required</td>
</tr>
<tr>
<td>TAMU Corpus Christi</td>
<td>Yes</td>
<td>Top 10% - no course requirement* OR Completion of Texas Recommended or Distinguished High School Program OR 4 units of English; 3 units of Laboratory Science; 3 units of Math (Algebra 1 or higher); 3 units of Social Studies; 2 units of Foreign Language or American Sign Lang.; An Alternative Admission is offered.</td>
<td>All college transcripts &amp; must have 2.0 GPA; must be able to return to his/her previous institution; no remedial or duplicate courses may be transferred</td>
<td>No</td>
<td>Top 10% - no minimum</td>
<td>550</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Next 15% 900 SAT, 19 ACT</td>
<td></td>
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</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>2nd QTR: 1000 SAT, 21 ACT</td>
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<td></td>
<td></td>
<td></td>
<td>3rd QTR: 1100 SAT, 23 ACT</td>
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<td></td>
<td></td>
<td>4th QTR: 1200 SAT, 27 ACT</td>
<td></td>
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</table>

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<tbody>
<tr>
<td>TAMU-Kingsville</td>
<td>Yes</td>
<td>Top 10% - no course requirement*</td>
<td>All college transcripts &amp; must have 2.0 GPA; must be in good standing with the college or university last attended</td>
<td>Recommended</td>
<td>No Minimum Scores used for course placement</td>
<td>550 Paper Based Minimum, or 213 Computer Based Minimum, or 79 Internet Based Minimum</td>
<td>No</td>
</tr>
<tr>
<td>TAMU-Texarkana</td>
<td>Yes</td>
<td>No</td>
<td>Yes; Official transcripts from all previously attended institutions &amp; a minimum 2.0 cumulative GPA; Students must have 60 SCH of college credit to enroll at an upper-level institution; Certain conditions allow admission with 30 SCH college credit.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>550</td>
</tr>
<tr>
<td>West Texas A&amp;M</td>
<td>Yes</td>
<td>Top 10% - no course requirement* OR Texas HS curriculum or college preparatory program and minimum 2.0 cumulative GPA; provisional admission is offered.</td>
<td>All college transcripts must have a 2.0 GPA</td>
<td>No</td>
<td>Top 10% - no minimum. Next 15%: 850 SAT, 18 ACT 2nd QTR: 890 SAT, 19 ACT 3rd QTR: 930 SAT, 20 ACT 4th QTR: 971 SAT, 21 ACT</td>
<td>525 paper; 197 computer</td>
<td>No</td>
</tr>
</tbody>
</table>

See page 6 for footnote/column heading explanations.
The following footnote/column heading explanations apply to all System campuses:

* Top 10% - no course requirement: Automatic Unconditional Admission - As per implementation of HB 588.

** 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.

*** LOR: Letter of Recommendation
### The Texas A&M University System Campuses: Graduate and Professional Admission Requirements

**Academic Year 2009-10: Effective Fall Semester 2009**

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<tr>
<th>CAMPUS/Programs</th>
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<th>Official College Transcripts</th>
<th>Undergraduate Cumulative GPA</th>
<th>GRE *</th>
<th>GMAT * (Business)</th>
<th>International Requirements ++</th>
<th>Letters of Recommendation /Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>PVAMU</td>
<td>Yes, $50 non-refundable fee</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate works from previously attended institutions.</td>
<td>Minimum of 2.75 GPA for regular degree status. Minimum of 2.45 GPA for provisional (non-degree status admission).</td>
<td>Official scores required. May not be more than 10 years old at time of enrollment.</td>
<td>Official scores required</td>
<td>TOEFL - 550 Immigration Forms; Affidavit of financial support.</td>
<td>Three letters from persons in field of graduate’s academic major.</td>
</tr>
<tr>
<td>PVAMU Nursing Program</td>
<td>Yes, $50 non-refundable fee</td>
<td>Minimum of BSN degree from an NLNAC or CCNE accredited program.</td>
<td>Official transcripts of all previous undergraduate and graduate work. Grade of “C” or better in statistics course, basic course in health assessment. Current licensure to practice professional nursing and/or eligible to be licensed in Texas.</td>
<td>Overall minimum GPA of 3.0 on a 4.0 scale for regular graduate status.</td>
<td>Official scores required. GRE or Miller Analogies Test.</td>
<td>Not applicable</td>
<td>TOEFL - 550 Immigration Forms; Affidavit of financial support.</td>
<td>Two years experience as a Professional RN, Personal Interview, Writing Sample, Meet Nursing health requirements, Evidence of current personal professional liability insurance, $1M minimum.</td>
</tr>
<tr>
<td>PVAMU Ph.D. (Juvenile Justice)</td>
<td>Yes, $50 non-refundable fee</td>
<td>Bachelors and Masters degrees from an accredited college or university.</td>
<td>Official transcripts of all undergraduate and graduate work from previously attended institutions. Completion of all work in good standing at previously attended universities.</td>
<td>Overall 3.0 GPA in undergraduate work and 3.5 GPA in all previous graduate work.</td>
<td>Official scores required.</td>
<td>Not applicable</td>
<td>TOEFL - 600 Immigration Forms; Affidavit of financial support.</td>
<td>Three letters from persons in field of applicant’s academic major.</td>
</tr>
</tbody>
</table>

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<tr>
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<th>GMAT + (Business)</th>
<th>International Requirements ++</th>
<th>Letters of Recommendation /Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>PVAMU Ph.D. (Clinical Adolescent Psychology)</td>
<td>Yes</td>
<td>$50 non-refundable fee</td>
<td>Bachelors and Masters degrees in Psychology from an accredited college or university.</td>
<td>Official transcripts of all undergraduate and graduate work from previously attended institutions. Completion of all work in good standing at previously attended universities.</td>
<td>Overall 3.0 GPA in undergraduate work and 3.5 GPA in all previous graduate work.</td>
<td>Official scores required.</td>
<td>Not applicable</td>
<td>TOEFL – 600 Immigration Forms; Affidavit of financial support.</td>
</tr>
<tr>
<td>PVAMU Ph.D. Program (Educational Leadership)</td>
<td>Yes</td>
<td>$50 non-refundable fee</td>
<td>From an accredited college or university. Master Degree prior to entering doctoral course.</td>
<td>Official transcripts of all undergraduate and graduate work.</td>
<td>Minimum of 2.75 GPA in undergraduate work. Minimum of 3.2 on all completed graduate work.</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>TOEFL – 600 Immigration Forms; Affidavit of financial support.</td>
</tr>
<tr>
<td>PVAMU Ph.D. Program (Electrical Engineering)</td>
<td>Yes</td>
<td>$50 non-refundable fee</td>
<td>In Engineering, Mathematics or the Physical Sciences from a regionally accredited institute. MS in Elec. Eng. or related discipline.</td>
<td>Official transcripts of all undergraduate and graduate work.</td>
<td>Minimum of 3.0 GPA in undergraduate work. Minimum of 3.2 on all completed graduate work.</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>TOEFL – 600 Immigration Forms; Affidavit of financial support.</td>
</tr>
<tr>
<td>TSU</td>
<td>Yes</td>
<td>$30 non-refundable fee</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcripts of all undergraduate &amp; graduate works from previously attended institutions bearing date of bachelor’s degree conferral; showing good standing at last institution attended.</td>
<td>Minimum 2.5 GPA, writing sample and GRE. See individual dept. for additional specific requirements.</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>TOEFL – 550 Paper based; 213- Computer-based; 80 Internet-based. Foreign credentials must be evaluated by an accrediting agency that is recognized by the U.S. Must have a reliable U.S. sponsor with their Advisory Letter on File.</td>
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</tbody>
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<th>Letters of Recommendation/Other</th>
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<tbody>
<tr>
<td>TSU EdD (Educational Leadership)</td>
<td>Yes</td>
<td>MS degree from accredited college or university.</td>
<td>Official transcripts of all previously attended universities or colleges.</td>
<td>3.5 GPA on all course work. Minimum of 18 hrs of graduate or undergraduate course work in admin., mgmt. or leadership.</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>Same as for University (above)</td>
<td>4 letters from persons other than Tarleton Educational Administration Faculty. Application interview. Writing sample. Leadership portfolio.</td>
</tr>
<tr>
<td>TAMU</td>
<td>Yes</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions.</td>
<td>Composite of undergraduate GPA (last 60 hrs towards bachelor's degree) and GRE or GMAT score used to determine admission.</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>TOEFL — 550 (213 computer; 79 Internet-based/ibt) Proof of ability to meet required expenses.</td>
<td>Statement of purpose. See individual department for additional requirements.</td>
</tr>
<tr>
<td>TAMU Ph.D. (International Business)</td>
<td>Yes</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions.</td>
<td>Composite of undergraduate GPA (last 60 hours towards bachelor's degree) and GRE or GMAT score used to determine admission.</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>TOEFL — 600 (250 computer; 100 ibt) Proof of ability to meet required expenses.</td>
<td>3 letters. Statement of purpose. Current resume.</td>
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<tbody>
<tr>
<td>TAMU</td>
<td>Yes $50 N-R fee. $75 fee for international applicants.</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate works from previously attended institutions.</td>
<td>See individual department for additional specific requirements.</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>See individual departments for additional specific requirements.</td>
<td>Minimum of three letters required.</td>
</tr>
<tr>
<td>TAMU-Vet. Med. Professional Program</td>
<td>Yes $75 N-R fee. $100 N-R fee to TMDSAS.</td>
<td>Minimum of 73 credit hours including specific subject requirements.</td>
<td>Official transcript of all undergraduate &amp; graduate works from previously attended institutions.</td>
<td>Minimum of 2.90 overall or 3.10 (last 45 SCH). Completion of set core curriculum with GPA as high as possible.</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>Priority consideration is given to qualified applicants who are residents of Texas &amp; U.S. citizens, or residents of Texas who live in the U.S. under a visa permitting permanent residence.</td>
<td>Three letters required. Application interview at the option of the Selection Committee.</td>
</tr>
<tr>
<td>TAMU at Galveston</td>
<td>Yes $50 N-R fee. $75 fee for international applicants.</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate and graduate works from previously attended institutions.</td>
<td>See individual department for additional specific requirements.</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>See individual departments for additional specific requirements.</td>
<td>Minimum of three letters required.</td>
</tr>
</tbody>
</table>

*NOTE: Per TAMU/TAMUG: An official score on a standardized test is required unless otherwise specified by the graduate program to which a student is applying. A program can request exceptions to the Office of Graduate Studies. The scores are evaluated in a manner that complies with Chapter 51, Subchapter W of the Texas Education Code. Admissions and Scholarship policies for Graduate and Professional Programs, H.B. 1641.

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<tbody>
<tr>
<td>TAMU-Commerce</td>
<td>Yes $35 fee for domestic students, $50 fee for international students.</td>
<td>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)</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions.</td>
<td>Minimum of 2.75 overall or 3.0 (last 60 SCH).</td>
<td>Official score is required. Some master’s programs use other standardized test scores or a higher minimum GPA.</td>
<td>Required if undergraduate GPA less than 2.75 or 3.0 on last 60 hours</td>
<td>TOEFL – 500 on PBT, 173 on CBT, 60 on IBT or IELTS 5.0</td>
<td>See individual department for additional specific requirements.</td>
</tr>
<tr>
<td>TAMU-Corpus Christi</td>
<td>Yes $40 non-refundable fee, $70 for international students.</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions.</td>
<td>GPA last 60 SCH (See individual department for specific requirements.)</td>
<td>Official scores (not over five years old) required. See individual department for specific requirements.</td>
<td>Official scores (not over five years old) required</td>
<td>TOEFL – paper-based score of 550; computer-based score of 213, or Internet-based (ibt) score of 79-80. Notarized Affidavit of Support. Approved evaluation of credentials. Visa status documentation. Official scores on GRE or GMAT, depending on program.</td>
<td>See individual department for additional specific requirements.</td>
</tr>
<tr>
<td>TAMU-Kingsville</td>
<td>Yes $35 non-refundable fee for U.S. applicants, $50 non-refundable fee for international applicants.</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all college/university course work with final degree posted.</td>
<td>Minimum of 2.6 undergraduate cumulative GPA or 3.0 last 60 hours; GPA below 2.6 GRE/GMAT score used to determine admission.</td>
<td>Official scores required</td>
<td>Official scores required</td>
<td>TOEFL – 550 Paper Based Minimum or 213 Computer Based minimum, or 79 Internet Based Minimum</td>
<td>See individual department for additional requirements.</td>
</tr>
</tbody>
</table>

*Does not apply to students enrolled in the RN to MSN option.
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<tr>
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<th>GMAT * (Business)</th>
<th>International Requirements ++</th>
<th>Letters of Recommendation Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAMU-Texarkana</td>
<td>Yes $25 Fee for international students.</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate works from previously attended institutions.</td>
<td>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</td>
<td>Official scores (not over 5 years old) required during first semester of enrollment. MS in CounPsy may use GRE or MAT.</td>
<td>Official scores (not over 5 years old) required during first semester of enrollment. MSBA may use GMAT or GRE.</td>
<td>TOEFL - 550 Notarized Affidavit of Sponsor Support and Visa Status Documentation,</td>
<td>Three letters of academic recommendation. Resume Letter summarizing professional interest and commitment to chosen program.</td>
</tr>
<tr>
<td>WTAMU</td>
<td>Yes $25 non-refundable fee for University application. No fee for Graduate School application. $75 International student application/ transcript analysis fee.</td>
<td>Must hold baccalaureate degree or higher from a regionally accredited college or university (degrees from institutions outside the U.S. are evaluated for equivalency to U.S. degrees)</td>
<td>Official transcript of all undergraduate &amp; graduate works from previously attended institutions.</td>
<td>Master's level—Composite score of undergraduate GPA (overall or last 60 SCH) For doctoral level—Master's GPA.</td>
<td>Official scores required for both masters and doctoral level work before 1st semester of enrollment.</td>
<td>Official scores required before 1st semester of enrollment.</td>
<td>TOEFL - 550 Students funded by agency requiring special billing, charged incidental fee of $150 per semester. $75 application/transcript analysis fee for international transcripts.</td>
<td>None required for Master's level. However, individual programs typically require references. Three references for Doctoral admissions.</td>
</tr>
</tbody>
</table>

**Column Heading Explanations**

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

*++ International Requirements: Applicants whose native language is not English must take the Test of English as a Foreign Language (TOEFL).
All international students (who are not citizens or permanent U.S. residents) are required to be covered under the Student Health Insurance Plan or have equivalent insurance coverage as described in System Regulation 26.99.01.

Prepared by the Office of the Vice Chancellor for Academic Affairs

August 28, 2008

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### The Texas A&M System Health Science Center

**Undergraduate, Graduate and Professional Admission Requirements**  
Academic Year 2009-10: Effective Fall Semester 2009

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<th>CAMPUS/Programs</th>
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<th>Letters of Recommendation (LOR) / Other</th>
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<td><strong>Undergraduate</strong></td>
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</tr>
<tr>
<td>Baylor College of Dentistry</td>
<td>Yes $35 non-refundable (N-R) fee</td>
<td>Not applicable</td>
<td>Official transcript from all institutions of higher education attended</td>
<td>Completion of required courses with GPA as high as possible. Admission is competitive</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>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 International English Language (IEL) Testing Exam</td>
<td>Three LOR required and TSI assessment. Also, interview, comprehensive biographical sketch, and immunization and physical required.</td>
</tr>
<tr>
<td>Dental Hygiene Program (B.S.)</td>
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<tr>
<td>College of Nursing</td>
<td>Yes $50 non-refundable fee</td>
<td>Not required for generic applicants but must complete 58 SCHs of prerequisite coursework</td>
<td>Official transcript from all institutions of higher education attended</td>
<td>Admission is competitive. Applicants are required to have a minimum cumulative grade point average of a 3.0 and a minimum grade of &quot;C&quot; in each of the prerequisite courses</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>TOEFL: Minimum score of 550; (550 paper; 213 computer; 80 or higher internet). Score a 6.0 overall band score on the Academic Module of the IEL Testing Exam</td>
<td>Require two recommendation forms; one must come from a professor. Essay required</td>
</tr>
<tr>
<td>Generic and Accelerated Programs (B.S.N.)</td>
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<tr>
<td><strong>Baylor College of Dentistry</strong></td>
<td>Yes</td>
<td>Requirements vary for specific graduate programs</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions</td>
<td>A minimum total GPA of 2.7 &amp; a record of study &amp; experience which is predictive of success in advanced education; for some programs, acceptable scores on the National Board Examination</td>
<td>Acceptable scores required on GRE or on other national tests approved by graduate program</td>
<td>Not applicable</td>
<td>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.</td>
<td>LOR Required; Approval for admission from the Program Admissions Committee and the Associate Dean for Research and Graduate Studies</td>
</tr>
<tr>
<td><strong>Graduate Dentistry (Cert./M.S.)</strong></td>
<td>Yes</td>
<td>Requirements vary for specific graduate programs</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions</td>
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<tr>
<td><strong>D.D.S.</strong></td>
<td>Yes; Online at website of TMDSB. ¹ All materials sent to Application Service, except BCD Secondary Application</td>
<td>Not required but current competitive level dictates BA or BS from accredited college or university prior to matriculation</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions</td>
<td>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</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>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.</td>
<td>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.</td>
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</tr>
<tr>
<td>College of Medicine</td>
<td>Yes American Medical College Admission Service ($160 for the first school)</td>
<td>At least 90 SCHs from a fully accredited college or university in the US or its territories including specific subject requirements. Degree preferred.</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions</td>
<td>Completion of set core curriculum with competitive GPA &amp; MCAT scores required Not applicable</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>At least 90 semester credit hours from a fully accredited college or university in the US or its territories including specific subject requirements. Degree preferred. TOEFL: Minimum score of 550 (550 paper; 213 computer; 80 or higher internet). Score a 6.0 overall band score on the Academic Module of the IEL Testing Exam</td>
<td>One letter from health professions advisor; or two letters from current/former Professors. Personal interview required.</td>
</tr>
<tr>
<td>Combined M.D./Ph.D.</td>
<td>College of Medicine Secondary Application $50 N-R fee</td>
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<tr>
<td>College of Medicine</td>
<td>Yes: TMDSAs1 ($55 for the first school)</td>
<td>At least 90 semester credit hours from a fully accredited college or university in the US or its territories including specific subject requirements. Degree preferred.</td>
<td>Official transcript of all undergraduate &amp; graduate work from previously attended institutions</td>
<td>Completion of set core curriculum with competitive GPA &amp; MCAT scores required Not applicable</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>At least 90 SCHs from a fully accredited college or university in the US or its territories including specific subject requirements. Degree preferred. TOEFL: Minimum score of 550 (550 paper; 213 computer; 80 or higher internet). Score a 6.0 overall band score on the Academic Module of the IEL Testing Exam</td>
<td>One letter from health professions advisor; or two letters from current/former Professors. Personal interview required.</td>
</tr>
<tr>
<td>M.D.</td>
<td>College of Medicine Secondary Application $50 N-R fee</td>
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1 TMDSAs = Texas Medical Dental School Application

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<td>Irma Lerma Rangel College of Pharmacy (COP) Pharm.D.</td>
<td>Yes $100 N-R fee</td>
<td>Degree not required. Minimum of 72 SCHs college credit from a regionally accredited college or university.</td>
<td>Official transcripts from each academic institution attended. Transcripts in English.</td>
<td>Minimum cumulative GPA of 2.75 or higher and a 50 percent minimum score on the Pharmacy College Admission Test (PCAT)</td>
<td>Not applicable</td>
<td>Not applicable</td>
<td>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 IEL Testing Exam</td>
<td>Three completed LOR forms in sealed envelopes; at least two of these references should be from college professors. Personal interview required.</td>
</tr>
<tr>
<td>Graduate School of Biomedical Sciences Ph.D. or M.S.</td>
<td>Yes Domestic: $50 N-R fee, (The Medical Sciences program does not charge a fee for domestic applications.) International: $75 N-R fee</td>
<td>Bachelor's degree in appropriate discipline</td>
<td>Official college transcripts from each academic institution attended beyond high school</td>
<td>Minimum GPA of 3.0 or better in an appropriate discipline expected; specific requirements vary slightly by component</td>
<td>Required</td>
<td>Not applicable</td>
<td>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 IEL Testing Exam</td>
<td>Three LOR Forms Required</td>
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<tr>
<td>School of Rural Public Health</td>
<td>Yes: SOPHAS/SRPH Graduate Admissions Form; $95 N-R fee; $95 N-R fee for international students</td>
<td>Bachelor's or professional degree from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative.</td>
<td>Official scores required - GRE or GMAT</td>
<td>Official scores required - GRE or GMAT</td>
<td>TOEFL score of 587 or higher (paper; 25 or higher internet). Score a 6.5 overall band score on the Academic Module of the IEL Testing Exam. Transcripts in English &amp; WES/ECE Transcript Analysis.</td>
<td>Three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance</td>
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<tr>
<td>M.H.A</td>
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<tr>
<td>School of Rural Public Health (SRPH)</td>
<td>Yes: SOPHAS/SRPH Graduate Admissions Form; $95 N-R fee; $95 N-R fee for international students</td>
<td>Bachelor’s or professional degree from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative.</td>
<td>Official scores required.</td>
<td>Not applicable</td>
<td>TOEFL score of 587 or higher (paper; 25 or higher internet). Score a 6.5 overall band score on the Academic Module of the IEL Testing Exam. Transcripts in English &amp; WES/ECE Transcript Analysis.</td>
<td>Three LOR forms are required from persons who are familiar with the applicant's professional and/or academic performance. Interviews permitted but not required.</td>
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<tr>
<td>M.P.H.</td>
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SOPHAS = Schools of Public Health Application Service  
WES/ECE = World Education Services/Educational Credentials Evaluators

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<td>Yes: SOPHAS/ SRPH Graduate Admissions Form; $25 N-R fee;</td>
<td>Bachelor's or professional degree from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Minimum GPA of 3.0 or better in the last 60 semester hours or cumulative.</td>
<td>Official scores required</td>
<td>Not applicable</td>
<td>TOEFL score of $87 or higher (paper; 25 or higher internet). Score a 6.5 overall band score on the Academic Module of the IEL Testing Exam. Transcripts in English &amp; WES/ECE Transcript Analysis.</td>
<td>Three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance</td>
</tr>
<tr>
<td>School of Rural Public Health</td>
<td>$25 N-R fee for international students</td>
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<tr>
<td>M.S.P.H</td>
<td>Yes: SOPHAS/ SRPH Graduate Admissions Form; $25 N-R fee;</td>
<td>Bachelor's or professional degree and relevant master's degree containing research training from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Competitive GPA.</td>
<td>Official scores required - GRE or GMAT</td>
<td>Official scores required - GRE or GMAT</td>
<td>TOEFL score of $87 or higher (paper; 25 or higher internet). Score a 6.5 overall band score on the Academic Module of the IEL Testing Exam. Transcripts in English &amp; WES/ECE Transcript Analysis.</td>
<td>At least three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance</td>
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<tr>
<td>School of Rural Public Health</td>
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<tr>
<td>Ph.D.</td>
<td>Yes: SOPHAS/ SRPH Graduate Admissions Form; $25 N-R fee;</td>
<td>Bachelor's or professional degree and relevant master's degree from an accredited college or university</td>
<td>Official transcripts from each academic institution attended since high school</td>
<td>Competitive GPA.</td>
<td>Official scores required - GRE</td>
<td>Not applicable</td>
<td>TOEFL score of $87 or higher (paper; 25 or higher internet). Score a 6.5 overall band score on the Academic Module of the IEL Testing Exam. Transcripts in English &amp; WES/ECE Transcript Analysis.</td>
<td>At least three LOR forms required from persons who are familiar with the applicant's professional and/or academic performance</td>
</tr>
<tr>
<td>School of Rural Public Health</td>
<td>$25 N-R fee for international students</td>
<td></td>
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<tr>
<td>Dr. P.H.</td>
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</tbody>
</table>

SOPHAS = Schools of Public Health Application Service  
WES/ECE = World Education Services/Educational Credentials Evaluators

See page 7 for column heading explanations.
**Column Heading Explanations**

**NOTE: Special Program:**

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

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

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

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*Prepared by the HSC Office of the Vice President for Academic Affairs*  
*August 21, 2008*
11.03 Shortened Courses

Approved February 27, 1995 (MO 44-95)
Revised March 23, 2006 (MO 92-2006)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

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 offered, face-to-face course. 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.

Reason for Policy

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.

Procedures and Responsibilities

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 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 to implement and assure compliance with this policy. Any exceptions to Section 1.1.2 must be included in the rule.

Related Statutes, Policies, or Requirements

Texas Higher Education Coordinating Board Rules, 19 Tex. Admin. Code § 4.6
Minimum Length of Courses and Limitation on the Amount of Credit that a Student May Earn in a Given Time Period
http://www.thecb.state.tx.us/Rules/tac3.cfm?Chapter_ID=4&SubChapter=A#4.6

Definitions

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.

Contact Office

The System Office of Academic Affairs
(979) 458-6072
11.04 Admissions Standards

Approved February 27, 1995 (MO 44-95)
Revised September 27, 1996 (MO 187-96)
Revised October 28, 2005 (MO 199-2005)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy requires that the universities and health science center (academic institutions) of The Texas A&M University System (system) submit their admissions standards. Any change in admissions standards shall be submitted to the chancellor and the Board of Regents (board) for approval.

Reason for Policy

This policy enables the board to actively participate in a decision which will impact the level to which system resources such as space, faculty, and funding are used.

Procedures and Responsibilities

Each system academic institution shall prepare, 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 for approval.

Contact Office

The System Office of Academic Affairs
(979) 458-6072
11.05 Recruitment and Admission of Transfer Students

Approved February 27, 1995 (MO 44-95)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides that the Board of Regents (board) of The Texas A&M University System (system) endorses the recruitment and admission of transfer students from community colleges and other general academic institutions to the universities or the health science center (academic institutions) within the system.

Reason for Policy

The reason for this policy is to generate greater acceptance of students who transfer to system academic institutions and to promote the transfer of students who have already shown their ability to be successful in higher education.

Procedures and Responsibilities

Academic institutions within the system shall actively seek to recruit and enroll transfer students from public community colleges and four-year universities. These students must meet the requirements for admission to the system academic institution appropriate for transfer students.

Contact Office

The System Office of Academic Affairs
(979) 458-6072
11.06 Core Curriculum

Approved February 27, 1995 (MO 44-95)
Revised January 25, 1996 (MO 17-96)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides that the universities and the health science center (academic institutions) of The Texas A&M University System (system) are responsible for the establishment of core curriculum, subject to the approval of the president, provost and the Board of Regents (board). All transfer credits within the common core curriculum are to be accepted.

Reason for Policy

This policy provides for the acceptance of transfer credits from other public academic institutions of higher education which fall under the common core curriculum. This policy allows students to more easily transfer from academic institution to academic institution without losing credit for common lower division courses.

Procedures and Responsibilities

1. The responsibility for the proposal of core curriculum at each system academic institution rests with the faculty, subject to the approval of the respective chief academic officer, chief executive officer, the chancellor and the board. Ultimate authority for curriculum rests with the board.

2. System academic institutions shall accept for transfer all courses identified in the Texas Common Course Numbering System and published in the Academic Course Guide Manual. System academic institutions are not required to apply these credits to specific degree programs.

3. Institutional admissions and grading policies are not restricted by this policy as long as transfer students and native students are treated in like manner with respect to courses in the core curriculum.
Related Statutes, Policies, or Requirements

Texas Higher Education Coordinating Board Rules, Chapter 4, Subchapter B, 19 Tex. Admin. Code Part 1, Chapter 4, Subchapter B

Tex. Educ. Code § 61.822
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000061.00.htm#61.822.00

Definitions

Core Curriculum – the curriculum in the liberal arts, humanities, sciences, and political, social, and cultural history that all undergraduates of an institution of higher education are required to complete before receiving an academic undergraduate degree. Core curriculum provisions apply to public colleges and universities, and to academic degree programs offered at health-related institutions.

Contact Office

The System Office of Academic Affairs
(979) 458-6072
11.08 Award of Posthumous Degrees

Policy Statement

The universities and the health science center (academic institutions) of The Texas A&M University System (system) may award a posthumous degree in accordance with this policy.

Reason for Policy

This policy provides the means by which system academic institutions may create rules to establish when the awarding of a posthumous degree is appropriate.

Procedures and Responsibilities

The system offers students the opportunity to earn undergraduate or graduate degrees at its academic institutions. The pursuit of a degree may be interrupted by the untimely death of a student.

The system recognizes the culture and the unique environment of each degree-granting academic institution. Each system academic institution is responsible for determining the criteria to honor a deceased student. Undergraduate and graduate students are eligible for the award of a posthumous degree.

If the system academic institution chooses to award a posthumous degree, the academic institution must establish a rule to govern the process for awarding such degrees. In the formulation of the requirements for eligibility, the rule must include criteria for each of these elements:

1. current enrollment status of the student;
2. academic standing of the student;
3. progress of the student towards a degree; and
4. classification of the student if an undergraduate.
Contact Office

The System Office of Academic Affairs
(979) 458-6072
02.05 Presidents of System Member Universities

Approved February 27, 1995 (MO 44-95)
Revised July 23, 1999 (MO 197-99)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides that the Board of Regents (board) of The Texas A&M University System (system) appoints the presidents of the system member universities who serve under the direction of the chancellor.

Reason for Policy

This policy establishes the duties and administrative responsibilities of the presidents of the system member universities, in addition to other duties and responsibilities delegated by the chancellor or the board.

Procedures and Responsibilities

1. GENERAL

The presidents of system member universities are appointed by the board on the recommendation of the chancellor, serve under the direction of the chancellor, and have the following duties and responsibilities and such others as may be duly delegated by the chancellor or the board.

2. DUTIES OF THE PRESIDENT

Subject to, and under the general authority of the chancellor, the president of each system member university shall:

2.1 Administer the total program of the system member under the president's jurisdiction. Recommend to the chancellor and the board the appropriate goals, purposes and role and scope for the system member.

2.2 Recommend an organizational structure necessary to implement the purpose and mission of the system member and recommend the establishment of administrative offices appropriate thereto.
2.3 Recommend to the chancellor the appointment of all personnel requiring appointment by the board.

2.4 Conduct regular periodic evaluations of each administrative officer.

2.5 Coordinate the planning, development and operation of all activities and programs of the system member.

2.6 Develop legislative budget requests and submit to the chancellor for approval. The board will be provided with summary information for review after submission of these requests.

2.7 Develop annual budgets for operation and construction and submit to the chancellor for recommendation and action by the board.

2.8 Administer the business and financial management of the system member. The management function includes, but is not limited to, budget preparation and implementation, financial and property accounting, the auditing of all expenditures and bills presented for payment, and the preparation of such financial reports as may be required.

2.9 Develop procedures and standards for personnel administration, including those for employment, wage and salary administration, pay plans and classification, termination and conditions of employment in conformity with policies, practices and procedures of the system.

2.10 Provide for the operation and maintenance of the physical plant, the purchase of supplies and equipment, and the maintenance of appropriate inventories and records of real and personal properties under the jurisdiction of the system member.

2.11 Explain system policy to the staff and explain the system member's program needs to the chancellor.

2.12 Serve as the system member representative with appropriate former student associations and any institutionally related development foundations.

3. ADMINISTRATIVE RESPONSIBILITIES OF THE PRESIDENT

The presidents shall provide for the following administrative functions within the structure of the system member university.

3.1 General supervision of all personnel employed by or assigned to the system member.

3.2 General supervision of all student programs and services. Such supervision includes, but is not limited to, recruitment of students, admissions, registration and records, academic advising, counseling, housing, scholarships and financial
aid, student activities and services, placement, foreign students and the evaluation and certification of academic credit from other institutions.

3.3 Development and dissemination of information concerning programs and accomplishments.

3.4 Maintenance of a current rules and internal procedures website for the system member.

Related Statutes, Policies, or Requirements

System Policy 01.03, Appointing Power and Terms and Conditions of Employment
http://www.tamus.edu/offices/policy/policies/pdf/01-03.pdf

System Policy 02.01, Board of Regents
http://www.tamus.edu/offices/policy/policies/pdf/02-01.pdf

System Policy 02.02, Office of the Chancellor
http://www.tamus.edu/offices/policy/policies/pdf/02-02.pdf

Contact Office

The Office of the Chancellor
(979) 458-6000
02.06 Directors of System Member Agencies

Approved February 27, 1995 (MO 44-95)
Revised May 22, 1998 (MO 116-98)
Revised July 23, 1999 (MO 197-99)
Revised October 15, 1999 (MO 233-235-99)
Revised September 27, 2001 (MO 211-01)
Revised March 25, 2004 (MO 29-04)
Revised October 27, 2005 (MO 199-2005)
Revised May 25, 2007 (MO 116-2007)
Revised September 26, 2008 (MO 116-2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides that the Board of Regents (board) of The Texas A&M University System (system) appoints the directors of system member agencies.

Reason for Policy

This policy outlines the duties of the system member agency directors.

Procedures and Responsibilities

1. GENERAL

The chief executive officer of each system member agency is the agency director. The agency directors for Texas AgriLife Research, Texas AgriLife Extension Service, Texas Forest Service, and Texas Veterinary Medical Diagnostic Laboratory report to the vice chancellor for agriculture and life sciences. The agency directors for Texas Engineering Experiment Station, Texas Engineering Extension Service and Texas Transportation Institute report to the vice chancellor for engineering.

The directors of system member agencies are appointed by the board in accordance with System Policy 01.03, Appointing Power and Terms and Conditions of Employment, and have the following duties and such others as may be assigned by the vice chancellors, the chancellor, or the board.
2. DUTIES OF THE AGENCY DIRECTOR

Within system policies and system regulations, and under the general authority of the chancellor and the appropriate vice chancellor, agency directors have authority and responsibility for the administration of the system member agencies. Specifically, each agency director shall:

2.1 Administer the total program of the agency. Recommend to the appropriate vice chancellor, the chancellor and the board the appropriate goals, purposes and role and scope for the agency.

2.2 Recommend to the appropriate vice chancellor the basic organizational structure necessary to implement the purpose and mission of the agency and the establishment of administrative offices that are required for the effective exercise of the responsibilities of the director.

2.3 Conduct regular periodic evaluations of each administrative officer.

2.4 Coordinate the planning, development and operation of all activities and programs of the agency.

2.5 Develop legislative budget requests for the agency and submit them to the appropriate vice chancellor and the chancellor for approval. The board will be provided with summary information for review after submission of these requests.

2.6 Develop annual budgets for operation and construction and submit them to the appropriate vice chancellor and the chancellor for recommendation to and action by the Board of Regents.

2.7 Administer the business and financial management of the agency. The management function should include, but is not limited to, budget preparation and implementation, the keeping of financial accounts for agency activities, auditing of all expenditures and bills presented for payment, and the preparation of financial reports as may be required.

2.8 Develop procedures and standards for personnel administration, including those for employment, wage and salary administration, pay plans and classification, termination and conditions of employment in conformity with system policies, practices and procedures.

2.9 Provide for the operation and maintenance of the physical plants to the extent of specifically assigned authority, administer the purchasing of supplies and equipment, and the maintenance of appropriate inventories and records of real and personal properties under the jurisdiction of the agency.

2.10 Provide the appropriate vice chancellor with the information necessary to explain the agency's program needs to the chancellor and the board.

2.11 Maintain the agency's current rules and internal procedures website.
Related Statutes, Policies, or Requirements

System Policy 01.03, Appointing Power and Terms and Conditions of Employment
http://www.tamus.edu/offices/policy/policies/pdf/01-03.pdf

System Policy 02.01, Board of Regents
http://www.tamus.edu/offices/policy/policies/pdf/02-01.pdf

System Policy 02.02, Office of the Chancellor
http://www.tamus.edu/offices/policy/policies/pdf/02-02.pdf

System Regulation 02.02.01, Vice Chancellor for Agriculture and Life Sciences and Vice Chancellor for Engineering
http://www.tamus.edu/offices/policy/policies/pdf/02-02-01.pdf

Contact Office

The Office of the Chancellor
(979) 458-6000
02.07 President of the System Health Science Center

Approved May 28, 1999 (MO 101-99)
Revised December 2, 1999 (MO 264-99)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides that the Board of Regents (board) of The Texas A&M University System (system) appoints the president of The Texas A&M University System Health Science Center (HSC) who serves under the direction of the chancellor.

Reason for Policy

This policy establishes the duties and administrative responsibilities of the president of the HSC, in addition to other duties and responsibilities delegated by the chancellor or the board.

Procedures and Responsibilities

1. GENERAL

The president of the HSC is appointed by the board on the recommendation of the chancellor, serves under the direction of the chancellor, and has the following duties and responsibilities and such others as may be duly delegated by the chancellor or the board.

The chief executive officer (CEO) of the HSC is the president. The HSC is comprised of the Baylor College of Dentistry, the College of Medicine, the Irma Lerma Rangel College of Pharmacy, the College of Nursing, the Institute of Biosciences and Technology, the School of Rural Public Health and the Graduate School of Biomedical Sciences.

2. DUTIES OF THE PRESIDENT

Subject to, and under the general authority of the chancellor, the president of the HSC shall:

2.1 Administer the total program of the HSC. Recommend to the chancellor and the board the appropriate goals, purposes and role and scope for the HSC.
2.2 Recommend an organizational structure necessary to implement the purpose and mission of the HSC and recommend the establishment of administrative offices appropriate thereto.

2.3 Recommend to the chancellor the appointment of all personnel requiring appointment by the board.

2.4 Conduct regular periodic evaluations of each administrative officer.

2.5 Coordinate the planning, development and operation of all activities and programs of the HSC.

2.6 Develop legislative budget requests and submit to the chancellor for approval. The board will be provided with summary information for review after submission of these requests.

2.7 Develop annual budgets for operation and construction and submit to the chancellor for recommendation and action by the board.

2.8 Administer the business and financial management of the HSC. The management function includes, but is not limited to, budget preparation and implementation, financial and property accounting, the auditing of all expenditures and bills presented for payment, and the preparation of such financial reports as may be required.

2.9 Develop procedures and standards for personnel administration, including those for employment, wage and salary administration, pay plans and classification, termination and conditions of employment in conformity with policies, practices and procedures of the system.

2.10 Provide for the operation and maintenance of the physical plant, the purchase of supplies and equipment, and the maintenance of appropriate inventories and records of real and personal properties under the jurisdiction of the HSC.

2.11 Explain system policy to the staff and explain the HSC's program needs to the chancellor.

2.12 Serve as the HSC's representative with appropriate former student associations and any HSC-related development foundations.

2.13 Appoint all faculty members, with the approval of the chancellor.

3. ADMINISTRATIVE RESPONSIBILITIES OF THE PRESIDENT

The president shall provide for the following administrative functions within the structure of the HSC:

3.1 General supervision of all personnel employed by or assigned to the HSC.
3.2 General supervision of all health programs, research, health professions and graduate education. Such supervision includes, but is not limited to, recruitment of students, admissions, registration and records, academic advising, counseling, housing, scholarships and financial aid, student activities and services, placement, foreign students and the evaluation and certification of academic credit from other institutions.

3.3 Development and dissemination of information concerning programs and accomplishments.

3.4 Maintenance of a current rules and internal policies website for the HSC.

Related Statutes, Policies, or Requirements

System Policy 01.03, Appointing Power and Terms and Conditions of Employment
http://www.tamus.edu/offices/policy/policies/pdf/01-03.pdf

System Policy 02.01, Board of Regents
http://www.tamus.edu/offices/policy/policies/pdf/02-01.pdf

System Policy 02.02, Office of the Chancellor
http://www.tamus.edu/offices/policy/policies/pdf/02-02.pdf

Contact Office

The Office of the Chancellor
(979) 458-6000
11.01 Collaboration Among System Academic Institutions

Approved February 27, 1995 (MO 44-95)
Revised September 24, 1999 (MO 226-99)
Revised March 25, 2004 (MO 29-04)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy requires that academic institutions of The Texas A&M University System (system) collaborate in order to most effectively use resources to provide positive outcomes for students and the community.

Reason for Policy

This policy will give system academic institutions the impetus to create collaborative agreements between system academic institutions, colleges, departments or degree programs which can provide a higher level of service to students while efficiently using institutional resources.

Procedures and Responsibilities

1. Presidents of the universities and the health science center (academic institutions) of the system are charged to develop collaborative programs that will achieve the highest effective utilization of the resources of the system academic institutions and respond most fully to the needs of students.

2. Individual departments or colleges at any two or more of the system academic institutions are permitted to make collaborative arrangements for handling the programs of study for students enrolled at their institutions. Each collaborative arrangement is to be in written form and must be approved by the president at each system academic institution or by his or her designee.

3. Collaborative arrangements should be based on the principles that course content and quality are mutually acceptable, that facilities are adequate and that details of the arrangements are agreed upon in advance of their application. The following operating guidelines will apply to all collaborative arrangements:
3.1 Program arrangements must be consistent with authorities for degree programs and course inventories established by the Texas Higher Education Coordinating Board.

3.2 The student may maintain registration at either system academic institution. If credit for any course or work taken at a secondary system academic institution is to be through student registration in an appropriate course at the primary system academic institution (such as graduate special problems), the dean or other appropriate official of the secondary system academic institution will certify the course grade to the dean or other appropriate official of the primary system academic institution by letter or by form adopted for this purpose.

3.3 Students doing work at a secondary system academic institution will comply with all appropriate rules of the secondary system academic institution as applicable.

3.4 Students will pay all applicable fees at the system academic institution at which they register as outlined in the collaborative agreement.

3.5 Students on a fellowship or in receipt of financial assistance at the primary system academic institution may continue receiving such assistance, if otherwise appropriate, while doing research in a laboratory or taking courses at a secondary system academic institution.

3.6 Where appropriate, collaborating departments will agree on matters which will facilitate the collaboration, such as:

(a) use of faculty between system academic institutions for teaching courses or for serving on examining committees;
(b) joint filing of degree plans;
(c) waiver of transfer credit restrictions;
(d) creating financial aid consortiums to allow students to remain eligible for financial aid based upon total semester credit hour enrollment between the system academic institutions; and
(e) other items germane to the particular program situation.

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**Contact Office**

The System Office of Academic Affairs  
(979) 458-6072
12.01 Academic Freedom, Responsibility and Tenure

Approved February 27, 1995 (MO 44-95)
Revised July 26, 1996 (MO 169-96)
Revised November 30, 2000 (MO 227-00)
Revised December 5, 2002 (MO 255-02)
Revised March 24, 2005 (MO 79-05)
Revised May 25, 2006 (MO 144-2006)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

The relationship between tenure/tenure-track faculty and the academic institution of The Texas A&M University System (system) for which they work is a balance between the responsibilities and obligations of the faculty with the requirements and demands of the system academic institution. Faculty are provided with the ability to receive a tenured position which allows them the freedom to carry out teaching, research and service which is consistent with their disciplines, expertise and interests. System academic institutions are provided with qualified faculty members who provide classroom instruction, basic and applied research, and service to the institutional and larger communities.

Reason for Policy

This policy provides the basis upon which tenure/tenure-track faculty may be hired, tenured, and dismissed. The responsibilities of the tenure/tenure-track faculty are described as are the criteria by which they will be evaluated. The manner in which tenure/tenure-track faculty may be dismissed is also described.

Procedures and Responsibilities

The following policies on academic freedom, responsibility and tenure apply separately, but equally, to each of the universities and the health science center (academic institutions) of the system.

1. ACADEMIC FREEDOM

   1.1 Institutions of higher education exist for the common good. The common good depends upon an uninhibited search for truth and its open expression. Hence, it is essential that each faculty member be free to pursue scholarly inquiry, and to voice and publish individual conclusions concerning the significance of evidence that the faculty member considers relevant. Each faculty member must be free from the corrosive fear that
others, inside or outside the academic community, because their vision may differ, may threaten the faculty member's professional career or the material benefits accruing from it.

1.2 Each faculty member is entitled to full freedom in the classroom in discussing the subject which he or she teaches, but should not introduce controversial matter which has no relation to the classroom subject. Each faculty member is also a citizen of the nation, state and community; and when speaking, writing or acting as such, must be free from institutional censorship or discipline, subject to academic responsibility. In such instances, the faculty member should clearly state that he or she is not speaking for the system academic institution.

2. ACADEMIC RESPONSIBILITY OF FACULTY MEMBERS

The concept of academic freedom for faculty must be accompanied by an equally demanding concept of academic responsibility. Faculty members have a responsibility to the system academic institution, their profession, their students, and society at large. The rights and privileges of faculty members extended by society and protected by governing boards and administrators through written policies and procedures on academic freedom and tenure, and as further protected by the courts, require reciprocally the assumption of certain responsibilities by faculty members. Some of those are:

2.1 The fundamental responsibilities of faculty members as teachers and scholars include maintenance of competence in their field of specialization and the exhibition of professional competence in the classroom, studio or laboratory and in the public arena through activities such as discussions, lectures, consulting, performances, exhibitions, publications and participation in professional organizations and meetings.

2.2 Faculty members must recognize that the public will judge their profession and system academic institutions by their statements. Hence, faculty members should at all times strive to be accurate in their statements, exercise appropriate restraint, show respect for opinions of others, and make every effort to indicate that they are not speaking or acting for the system academic institution when they are speaking or acting as private persons.

2.3 The constitutionally protected rights of faculty members, as citizens, to freedom of expression on matters of public concern must be balanced with the interest of the state, as an employer, in promoting the efficiency of the educational services it performs through its employees. A faculty member's comments are protected even though they may be highly critical in tone or content, or erroneous, but such statements are not protected free speech if they either substantially impede the faculty member's performance of daily duties or materially and substantially interfere with the regular operation of the system academic institution, department or college. False statements made with knowledge of their falsity or in reckless disregard of the truth are not entitled to constitutional protection, and public statements may be so without foundation as to call into question the fitness of the faculty member to perform his or her professional duties.

2.4 Faculty members should be professional in their conduct in the classroom and in relationships with students. They should maintain respect for the student and for the
student's posture as a learner and should be appropriately available to students for consultation on course work.

2.5 Faculty members have the responsibility to provide timely and adequate notice of their intention to interrupt or terminate institutional services.

3. WRITTEN TERMS OF EMPLOYMENT

3.1 All new faculty members shall be provided with an appointment letter stating the initial terms and conditions of employment. Any subsequent modifications or special understandings in regard to the appointment, which may be made on an annual basis, should be stated in writing and a copy given to the faculty member. All faculty members, unless the terms and conditions of their appointment letter state otherwise, are expected to engage in teaching, scholarship, and service. Essential job functions for a position may vary depending upon the nature of the department in which the faculty member holds expertise, external funding requirements attached to the position, licensing or accreditation requirements, and other circumstances. It is therefore important that essential job functions for each faculty position be listed in the initial appointment letter. For example, all of the following that are applicable should be listed: teaching responsibilities, responsibilities for advising students, independent and/or collaborative research responsibilities, engaging in patient care, committee assignments, conditions imposed by external accrediting agencies, conditions for holding a named professorship or endowed chair, or a position that combines academic and administrative duties, and any other specific essential functions for the position in question. All appointment letters must indicate whether the appointment being offered is with tenure, tenure-accruing, or non-tenure accruing.

3.2 The system academic institution shall notify faculty members annually, in writing, of their salary. Any other changes or additions to the appointment also should be included.

3.3 Faculty members are expected to fulfill the terms and conditions of employment for the following year unless they resign prior to thirty (30) calendar days after receiving notice of the terms.

4. TENURE POLICY

Tenure means the entitlement of faculty members to continue in their academic positions unless dismissed for good cause. Tenured faculty who remain in good standing shall continue to enjoy those privileges customarily associated with tenure, including an expectation of continuing employment, appropriate compensation, a suitable office and workspace, serving as a principal investigator and conducting research, teaching classes, participating in faculty governance, and representing oneself as a tenured faculty member at his or her system academic institution. However, tenure shall not be construed as creating a property interest in any attributes of the faculty position beyond the faculty member's regular annual salary. A specific system of faculty tenure should undergird the integrity of each system academic institution. System academic institution tenure systems should have these elements:

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1 A property interest refers to the constitutionally protected interest that may not be taken by the state without affording due process as required by federal and state law.
4.1 Beginning with appointment to a tenure-track position, the probationary period for a faculty member shall not exceed seven (7) years. This period may, at the system academic institution's option, include appropriate full-time service at other institutions of higher education, even if the inclusion of such service extends the total probationary period in the academic profession beyond the normal maximum of seven (7) years. However, any credit for prior service included within the seven-year probationary period shall be agreed upon in writing at the time of employment. System academic institutions shall develop a rule authorizing extension of the probationary period beyond seven (7) years to permit a possible "time-out" due to special conditions or in order to pursue special opportunities. Such extensions must be based on extraordinary circumstances and require written concurrence by the faculty member, department head, dean and the chief academic officer, or the chief academic officer's designee. Tenure is granted only by the affirmative action of the system Board of Regents (board) upon recommendation of the chief executive officer (CEO). At the conclusion of the probationary period, unless appropriately informed otherwise, the faculty member shall not have tenure. Prior to the beginning of the last year of the probationary period, the system academic institution shall notify the faculty member in writing of a decision regarding the granting or denial of tenure. The failure by the system academic institution to so notify shall not be construed as a grant of de facto tenure. If the decision is not to award tenure, the faculty member is entitled to serve for one additional contract year following the term or semester in which the notice is received.

4.2 Notice of non-reappointment, or of intention not to reappoint a faculty member, should be given in writing in accordance with the following standards:

(a) not later than March 1 of the first academic year of probationary service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination;

(b) not later than December 15 of the second year of probationary service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination; and

(c) at least twelve months before the expiration of a probationary appointment after two or more years with the system academic institution.

4.3 Good cause for dismissal of a faculty member with tenure will relate directly and substantially to the performance of professional duties, and may include, but shall not be limited to, the following:

(a) professional incompetence;

(b) continuing or repeated failure to perform duties or meet responsibilities to the system academic institution or to students or associates;

(c) failure to successfully complete a post tenure review professional development program;

(d) moral turpitude adversely affecting the performance of duties or the meeting of responsibilities to the system academic institution, or to students or associates;
(e) violation of system policies, system regulations, system academic institution rules, or laws substantially related to performance of faculty duties;

(f) conviction of a crime substantially related to the fitness of a faculty member to engage in teaching, research, service/outreach, and/or administration;

(g) unprofessional conduct adversely affecting to a material and substantial degree the performance of duties or the meeting of responsibilities to the system academic institution, or to students or associates;

(h) falsification of academic credentials;

(i) bona fide financial exigency or the phasing out of institutional programs requiring reduction of faculty (see Section 9); or

(j) the reduction or discontinuance of institutional programs based on educational considerations and requiring the termination of faculty members (see Section 9).

4.4 A faculty member with tenure shall not be dismissed until he or she has received notice of the cause for dismissal and, except as specified in Section 8 of this policy, only after an opportunity for a hearing pursuant to procedures established in accordance with Section 8.

5. ADMINISTRATIVE LEAVE

Faculty members may be placed on administrative leave with pay by the faculty member’s dean, with the concurrence of the dean of faculties (or provost if there is no dean of faculties) pending an investigation into matters pertaining to the faculty member’s job performance, including but not limited to, fiscal matters and improper conduct in teaching, research, or service. Notification shall be given in writing and shall include the reasons for placing the faculty member on administrative leave with pay and the terms of the leave. A faculty member placed on administrative leave with pay may appeal the decision to the provost by submitting an appeal in writing. The provost will conduct the appeal, and may appoint a person or persons to assist the provost in the appeal. The investigation process is not stayed by an appeal. The appeal should be completed within five (5) business days of the receipt of the appeal. This provision is distinct from suspension during the pendency of termination proceedings. Placing a faculty member on administrative leave with pay is justified to aid in an investigation or if the welfare of the faculty member or that of students, colleagues or other institutional employees is threatened by continuance, or if the continued presence of the faculty member would be disruptive of the regular operations of the system academic institution. Any such leave should be with appropriate provisions for useful duties, including appropriate access to classrooms, laboratories, libraries and other facilities. A tenured faculty member who has been placed on administrative leave with pay shall be entitled to his or her regular annual salary.

6. FACULTY DISMISSALS FOR CAUSE

System academic institutions shall establish proper procedures for dismissal of faculty for cause. These dismissal procedures shall apply only to a faculty member who has tenure or whose term appointment has not expired at the time of the dismissal. Such procedures shall have the following parts:
6.1 A bona fide effort by appropriate administrative officers and/or other persons or committees should be made to achieve a satisfactory resolution of difficulties through preliminary inquiry, discussion or confidential mediation.

6.2 Should these efforts fail to achieve a satisfactory resolution and should the difficulties be considered by the administration to be serious enough to warrant dismissal, the faculty member should be afforded the opportunity for a hearing that meets the requirements set forth in Section 8.

6.3 Unless a faculty member is summarily dismissed pursuant to Section 8.1, a faculty member may be reassigned or suspended during the pendency of termination proceedings; however, suspension of the faculty member is justified only if the welfare of the faculty member or that of students, colleagues or other institutional employees is threatened by continuance, or if the continued presence of the faculty member would be materially and substantially disruptive of the regular operations of the system academic institution. Any such suspension should be with pay and with appropriate provisions for useful duties including appropriate access to classrooms, laboratories, libraries and other facilities.

6.4 In any of these proceedings the faculty member and the administration shall have the right to representation.

7. NON-RENEWAL OF NON-TENURED TENURE TRACK FACULTY AT END OF TERM CONTRACT

Procedures in cases of non-renewal of non-tenured tenure track faculty members at the end of any term contract (other than a one-year only contract which has not been renewed) shall have the following parts:

7.1 A system academic institution is not required to give a non-tenured faculty member a reason for a decision not to reappoint for another contract term or to provide a hearing. Generally, all faculty members are entitled under Texas law to see their personnel files and to obtain a copy of the information in these files at their own expense.

7.2 A non-tenured faculty member may present, in person, a grievance over non-renewal of the faculty member’s employment at the system academic institution. The board delegates the authority through the chancellor to the CEO to designate an individual within the system academic institution’s administration to hear the faculty member’s grievance. The system academic institution shall adopt a method of presenting, reviewing and acting on grievances pursuant to this section.

7.3 A non-tenured faculty member may appeal a decision not to reappoint on the basis that the decision was made in violation of the academic freedom of the individual or for an illegal reason or for inadequate consideration of the faculty member’s record of professional achievement. For purposes of this section, an illegal reason is defined as a decision based on race, sex, age, national origin, religion, creed, color, or disability unrelated to the performance of duties; or made in retaliation for the faculty member's exercise of protected First Amendment rights. Such an appeal must be filed within
twenty (20) business days of the date on which the faculty member was given written notice of non-reappointment.

7.4 System academic institution appeal procedures shall provide for preliminary consideration within fifteen (15) business days of the faculty member's notice of appeal of the allegations by a faculty committee to determine whether the faculty member has established a prima facie case that the decision was made in violation of the faculty member's academic freedom, for an illegal reason, or without adequate consideration of the faculty member's record of professional achievement. If the preliminary review committee determines that the faculty member has not alleged a prima facie case, the allegations shall be dismissed and the decision not to reappoint shall stand. If the committee determines that the allegations do establish a prima facie case, the matter shall be referred for an evidentiary hearing under established system academic institution procedures. A prima facie case for purposes of this section means that the faculty member's evidence, alone and un-rebutted, would establish that a violation as defined in Section 7.3 may have occurred.

7.5 In any evidentiary hearing, the burden of proving that the decision was made in violation of academic freedom or for an illegal reason, or without adequate consideration of the faculty member's record of professional achievement, shall rest with the faculty member. The burden of proof must be met by a preponderance of the evidence; i.e., that which is more convincing, more credible, and of greater weight than contrary evidence. Both the faculty member and the administration have the right of representation at this hearing. The system academic institution shall provide staff support to schedule and hold a hearing. If the appeal is filed before March 1, the hearing shall be scheduled within sixty (60) calendar days from the date the committee chair is notified of the appeal; the chair of the hearing committee may extend the time for completing the hearing fifteen (15) calendar days for good cause shown. If more than one appeal is filed in a given year, some appeals may be delayed until the first full academic term following the notice of appeal. The committee shall complete its report within fifteen (15) calendar days of the completion of the hearing. The importance of conducting the hearing in a prompt manner shall guide the system academic institution and the hearing committee. Hearing committee members' departments shall assist as needed to accommodate the scheduling of the hearing.

8. DISMISSAL FOR CAUSE HEARINGS

8.1 Summary Dismissal

Each system academic institution may establish procedures for the summary dismissal of faculty for specified causes. Such procedures shall provide the faculty member with notice of the charges, an opportunity to respond to an administrator prior to dismissal, and an opportunity for a post-termination evidentiary hearing appealing the dismissal. Post-termination appeals shall embody the elements set forth in Section 8.2.

8.2 Pre-termination Hearing

8.2.1 Unless summary dismissal procedures are invoked, each system academic institution shall provide a faculty member to be dismissed for cause with notice
of the charges and an opportunity for a fair and impartial hearing by a faculty committee. A faculty member requesting a hearing shall submit a notice of appeal to the system academic institution’s CEO within ten (10) business days of receipt of the notice of termination. The CEO shall notify the hearing committee within five (5) business days of the date the appeal has been filed. The system academic institution shall provide staff support to schedule a hearing. The hearing committee shall schedule a hearing date within sixty (60) calendar days of the notice of appeal. The chair of the hearing committee may extend the time for completing the hearing fifteen (15) calendar days for good cause shown. The committee shall complete its report within fifteen (15) calendar days of the completion of the hearing. The importance of conducting the hearing in a prompt manner shall guide the system academic institution and the hearing committee. Hearing committee members’ departments shall assist as needed to accommodate the scheduling of the hearing. The hearing committee shall formulate explicit findings with respect to each of the grounds for removal presented and shall recommend whether or not, in its judgment, there is good cause for dismissal. The burden of proof is on the system academic institution to establish by a preponderance of the evidence the existence of good cause for dismissal.

8.2.2 The committee’s findings and recommendation whether or not, in its judgment, there is good cause for dismissal shall be conveyed in writing to the CEO and to the faculty member.

8.2.3 If the faculty member's appointment is proposed to be terminated by the CEO, the full report of the hearing committee, the record of the hearing, the CEO's recommendation, and other relevant documentation available to both the faculty member and the system academic institution shall be delivered to the chancellor who shall carry out a review of the documentation. In the event that the chancellor identifies the need for information not contained in the documentation, the chancellor may choose to give the system academic institution and the faculty member an opportunity to present their arguments and take questions from the chancellor. The chancellor shall have a maximum of forty-five (45) days in which to conduct the review. Upon completion of the review, the chancellor shall make a final determination as to the dismissal.

8.2.4 In the event that the review identifies information which is probative of the dismissal, and which was not made available to the faculty review committee and/or the CEO, the chancellor may return the matter to the system academic institution CEO. Upon return to the CEO, the hearing committee shall have fifteen (15) calendar days in which to conduct a follow-up hearing to evaluate the new information and render its recommendation. The CEO will then review its recommendation and take action as appropriate following the guidelines in Section 8.2.3.

8.2.5 A faculty member's termination from employment shall be effective as determined by the chancellor, upon a finding by the chancellor, pursuant to these procedures, that there is good cause for the faculty member’s dismissal.
9. TENURE, FINANCIAL EXIGENCY, AND TERMINATION OR REDUCTION OF PROGRAMS

9.1 Cases of bona fide financial exigency or the reduction or discontinuance of an institutional program based on educational considerations may permit exceptions to tenure regulations.

9.2 Definitions

9.2.1 Bona fide financial exigency means a pressing need to reorder the nature and magnitude of financial obligations in such a way as to restore or preserve the financial stability of any system academic institution. A bona fide financial exigency may exist without the entire system academic institution being affected.

9.2.2 Financial stability means the ability of a system academic institution to provide from current income the funds necessary to meet current expenses, including current debt payments and sound reserves, without invading or depleting capital.

9.2.3 Evidence of financial exigency may include, but is not limited to, substantially declining enrollments, substantial revenue cutbacks, and substantial ongoing operating budget deficits.

9.2.4 Educational considerations that could result in the reduction or discontinuance of a program may include, but are not limited to:

(a) a substantial decrease in program enrollment;
(b) the need to shift substantial resources to other programs; or
(c) a substantial modification or redirection of a unit’s mission.

9.3 Administration

9.3.1 When the system academic institution CEO believes that a state of bona fide financial exigency exists, the CEO shall inform the chancellor. If the chancellor concurs in this assessment, the chancellor shall inform the board. If the board finds that such conditions exist, a state of bona fide financial exigency shall exist within that system academic institution.

9.3.2 When faculty dismissals are contemplated on grounds of financial exigency or program termination or reduction, there should be early, careful, and meaningful sharing of information and views with appropriate faculty representatives on the reasons indicating the need to terminate programs. Recommendations from such faculty representatives shall be sought on alternatives available to the system academic institution to ensure continuation of a strong academic program and to minimize the losses sustained by affected students and faculty members.
9.3.3 Faculty members who are being considered for termination on the basis of a bona fide financial exigency or a program termination or reduction should be given opportunities for appointment in related areas at their system academic institution provided:

(a) they are qualified professionally to teach in those areas;
(b) positions are available; and
(c) the affected dean and department head or director concur.

9.3.4 Any tenured faculty member or faculty member whose term appointment has not expired, who is selected for termination on the basis of a bona fide financial exigency or a program termination or reduction necessitating a reduction in staff, shall be given the following information:

(a) a written statement of the basis for the initial decision to lay off;
(b) a description of the manner in which the initial decision was made; and
(c) information and data upon which the decision makers relied.

9.3.5 The faculty member selected for termination shall be given an opportunity to respond in a hearing before an appropriate faculty committee. In this hearing the burden of proof rests with the system academic institution to demonstrate by some credible evidence that a bona fide financial exigency exists or that educational considerations led to the reduction or discontinuance of a program. The faculty committee shall formulate findings whether or not, in its judgment, a bona fide financial exigency exists or that educational considerations led to the reduction or discontinuance of a program. The faculty committee’s findings and recommendation, if any, shall be conveyed in writing to the CEO and to the faculty member.

9.3.6 Any faculty member reassigned to another position or terminated has the right to reappointment to his or her previous position if it is re-established within two (2) calendar years.

Related Statutes, Policies, or Requirements

System Policy 12.02, Institutional Procedures for Implementing Tenure (proposed)
http://tamus.edu/offices/policy/policies/proposed/12-02.pdf

System Policy 12.06, Post-Tenure Review of Faculty and Teaching Effectiveness (proposed)
http://tamus.edu/offices/policy/policies/proposed/12-06.pdf

System Policy 12.07, Fixed Term Academic Professional Track Faculty (proposed)
http://tamus.edu/offices/policy/policies/proposed/12-07.pdf
Contact Office

The System Office of Academic Affairs
(979) 458-6072
12.02 Institutional Procedures for Implementing Tenure

Approved February 27, 1995 (MO 44-95)
Revised October 13, 1995 (MO 335-95)
Revised July 26, 1996 (MO 169-96)
Revised January 27, 2000 (MO 23-00)
Revised May 25, 2006 (MO 145-2006)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

The universities and the health science center (academic institutions) of The Texas A&M University System (system) shall develop procedures for implementing tenure in accordance with this policy.

Reason for Policy

This policy provides guidance to system academic institutions in the development of tenure procedures, and the policy also establishes the criteria by which faculty may be evaluated with respect to tenure decisions.

Procedures and Responsibilities

1. The president of each system academic institution shall submit through the chancellor, for approval by the Board of Regents (board), detailed procedures in effect at that academic institution for implementing System Policy 12.01, Academic Freedom, Responsibility and Tenure. These detailed procedures will include, but need not be limited to the following:

   (a) the methods for appointing or electing required committees;

   (b) the procedures for providing faculty with a written statement of tenure conditions when employment is initiated;

   (c) the procedures for giving notices to faculty regarding tenure or nonreappointment decisions;

   (d) the use of tenure review committees or peer review committees in the tenure evaluation process;

   (e) the steps for review of tenure recommendations through administrative channels;

   (f) clarification of the definition of faculty for tenure considerations;
(g) the basis on which tenure is determined; and

(h) the identification of committees to hear cases of financial exigency.

2. Each system academic institution will make available to its faculty copies of System Policy 12.01 and the institutional procedures for implementing that policy.

3. Guidelines for the granting of tenure should include: (See System Policy 12.06, Post-Tenure Review of Faculty and Teaching Effectiveness, for consistency.)

(a) Teaching Effectiveness;
(b) Research, Creative Activities, and Other Scholarly Endeavors;
(c) Student Advising, Counseling, and Other Student Services;
(d) Committee and Administrative Service to University;
(e) Service to Profession, Community, State or Nation;
(f) Professional growth;
(g) Quality of Patient Care, where applicable; and
(h) Patents or Commercialization of Research, where applicable.

The emphasis may differ because of the differences in institutional missions and academic specialty, but teaching effectiveness is essential.

4. Evaluation of teaching effectiveness shall include not only student evaluations, but also some of the techniques cited in System Policy 12.06, Section 2.

5. All tenure recommendations shall include peer review of the faculty member’s record of professional achievement.

6. Each system academic institution will publish its list of criteria which are applicable to the evaluation of faculty for the granting of tenure. Criteria shall enumerate the kinds of evidence that will be used in support of the evaluation of a faculty member being considered for tenure.

7. Faculty who hold joint appointments with other departments or with other system agencies shall be informed of the criteria for evaluation that apply to their shared activities, and appropriate consideration will be given to those activities.

8. Annual performance reviews are an important part of the tenure review process. If performance of a faculty member seeking tenure does not show progress toward meeting institutional expectations, action should be taken not to renew the contract of the individual on the basis of annual performance reviews prior to the final tenure review.

9. In lieu of the annual performance review in the fourth year, all tenure track faculty shall receive a comprehensive review to determine the progress toward meeting all tenure requirements established in the tenure track appointment. If a tenure track faculty is not progressing adequately toward the requirements for tenure, action should be taken to non-renew the contract of the individual.
10. The granting of tenure to faculty members is a prerogative reserved for the board. Recommendations for granting of tenure will be presented by agenda item from the system academic institution's president, with endorsement by the vice chancellor for academic affairs and the chancellor, for board consideration.

Related Statutes, Policies, or Requirements

System Policy 12.01, Academic Freedom, Responsibility and Tenure  
http://tamus.edu/offices/policy/policies/pdf/12-01.pdf

System Policy 12.06, Post-Tenure Review of Faculty and Teaching Effectiveness  
http://tamus.edu/offices/policy/policies/pdf/12-06.pdf

Contact Office

The System Office of Academic Affairs  
(979) 458-6072
12.03 Faculty Academic Workload and Reporting Requirements

Approved February 27, 1995 (MO 44-95)
Revised July 26, 1996 (MO 169-96)
Revised September 26, 1997 (MO 181-97)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy is established to provide specific guidelines to the universities and the health science center (academic institutions) of The Texas A&M University System (system) regarding the minimum academic workload for faculty.

Reason for Policy

It is essential that the public and stakeholders understand the variety and complexity of academic workloads, while being assured that such workloads represent a positive value for the state.

Procedures and Responsibilities

The Board of Regents (board) of the system is required by law to adopt rules and regulations concerning faculty academic workloads consistent with general policies developed by the Texas Higher Education Coordinating Board (coordinating board). The president of each system academic institution is required to develop a procedure specific to that academic institution, and to designate an officer to monitor workloads and prepare required reports as described in this system policy.

1. TEACHING LOAD

1.1 Each full-time person employed for instructional purposes by an academic institution of the system is expected to teach classes and assume a reasonable workload of related activities that constitute a full-time instructional load. Persons employed on a part-time basis from instructional funds are expected to assume a workload proportional to the percentage of employment on these funds.

1.2 The nature of a full-time teaching load will vary from system academic institution to system academic institution (and between departments within the same system academic institution) because of differences in system academic institutional missions, the nature of the instructional programs, the stages of development of the system academic institutions, the natures of student bodies, and other factors. In all system
academic institutions, faculty members are expected to engage in those commonly accepted duties which will enhance the teaching/learning process and the quality of the system academic institution's programs. Recognized duties include classroom teaching, scholarly study, basic and applied research, professional development, student advising and counseling, course and curriculum development, continuing education, public service, assistance in the administration of the academic program, and similar academic activities. These duties are inherent in the life and work of a faculty member and are taken into account in consideration for promotion, tenure, and salary.

2. EVALUATION OF TEACHING LOADS

It is the responsibility of the president of each system academic institution to ensure that administrative practices exist for making maximum use of the system academic institution's resources in the conduct of instructional duties. Each president, in conjunction with the vice presidents, deans, and department heads of the system academic institution, should evaluate academic workloads to determine that each person employed for instructional purposes is carrying the minimum full-time equivalent load and that the academic duties within and among departments are assigned equitably.

3. MINIMUM TEACHING LOAD STANDARDS

Although each system academic institution may establish standards for teaching loads to meet the instructional obligations of the system academic institution and its students, to operate efficiently within the range of resources available to the system academic institution, and to comply with the faculty workload guidelines and standard reports issued by the coordinating board, the following minimum teaching workload standards will apply:

3.1 A minimum teaching load for undergraduate courses shall be nine semester credit hours of normal classroom teaching; a minimum teaching load for graduate courses shall be six semester credit hours of normal classroom teaching. Participation in the teaching of undergraduate students by senior faculty is strongly encouraged.

3.2 Adjustments of these amounts of normal classroom teaching may be made to account for large class sizes; duplicate sections taught; laboratory, seminar, lecture, clinical, or field-type courses; availability of support services; situations where both graduate and undergraduate work are involved; courses which involve individualized instruction; and overload from the previous long semester.

3.3 Faculty teaching load may be reduced for a faculty member serving as departmental chair.

4. ACADEMIC INSTITUTIONAL WORKLOAD POLICY

4.1 The president of each system academic institution will prepare, in consultation with the faculty, a faculty workload rule for that system academic institution. The rule shall establish the faculty workload standards, provide guidelines for adjustments of workloads reflecting different kinds of instruction, and provide a schedule for awarding equivalent teaching load credit for the assignment of other academic duties.
4.2 Any new or revised faculty workload rule at a system academic institution will be forwarded to the chancellor for endorsement and submitted to the board for approval. System academic institutions will submit the approved rule to the coordinating board and a copy will be included in the system academic institution's annual operating budget.

5. REPORTS REQUIRED

5.1 In addition to the Faculty Report (CBM-008) required by the coordinating board, system academic institutions shall prepare a Faculty Workload Report for each long semester indicating all appointments held by the faculty member in the employing system academic institution, the salary paid to each appointment, the percent of time of each appointment, and the source of funds from which salary payments are made. Justification shall be provided for each instance of noncompliance. The report shall be submitted to the chancellor and be available for review by members of the Board of Regents. The chancellor will provide summary reports of academic workload compliance to the Board of Regents.

5.2 A report shall be presented to the Board of Regents showing courses with drop rates in excess of 30 percent.

Related Statutes, Policies, or Requirements

http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000051.00.htm#51.402.00

Contact Office

The System Office of Academic Affairs
(979) 458-6072
12.06 Post-Tenure Review of Faculty and Teaching Effectiveness

Approved October 13, 1995 (MO 335-95)
Revised September 26, 1997 (MO 181-97)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

Each university and the health science center (academic institutions) of The Texas A&M University System (system) must periodically evaluate the performance of tenured faculty in accordance with this policy.

Reason for Policy

State law requires that a policy be adopted to establish a process for evaluating the performance of tenured faculty.

Procedures and Responsibilities

1. POST-TENURE REVIEW

Subsequent to the award of tenure, the performance review of a faculty member provides a mechanism to gauge the productivity of the individual and should be designed to encourage a high level of sustained performance. Post-tenure evaluations are made on the basis of typical criteria and factors such as those listed below and shall occur no more often than once every year, but not less often than once every six years after the date of the award of tenure. Not all departments will use the same weighting of each factor and these may be different depending on the faculty member's specific role and responsibilities within a college.

Teaching Effectiveness at the Undergraduate, Graduate and Professional Student Levels (See System Policy 12.02, Institutional Procedures for Implementing Tenure, for consistency)

- Course content, complexity, level of expertise.
- Performance of students in subsequent courses.
- Content, quality and faculty use of the syllabus.
- Student evaluations of the instructor.
- Teaching innovations.
- Peer evaluations.
• Direction of dissertations and theses.
• Awards, honors and other recognitions.
• Development of online courses.

**Research, Creative Activities, and Other Scholarly Endeavors**

• Published works - books, journal articles, reviews, research and technical reports, electronic and digital materials.
• Shows, exhibits, displays, and performances of artistic works and talents.
• Professional evaluations of scholarly activities appropriate to discipline.
• Research grants, contracts, and other evidence of competitive support for the research.
• Invited papers and other presentations.
• Editorial contributions.
• Awards, honors and other recognitions.

**Student Advising, Counseling, and Other Student Services**

• Responsibilities for undergraduate, graduate and professional student advising.
• Reputation regarding advising and contributions to student development.
• Participation in student organizations and other activities.
• Accessibility to students.

**Committee and Administrative Service to University**

• Nature and importance of committee involvement.
• Ideas and original contributions to university community.
• Offices held and other evidence of leadership.

**Service to Profession, Community, State or Nation**

• Involvement in professional societies including leadership positions.
• Governmental committee or commission appointments.
• Academic and professional consulting activities.
• Quality of patient care, where applicable.
• Contributions to community programs and activities.
• Speeches and other presentations utilizing expertise.
• Awards, honors and other recognitions.

**Quality of Patient Care, where applicable**

**Patents or Commercialization of Research, where applicable**

Appropriate documentation is required to provide independent verification of the credentials being presented to support the criteria being evaluated.
2. TEACHING EFFECTIVENESS

Teaching effectiveness is essential for every faculty member, and teaching is an integral part of the mission of every system academic institution. A broad range of approaches to ensure teaching effectiveness should be developed and would include some of the following techniques currently in place or under consideration by system academic institutions:

(a) Institutional requirements for faculty including:
   (i) course syllabi including list of topics to be covered during the semester, specific course objectives, types of activities for the course, student evaluation procedures, and required reading assignments;
   (ii) faculty attendance in class; and
   (iii) adherence to system, institutional and departmental policies.
(b) Peer observation of classroom performance.
(c) Departmental, college and institutional workshops on effective teaching.
(d) Video taping of classroom performance for review and analysis by faculty.
(e) Portfolio assessment by departmental review committee.
(f) On-campus technology centers and other innovative programs designed to educate and support faculty in their efforts to integrate new technology into their teaching.
(g) Departmental in-service training.
(h) Senior faculty to serve as mentors for junior, new faculty.
(i) Quality of instructional outcomes assessment by current and former students, employers of graduates, and faculty in graduate and professional schools attended by graduates.

Related Statutes, Policies, or Requirements

Tex. Educ. Code § 51.942
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000051.00.htm#51.942.00

Contact Office

The System Office of Academic Affairs
(979) 458-6072
12.07 Fixed Term Academic Professional Track Faculty

Approved September 26, 2008 (MO 2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy establishes an option for the universities and the health science center (academic institutions) of The Texas A&M University System (system) to provide long-term stable academic positions for non-tenure track faculty whose focus is heavily weighted toward either teaching or research.

Reason for Policy

Faculty who have a singular focus or area of expertise in teaching, research or service may experience impediments meeting the necessary requirements of the tenure track process and, as a result, are restricted to positions with little or no long-term stability. This policy is designed to provide a means to recruit and retain faculty whose excellence in teaching, research or service make them beneficial members of the system academic institution, while providing them with stable, long-term employment.

Procedures and Responsibilities

1. FACULTY DIFFERENTIATION

1.1 It is imperative that members of the faculty at system academic institutions are able to meet and sustain the highly competitive requirements necessary to excel in their positions. The granting of tenure is a recognition of excellence in the areas of teaching, research and service (See System Policy 12.01, Academic Freedom, Responsibility and Tenure). And, while system academic institutions are able to recognize the contributions that these individuals make, it is also essential that recognition be given to faculty whose interest, excellence or discipline does not include all three areas required for tenure.

1.2 The creation of the non-tenure track of Assistant Professional Track Faculty, Associate Professional Track Faculty, and Senior Professional Track Faculty provides a means of securing and retaining faculty who bring to the system academic institution excellence in teaching, research or service. This would include faculty whose position is in applied or clinical settings. These individuals provide a specific, professional skill to
the system academic institution, faculty, staff and students. In creating these new ranks, the system academic institution is acknowledging that its skills are an essential part to the overall success of the system academic institution and its mission.

2. PROFESSIONAL TRACK FACULTY RANKS

2.1 Assistant Professional Track Faculty. This is an entry-level rank. Appointment to this rank generally requires the appropriate terminal degree. Promotion criteria include excellence in teaching for faculty with teaching responsibilities, or excellence in research or service, as appropriate for other appointments. Overall superior performance and potential for development are also expected as criteria for promotion.

2.2 Associate Professional Track Faculty. Appointment to this rank generally requires the appropriate terminal degree. It also requires significant experience related to the position responsibilities. Individuals holding the rank of Assistant Professional Track Faculty are eligible to be considered for promotion to the rank of Associate Professional Track Faculty after at least five years as an Assistant Professional Track Faculty.

2.3 Senior Professional Track Faculty. Appointment to this rank generally requires the appropriate terminal degree and a record of sustained excellent performance in all areas of appointment. Individuals holding the rank of Associate Professional Track Faculty are eligible to be considered for promotion to the rank of Senior Professional Track Faculty after at least five years as an Associate Professional Track Faculty.

2.4 System academic institutions may adopt titles that vary from those listed above as long as they are differentiated from tenure track faculty titles.

3. APPOINTMENT OF PROFESSIONAL TRACK FACULTY

3.1 All new Professional Track faculty members shall be provided with an appointment letter stating the initial terms and conditions of employment. Any subsequent modifications or special understandings in regard to the appointment, which may be made on an annual basis, should be stated in writing and a copy given to the faculty member. The appointment letter shall explicitly indicate the necessary teaching, research and/or service requirements expected of the Professional Track faculty member. Essential job functions for a position may vary depending upon the nature of the department in which the faculty member holds expertise, external funding requirements attached to the position, licensing or accreditation requirements, and other circumstances. It is, therefore, important that essential job functions for each faculty position be listed in the initial appointment letter. For example, all of the following that are applicable should be listed: teaching responsibilities, responsibilities for advising students, independent and/or collaborative research responsibilities, engaging in patient care, committee assignments, conditions imposed by external accrediting agencies, conditions for holding a named professorship or endowed chair, or a position that combines academic and administrative duties, and any other specific essential functions for the position in question. All appointment letters must indicate that the appointment is non-tenure track, and will expire upon the completion of the appointment, unless the
appointment is extended pursuant to Section 3.2 of this policy, or unless the faculty member is dismissed pursuant to Section 5 of this policy.

3.2 Professional Track faculty member appointments may be made for periods not to exceed five years in length. If, during the course of an existing appointment, the system academic institution chooses to extend the duration of an existing appointment, the extension may not exceed an additional five years. For beginning Assistant Professional Track Faculty, an appointment of no more than three years may be appropriate.

3.3 The system academic institution shall notify faculty members annually, in writing, of their salary. Any other changes or additions to the appointment also should be included.

3.4 Faculty members are expected to fulfill the terms and conditions of employment for the following year unless they resign prior to thirty (30) calendar days after receiving notice of the terms. This provision should be included in all letters of appointment and annual reviews.

4. EVALUATION OF PROFESSIONAL TRACK FACULTY

All Professional Track academic faculty will be reviewed on an annual basis by their department head or supervisor. Such review will include all requirements established in the initial letter of appointment and any additional requirements added during annual reviews.

5. DISMISSAL OF A PROFESSIONAL TRACK FACULTY MEMBER

5.1 Professional Track Faculty members whose appointment has not expired may be dismissed for cause on the same basis that tenured faculty may be dismissed for cause under System Policy 12.01, Section 4.3.

5.2 System academic institutions shall follow System Policy 12.01, Section 6, when dismissing a Professional Track faculty member for cause.

5.3 Professional Track faculty members may be placed on administrative leave pending investigation as described in System Policy 12.01, Section 5.

5.4 Professional Track faculty are subject to the provisions of System Policy 12.01, Section 9, relating to financial exigency or termination or reduction of existing programs, and may be dismissed subject to this policy.

Related Statutes, Policies, or Requirements

System Policy 12.01, Academic Freedom, Responsibility and Tenure
http://www.tamus.edu/offices/policy/policies/pdf/12-01.pdf
11.07  Granting of Honorary Degrees

Approved February 27, 1995 (MO 44-95)
Revised September 26, 1997 (MO 181-97)
Revised September 28, 2007 (MO 240-2007)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy establishes the mechanism by which an individual may receive an honorary degree from a university or the health science center (academic institution) of The Texas A&M University System (system).

Reason for Policy

It is necessary to provide a framework within which each academic institution may recommend an individual for an honorary degree so that the person's accomplishments and service are considered prior to the awarding of the degree. This policy allows for the participation of faculty, staff and the system Board of Regents (board) in the decision-making process.

Procedures and Responsibilities

Subject to approval by the chancellor, system academic institutions may establish specific rules for the awarding of honorary degrees as long as such rules conform to the following purposes, selection criteria and limitations.

1. PURPOSES

1.1 To recognize excellence in the fields of public affairs, the sciences, humanities and the arts, scholarship and education, business and philanthropy, and social services which exemplify the mission and scope of the system;

1.2 To honor meritorious and outstanding service to the system academic institution, the state of Texas, the United States, or to humanity at large; or

1.3 To recognize persons whose lives serve as examples of the system academic institution's aspirations for its students.
2. SELECTION CRITERIA

2.1 Degree recipients shall be individuals who have distinguished themselves in sustained scholarly activity in the fields of public affairs, humanities and the arts, the sciences, education, business and philanthropy, or services to humanity.

2.2 A degree may be awarded to an individual from industry or government who has achieved national or international distinction by significant contributions to society at large and scholarly pursuits in particular.

2.3 National or internationally significant achievement is the overriding criterion for all candidates.

3. ELIGIBILITY LIMITATIONS

Honorary degrees shall not be awarded to:

3.1 Current employees of System Offices or a system member, nor to current members of the board;

3.2 Individuals who have direct political, legal, or budgetary authority over the system academic institution; or

3.3 Individuals in consideration of any past, present, or future gift or other benefaction to the system or its members.

4. GRANTING PROCEDURES

4.1 Recommendations for honorary degrees will be made by the faculty, the administration, or members of the board through a selection committee of the system academic institution from which the recommendation originates to the institution’s chief executive officer (CEO), the chancellor, and the board for approval. The recommendation shall have been approved by the CEO and the appointed selection committee, including senior professors.

4.2 The board will receive the recommendations for action at least six (6) weeks before the time chosen to award the degree.

4.3 At the option of the recommending CEO, confidentiality will be maintained until awarding of the degree.

5. SPECIAL CIRCUMSTANCES

Under special circumstances, exceptions to this policy will be considered.
Contact Office

The System Office of Academic Affairs
(979) 458-6072
12.04  Academic Council/Faculty Senate

Approved February 27, 1995 (MO 44-95)
Revised March 23, 2000 (MO 66-00)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy allows for the creation of an academic council or faculty senate at each of the universities and the health science center (academic institutions) of The Texas A&M University System (system).

Reason for Policy

This policy provides a means for the faculty of each system academic institution to advise the president of that system academic institution.

Procedures and Responsibilities

There may be created in each system academic institution an academic council and/or a faculty senate. These bodies, if established, shall serve in an advisory capacity to the president.

Contact Office

The System Office of Academic Affairs
(979) 458-6072
12.05 Training for English Proficiency

Approved February 27, 1995 (MO 44-95)
Revised September 26, 1997 (MO 181-97)
Revised March 23, 2000 (MO 66-00)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy is designed to ensure that all faculty members are proficient in the use of the English language to provide the best possible education for students.

Reason for Policy

The Texas Education Code requires that all faculty members be proficient in the use of the English language. All universities and the health science center (academic institutions) of The Texas A&M University System (system) are required to provide the necessary training for faculty to reach proficiency.

Procedures and Responsibilities

1. Every faculty member at every system academic institution shall be proficient in the English language, both orally and in writing. The same policy shall apply to all teaching assistants given the duty of oral presentations. Exception shall be made only in the case of joint international programs where the course may be taught in the language of the visiting professor.

2. Each system academic institution, in compliance with Section 51.917, Texas Education Code, is required to establish a program or short course the purpose of which is:

   (a) to assist faculty members whose primary language is not English to become proficient in the use of English. A description of the program or short course is to be submitted to the chancellor and updated as changes are made; and

   (b) to ensure that courses offered for credit at the institution are taught in the English language and that all faculty members are proficient in the use of the English language, as determined by a satisfactory grade on the "Test of Spoken English" of the Educational Testing Service or a similar test approved by the Texas Higher Education Coordinating Board (coordinating board).
3. The cost of such English proficiency course as determined by the coordinating board shall be paid by the faculty member lacking proficiency in English.

Related Statutes, Policies, or Requirements

Tex. Educ. Code § 51.917
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000051.00.htm#51.917.00

Contact Office

The System Office of Academic Affairs
(979) 458-6072
13.02 Student Rights and Obligations

Approved February 27, 1995 (MO 44-95)
Revised September 26, 1997 (MO 181-97)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy outlines the core rights of students at the universities and the health science center (academic institutions) of The Texas A&M University System (system) and the responsibilities with which they are associated.

Reason for Policy

This policy provides students, faculty, and staff with a clear message regarding the value of students as individuals and the contributions they can make when given the freedom to do so. It also recognizes that their opportunity for education is only limited by the respect which they give to fellow students, faculty, staff and others.

Procedures and Responsibilities

1. The rights of students are to be respected. These rights include respect for personal feelings, freedom from indignity of any type, freedom from control by any person except as may be in accord with published rules of the system academic institutions, and conditions allowing them to make the best use of their time and talents toward the objectives which brought them to the system academic institutions. No officer or student, regardless of position or rank, shall violate those rights; no custom, tradition or rule in conflict will be allowed to prevail.

2. Students are expected at all times to recognize constituted authority, to conform to the ordinary rules of good conduct, to be truthful, to respect the rights of others, to protect private and public property, and to make the best use of their time toward an education.

Contact Office

The System Office of Academic Affairs
(979) 458-6072
13.03 Scholarships

Approved February 27, 1995 (MO 44-95)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy requires the chancellor to submit rules relating to scholarships to be approved by the Board of Regents (board) of The Texas A&M University System (system).

Reason for Policy

The Texas Education Code requires that the board approve guidelines for determining Texas Public Education Grant eligibility.

Procedures and Responsibilities

The chancellor shall submit to the board for approval system rules and regulations concerning the award of scholarships funded under the Texas Public Education Grant Program and of scholarships funded from line-item appropriations for “Scholarships” or any other appropriated or constitutional source. Such rules and regulations shall, in all respects, agree with requirements set forth in law and in the current appropriations act.

Related Statutes, Policies, or Requirements

http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000056.00.htm#56.034.00

Tex. Educ. Code § 86.64, Gifts, Grants, Donations
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000086.00.htm#86.64.00

Tex. Educ. Code § 86.65, Expenditure of State Funds
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000086.00.htm#86.64.00

Tex. Educ. Code § 86.96, Gifts and Grants
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000086.00.htm#86.96.00
Contact Office

The System Office of Budgets and Accounting
(979) 458-6100
13.04 Student Travel

Approved December 7, 2001 (MO 268-01)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

The universities and the health science center (academic institutions) of The Texas A&M University System (system) must adopt a rule governing certain student travel which must be submitted to the Board of Regents (board) for approval. This policy provides the framework for the development of student travel rules tailored to the requirements of each campus.

Reason for Policy

The Texas Education Code requires the adoption of a policy for student travel meeting certain criteria.

Procedures and Responsibilities

1. GENERAL

   The system academic institutions must adopt a rule governing student travel. The rule must specifically address enrolled students who travel more than 25 miles from campus to an activity or event that is organized and sponsored by the system academic institution and that is:

   (a) funded by the system academic institution, and travel is undertaken using a vehicle owned or leased by the system academic institution; or
   (b) travel required by an organization registered at the system academic institution.

2. STUDENT TRAVEL RULES

   The system recognizes that each system academic institution has unique requirements regarding travel. However, each rule must address the following areas:

   (a) different modes of travel likely to be used by students;
   (b) use of seat belts and other safety devices;
   (c) passenger capacity of the vehicle used;
(d) qualifications and training of the operator of the vehicle; and
(e) fatigue of the operator at the time of travel.

3. RULE REVIEW PROCESS

Prior to final adoption of the rule, each system academic institution must seek advice and comment from faculty and students of the system academic institution. The final rules and any future amendments or changes will be reviewed for legal sufficiency by the Office of General Counsel. The policy and the final rules will be approved by the board and provided to The Texas Higher Education Coordinating Board. After the rule has been adopted and approved, it shall be published in the system academic institution’s catalog and posted on the system academic institution’s website.

Related Statutes, Policies, or Requirements

Tex. Educ. Code § 51.950
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000051.00.htm#51.950.00

Contact Office

System Risk Management
(979) 458-6330
18.01 Athletic Council

Approved February 27, 1995 (MO 44-95)
Revised September 26, 2008 (MO 2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides that every system member university with intercollegiate athletics shall create and maintain an Athletic Council (council), made up of faculty, staff, students, alumni and community members, to advise the president in the development and administration of the intercollegiate athletics program.

Reason for Policy

The council provides a means by which the president may receive recommendations and advice from stakeholders in the system member university’s intercollegiate athletics program.

Procedures and Responsibilities

Each system member university that participates in intercollegiate athletics competition shall have an athletic council nominated by the president of such university.

1. The council of each system member university is established to advise the president in the development and supervision of intercollegiate athletics programs.

2. The council of the university may:
   
   (a) review and make recommendations to the president of the university on any matters pertaining to the enforcement of eligibility rules and regulations established by any athletics conference or national association in which the university holds membership; and

   (b) review and make recommendations on any pertinent matters related to the university’s intercollegiate athletics program; however, such recommendations and suggestions shall be made to and channeled through the president of the university.

3. Appointment and Terms of Council
3.1 The president of each system member university shall appoint membership of the
council and shall assure the diversity of the council and shall include members of
the faculty, administration, students, alumni, and members at large, consistent
with appropriate conference and national association rules. The president shall
submit a description of the makeup of the council to the chancellor.

3.2 All appointments to the council shall be for a term of three years, with the
exception of the student member whose term will be for one year. Council
members shall serve at the pleasure of the president. The president shall appoint
the chairperson of the council and shall fill vacancies whenever necessary.

Related Statutes, Policies, or Requirements

System Policy 18.02, Principles for Intercollegiate Athletics Participation

System Policy, 18.03, Post-Season Athletics Competition
http://www.tamus.edu/offices/policy/policies/pdf/18-03.pdf

Contact Office

The System Office of Academic Affairs
(979) 458-6072
18.02 Principles for Intercollegiate Athletics Participation

Approved February 27, 1995 (MO 44-95)
Revised October 28, 2005 (MO 199-2005)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy states the requirement of the Board of Regents (board) of The Texas A&M University System (system) that all intercollegiate athletics programs be maintained in an academically and fiscally accountable manner with full compliance with conference and national rules.

Reason for Policy

The board recognizes that intercollegiate athletics programs can bring much recognition to the system member university, but that it is imperative that such recognition be based upon the positive aspects of the program. The board has the strongest expectation that all intercollegiate athletics programs be operated in an ethical manner in full compliance with conference and national rules.

Procedures and Responsibilities

1. Intercollegiate athletics programs shall be operated by the system member university to ensure accountability to the values and principles of American higher education and The Texas A&M University System.

2. The board is committed to a philosophy of firm institutional control of athletics, to the unquestioned academic and financial integrity of our athletics program, and to the accountability of the athletics department to the values and goals befitting higher education.

3. The president of each system member university shall take all appropriate steps to carry out the expressed commitment of the board to ensure full compliance with all athletic conference and national association rules, regulations, constitutions and bylaws, and take immediate and affirmative steps in each instance where noncompliance is suspected or reported to ensure compliance with the spirit, letter and intent of all such rules. In accordance with requirements for certification to each athletic conference and the
national association, the president of each system member university shall furnish a copy of such certification to the vice chancellor for academic affairs, who will send notice to the chancellor and the board to fully affirm that such programs are in full compliance.

4. The board and chancellor expect all intercollegiate athletics programs to operate under institutional control, with academic and financial integrity, and in full compliance with conference and national association rules. Annually, the chancellor will review academic and financial matters related to intercollegiate athletics programs operated by system member universities and report to the board on the academic achievement of student athletes, compliance with conference and national association rules, and financial status of the program.

5. All intercollegiate athletics department funds, regardless of source, shall be deposited in the institutional fiscal office, and all accounting and disbursement of such funds shall be subject to institutional fiscal rules and procedures.

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**Related Statutes, Policies, or Requirements**

*System Policy 18.01, Athletic Council*

*System Policy, 18.03, Post-Season Athletics Competition*
[http://www.tamus.edu/offices/policy/policies/pdf/18-03.pdf](http://www.tamus.edu/offices/policy/policies/pdf/18-03.pdf)

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**Contact Office**

The System Office of Academic Affairs  
(979) 458-6072
18.03 Post-Season Athletics Competition

Approved February 27, 1995 (MO 44-95)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides that each system member university shall develop a procedure by which coaches and administrators are compensated for post-season successes.

Reason for Policy

It is essential that there be a specific procedure in place for the compensation of coaches and administrators whose efforts yield success on the playing fields so that clear incentives are provided which meet conference and national requirements.

Procedures and Responsibilities

The presidents of system member universities, with the approval of the chancellor and the board, shall develop post-season procedures governing the method and amount of incentives for those responsible for the accomplishments of any athletic team.

Related Statutes, Policies, or Requirements

System Policy 18.01, Athletic Council

System Policy 18.02, Principles for Intercollegiate Athletics Participation

Contact Office

The System Office of Academic Affairs
(979) 458-6072
27.04 Budget Authorizations, Limitations, and Delegations of Authority

Approved February 27, 1995 (MO 44-95)
Revised September 1, 1995 (MO 286-95)
Revised July 26, 1996 (MO 169-96)
Revised September 26, 2008 (MO 130-2008)
Next Scheduled Review: September 26, 2010

Policy Statement

The Board of Regents (board) of The Texas A&M University System (system) is responsible for the approval of the annual operating budget. Authorizations, limitations, and delegations of authority with respect to the annual operating budget as approved by the board are provided through this policy.

Reason for the Policy

This policy clarifies the budget authorizations, limitations, and delegation of authority specifically provided to the chancellor.

Procedures and Responsibilities

1. BUDGET INCREASES

   Except as authorized in Section 2 below, an increase to the operating budget from funds not previously appropriated by the board, including general revenue, special mineral fund, available university fund, higher education fund, permanent university fund bond proceeds, and revenue financing system bond proceeds, requires advance approval of the board. Increases of $300,000 or less may be approved by the chancellor and reported to the board for confirmation at its next regular board meeting.

2. AUTHORIZATION FOR BUDGET AND FISCAL CHANGES

   With the approval of the chancellor, or pursuant to delegations of authority by the chancellor, the following changes may be made in the budgets as approved by the board:
2.1 Creation of Additional Positions and Increases in Operating Budgets. Funds from vacant positions, from operations and maintenance contingencies, from fund transfers, or from available balances, may be used to create additional positions and to increase operating budgets when it is in the best interest of the system.

2.2 Income in Excess of Budget Estimates. Income received in excess of budget estimates from sales and services, federal funds, gifts and grants, and other miscellaneous sources may be allocated to the expenditures of such funds.

2.3 Re-appropriation of Balances from Previous Fiscal Year. Balances from previously appropriated funds are re-appropriated for expenditure during the following fiscal year.

3. DISTRIBUTION OF THE AVAILABLE UNIVERSITY FUND (AUF)

The criteria for allocation of the AUF each year to Texas A&M University and Prairie View A&M University shall be based on a just and equitable methodology as recommended by the chancellor through the annual operating budget process. The appropriate share will be determined and applied to the balance of the AUF after funding debt service and support for the System Offices.

Related Statutes, Policies, or Requirements

Tex. Educ. Code § 51.0051 – Annual Operating Budgets
http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000051.00.htm#51.0051.00

System Policy 27.03, Annual Operating Budget Process
http://tamus.edu/offices/policy/policies/pdf/27-03.pdf

System Regulation 27.04.01, Chancellor's Delegation of Authority Related to Budgets and Fiscal Changes

Contact Office

The System Office of Budgets and Accounting
(979) 458-6100
31.08 Emeritus/Emerita Titles

Approved February 27, 1995 (MO 44-95)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides the means by which faculty, staff and regents may be granted the designation of “Emeritus/Emerita” by the Board of Regents (board) of The Texas A&M University System (system).

Reason for Policy

This policy emphasizes that the designation of “Emeritus/Emerita” is one bestowed by the board to recognize the achievements of a member of the faculty, staff or a regent of the system.

Procedures and Responsibilities

1. 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. In the instance of retirement of members of the Board of Regents from such board, the chairman shall call the retirement to the attention of the board for its consideration of the designation of “Emeritus/Emerita” for such member.

2. The chancellor shall establish standards of eligibility, definitions of privileges and responsibilities, and procedures for recommending “Emeritus/Emerita” status for members of the faculty and staff.

Contact Office

The System Office of Academic Affairs
(979) 458-6072
24.01 Risk Management

Approved July 26, 1996 (MO 169-1996)
Revised September 24, 1999 (MO 226-1999)
Revised May 25, 2001 (MO 99-2000)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

It is the objective of The Texas A&M University System (system) to manage, control and, where appropriate, reduce or eliminate risk to the end that its employees, students and visitors are protected from hazards, its financial condition is not seriously jeopardized, and its material and natural resources conserved to the maximum extent possible and practicable.

Reason for Policy

This policy establishes uniform programs and approaches in addressing the risks faced by the system. These programs will provide effective ways to manage, eliminate, or transfer these risks.

Procedures and Responsibilities

1. GENERAL

1.1 The system and its system members are exposed to risks of loss resulting from injury or death of employees, students, and the public; damage to the environment; and loss, destruction and damage to its own property and the property of others.

1.2 Of primary importance in all risk management programs is the protection of the health and safety of students, employees and visitors to any system member.

1.3 Strong risk management and safety programs, coupled with safety consciousness and awareness on the part of all system personnel, are of vital importance to the accomplishment of the objectives of the policy statement.

1.4 System Risk Management is responsible for the administration of a risk management program within the system. The office will oversee programs in environmental management, health and safety, workers’ compensation, risk transfer, and loss prevention. In providing service to the system, System Risk Management will:
1.4.1 advise and assist system member chief executive officers (CEOs), or their
designees, in regard to managing the risk of the member;

1.4.2 facilitate member environmental management and health and safety programs,
and other risk management programs through such means as, but not limited to,
leadership, specialized knowledge, dissemination of current information, or
assistance in securing of specialized expertise or equipment;

1.4.3 prepare and submit an annual report on the system’s risk management programs
to the board, chancellor, and member CEOs;

1.4.4 develop and provide professional training opportunities for risk management
personnel utilizing system and outside expertise; and

1.4.5 consult with the Office of General Counsel on all legal issues pertaining to the
administration and operation of the risk management programs.

2. HEALTH AND SAFETY

2.1 As provided by Executive Order GWB 95-8 (Relating to Workplace Safety and Health
of State Employees, Citizens Served, and Preservation of State Property), the system
and its members will develop and maintain a comprehensive health and safety program.

2.2 System Risk Management will provide oversight and guidance for the members’ health
and safety programs based on federal and state laws and agency regulations.

2.3 As part of the system’s health and safety program, System Risk Management will offer
assistance as necessary, including training, to foster member compliance.

2.4 The CEO will implement and administer a health and safety program and will submit
an annual report to System Risk Management on the status of the member’s health and
safety program.

2.5 The chancellor or designee may contract with external providers specializing in health
and safety, who will monitor members’ compliance with health and safety laws, offer
recommendations to the members on how to achieve compliance and report to System
Risk Management on the members’ progress.

3. INSURABLE RISK

3.1 The board, as fiduciary of the assets of the system, recognizes the importance of
mitigating risk that may impact the system resources. These risks can come in the form
of potential loss of property, potential financial liability, and potential reputation risks.

3.2 The objective of this policy is to ensure that insurable risks are evaluated and coverage
is secured, where applicable. Institutions of higher education may purchase insurance
covering the institution and its employees against liability, risk, or exposure and
covering the losses of any institutional property, utilizing funds from the institution as
authorized in Chapter 51 of the Texas Education Code. In the purchase of insurance, the system members will benefit from leveraging the collective purchasing power of the combined members. All insurance protecting the system or its members must be purchased through System Risk Management after a risk assessment has been completed to determine both the necessity and type of coverage best suited to cover the targeted risks. There are two primary types of insurable risk:

3.2.1 Insuring the physical assets against financial consequences of property loss is essential in ensuring that the mission of the system is carried out with as little interruption from property loss or damage as possible.

3.2.2 Insuring against civil liability that may occur in the carrying out of the mission of the system.

3.3 System Risk Management is responsible for assessing the various insurable risks which face the system. This assessment will consider the potential financial consequences of the risk together with the potential likelihood of an occurrence which would result in financial consequence. Actuarial analysis will be conducted to determine the expected loss exposure, utilizing external actuarial consultants where appropriate. The assessment will consider the potential financial exposure from:

3.3.1 Physical harm to employees, students, visitors, or the general public;

3.3.2 Damage to third party property;

3.3.3 Damage to system property;

3.3.4 Contractual liability; and

3.3.5 Reputation risk.

3.4 Management of the impact of these potential risks will utilize various forms of risk avoidance and mitigation with the goal of eliminating or reducing the potential financial exposure to an acceptable level. Management of the impact of the potential financial risk will include, but is not limited to:

3.4.1 Reviewing whether the applicable risk is a consequence of the mission of the institution;

3.4.2 Mitigation of the exposure through proper oversight and procedures;

3.4.3 Use of waivers and releases developed by the Office of General Counsel;

3.4.4 Coverage of any potential exposure through insurance requirements on third parties utilizing system facilities or programs, and;

3.4.5 Retention or transfer of the remaining loss exposure.
3.5 System Risk Management will make recommendation on the most appropriate manner in which to receive proper coverage of the loss exposure. The loss exposure may be covered through retention by the system member, a shared risk plan, risk transfer through commercial insurance coverage, or some combination thereof. Recommendations will be based on:

3.5.1 Financial ability of the system member to retain the exposure and/or meet the deductible obligations for the insurable risk will be determined by the system member chief financial officer (CFO), and confirmed by the system. Unrestricted assets committed to funding insurable exposures will be moved to restricted reserves at the system member level.

3.5.2 In determining the decision to retain or transfer the exposure, the likelihood and severity of the potential loss exposure will be evaluated along with an analysis of economic trade off of current premium paid versus expected loss.

3.5.3 Loss exposure from an insurable risk will be covered at the individual system member level if dictated by the uniqueness of the respective risk to the system member.

3.5.4 Inherent in the shared risk plans covering multiple system members of the system is the sharing of risk through the loss history, exposure profile, mitigation programs, and deductible thresholds of the system members. Agreements must be in place detailing the rights, responsibilities, and financial obligations of the insurable risk plan participants. For all programs where an insurable risk plan is implemented, the following requirements will be met:

3.5.4.1 System Risk Management will develop plan documents, subject to system member approval, detailing the covenants which will govern the shared risk plan to include applicable coverage, definition of loss, premium allocation, and shared risk retention funding where applicable.

3.5.4.2 Premium allocation and shared risk retention funding will be determined by evaluating the risk profile of each system member and by working with insurance underwriters to identify risks which impact the premium charged to the system. All risk sharing will ensure that each system member’s participation is equitable to the risk that it brings to the plan.

3.5.4.3 In the event of a loss, any obligations placed on the system members by the covenants will be the liability of that respective system member and will continue even if participation in the risk sharing program ceases.

3.5.4.4 System member CFOs will be required to provide an annual certification of inventory or programs covered by the respective risk sharing plan and execute an annual participation agreement agreeing to the covenants of the risk sharing plan.
3.6 System Risk Management is responsible for applying the processes in this policy to the various insurable risks of the system. All system members are to participate in the following programs as required by the board unless sufficient assets have been designated as restricted reserves to cover the insurable risks in accordance with Section 5.1 of this policy:

3.6.1 Facilities Insurance Plan

The System Facilities Insurance Plan will provide coverage for both Auxiliary and Educational and General Facilities, and related furnishings, of the system. Coverage will be secured on a replacement cost policy which will provide for the repair or reconstruction of covered facilities with like-kind construction.

3.6.2 Automobile Insurance Program

Coverage for liability arising out of the operation of automobiles or motor driven equipment will be covered up to the liability limits of the Texas Tort Claims Act. Coverage will be applicable for all vehicles and scheduled motor driven equipment submitted by the CFO, or their designee, to System Risk Management. Comprehensive coverage of insured vehicles will be evaluated annually to determine if damage to owned automobiles should be retained or insured commercially.

3.6.3 Medical Malpractice

The system will secure malpractice coverage for potential liability that may occur as a result of system members (1) providing medical and counseling care to students and the general public, and (2) providing educational opportunities to medical, nursing and dental students.

3.6.4 Workers Compensation Insurance

3.6.4.1 State of Texas Labor Code, Section 502, authorizes the system to administer the Workers Compensation Insurance Program (WCI Program) to provide reasonable and necessary medical coverage and disability payments to employees who sustain injuries or occupational disease in the course and scope of their employment.

3.6.4.2 System members are responsible for compliance with state WCI regulations for employers and procedures instituted by System Risk Management for the administration of the WCI Program.

3.6.4.3 The WCI Program will be operated as a fully funded plan, covering not only the current year expenses but the total cost of the claim. Minimum funding level must be sufficient to cover current year expenses and the Incurred but not Reported reserve requirement with the maximum reserve set by Section 502 of the Labor Code. The
Incurred but not Reported reserve will be determined through an annual actuarial review conducted by an external actuarial firm.

3.6.5 Group Health Plans

The system will make group health plan benefits available to its employees, retirees and their dependents in accordance with Chapter 1601 of the Texas Insurance Code. The system fulfills this requirement by allowing enrollment in either a self-insured plan available to all employees and retirees or one of several fully insured HMO plans. The cost of these plans is funded by employer contributions from the State or system member, or a combined employer and employee contribution.

Benefits Administration is responsible for administration of the health benefit plans as well as the rules and procedures relating to enrollment and eligibility.

For the fully insured HMO plans, the Benefits Administration Office will determine the minimum standard benefit and solicit RFP responses from fully insured HMO plans registered in the State of Texas. For the self-insured plan, the Benefits Administration Office will research and recommend plan design changes for the approval of system CFO, taking into consideration the financial performance of the plan, state and federally mandated changes, industry trends, and input from the System Employee Benefit Advisory Committee.

System Risk Management will maintain financial reports and statistics for the plan and coordinate the annual actuarial pricing and determination of the change in the Incurred But Not Reported Reserve by an external actuarial firm. The self-insured plan assumes the risk if the plan should experience a loss. Protection from catastrophic loss will be provided through a commercial stop loss policy and/or sufficient plan reserves as determined by the actuarial review and approved by the system CFO.

3.6.6 Directors and Officers Liability Plan

The system provides coverage for Directors and Officers (D&O) Liability through the system Self Insured D&O Plan. Each system member is responsible for funding all claims up to the liability limit set by the Texas Tort Claims Act. D&O Plan payments made in excess of the liability limit will be repaid to the plan over the subsequent five years by the system member incurring the loss.

4. ENVIRONMENT

4.1 In line with our historical mission of environmental education, research and extension, our goals as servant leaders are to ensure system-wide protection of assets, respect for the health and safety of individuals, strict accountability for the resources entrusted to the system and integrity throughout the organization. In so doing, we will take an aggressive approach to being exemplary environmental stewards.
4.2 It is the objective of the system that our operations and persons associated with our operations shall cultivate environmental performance and model good practices wherever our facilities and activities interface with the natural and built environments. The scope of these practices shall encompass, but is not limited to, providing clean and safe settings for learning and inquiry, factoring the environment into our planning, acquisitions, designs, construction, operations, maintenance and activities, creating learning opportunities for our campus communities, conserving renewable and natural resources, preventing pollution and fostering compliance with applicable environmental laws.

4.3 The system and its members shall realize this environmental policy by means of environmental management systems (EMS) that identify significant environmental interfaces and manage these on a priority basis with appropriate resources within the context of our mission. Each EMS shall be based on the performance cycle as outlined below.

**EMS Performance Cycle**

The EMS performance cycle shall consist of four core functions that provide the framework for managing existing activities and any new activity that could potentially affect the environment.

**Plan** – The *planning* process shall define objectives and performance requirements, establish controls, and select and develop personnel. It shall include defining the scope of the activity and identifying and analyzing the associated environmental interfaces, potential impacts and regulatory requirements.

**Act** – The *action* process shall consist of performing the planned activity within established controls. It shall provide resources, training, and communication to fulfill the plan, and it shall include implementing operational controls to prevent or mitigate environmental impacts and to comply with applicable regulations and procedures.

**Verify** – The *verification* process shall measure and assess results and progress and take corrective actions. It shall include monitoring or measurement of environmental performance, assessment of the adequacy of controls and opportunities for improvement and performance of corrective actions as needed.

**Adjust** – The *adjustment* process shall review and adjust the systems as necessary to achieve intended results without unacceptable environmental impacts. It shall include management reviews of activities and outcomes and communication of review findings and recommendations to activity planners who then continue the EMS performance cycle.

4.4 The system policy on the environment applies to and must be clearly communicated to all members of the system community and its contractors. Responsibilities for communicating and implementing this policy are as follow.
4.4.1 The chancellor is responsible for implementing this Environmental Policy with the objective of achieving affirmative environmental management systems throughout the system.

4.4.2 The chancellor and each member CEO shall affirmatively endorse this environmental policy, designate a person responsible to be the contact for environmental matters, designate environmental liaisons for key departments and implement the policy through developing and administering an environmental management system and conducting other environmental activities as appropriate. The chancellor and CEOs shall also establish an advisory council to guide and assess policy implementation.

4.4.3 System Risk Management shall guide members to establish, implement and update environmental controls, consisting of short-term and long-term environmental objectives with specific targets that can measurably indicate performance.

4.4.4 System Risk Management shall (a) implement a system offices EMS, (b) act as facilitator for each member EMS, offering oversight and guidance, and (c) offer other environmental support services to the system and its members as necessary.

4.4.5 The CEO shall submit an annual report to System Risk Management on the status of the member’s EMS and environmental activities, including measured progress toward achieving environmental objectives and targets. System Risk Management shall assess member reports and include a summary report in the annual risk management report.

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**Related Statutes, Policies, or Requirements**

*Executive Order GWB 95-8, Relating to Workplace Safety and Health of State Employees, Citizens Served, and Preservation of State Property*


Tex. Educ. Code § 51.966

http://tlo2.tlc.state.tx.us/statutes/docs/ED/content/htm/ed.003.00.000051.00.htm#51.966.00

*System Policy 51.01, Capital Planning*


*Texas Tort Claims Act, Tex. Civ. Prac. & Rem. Code, Chapter 101*

http://tlo2.tlc.state.tx.us/statutes/docs/CP/content/htm/cp.005.00.000101.00.htm

Tex. Lab. Code, Chapter 502

http://tlo2.tlc.state.tx.us/statutes/docs/LA/content/pdf/la.005.00.000502.00.pdf

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24.01 Risk Management
Contact Office

System Risk Management
(979) 458-6330
33.04 Use of System Resources

Approved February 27, 1995 (MO 44-95)
Revised September 24, 1999 (MO 226-99)
Revised December 1, 2006 (MO 306-2006)
Revised September 26, 2008 (MO -2008)
Next Scheduled Review: September 26, 2010

Policy Statement

This policy provides guidance concerning the proper use of resources of The Texas A&M University System (system).

Reason for Policy

Improper use of system resources could lead to increased costs and risks to the system, particularly from operational, regulatory, and reputational standpoints. Proper utilization of system resources ensures organizational risks and costs are properly managed.

Procedures and Responsibilities

1. GENERAL

System resources may not be used for personal purposes except for incidental use in accordance with this policy. The incidental use of system resources for personal purposes must not:

(a) result in additional expense to the system;
(b) impede normal business functions;
(c) be for non-approved private commercial purposes;
(d) be used for illegal activity;
(e) be used to intentionally access, create, store, or transmit obscene materials; or
(f) be used to compete unfairly with private sector entities or private consultants.

Further case-specific guidance is provided below.
2. TELEPHONES AND OTHER INFORMATION RESOURCES EQUIPMENT

Incidental personal use of system computers (including, but not limited to the internet and electronic mail), telephones, facsimile machines, and other means of communication must meet the requirements of Section 1 of this policy and must not unduly interfere with a system employee's assigned responsibilities or the normal functioning of an office. The use of system telecommunication, email, and internet services for any illegal activity or to intentionally access, create, store or transmit obscene materials, as defined in Texas Penal Code Section 43.21 (other than in the course of academic research), is strictly prohibited regardless of whether or not it results in an additional charge to the state.

3. SYSTEM VEHICLES

No system employee shall use any vehicle owned by the system for any purpose other than official business of the system. Employees may not use such vehicles in connection with any political campaign or for any personal or recreational activity including transportation to and from work on a daily basis; however, a vehicle may be driven to an employee’s home and retained overnight on specific occasions when doing so allows the employee to effect significant time or cost savings or meet a specific out-of-town appointment to conduct system business.

4. CREDITS CARDS, PROCUREMENT CARDS, PETTY CASH, WORKING FUNDS, AND CENTRALLY-BILLED ACCOUNTS

No system employee shall use system credit cards, procurement cards, petty cash, working funds, or centrally-billed accounts for any purpose other than official business of the system. Employees may not use such accounts in connection with any political campaign or for any personal activity. An employee may use a state credit card to charge for items that, while they qualify as official business, are not fully reimbursable under state and/or system guidelines for reimbursement. An example would be a state hotel rate that exceeds the state rate. While such an expenditure may not be fully-reimbursable, charging the full amount to a credit card or procurement card would be appropriate, even if the system will not reimburse the entire expenditure, so long as the expenditure is a valid business expenditure.

5. OTHER SYSTEM RESOURCES

No system employee shall entrust state property or resources to any state official or employee or to anyone else to be used for other than state purposes. System employees shall not use system equipment, property, or resources for their own benefit unless:

(a) it also benefits the system and has been approved by the chancellor or designee(s) in advance and suitable arrangements have been made in advance for payment of the agreed upon value for use of such property or resources; or

(b) the property or resource consists of books from the library, recreational facilities and other such items of well-established usage that are authorized for such use by the chief executive officer of the system member concerned.
Related Statutes, Policies, or Requirements

Texas Ethics Commission Advisory Opinion No. 372 (1997)
http://www.ethics.state.tx.us/opinions/372.html

Texas Ethics Commission Advisory Opinion No. 134 (1993)
http://www.ethics.state.tx.us/opinions/134.html

Texas Penal Code § 39.02
http://tlo2.tlc.state.tx.us/statutes/docs/PE/content/htm/pe.008.00.000039.00.htm#39.02.00

Texas Penal Code § 43.21
http://tlo2.tlc.state.tx.us/statutes/docs/PE/content/htm/pe.009.00.000043.00.htm#43.21.00

System Regulation 33.04.01, Use of System Resources for External Employment

System Regulation 25.99.08, Use of Telecommunications Services

Definitions

Incidental – minimal in scope, for example, time periods comparable to reasonable coffee breaks during the day.

System resource – an item or tool provided by the system for purposes of satisfying normal business activities, including but not limited to internet access, e-mail addresses, facsimiles, telephone and personal computing services, procurement and credit cards, and all other organizational assets, including cash.

Contact Office

The System Office of Budgets and Accounting
(979) 458-6100
**FACULTY DEVELOPMENT LEAVE LIST**

**FY 2009**

**TEXAS A&M UNIVERSITY-KINGSVILLE**

<table>
<thead>
<tr>
<th>Name/Title/Department</th>
<th>Years of TAMU-K Tenured, Tenure-Track Service</th>
<th>Semester(s) of Leave</th>
<th>Location and brief description of leave</th>
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| Reza Nekovei          | 10                                             | Spring 2009          | Leave will be spent teaching and doing research at the Politehnica University of Bucharest (UPB) as part of the Fulbright Scholars Program. UPB is the largest technical university in Romania. With more than 180 years of existence, UPB is one of the most fundamental and prestigious institutions, being the main source for the technical specialists in Romania.

As an invited Professor, Dr. Nekovei will be teaching a master level course in “Real-time Signal Processing with Field-Programmable Gate Arrays” and will be giving additional lectures to departments of Automation, Computer Systems and Control. Additionally, he will assist master and Ph.D. students with their research at the MicorDerLab within the faculty of electrical engineering and participate in Visual Synchronization European Grid Project. His collaborative research outcome will be published and presented at international conferences.

Upon his return, he will integrate his research and teaching experience into his courses and laboratories at TAMU-K. |
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<tr>
<th>Name/Title/Department</th>
<th>Years of TAMUCC Tenured, Tenure-Track Service</th>
<th>Semester of Leave</th>
<th>Location and brief description of leave</th>
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<tr>
<td>Patrick Carroll</td>
<td>32</td>
<td>Spring 2009</td>
<td>Leave will be spent primarily in Texas completing a book draft based on the author’s research on social order in colonial Mexico. The University of Texas Press has extended an advance contract for the book, which theorizes that three distinct social orders existed in 18th century colonial Mexico. Each defined identity and ascribed social rank differently: 1) A Spanish social system stressed the role of race. 2) An “Indian” social order focused on ethnicity (cultural affiliation). 3) A racially and culturally hybrid casta social order emphasized economic class. This work will provide a new model for explaining social developments in complex racial, ethnic, and class-based societies across time and space. It will enhance the scholarly reputation of TAMUCC.</td>
</tr>
<tr>
<td>Greg Reuter Art</td>
<td>30</td>
<td>Spring 2009</td>
<td>Leave will be spent in Corpus Christi creating works of sculpture. The creative project, <em>Man, Nature, and the Sublime</em>, will be a time and labor intensive endeavor that focuses on capturing and rendering sublime moments that occur in the natural and man-made world. The goal is to record and interpret in sculptural form these fleeting moments, thus making them accessible to anyone. The sculptures will be exhibited in galleries; experiences will be shared with faculty and students at a university colloquium; and images of the work will be placed on the Art Department’s website, serving as a record of faculty activity. Students will benefit from seeing a full-time artist at work, and the knowledge and expertise acquired through the project will enhance classroom instruction.</td>
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<tr>
<td>Nancy Sullivan English</td>
<td>14</td>
<td>Spring 2009</td>
<td>Leave will be spent partly in Hong Kong, where data will be collected on the effects of regional and national group identification on language attitudes. University students will be surveyed on their choice of Cantonese, Putonghua, or English as official language for Hong Kong; their attitudes toward each language; and feelings of group identification and patriotism toward Hong Kong and China. Comparing the results to a 2001 survey, the study will examine how shifts in global power and China’s increasing influence on Hong Kong affect the attitudes of the Hong Kong people. This sociolinguistic research will show how language intersects with culture, power, and economics. Following the trip, work will begin on a manuscript for submission to a peer-reviewed journal. Future conference presentations are anticipated.</td>
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<td>Dr. Jennifer Ganz</td>
<td>Associate Professor</td>
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<td>Upon Approval by the Board and Faculty Arrival</td>
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<td>Dr. Richard Kreider</td>
<td>Professor</td>
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<td>Upon Approval by the Board and Faculty Arrival</td>
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<td></td>
<td>Health and Kinesiology</td>
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**COLLEGE OF EDUCATION AND HUMAN DEVELOPMENT**

**Dwight Look College of Engineering**

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<td>Dr. Robin R. Murphy</td>
<td>Professor</td>
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<td>Computer Science</td>
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<td>Dr. Michael B. Pate</td>
<td>Professor</td>
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<td></td>
<td>Mechanical Engineering</td>
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*Tenure on Arrival
Dr. Jennifer Ganz is currently an associate professor with tenure at The University of Texas at San Antonio.

She received her Ph.D. in Special Education from the University of Kansas in 2002. Dr. Ganz is a certified Texas teacher and is a Board Certified Behavior Analyst. She has 21 peer-reviewed journal articles published or in press, as well as books and book chapters. Her scholarly interests include investigating efficacious educational interventions to improve communication and social skills in children with autism spectrum disorders. She has conducted several studies investigating the impact of augmentative and alternative communication systems and visual strategies. Dr. Ganz also contributes to the community as an associate editor for a peer-reviewed journal and a reviewer for another, as well as through consultation with schools.

Dr. Richard Kreider is a professor without tenure at Baylor University. He is currently Chair of the Department of Health, Human Performance, and Recreation.

Dr. Kreider is Director of the Exercise and Sport Nutrition Lab; Director of the Center for Exercise, Nutrition and Preventive Health; and, Director of the PhD program in Exercise, Nutrition and Preventive Health. Under Dr. Kreider’s leadership, the department became one of the fastest growing, most productive and well-funded academic units at Baylor University. This was accomplished in many ways, including revising and developing professionally relevant undergraduate and graduate academic programs; developing state-of-the-art teaching and research laboratories; attracting highly productive scholarly faculty; being actively engaged in professional service at the national level; procuring nearly $8 million in external funding; and, publication of internationally recognized/high profile research.

Dr. Kreider received his Ph.D. in Exercise Physiology from the University of Southern Mississippi in 1985. He then served as an Assistant Professor in the Department of Exercise Science, Physical Education and Recreation at Old Dominion University. During this time, he founded and/or directed the Laboratory of Kinesiological and Biomechanical Studies as well as directed the Wellness Institute and Research Center. Dr. Kreider was named a Scholar of the Darden College of Education each year at Old Dominion University, was the recipient of the Tonnelson Outstanding Faculty Award in the College of Education, and received the Prestigious Alumni Eagle Award from Liberty University. From 1994 to 2000, Dr. Kreider served as Associate Professor and Assistant Department Chair in the Department of Human Movement.
*Dr. Richard Kreider (continued)*

Sciences at the University of Memphis. In 2000, Dr. Kreider was promoted to Full Professor. While there, Dr. Kreider founded and directed the Exercise and Sport Nutrition Laboratory and gained significant administrative experience as Assistant Chair and a leading professor in the Department, developing state-of-the-art teaching and research laboratories; attracting highly productive scholarly faculty; being actively engaged in professional service at the national level; procuring nearly $8 million in external funding; and, publication of internationally recognized / high profile research.

**DWIGHT LOOK COLLEGE OF ENGINEERING**

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<td>Dr. Robin R. Murphy</td>
<td>Computer Science and</td>
<td>Professor</td>
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<td>Engineering</td>
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Dr. Robin Murphy is currently a Professor without tenure in the Department of Computer Science and Engineering at the University of South Florida.

Dr. Murphy received a Ph.D. in computer science (minor: Computer Integrated Manufacturing Systems) in 1992, from Georgia Institute of Technology, where she was a Rockwell International Doctoral Fellow. From 1992 through 1998, she was an assistant professor in the Department of Mathematical and Computer Sciences at the Colorado School of Mines. Dr. Murphy joined the University of South Florida in 1998. Dr. Murphy will be appointed the Raytheon Professorship in the Department of Computer Science at Texas A&M University on August 25, 2008. Dr. Murphy is a founder and international leader in rescue robotics and human-robot interaction, and was recognized by TIME Magazine in 2004 as an innovator in artificial intelligence. Her work in rescue robotics began in 1995, investigating artificially intelligent robots and new concepts of cooperative teams such as marsupial and heterogeneous teams, while also working directly with responders to establish the domain theory. She was the first to introduce ground, air, and sea robots to disaster response, participating in the World Trade Center disaster (2001), Hurricanes Charley (2004), Katrina (2005), and Wilma (2005), the Midas Gold Mine response (2007), the Crandall Canyon Utah Coal Mine response (2007). Her honors include the NIUSR Eagle award, the USF Distinguished Service Award, and the 2008 AUVSI Foundation Al Aube Outstanding Contributor Award. Dr. Murphy has also served on the USAF Scientific Advisory Board and numerous National Academies’ studies and defense panels. Dr. Murphy has published three books, 14 book chapters, 37 refereed journal articles, and 59 refereed conference papers in the last 10 years. She has received $16.2 million in competitive grants for her research program from the National Science Foundation, Mine Safety and Health Administration, Defense Threat Reduction Agency, Department of Energy, Defense Advanced Research Projects Agency, National Park Service, and NASA.
Dr. Michael Pate is currently a professor without tenure at Iowa State University.

At Iowa State University, he is a professor in the Department of Mechanical Engineering, and serves as the director and co-founder of the Center for Building Energy Research – a major university center focusing on all aspects of building energy issues with participation from colleges throughout ISU, including Engineering, Architecture, Agriculture, and Business. Most of his research activities are either directly or indirectly related to energy production and use, including building envelopes, HVAC systems, refrigeration systems, and alternative energy technologies (e.g., photovoltaics, wind energy, geothermal, etc.), and to improving the efficiency of thermal systems, components, and processes.

Dr. Pate’s research work performed to date in over 78 funded projects has been published in 122 refereed articles, with 76 of them being archival refereed journals papers and 47 of them being refereed conference proceedings. He received the ME Professor of the Year Award in 2007, Superior Engineering College Teaching Award in 2005, and the Louis Thompson Distinguished Undergraduate Teaching Award in 2006.

He received his Ph.D. in Mechanical Engineering from Purdue University in 1982.
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<td>COLLEGE OF ARTS AND SCIENCES</td>
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<tr>
<td>* Dr. James J. Heitholt</td>
<td>Professor and Head Agricultural Sciences</td>
<td>9  1</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
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</table>

* Tenure on Arrival.
Dr. James J. Heitholt formerly held the non-tenured position of Professor with a joint appointment shared between Texas AgriLife Research (80%) and Texas A&M University-Commerce (20%).

Dr. Heitholt received a B.S. in Agriculture at Western Illinois University (1978), an M.S. in Agronomy at the University of Missouri (1980), and a Ph.D. in Crop Science at the University of Kentucky (1984). Dr. Heitholt researched wheat physiology (1985-1986) and the effects of industrial by-products (1987) as a Postdoctoral Research Associate at Oklahoma State University and the USDA-ARS (Frederick, Maryland), respectively. Dr. Heitholt then worked as Plant Physiologist with the USDA-ARS in Stoneville, Mississippi (1988-1999) before being hired as Agronomist and Crop Physiologist with Texas AgriLife Research. Dr. Heitholt has published 50 refereed journal articles and 62 abstracts. Dr. Heitholt is an active member of the American Society of Agronomy and of the Crop Science Society of America where he was appointed as the Crop Physiology Division Chair-Elect in 2008. Dr. Heitholt served on the editorial boards for three highly-recognized journals, Crop Science, J. Cotton Science, and Crop Management. Dr. Heitholt’s research has identified numerous plant traits associated with yield of soybean and cotton which has helped producers and breeders improve crop performance. Dr. Heitholt is responsible for developing two novel, hands-on courses for the Agricultural Sciences Department at Texas A&M University-Commerce: Design and Analysis of Biological Experiments, and Agricultural and Biological Instrumentation.
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<tr>
<th>Name</th>
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<th>Years Teaching</th>
<th>Teaching Univ./ Other Inst.</th>
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<td>* Dr. Bonney MacDonald</td>
<td>Professor</td>
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*Tenure on Arrival
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<tr>
<td>Dr. Bonney MacDonald</td>
<td>English</td>
<td>Professor</td>
<td>Upon Approval by the Board and Faculty Arrival</td>
</tr>
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</table>

Dr. Bonney MacDonald formerly held the tenured position of professor at Union College since 2006, Schenectady, NY, and tenured position of associate professor at Union College from 1994-2006.

Dr. MacDonald received a B.A. degree in English (1979) from California State University Sacramento, a M.A. degree from the University of Nottingham, England (1980), a M.A. degree (1984) from Yale University, and a Ph.D. degree (1988) from Yale University. Dr. MacDonald taught at Yale University for two years and at Union College for 19 years and served as department head of English at Union College for seven years. Dr. MacDonald published one book, chapters in three edited books, and four refereed journal articles; wrote seven proceedings; and presented 22 papers at conferences. She received academic honors in teaching at Yale University and Union College and received four fellowships during this time frame. Dr. MacDonald is active in the Western Literature Association, the Association for Study of Literature and Environment, Modern Language Association, and American Literature Association, Emerson Society. She is active on many university committees.
<table>
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<tr>
<th>System Member Honoree</th>
<th>Years of Service</th>
<th>Current Rank</th>
<th>Title Conferred</th>
<th>Effective Date</th>
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<tbody>
<tr>
<td>Dr. Robert Ditton</td>
<td>34</td>
<td>Professor</td>
<td>Professor Emeritus of Wildlife and Fisheries Sciences and Professor Emeritus of Recreation, Park and Tourism Sciences</td>
<td>Upon Approval by the Board</td>
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<tr>
<td>Dr. Benito Flores</td>
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<td>Dr. Linda Guarino</td>
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<td>Upon Approval by the Board</td>
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<td>Ms. Jacqueline B. Hambric (Lynne)</td>
<td>42</td>
<td>Associate Professor</td>
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<td>Upon Approval by the Board</td>
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<td>Dr. Newell McArthur</td>
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<td>Upon Approval by the Board</td>
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<td>Dr. Diana I. Martinez</td>
<td>10</td>
<td>Dean</td>
<td>Dean Emerita</td>
<td>Upon Approval by the Board</td>
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# THE TEXAS A&M UNIVERSITY SYSTEM CONFIRMATION OF EMERITUS TITLES
EMERITUS TITLE LIST NO. 09-01

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<th>System Member Honoree</th>
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<tr>
<td>Ms. Norma J. Dobson</td>
<td>24</td>
<td>Assistant Professor</td>
<td>Assistant Professor Emerita of Nursing</td>
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<td>Dr. Ronald Hiner</td>
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<td>Professor</td>
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<td>Associate Professor Emerita of Library Economy</td>
<td>Upon Approval by the Board</td>
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<td>Dr. Sue S. Park</td>
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<td>Dean and Professor</td>
<td>Dean and Professor Emerita of English</td>
<td>Upon Approval by the Board</td>
</tr>
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<td>Associate Professor Emeritus of Agricultural Business and Economics</td>
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THE TEXAS A&M UNIVERSITY SYSTEM  
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<tr>
<td>Mr. John N. Cooper</td>
<td>31</td>
<td>County Extension Agent – Horticulture</td>
<td>County Extension Agent Emeritus</td>
<td>Upon Approval by the Board</td>
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<tr>
<td>Mrs. Mary F. Hall</td>
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<td>Extension Agent Emerita</td>
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<tr>
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<td>County Extension Agent Emerita</td>
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The Texas A&M University System  
Appointed and Commissioned Peace Officers  
August 8, 2008

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<tr>
<th>University</th>
<th>Officer’s Name</th>
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<td>TEXAS A&amp;M UNIVERSITY - KINGSVILLE</td>
<td>Solis, Fredy G.</td>
<td>Police Officer</td>
<td>7/1/08</td>
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<tr>
<td>TARLETON STATE UNIVERSITY</td>
<td>Thurman, Jennifer D.</td>
<td>Police Officer</td>
<td>6/30/08</td>
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<td></td>
<td>Vincent, Steven R.</td>
<td>Police Officer</td>
<td>6/23/08</td>
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