

RESOLUTIONS OF THE BOARD OF REGENTS
OF
THE TEXAS STATE UNIVERSITY SYSTEM

RESOLUTION REGARDING OUTLINE

RESOLVED, that the Board of Regents of The Texas State University System adopts, approves and agrees to be a party to the Outline of Terms and Conditions of the Contributions to the Emmett & Miriam McCoy College of Business Administration Development Foundation for the Benefit of the Texas State University-San Marcos College of Business Administration attached hereto as Exhibit A and incorporated herein for all purposes;

FURTHER RESOLVED, that the Board of Regents of The Texas State University System authorizes the Chancellor of State University System, on behalf of The Texas State University System, to enter into the Outline of Terms and Conditions of the Contributions to the Emmett & Miriam McCoy College of Business Administration Development Foundation for the Benefit of the Texas State University-San Marcos College of Business Administration.

RESOLUTION REGARDING AGREEMENT

RESOLVED, that the Board of Regents of The Texas State University System approves, adopts and agrees to be a party to the Agreement Among The Texas State University System, Emmett and Miriam McCoy and the Emmett & Miriam McCoy College of Business Administration Development Foundation attached hereto as Exhibit B and incorporated herein for all purposes;

FURTHER RESOLVED, that the Board of Regents of The Texas State University System authorizes the Chancellor of The Texas State University System, on behalf of The Texas State University System, to enter into the Agreement Among The Texas State University System, Emmett and Miriam McCoy and the Miriam McCoy and the Emmett & Miriam McCoy College of Business Administration Development Foundation attached hereto as Exhibit B and incorporated herein for all purposes.

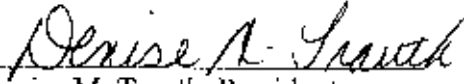
NAMING

RESOLVED, that the Board of Regents of The Texas State University System permanently names the Texas State University-San Marcos College of Business Administration the Emmett & Miriam McCoy College of Business Administration.

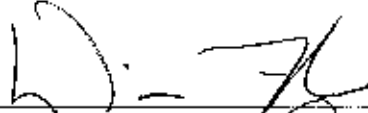
FURTHER RESOLVED, that the Board of Regents of The Texas State University System permanently names the College of Business Administration's building under construction at Texas State University-San Marcos Emmett & Miriam McCoy Hall.

FURTHER RESOLVED, that the Board of Regents of The Texas State University System permanently names the small teaching theatre in the Emmett & Miriam McCoy Hall at Texas State University-San Marcos as the Dennis & Cindy McCoy Teaching Theatre.

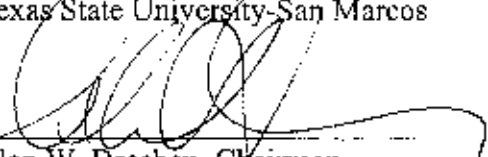
IN WITNESSETH WHEREOF the parties hereto have executed this Agreement, the 7th day of May, 2004.



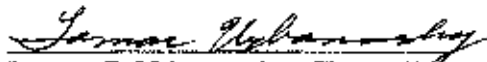
Denise M. Trauth, President
Texas State University-San Marcos



Dionicio "Don" Flores, Local Committee Chairman
Texas State University-San Marcos



Alan W. Dreeben, Chairman
The Texas State University System



Lamar G. Urbanovsky, Chancellor,
The Texas State University System

EMMETT & MIRIAM McCOY
OUTLINE OF TERMS AND CONDITIONS OF THE CONTRIBUTIONS TO THE EMMETT &
MIRIAM McCOY COLLEGE OF BUSINESS ADMINISTRATION DEVELOPMENT FOUNDATION
FOR THE BENEFIT OF TEXAS STATE UNIVERSITY - SAN MARCOS COLLEGE OF
BUSINESS ADMINISTRATION

- I. This is an agreement for a donation by Emmett & Miriam McCoy (Donors) to the Emmett & Miriam McCoy College of Business Administration Development Foundation (Foundation) for benefit of the Texas State University - San Marcos College of Business Administration (College, McCoy College of Business or McCoy College) at Texas State University - San Marcos (University), and the creation of the Foundation.
 - A. Contributions.
 1. The Initial Contribution of \$10,000,000 to the Foundation will be made after the satisfactory completion of the following steps.
 - a) The steps to be completed are:
 - (1) This document is approved by the Administration of Texas State University.
 - (2) This document is approved by the Board of Regents of Texas State University System.
 - (3) The Foundation is formed by the Donors based upon the terms in this document.
 - (4) The Donors request and receive an IRS grant of tax exempt status for the McCoy Foundation based upon the terms of this document unless otherwise agreed to by the Donors.
 - (5) The University and the Donors prepare and execute a written agreement reflecting the terms approved by the IRS, the University and the Donors with the Foundation joining as required.
 - (6) Upon completion of the preceding steps, the Donors will make the Initial Contribution to the Foundation and simultaneously the University will complete items I.D.1, I.D.2. and I.D.5.
 - b) The Initial Contribution is to be allocated by the Donors among the areas of use at time of contribution.
 2. The Donors will make five additional annual contributions over 5 years at a rate of \$2,000,000 per year to the Foundation with these contributions subject to the requirements of this document.

a) The contributions over 5 years shall be allocated by the Donors among areas of use at the time of each contribution.

3. The obligations of the Donors under this document are conditioned upon the University and the Foundation not being in breach of any of their obligations under this document, which breach they have failed to cure within ninety (90) days after receiving notice of the breach from the Donors or the personal representative, heirs or executors of the Donors.

B. Emmett & Miriam McCoy College of Business Administration Development Foundation (Foundation).

1. Purpose.

a) The Foundation is a separate foundation dedicated exclusively to the support of the McCoy College of Business.

2. Board of Directors of the Foundation.

a) Qualifications and Selection of Directors.

(1) There shall be two (2) Directors who are employees of the McCoy College (McCoy College Directors).

(a) Qualifications.

(i) Each of the McCoy College Directors shall be an employee of the McCoy College who holds one of the following positions: assistant dean, associate dean or chairperson of a department of the McCoy College.

(b) Selection process.

(i) Nominated by the Nominating Committee of the Board.

(ii) Elected by the Board.

(2) There shall be two (2) Directors designated as McCoy Family Directors.

(a) Qualification.

(i) Emmett McCoy, Miriam McCoy or a lineal descendant of Emmett and Miriam McCoy.

(b) Selection process.

- (i) Emmett and Miriam McCoy shall be the initial McCoy Family Directors with each of their terms being for the period until their death, resignation or incapacity.
- (ii) Emmett and Miriam McCoy shall select the first successor McCoy Family Director and the survivor of the two of them shall select other successor McCoy Family Directors with the person or persons naming the McCoy Family Director specifying the term of office for each McCoy Family Director appointed by said person or persons and any other conditions to their appointment or term of office with Emmett and Miriam McCoy being able to name other successor McCoy Family Directors subject to the preceding part of this paragraph.
- (iii) Upon the death, resignation or incapacity of both Emmett and Miriam McCoy and no director being appointed pursuant to the preceding part of I.B.2.a)(2)(b) then the McCoy Family Directors are elected by the Board of Directors of the Emmett & Miriam McCoy Foundation (The Emmett & Miriam McCoy Foundation is a separate foundation from the Emmett & Miriam McCoy College of Business Administration Development Foundation) with the selections coming from lineal descendants of Emmett and Miriam McCoy.
- (iv) If no McCoy Family Directors are selected pursuant to the preceding procedures, then the McCoy Family Directors shall name their successors from lineal descendants of Emmett & Miriam McCoy.
- (v) Upon fifty years from the date of the creation of the Foundation, then the two McCoy Family Directors shall be selected by the same process as "Outside

Directors" with the qualifications as provided for Outside Directors.

(3) There shall be two Outside Directors with the number of Outside Directors being expanded to four when there ceases to be McCoy Family Directors.

(a) Qualifications.

(i) Candidates for the Outside Director positions should be persons who have an interest in the McCoy College and who have either achieved success in business or have excelled in university level business education who are not employees of the University at the time they are elected as a director.

(b) The selection process should be.

(i) Nominated by the Nominating Committee of the Foundation Board and,

(ii) Elected by the Foundation Board.

(4) The Dean of the McCoy College.

(5) One Ex Officio Director (Non Voting).

(a) The EX Officio Director shall be one of the following as determined by the President of the University: the President of the University, or the Chief Academic Officer of the University, or the Chief Fiscal Officer of the University.

b) Nominating Committee of the Board.

(1) Dean of the McCoy College and the two McCoy Family Directors with decisions of the Nominating Committee being by majority vote of the members of the Nominating Committee.

(2) If there are no longer any McCoy family members serving as the McCoy Directors, then the places of the McCoy Family Directors on the Nominating Committee will be elected by the Board for one year terms.

c) Decisions of the Foundation.

(1) Decisions of the Foundation unless otherwise provided are made by the Board.

(2) Voting of the Board.

(a) Decisions of the Board shall be made by majority vote of the Board members serving at the time of the decision, except the following decisions which require a minimum six-sevenths (6/7) of the directors then serving to vote in favor:

(i) Amendment of the articles of incorporation.

(ii) Amendment of the bylaws.

d) Meetings of the Board of Directors.

(1) The Board shall meet quarterly or as called by the President of the Board, or three members of the Board.

(2) Quorum of Board.

(a) 5/7 of the Board members.

e) Number of Directors.

(1) Seven (7).

f) Terms of Elected Directors. The Elected Directors are: the directors from the McCoy College (see Section I.B.2.a)(1)); and, the Outside Directors (see Section I.B.2.a)(3)).

(1) The Elected Directors shall serve three-year terms. Directors may be re-elected any number of times.

(2) Initial Elected Directors have staggered terms of 1, 2 and 3 years.

3. Fiscal Year of the Foundation.

a) The fiscal year of the Foundation shall be the same as the University, which currently is September 1 to August 31.

4. Officers.

a) Positions.

(1) President.

(a) The President of the Foundation shall not be an employee of the University.

(2) Vice President.

(a) The Vice President of the Foundation shall not be an employee of the University.

(3) Secretary.

(4) Treasurer.

b) Nomination and Election.

(1) The Officers are nominated by the Nominating Committee of the Board.

(2) The Officers are elected by the Board of Directors.

c) Term.

(1) The term of office is one year with no limit on the number of terms.

5. Executive Director.

a) Terms of Employment.

(1) The Executive Director may be either a full time or part time employee as determined by the Board of the Foundation.

(2) If the Executive Director is a part time employee of the Foundation, and also a part time employee of the University, then the employee will be carried on the University payroll with the Foundation reimbursing the University for an appropriate part of the salary and benefits of the Executive Director. If this individual is a university employee then he/she must be hired by University procedures.

b) Responsibilities of the Executive Director which are subject to modification by the Board.

(1) Administer the day to day operations of the Foundation.

(2) Review and report to the Board on the programs and expenditures of the McCoy College that are funded by the Foundation with respect to compliance with all donor

gift agreements approved by the Foundation.

- (3) Provide the line of communications for day to day business between the Foundation, the McCoy College and the University.
- (4) Implement the policies of the Foundation.
- (5) Establish an appropriate record keeping system. Maintain accurate, timely and complete records of the business of the Foundation.
- (6) Serve as the principal Board contact with outside professionals representing the Foundation including attorneys and accountants.
- (7) Other duties as determined by the Board such as fundraising.

c) Qualifications.

- (1) Ideally the Executive Director should have significant experience in university administration however, the Board may select someone with other significant experience including and not limited to experience in private business.
- (2) An individual is not qualified to be appointed as Executive Director if he/she is a member of the faculty of the University unless he/she already holds an administrative position in the McCoy College.
- (3) Executive Director should have good oral and written communication skills to be able to effectively represent the Foundation with outside parties.

6. Support Staff.

- a) The Foundation will provide an administrative assistant and such other support staff if the Board determines the need.
- b) Secretarial support may be provided by the University with the Foundation reimbursing an appropriate amount of the salary and benefits to the University.

7. Depository for major gifts for the College.

- a) The Board of the Foundation shall establish a minimum amount for any contributions that it will accept.
 - b) Any gift deposited with the Foundation for the benefit of the College must be mutually agreed to by both the Foundation and the University except for unrestricted gifts.
 - c) Major gifts for the College may be deposited with either the Foundation, other support organizations of the University, or the University based upon the direction of the donor. The Foundation may set a minimum limit on the size of the gift it accepts.
8. Administration of Funds.
- a) The Foundation shall administer the investment of its assets, with the funding to the McCoy College by the transfer of funds to the University on a quarterly basis.
 - b) The University shall be responsible for disbursing the funds according to the appropriate gift agreements.
 - c) The Board of the Foundation shall annually set a three year projection of the percentage of the fair market value of each endowment that will be funded to the McCoy College with the fair market value of each endowment being computed based on a rolling 12 quarter average of the fair market value of the endowment as determined by the Board of Directors. During the initial 12 quarters of each endowment the Directors of the Board of the Foundation will use as many quarters' experience for each endowment as are available.
 - d) As described in Section I.F.2. below, the University shall provide to the Foundation accountings for the funds it receives from the Foundation.
 - e) The University shall make its books available for inspection by employees or agents of the Foundation as to the expenditure of funds it receives from Foundation.
9. Investment of Funds.
- a) The Foundation may use multiple well-qualified investment managers selected by the Foundation with each manager having a portion of funds as allocated by Foundation.
10. Recovery of Expenses of the Foundation.

- a) The fair and reasonable expenses of the Foundation shall be recovered by an overhead charge to the endowments of the Foundation.
11. Matching funds. The term matching funds as used in this document requires a dollar-for-dollar match.
12. Board of Regents of the Texas State University System.
 - a) The Board of the Foundation will provide the Board of Regents of the Texas State University System, through the President of Texas State University - San Marcos, an annual report.
 - b) The articles of incorporation, bylaws or other governing instruments of the Foundation, and amendments thereof, must be approved by the Board of Regents of the Texas State University System. The selection procedures for the Foundation's directors must be defined in the governing documents of the Foundation, and must be approved by the Board of Regents of the Texas State University System.

C. Programs.

1. Faculty Support.

a) Endowed Chairs.

(1) Share of endowment - \$6,000,000 of the total \$20,000,000 gift.

(2) Number of Endowed Chairs.

(a) The funding from the Foundation will be sufficient to provide three endowed chairs with each endowment at the minimum \$2,000,000 level. The Foundation will permit its funds to be used in a matching program to encourage new gifts. When the Foundation funds are fully matched there will be six endowed chairs.

(b) Areas are described below.

(3) The minimum endowment for a chair is \$2,000,000.

(4) Matching Funds.

(a) A second donor can match the Foundation funding and have a chair named as designated by the second donor, with the name subject to the approval of the Foundation and the

University. The minimum match by the second donor is \$1,000,000.

(5) Selection process.

(a) Area of study.

(i) Subject to the direction of a second donor, the area of each endowed chair shall be as agreed upon by the Board of the Foundation and the University.

(b) Recipient of each Chair.

(i) University procedures will be used to select the recipient of each Chair.

(c) Disbursement.

(i) The Dean of the McCoy College will determine the disbursement of funds made available under this endowment within the allocated areas of this endowment.

(6) Naming.

(a) Initially the chairs will be named "CBA Excellence Chair of (area of designation)".

(b) A permanent name will be designated by the matching donor after a matching gift is received. See "Matching Funds" section above.

b) Endowed Professorships.

(1) Share of endowment - \$3,000,000 of the total \$20,000,000 gift.

(2) Number of professorships.

(a) The funding from the Foundation will be sufficient to provide five endowed professorships at the minimum \$600,000 level. The Foundation permits its funds to be used in a matching program to encourage new gifts. When the Foundation funds are fully matched with new gifts there will be ten (10) professorships.

- (b) Areas are described below.
- (3) The minimum endowment for a professorship is \$600,000.
- (4) Matching Funds.
 - (a) A second donor can match the Foundation funding and designate the professorship name, subject to the approval of the Foundation and the University. The minimum match is \$300,000.
- (5) Selection process.
 - (a) Area.
 - (i) Subject to the direction of a second donor, the area of each endowed professorship shall be as agreed upon by the Board of the Foundation and the University.
 - (b) Recipient of each professorship.
 - (i) University procedures will be used to select the recipient of each professorship.
 - (c) Disbursement.
 - (i) The Dean of the McCoy College will determine the disbursement of funds made available under this endowment within the allocated areas of this endowment.
- (6) Naming.
 - (a) Initially the professorships will be named "CBA Excellence Professorship of (area of designation)".
 - (b) A permanent name will be designated by the matching donor after the matching gift is received. See "Matching Funds" section above.

2. Faculty Development.

- a) Share of Endowment - \$3,000,000 of the total \$20,000,000 gift.

b) Matching Funds.

- (1) The Foundation will permit its funding for the Faculty Development program to be available for one or more matching programs within the area of Faculty Development.
- (2) The details of any new matching program will be agreed to by the University and the Foundation.

c) Areas.

- (1) Grants to support faculty in the summer to allow these faculty to develop course material, develop new programs or enhance their professional qualifications.
- (2) Expenses associated with attending professional conferences.
- (3) Salary support for internships for faculty to gain experience working with business enterprises.
- (4) Alternate salary and expense source to support faculty applied research.
- (5) Costs associated with a speaker program.
 - (a) Speakers for a program funded by more than 25% by the Foundation will be approved by the Foundation.

d) Allocation of Funds for the Faculty Development program.

- (1) Subject to the direction of a second matching donor, the allocation of funds among the five areas shall be as agreed upon by the Board of the Foundation and the Dean of the McCoy College.

e) Disbursement.

- (1) The Dean of the McCoy College will determine the disbursement of funds within each of the five areas under this endowment.

3. Student Support (McCoy Scholars Program).

a) Scholarships for Undergraduates.

- (1) Share of endowment - \$3,000,000 of the total \$20,000,000 gift.

(2) Matching Funds.

- (a) The Foundation will permit its funding for the scholarship program to be available for a matching program.
- (b) The details of the matching program will be agreed to by the University and the Foundation.

(3) Endowments.

(a) Undergraduate Scholarships of Excellence.

(i) The minimum endowment for an Undergraduate Scholarship of Excellence is \$200,000.

(ii) Matching Funds.

(a) A second donor can match the Foundation funding and designate the name of the Undergraduate Scholarship subject to the approval of the Foundation and the University.

(b) The minimum match is \$100,000.

(iii) Selection process.

(a) Criteria for awarding Undergraduate Scholarships of Excellence will normally be based upon one or more of the following: academic excellence, leadership ability, and financial need.

(b) The specific criteria and amount of the awards will be developed by the McCoy College and approved by the Foundation.

(c) Awards of scholarships to individuals will be made following University procedures.

(d) Disbursement.

(i) The Dean of the McCoy College will determine the disbursement of funds made available under this endowment within the allocated areas of this endowment.

(b) Undergraduate Scholarship of Distinction.

(i) The minimum endowment for an Undergraduate Scholarship of Distinction is 100,000.

(ii) Match.

(a) A second donor can match the Foundation funding and designate the name of the Undergraduate Scholarship of Distinction subject to approval of the Foundation and the University.

(b) The minimum match is \$50,000.

(iii) Selection process.

(a) Criteria for awarding Undergraduate Scholarships of Distinction will normally be based upon one or more of the following: academic excellence, leadership ability, and financial need.

(b) The specific criteria and amount of the awards will be developed by the McCoy College and approved by the Foundation.

(c) Awards of scholarships to individuals will be made following University procedures.

(d) Disbursement.

- (i) The Dean of the McCoy College will determine the disbursement of funds made available under this endowment within the allocated areas of this endowment.

(c) Undergraduate Scholarship of Merit.

- (i) The minimum endowment for an Undergraduate Scholarship of Merit is \$50,000.

(ii) Matching Funds.

- (a) A second donor can match the Foundation funding and designate the name of the Undergraduate Scholarship of Merit subject to approval of the Foundation and the University.

- (b) The Minimum match is \$25,000.

(iii) Selection process.

- (a) Criteria for awarding Undergraduate Scholarships of Merit will normally be based upon one or more of the following: academic excellence, leadership ability, and financial need.

- (b) The specific criteria and amount of the awards will be developed by the McCoy College and approved by the Foundation.

- (c) Awards of Undergraduate Scholarships of Merit to individuals will be made following University procedures.

(d) Disbursement.

- (i) The Dean of the McCoy College will determine the disbursement of funds made available under this endowment within the allocated areas of this endowment.

b) Fellowships for Graduate Students.

(1) Share of endowment - \$1,500,000.

(2) Matching Funds.

(a) The Foundation will permit its funding for the fellowship program to be available for a matching program.

(b) The details of the matching program will be agreed to by the University and the Foundation.

(3) Endowments.

(a) Graduate Fellowship of Excellence.

(i) The minimum endowment for a Graduate Fellowship of Merit is \$200,000.

(ii) Match.

(a) A second donor can match the Foundation funding and designate the name of the Graduate Fellowship of Merit subject to approval of the Foundation and the University.

(b) The minimum match is \$100,000.

(iii) Selection process.

(a) Criteria for awarding Graduate Fellowships of Merit will normally be based upon one or more of the following:

academic excellence,
leadership ability, and
financial need.

(b) The specific criteria
and amount of the
awards will be
developed by the McCoy
College and approved by
the Foundation.

(c) Awards of Graduate
Fellowships of Merit to
individuals will be
made following
University procedures.

(d) Disbursement.

(i) The Dean of the
McCoy College
will determine
the disbursement
of funds made
available under
this endowment
within the
allocated areas
of this
endowment.

(b) Graduate Fellowships of
Distinction.

(i) The minimum endowment for a
Graduate Fellowship of
Distinction is \$100,000.

(ii) Match.

(a) A second donor can
match the Foundation
funding and designate
the name of the
Graduate Fellowship of
Distinction subject to
approval of the
Foundation and the
University.

(b) The minimum match is
\$50,000.

(iii) Selection process.

(a) Criteria for awarding
Graduate Fellowship of
Distinction will
normally be based upon
one or more of the

following: academic excellence, leadership ability, and financial need.

(b) The specific criteria and amount of the awards will be developed by the McCoy College and approved by the Foundation.

(c) Awards of Graduate Fellowships of Distinction to individuals will be made following University procedures.

(d) Disbursement.

(i) The Dean of the McCoy College will determine the disbursement of funds made available under this endowment within the allocated areas of this endowment.

4. Student Development.

a) Share of Endowment - \$2,500,000 of the total \$20,000,000 gift.

b) Matching Funds.

(1) The Foundation will permit its funding for the Student Development program to be available for a matching program.

(2) The details of the matching program will be agreed to by the University and the Foundation.

(a) An example of a Foundation matching program might be the establishment of an endowment to support specifically the College's "Students in Free Enterprise" (SIFE) program.

c) Description.

(1) The fund will provide support to students and their faculty advisors competing regionally, nationally and

internationally; support for student organizations to provide seed money for things such as projects, travel funds, conference registration.

d) Selection.

- (1) The Dean of the McCoy College will determine the disbursement of funds made available under this endowment within the allocated areas of this endowment.

5. Program Development.

- a) Share of endowment - \$1,000,000 of the total \$20,000,000 gift.

b) Matching Funds.

- (1) The Foundation will permit its funding for the Program Development program to be available for a matching program.
- (2) The details of the matching program will be agreed to by the University and the Foundation.

c) Description.

- (1) New programs such as innovations in teaching, applied business centers and speaker series;
- (2) Recognition awards for faculty excellence in specific area; and
- (3) Flexible source of funds to meet future needs of the McCoy College that are unknown at this time.

d) Selection.

(1) Areas.

- (a) As determined by the Foundation and based upon recommendation from the Dean of the McCoy College.

(b) Disbursement.

- (i) The Dean of the McCoy College will determine the disbursement of funds made available under this endowment within the allocated areas of this endowment.

- D. Recognition and Commitment. In recognition of the generous gift of \$20,000,000 to enhance the excellence of the College of Business Administration at the University the following actions will be taken by the University.
1. The College of Business Administration will be permanently named the Emmett & Miriam McCoy College of Business Administration simultaneously with the completion of the Initial Contribution.
 - a) The name "Emmett and Miriam McCoy College of Business Administration", or the "McCoy College of Business Administration", or the "McCoy College" will be used in all printed materials for public dissemination.
 2. The name of the new building to be occupied by the McCoy College on or about the fall of 2005 will be permanently named Emmett & Miriam McCoy Hall simultaneously with the completion of the Initial Contribution.
 - a) The above name will be displayed on building signage, campus signage and published campus maps when referring to this building.
 3. A written biography and an oral history on the business career of Emmett McCoy will be developed by the University subject to the approval of the Donors prior to the completion of the first of the additional contributions of \$2,000,000.
 - a) After the biography has been approved by Emmett & Miriam McCoy the University will be permitted to use the material in University publications and on the McCoy College web site.
 4. Subject to the approval of the Donors, the University will cause to be developed an appropriate bronze bust, bronze relief or mutually agreed upon likeness of Emmett and Miriam McCoy prior to the completion of the first of the additional contributions of \$2,000,000. This will be placed in a position of honor in the new McCoy Hall.
 5. Dennis & Cindy McCoy Teaching Theatre.
 - a) The 150-seat Teaching Theater in the new McCoy Hall will be permanently named the Dennis & Cindy McCoy Teaching Theater simultaneously with the completion of the Initial Contribution.
 6. Wall of Honor.
 - a) In a major public area of the new McCoy Hall, or a subsequent building housing the McCoy College, a prominent area will be set aside and given an appropriate designation such as "The

McCoy College Wall of Honor." This action will be accomplished within six months of acceptance of the new McCoy Hall by the University from the contractor.

- b) This "McCoy College Wall of Honor" will be used to mount plaques honoring major donors to the College and exceptional awards to faculty.

7. Press Release.

- a) Prior to requesting regental approval of this document the University will complete the development of a press release subject to the approval of the Donors announcing the generous gift of Emmett and Miriam McCoy.

- b) After approval of the release by the McCoy's, and regental approval of this document, the press release will be broadly distributed by the University.

E. University.

- 1. The University joins Emmett and Miriam McCoy in making a commitment to the enhancement of the excellence of the College of Business Administration. In this spirit the University agrees that it shall not use the funding from the McCoy endowment as an opportunity to divert financial support away from the Business College to meet other University needs.

F. McCoy College.

1. Office Space and Equipment for the Foundation.

- a) The McCoy College will provide office space for an Executive Director, Administrative Assistant and equipment for the Foundation.

2. Reports from the McCoy College to the Foundation.

- a) Frequency and Content.

- (1) The McCoy College will make a financial report to the Foundation on the receipt and disbursement of funds received from the Foundation twice a year normally in November, which coincides with the availability of the closing reports for the just completed fiscal year, and six months later in May.

- (2) The McCoy College will make a report annually to the Foundation on the programs supported by the funds provided by the Foundation. This report will normally coincide with the May report above.

3. Administration of Funds within McCoy College.
 - a) The McCoy College will manage the additional activities and business associated with the use of funds and the programs resulting from the funds from the endowments from the Foundation to the McCoy College. The University will provide the appropriate additional staff for this additional work.
 - b) Duties might include: oversight of the accounts provided by Foundation funding; coordination of the scholarship programs; publication of a newsletter; coordination of an annual recognition event (for scholarships, faculty awards, chairs and professorships); public relations related to the endowment; a resource person for the recipients of the chairs and professorships; and, development of reports for the Foundation on the use of funds.
4. Fundraising.
 - a) The University will provide the support staff for fundraising at the McCoy College of Business.
5. Charges to Foundation.
 - a) The University will not charge an overhead fee for either development or accounting activities to the funds received from the Foundation.

THE TEXAS STATE UNIVERSITY SYSTEM

By: Lamar G. Urbanovsky
Lamar G. Urbanovsky, Chancellor,
Board of Regents

Dated: Austin, Texas
May 7, 2004

EXAMINED, APPROVED, AND RECOMMENDED:

THE TEXAS STATE UNIVERSITY - SAN MARCOS

By: Denise M. Trauth
Denise M. Trauth, President

Dated: San Marcos, Texas
May 7, 2004

By: Alan W. Dreeben
Alan W. Dreeben, Chairman, Board of
Regents, The Texas State University
System

By: Dionicio "Don" Flores
Dionicio "Don" Flores, Local Comm. Chair,
Texas State University-San Marcos

DONORS

Emmett F. McCoy
Emmett F. McCoy

Dated: San Marcos, Texas
4-29, 2004

Miriam M. McCoy
Miriam M. McCoy

Dated: San Marcos, Texas
4-29, 2004