

## **TEXAS HIGHER EDUCATION COORDINATING BOARD**

### **AGENCY OPERATIONS COMMITTEE**

1200 EAST ANDERSON LANE, BOARD ROOM 1.170  
AUSTIN, TEXAS

October 20, 2021  
12:00 p.m.

*(or upon adjournment of the Committee on Academic Workforce  
and Success meeting, whichever occurs later)*

*Ricky A. Raven,  
Chair  
Emma W. Schwartz  
Vice Chair  
S. Javaid Anwar  
Fred Farias III, O.D.  
Robert P. Gaunt  
Donna N. Williams*

*Matthew B. Smith  
Student Representative,  
Ex-Officio*

### **AGENDA**

*PUBLIC TESTIMONY: The presiding chair shall designate whether public testimony will be taken at the beginning of the meeting, at the time the related item is taken up by the Board after staff has presented the item, or any other time. For procedures on testifying, please go to <http://www.highered.texas.gov/public-testimony>.*

- I. Welcome and committee chair's opening remarks
- II. Approval of the minutes
  - A. July 21, 2021, committee meeting
- III. Public testimony on agenda items relating to the Agency Operations Committee
- IV. Consideration of approval of the consent calendar
- V. Agency Operations
  - A. Report on grants and contracts
- VI. Finance
  - A. Review of the "Fiscal Year 2021 Financial Report" to the Board
  - B. Consideration of adopting a resolution authorizing the issuance of Texas College Student Loan Bonds in one or more series; and delegation of the authority for administration and approval of the activities necessary to complete the sale of the private activity bonds
- VII. Internal Audit
  - A. Update on Internal Audit reports and activities
    - (1) A Self-Assessment of Internal Audit Work Quality at the THECB
    - (2) A Review of Selected Grant Programs Administered by CRS
    - (3) A Follow Up Review of Various Audit Reports

*Note: Highlighted items in gray are on the Consent Calendar*

(4) Internal Audit Annual Report for FY21

VIII. Compliance Monitoring

- A. Update on state and federal Compliance Monitoring reports and activities
  - (1) Compliance Monitoring Desk Review of TEOG at Panola College
  - (2) Compliance Monitoring Desk Review of TEOG at Angelina College
  - (3) Compliance Monitoring Desk Review of TEOG at Texarkana College
  - (4) Compliance Monitoring Desk Review of Formula Funding at West Texas A&M University
  - (5) Compliance Monitoring Desk Review of Formula Funding at Lee College
  - (6) Compliance Monitoring Desk Review of TEXAS Grant at The University of Texas at Dallas
  - (7) Compliance Monitoring Desk Review of TEOG at El Paso Community College
  - (8) Compliance Monitoring Desk Review of TEOG at Collin College

IX. Adjournment

*The Texas Higher Education Coordinating Board Agency Operations Committee may convene in Executive Session at any point in this meeting, concerning any item listed in the agenda or to seek or to receive its attorney's advice on legal matters related thereto, pursuant to Texas Government Code Ann. 551.071.*

*Note: Because the Board members who attend the committee meeting may create a quorum of the full Board, the meeting of the Agency Operations Committee is also being posted as a meeting of the full Board. Only assigned committee members act upon any item before the Agency Operations Committee at this meeting.*

**Weapons Prohibited:** Pursuant to Penal Code § 46.03(a)(14) a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon listed in Section 46.05 in the room or rooms where a meeting of a governmental entity is held, if the meeting is an open meeting subject to Chapter 551, Government Code, and if the entity provided notice as required by that chapter.

Agency Operations Committee

AGENDA ITEM I

Welcome and committee chair's opening remarks

Mr. Ricky Raven, Chair of the Agency Operations Committee, will provide the committee an overview of the items on the agenda.

Agency Operations Committee

AGENDA ITEM II

Consideration of approval of the minutes from July 21, 2021, committee meeting

RECOMMENDATION: Approval

Agency Operations Committee

AGENDA ITEM II

Consideration of approval of the minutes from July 21, 2021, committee meeting

RECOMMENDATION: Approval

**DRAFT**  
**TEXAS HIGHER EDUCATION COORDINATING BOARD**  
**Agency Operations Committee**

**Wednesday, July 21, 2021; 12:55 p.m.**

**Via Live Broadcast**

**The Agency Operations Committee convened at 12:55 p.m. on July 21, 2021, with the following members present: Ricky Raven, presiding; Fred Farias; Emma Schwartz, Donna Williams; and Matthew Smith (Ex-Officio).**

**Other Board members present: Sam Torn and Welcome Wilson**

**Members absent: Javaid Anwar**

<b>AGENDA ITEM</b>	<b>ACTION</b>
<b>I. Welcome and Committee Chair's opening remarks</b>	<p>Board Chairman Dr. Fred Farias opened the meeting at 12:55p.m., announced that Matthew Smith had been appointed ex-officio, and Donna Williams and himself had been appointed regular members of the Agency Operations Committee. Dr. Farias then passed the gavel to Ricky Raven.</p> <p>Mr. Raven called the meeting to order. Mr. Anwar was not in attendance.</p> <p>A quorum was met.</p>
<b>II. Consideration of approval of the minutes from October 21, 2020, committee meeting</b>	<p>On a motion by Ms. Schwartz, seconded by Ms. Williams, the committee approved the April 21, 2021, Agency Operations Committee meeting minutes. The vote was unanimous.</p>
<b>III. Public testimony</b>	<p>No action required.</p>
<b>IV. Consideration of the consent calendar</b>	<p>Mr. Raven stated items on the consent calendar. No items were added or removed.</p> <p>On motion by Dr. Farias, seconded by Mr. Raven, the committee approved agenda item V-D. The vote was unanimous.</p>

<b>V. Agency Operations</b>	
A. Report on grants and contracts	Ms. Linda Natal, Director of Contract & Grant Management, was available for questions. This item did not require any action.
B. Update on the Fiscal Year 2021 Key Security Initiatives Implementation Roadmap	Ms. Zhenzhen Sun, Assistant Commissioner for Information Solutions and Services/Chief Information Officer, presented this item to the committee and was available for questions. This item did not require any action.
C. Update on the outcomes of the 87th Texas Legislature's Regular Session	Mr. John Wyatt, Senior Director for External Relations, presented this item to the committee and was available for questions. This item did not require any action.
D. Consideration and possible action to approve the solicitation and/or procurement of software licenses, Software as a Service (SaaS) solutions, contracts, staff augmentation services, consulting and professional services using up to \$4 million in Governor's Emergency Education Relief Fund to support the completion of the agency's Legacy Application Portfolio Modernization Project	This item was approved on consent.
<b>VI. Finance</b>	
A. Review of the Fiscal Year 2021 Financial Report to the Board	Mr. Ken Martin, Assistant Commissioner for Financial Services/CFO, presented this item to the committee and was available for questions. This item did not require any action.
B. Consideration of adopting the agency's operating budget for Fiscal Years 2022 and 2023	<p>On a motion by Ms. Schwartz, seconded by Ms. Williams, the committee approved the agency's operating budget for Fiscal Years 2022 and 2023. The vote was unanimous.</p> <p>Mr. Ken Martin, Assistant Commissioner for Financial Services/CFO, presented this item to the committee and was available for questions.</p>

<b>VII. Internal Audit</b>	
A. Discussion of the audit of agencywide financial statements for the fiscal year ended August 31, 2020, by KPMG LLP	Ms. Susan Warren, Audit Partner, and Shannon Canals, Audit Senior Manage with KPMG LLP, presented this item to the committee and were available for questions. This item did not require any action.
B. Consideration of adopting the Annual Internal Audit Plan for Fiscal Year 2022	<p>On a motion by Ms. Williams, seconded by Ms. Schwartz, the committee approved the Internal Audit Plan for Fiscal Year 2022. The vote was unanimous.</p> <p>Mr. Mark Poehl, Assistant Commissioner for Internal Audit and Compliance, and Mr. Paul Maeyaert, Assistant Director of Internal Audit and Compliance, presented this item to the committee and were available for questions.</p> <p>Mr. Torn departed the meeting.</p>
C. Update on Internal Audit Reports and Activities	Mr. Mark Poehl, Assistant Commissioner for Internal Audit and Compliance, and Mr. Paul Maeyaert, Assistant Director of Internal Audit and Compliance, presented this item to the committee and were available for questions. This item did not require any action.
D. Consideration and possible action to approve renewal of the KPMG LLP external financial statement audit services contract for Fiscal Year 2021	<p>On a motion by Mr. Raven, seconded by Ms. Williams, the committee approved the renewal of the KPMG LLP external financial statement audit services contract for Fiscal Year 2021. The vote was unanimous.</p> <p>Mr. Mark Poehl, Assistant Commissioner for Internal Audit and Compliance, presented this item to the committee and was available for questions.</p>
<b>VII. Compliance Monitoring</b>	
A. Consideration of adopting the Annual State Compliance Monitoring Plan for Fiscal Year 2022	<p>On a motion by Ms. Williams, seconded by Ms. Schwartz, the committee approved the Annual State Compliance Monitoring Plan for Fiscal Year 2022. The vote was unanimous.</p> <p>Mr. Mark Poehl, Assistant Commissioner for Internal Audit and Compliance, and Mr. Paul Maeyaert, Assistant Director of Internal Audit and Compliance, presented this item to the committee and were available for questions.</p>

<p>B. Update on Compliance Monitoring Reports and Activities</p>	<p>Mr. Mark Poehl, Assistant Commissioner for Internal Audit and Compliance, and Mr. Paul Maeyaert, Assistant Director of Internal Audit and Compliance, presented this item to the committee and were available for questions. This item did not require any action.</p>
<p><b>IX. Adjournment</b></p>	<p>Mr. Raven adjourned the meeting at approximately 1:55 p.m.</p>

Agency Operations Committee

AGENDA ITEM III

Public testimony on agenda items relating to the Agency Operations Committee

RECOMMENDATION: No action required

Background Information:

The presiding chair shall designate whether public testimony will be taken at the beginning of the meeting, at the time the related item is taken up by the Board after staff has presented the item, or any other time as determined by the presiding chair.

Agency Operations Committee

AGENDA ITEM IV

Consideration of approval of the consent calendar

RECOMMENDATION: Approval

Background Information:

To ensure meetings are efficient and to save institutions time and travel costs to attend the Agency Operations Committee meetings in Austin, the committee has a consent calendar for items that are noncontroversial. Any item can be removed from the consent calendar by a Board member.

Agency Operations Committee

AGENDA ITEM V-A

Report on grants and contracts

RECOMMENDATION: No action required

Background Information:

Texas Administrative Code, Title 19, Rule 1.16(j) establishes that any contract for the purchase of goods or services that exceeds \$1 million may be entered into only if the contract is approved and signed by the Commissioner of the Texas Higher Education Coordinating Board (THECB), to whom the Board of the THECB (Board), by virtue of this rule, delegates such approval and signature authority. In addition to the Board receiving a quarterly report on "Contracts Executed by the Agency in Accordance with Board Rule 1.16," the THECB staff also provides the Board a quarterly report highlighting and listing all grants and contracts exceeding \$1 million.

Linda Natal, Director of Contracts and Procurements, is available to answer questions.



# **Texas Higher Education Coordinating Board**

**Contracts Executed by the Agency in Accordance with Board Rule 1.16**

**June 7, 2021 – September 8, 2021**

Division	Contract	Performing Agent	Description	Active Date	Total \$
Academic Affairs & Workforce Education	25322	Catherine Howard	Content Advisor No-Cost Extension	9/7/2021	0.00
Academic Affairs & Workforce Education	25325	Janice Ann Fischer	Content Advisor No-Cost Extension	9/7/2021	0.00
Academic Affairs & Workforce Education	25339	Karen Hauer	Virtual Site Visit	9/7/2021	1,000.00
Academic Planning & Policy	25092	Compass Group USA dba/AT&T Executive and Conference Center	Annual Leadership Conference	7/29/2021	38,870.00
Academic Quality and Workforce	24736	Jangsup Choi	Amendment Open Education Resource Grant Program	7/19/2021	0.00
Academic Quality and Workforce	25198	Ming Lou	Amendment Open Education Resources Grant Program	8/25/2021	2,500.00
Academic Quality and Workforce	25199	Binod Nainabasti	Amendment Open Education Resources Grant Program	8/25/2021	2,500.00
Academic Quality and Workforce	24758	University of Houston -Clear Lake	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24759	Lone Star College System	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24760	Odessa College	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24761	Austin Community College	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24762	South Texas College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24763	The University of Texas at Tyler	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24764	College of the Mainland	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24765	Dallas College	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24766	Midwestern State University	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24767	Houston Community College System	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24768	San Jacinto College District	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24769	The University of Texas at Arlington	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24772	Texas A&M University-Kingsville	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24774	Texas State Technical College System	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24775	Galveston College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24776	Hill College	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24777	The University of Texas at El Paso	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24778	Alamo Community College District	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24779	Lamar State College-Orange	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24780	Lamar State College-Port Arthur	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24781	Prairie View A&M University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24782	Grayson College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24783	Collin County Community College District	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24784	Texas A&M University-Texarkana	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24785	Tarrant County College District	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24786	Panola College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24787	Trinity Valley Community College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24788	Kilgore College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24789	Texas Southmost College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24790	University of Texas Rio Grande Valley	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24793	McLennan Community College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24794	Ranger College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24795	University of Houston-Downtown	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24796	Lamar University	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24797	El Paso Community College	Amendment Texas Reskilling Support Fund Grant	7/19/2021	0.00
Academic Quality and Workforce	24798	Texas Tech University	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24800	Tarleton State University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24801	Temple College	Amendment Texas Reskilling Support Fund Grant	7/15/2021	0.00
Academic Quality and Workforce	24802	Stephen F. Austin State University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24803	Texas A&M International University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24807	Cisco College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24808	Collin County Community College District	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24809	Lamar State College-Orange	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24810	Lamar University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24811	Lone Star College System	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24812	McLennan Community College	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24813	Odessa College	Amendment Texas Reskilling Support Fund Grant	7/15/2021	0.00
Academic Quality and Workforce	24814	Sam Houston State University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24815	San Jacinto College District	Amendment Texas Reskilling Support Fund Grant	7/22/2021	0.00
Academic Quality and Workforce	24816	South Texas College	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24817	Texas A&M University-Corpus Christi	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24818	Texas A&M University-Kingsville	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24819	Texas Southern University	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24820	Texas State Technical College System	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24821	Trinity Valley Community College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00

Division	Contract	Performing Agent	Description	Active Date	Total \$
Academic Quality and Workforce	24822	University of Houston-Downtown	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24823	University of North Texas at Dallas	Amendment Texas Reskilling Support Fund Grant	8/3/2021	0.00
Academic Quality and Workforce	24827	The University of Texas at Arlington	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24828	The University of Texas at Permian Basin	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24829	Vernon College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24830	Victoria College	Amendment Texas Reskilling Support Fund Grant	7/14/2021	0.00
Academic Quality and Workforce	24832	Wharton County Junior College	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24833	Texas State University	Amendment Texas Reskilling Support Fund Grant	7/15/2021	0.00
Academic Quality and Workforce	24834	El Paso Community College	Amendment Texas Reskilling Support Fund Grant	7/20/2021	0.00
Academic Quality and Workforce	24835	The University of Texas at San Antonio	Amendment Texas Reskilling Support Fund Grant	7/21/2021	0.00
Academic Quality and Workforce	24507	Texas A&M University	Autism Grant Program No-Cost Extension	6/8/2021	0.00
Academic Quality and Workforce	24717	Gerald K LeTendre	Desk Review	6/23/2021	500.00
Academic Quality and Workforce	24898	James Graham	Desk Review	7/13/2021	500.00
Academic Quality and Workforce	25162	Lindsey E Eberman	Desk Review	7/29/2021	500.00
Academic Quality and Workforce	24636	Texas Correctional Industries	Employee Name Plate	6/11/2021	3.28
Academic Quality and Workforce	24533	South Texas College	GEER Funds Open Educational Resources Grant Program	9/2/2021	76,145.25
Academic Quality and Workforce	24571	West Texas A&M University	GEER Funds Open Educational Resources Grant Program	8/11/2021	69,248.00
Academic Quality and Workforce	24540	Tarrant County College District	GEER Funds Open Educational Resources Grant Program	8/11/2021	51,800.00
Academic Quality and Workforce	24572	El Paso County Community College District	GEER Funds Open Educational Resources Grant Program	8/11/2021	50,000.00
Academic Quality and Workforce	24537	Texas Woman's University	GEER Funds Open Educational Resources Grant Program	8/4/2021	31,434.00
Academic Quality and Workforce	24575	The University of Texas at San Antonio	GEER Funds Open Educational Resources Grant Program	9/2/2021	30,000.00
Academic Quality and Workforce	24625	Collin County Community College District	GEER Funds Open Educational Resources Grant Program	8/4/2021	24,500.00
Academic Quality and Workforce	24568	Austin Community College	GEER Funds Open Educational Resources Grant Program	8/4/2021	24,300.00
Academic Quality and Workforce	24569	Texas State University	GEER Funds Open Educational Resources Grant Program	7/19/2021	15,000.00
Academic Quality and Workforce	24623	Hill College	GEER Funds Open Educational Resources Grant Program	7/19/2021	10,000.00
Academic Quality and Workforce	24612	San Jacinto College District	GEER Funds Open Educational Resources Grant Program	8/26/2021	9,927.00
Academic Quality and Workforce	24608	Texas A&M International University	GEER Funds Open Educational Resources Grant Program	8/26/2021	5,000.00
Academic Quality and Workforce	24613	The University of Texas at Tyler	GEER Funds Open Educational Resources Grant Program	8/16/2021	5,000.00
Academic Quality and Workforce	24616	University of Houston-Downtown	GEER Funds Open Educational Resources Grant Program	8/17/2021	5,000.00
Academic Quality and Workforce	24618	Texas A&M University-Commerce	GEER Funds Open Educational Resources Grant Program	7/19/2021	5,000.00
Academic Quality and Workforce	24621	San Antonio College	GEER Funds Open Educational Resources Grant Program	7/19/2021	5,000.00
Academic Quality and Workforce	24622	Stephen F. Austin State University	GEER Funds Open Educational Resources Grant Program	8/19/2021	5,000.00
Academic Quality and Workforce	24614	Texas A&M University-Kingsville	GEER Funds Open Educational Resources Grant Program	8/9/2021	4,917.80
Academic Quality and Workforce	24604	North Central Texas Community College District	GEER Funds Open Educational Resources Grant Program	7/19/2021	3,540.00
Academic Quality and Workforce	24691	Shi Government Solutions Inc	HP Monitor	6/11/2021	321.00
Academic Quality and Workforce	25163	Lyncverse Technologies	HP Monitors	8/3/2021	530.00
Academic Quality and Workforce	24716	Competency-Based Education Network Inc	Membership Renewal Competency Based Education Network	6/16/2021	500.00
Academic Quality and Workforce	24510	The University of Texas Medical Branch at Galveston	Minority Health Grant Program No-Cost Extension	6/14/2021	0.00
Academic Quality and Workforce	24511	University of Houston	Minority Health Grant Program No-Cost Extension	6/7/2021	0.00
Academic Quality and Workforce	24512	University of the Incarnate Word	Minority Health Grant Program No-Cost Extension	6/7/2021	0.00
Academic Quality and Workforce	24735	Doctor's Hospital at Renaissance	Negative Amendment Graduate Medical Education Expansion Grant	7/20/2021	-150,000.00
Academic Quality and Workforce	24739	Houston Methodist Hospital	Negative Amendment Graduate Medical Education Expansion Grant	7/29/2021	-75,000.00
Academic Quality and Workforce	24740	Texas Tech University Health Sciences Center	Negative Amendment Graduate Medical Education Expansion Grant	7/20/2021	-75,000.00
Academic Quality and Workforce	24752	The University of Texas at Austin	Negative Amendment Graduate Medical Education Expansion Grant	8/9/2021	-75,000.00
Academic Quality and Workforce	24806	HCA Gulf Coast Division Inc	Negative Amendment Graduate Medical Education Expansion Grant	7/20/2021	-75,000.00
Academic Quality and Workforce	24753	The University of Texas Health Science Center at Tyler	Negative Amendment Graduate Medical Education Expansion Grant	7/26/2021	-225,000.00
Academic Quality and Workforce	24754	University of Texas Rio Grande Valley	Negative Amendment Graduate Medical Education Expansion Grant	8/2/2021	-225,000.00
Academic Quality and Workforce	24770	HCA Gulf Coast Division Inc	Negative Amendment Graduate Medical Education Expansion Grant	7/20/2021	-225,000.00
Academic Quality and Workforce	25150	Texas Tech University HSC at El Paso Paul L Foster School of Medicine (774)	Negative Amendment Graduate Medical Education Expansion Grant	8/3/2021	-75,000.00
Academic Quality and Workforce	24496	The University of Texas Health Science Center at Tyler (Service)	Negative Amendment Northeast Texas Initiative	6/29/2021	-125,000.00
Academic Quality and Workforce	25266	Institute for the Study of Knowledge Management in Education	Open Educational Resources State Repository Portal	8/26/2021	115,000.00
Academic Quality and Workforce	25237	Institute for the Study of Knowledge Management in Education	Open Educational Resources State Repository Portal	8/26/2021	89,000.00
Academic Quality and Workforce	25190	Institute for the Study of Knowledge Management in Education	Open Educational Resources State Repository Portal	8/16/2021	5,000.00
Academic Quality and Workforce	24455	Texas Education Agency	Pathways in Technology Early College High School No-Cost Extension	8/5/2021	0.01
Academic Quality and Workforce	25026	Texas State Technical College System	Perkins Basic Grant	9/1/2021	2,336,321.00
Academic Quality and Workforce	24964	Alamo Community College District	Perkins Basic Grant	9/1/2021	2,066,281.00
Academic Quality and Workforce	24983	Dallas College	Perkins Basic Grant	9/1/2021	1,343,288.00
Academic Quality and Workforce	25029	Tyler Junior College	Perkins Basic Grant	9/7/2021	1,101,916.00
Academic Quality and Workforce	24972	Austin Community College	Perkins Basic Grant	9/1/2021	1,013,398.00
Academic Quality and Workforce	24981	Collin County Community College District	Perkins Basic Grant	9/1/2021	927,546.00
Academic Quality and Workforce	24969	Amarillo College	Perkins Basic Grant	9/1/2021	774,087.00
Academic Quality and Workforce	24987	El Paso Community College	Perkins Basic Grant	9/8/2021	765,905.00

Division	Contract	Performing Agent	Description	Active Date	Total \$
Academic Quality and Workforce	24976	Central Texas College	Perkins Basic Grant	9/2/2021	656,295.00
Academic Quality and Workforce	25015	South Plains College	Perkins Basic Grant	9/2/2021	640,355.00
Academic Quality and Workforce	24985	Del Mar College	Perkins Basic Grant	9/8/2021	620,142.00
Academic Quality and Workforce	24992	Grayson College	Perkins Basic Grant	9/2/2021	524,866.00
Academic Quality and Workforce	24973	Blinn College	Perkins Basic Grant	9/8/2021	482,986.00
Academic Quality and Workforce	24979	Coastal Bend College	Perkins Basic Grant	9/8/2021	380,467.00
Academic Quality and Workforce	24996	Kilgore College	Perkins Basic Grant	9/8/2021	350,072.00
Academic Quality and Workforce	25008	North Central Texas Community College District	Perkins Basic Grant	9/7/2021	338,708.00
Academic Quality and Workforce	24999	Lamar State College-Port Arthur	Perkins Basic Grant	9/2/2021	316,708.00
Academic Quality and Workforce	25028	Trinity Valley Community College	Perkins Basic Grant	9/7/2021	311,677.00
Academic Quality and Workforce	24971	Angelina College	Perkins Basic Grant	9/1/2021	306,980.00
Academic Quality and Workforce	25011	Panola College	Perkins Basic Grant	9/2/2021	276,221.00
Academic Quality and Workforce	25038	Wharton County Junior College	Perkins Basic Grant	9/7/2021	208,098.00
Academic Quality and Workforce	24980	College of the Mainland	Perkins Basic Grant	9/1/2021	203,825.00
Academic Quality and Workforce	25034	Victoria College	Perkins Basic Grant	9/7/2021	196,128.00
Academic Quality and Workforce	25036	Weatherford College	Perkins Basic Grant	9/7/2021	182,491.00
Academic Quality and Workforce	24977	Cisco College	Perkins Basic Grant	9/1/2021	171,794.00
Academic Quality and Workforce	25021	Temple College	Perkins Basic Grant	9/7/2021	157,914.00
Academic Quality and Workforce	24991	Galveston College	Perkins Basic Grant	9/2/2021	155,248.00
Academic Quality and Workforce	24966	Alvin Community College	Perkins Basic Grant	9/8/2021	133,308.00
Academic Quality and Workforce	24975	Brazosport College	Perkins Basic Grant	9/1/2021	124,338.00
Academic Quality and Workforce	25013	Ranger College	Perkins Basic Grant	9/2/2021	102,246.00
Academic Quality and Workforce	24978	Clarendon College	Perkins Basic Grant	9/1/2021	89,427.00
Academic Quality and Workforce	25303	Creative Commons Corporation	Registration Fees Creative Commons Conference	8/23/2021	90.00
Academic Quality and Workforce	25143	TxDLA Inc	Registration Fees TXDLA Digital Accessibility Certification	7/29/2021	600.00
Academic Quality and Workforce	25424	Workquest Temps	Temporary Personnel Grants Coordinator IV	9/8/2021	31,524.00
Academic Quality and Workforce	24824	Workquest Temps	Temporary Personnel Grants Coordinator IV	8/30/2021	26,480.16
Academic Quality and Workforce	24732	Christina Robinson	Virtual Site Visit	7/21/2021	1,500.00
Academic Quality and Workforce	24486	Laura Crothers	Virtual Site Visit	6/24/2021	1,000.00
Academic Quality and Workforce	24660	Lee Schmidt	Virtual Site Visit	6/14/2021	1,000.00
Academic Quality and Workforce	24683	Barbara Turner	Virtual Site Visit	6/15/2021	1,000.00
Academic Quality and Workforce	24684	Laura Fennimore	Virtual Site Visit	6/14/2021	1,000.00
Academic Quality and Workforce	24799	Gerald K LeTendre	Virtual Site Visit	7/13/2021	1,000.00
Academic Quality and Workforce	24804	Richard Halverson	Virtual Site Visit	7/12/2021	1,000.00
Academic Quality and Workforce	24805	William C Frick	Virtual Site Visit	7/8/2021	1,000.00
Academic Quality and Workforce	24893	Carin Hutchins	Virtual Site Visit	7/21/2021	1,000.00
Academic Quality and Workforce	25095	James Garry Smith	Virtual Site Visit	7/26/2021	1,000.00
Academic Quality and Workforce	25107	AVI-SPL LLC	Zoom Licenses and Webinar	7/27/2021	3,624.60
College Readiness and Success	25252	Prairie View A&M University	Amendment GradTX 2.0	8/26/2021	30,000.00
College Readiness and Success	25254	San Jacinto College District	Amendment GradTX 2.0	8/24/2021	30,000.00
College Readiness and Success	25255	University of Houston-Downtown	Amendment GradTX 2.0	8/25/2021	30,000.00
College Readiness and Success	25257	Lone Star College System	Amendment GradTX 2.0	8/26/2021	30,000.00
College Readiness and Success	25098	Texas Southern University	Amendment GradTX 2.0	8/26/2021	15,000.00
College Readiness and Success	24826	PS Promotions Inc	Banners and Posters	7/8/2021	852.10
College Readiness and Success	24825	University of Texas at Austin - UT Copy Center	Branded Boxes	7/2/2021	290.00
College Readiness and Success	25271	Texas Digital Library University of Texas Libraries	Closed Captioning Service	9/1/2021	960.00
College Readiness and Success	25274	Lone Star College System	College Readiness and Completion Models Grant	8/25/2021	100,000.00
College Readiness and Success	25278	Northwest Vista College	College Readiness and Completion Models Grant	8/25/2021	100,000.00
College Readiness and Success	25279	Texas A&M International University	College Readiness and Completion Models Grant	8/23/2021	100,000.00
College Readiness and Success	25286	Texas State University	College Readiness and Completion Models Grant	8/24/2021	100,000.00
College Readiness and Success	25287	University of Houston-Downtown	College Readiness and Completion Models Grant	8/24/2021	99,995.00
College Readiness and Success	25276	North Central Texas Community College District	College Readiness and Completion Models Grant	8/25/2021	99,970.00
College Readiness and Success	25280	Texas A&M University-San Antonio	College Readiness and Completion Models Grant	8/23/2021	99,135.00
College Readiness and Success	25288	University of Texas Rio Grande Valley	College Readiness and Completion Models Grant	8/26/2021	97,180.00
College Readiness and Success	25284	Texas Southwest College	College Readiness and Completion Models Grant	8/25/2021	32,500.00
College Readiness and Success	25290	Texas State University	College Readiness and Completion Models Grant	8/23/2021	32,500.00
College Readiness and Success	25291	University of Houston-Downtown	College Readiness and Completion Models Grant	8/25/2021	32,494.00
College Readiness and Success	25283	San Antonio College	College Readiness and Completion Models Grant	8/23/2021	30,506.00
College Readiness and Success	25176	Grayson College	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25178	North Central Texas Community College District	College Readiness and Success Models No-Cost Extension	8/25/2021	0.00
College Readiness and Success	25179	Palo Alto College	College Readiness and Success Models No-Cost Extension	8/19/2021	0.00
College Readiness and Success	25180	Sam Houston State University	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25181	San Jacinto College District	College Readiness and Success Models No-Cost Extension	8/12/2021	0.00

Division	Contract	Performing Agent	Description	Active Date	Total \$
College Readiness and Success	25182	Texas A&M University-Kingsville	College Readiness and Success Models No-Cost Extension	8/19/2021	0.00
College Readiness and Success	25183	Texas A&M University	College Readiness and Success Models No-Cost Extension	8/24/2021	0.00
College Readiness and Success	25184	Tarleton State University	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25185	Texas Southmost College	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25186	Texas Tech University	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	25187	University of Houston-Downtown	College Readiness and Success Models No-Cost Extension	8/24/2021	0.00
College Readiness and Success	25188	The University of Texas at Permian Basin	College Readiness and Success Models No-Cost Extension	8/18/2021	0.00
College Readiness and Success	24477	Houston Community College System	GradTX 2.0 Grant	8/12/2021	30,000.00
College Readiness and Success	24476	University of St Thomas	GradTX 2.0 Participation Agreement	8/16/2021	0.00
College Readiness and Success	24738	National Association of Colleges and Employers	Membership Renewal National Association of Colleges and Employers	6/29/2021	645.00
College Readiness and Success	24737	National College Attainment Network	Membership Renewal National College Attainment Network	7/2/2021	1,500.00
College Readiness and Success	24953	AHI Enterprises LLC	Poly Bubble Mailers	8/9/2021	768.75
College Readiness and Success	25125	Career and Technical Association of Texas	Registration Fees Career and Technical Association of Texas Conference	7/23/2021	1,250.00
College Readiness and Success	25152	National College Attainment Network	Registration Fees National College Attainment Network Conference	8/16/2021	200.00
College Readiness and Success	25253	Atomic Jolt	Renewal Atomic Jolt Search Solution	8/17/2021	995.00
College Readiness and Success	24666	Workquest Temps	Temporary Personnel Editor II	6/30/2021	13,714.40
College Readiness and Success	25229	Workquest Temps	Temporary Personnel Program Specialist V	8/20/2021	14,064.75
College Readiness and Success	25226	Workquest Temps	Temporary Personnel Program Specialist V	8/6/2021	5,087.25
College Readiness and Success	25302	Workquest Temps	Temporary Personnel Program Specialist V	8/19/2021	5,087.25
College Readiness and Success	25364	Lockbox Objectwin Technology Inc	Temporary Personnel Programmer/Developer Analyst	8/31/2021	98,800.00
College Readiness and Success	25361	Esolvit Inc	Temporary Personnel Software Developer Level 1	8/30/2021	95,222.40
College Readiness and Success	25230	Annette S Granat	Temporary Personnel Spanish Translation	8/30/2021	15,750.00
College Readiness and Success	25223	Workquest Temps	Temporary Personnel Technical Writer III	8/20/2021	14,064.75
College Readiness and Success	25240	Workquest Temps	Temporary Personnel Technical Writer III	8/20/2021	11,060.00
College Readiness and Success	25220	Workquest Temps	Temporary Personnel Technical Writer III	8/6/2021	5,087.25
College Readiness and Success	25159	Nationstar Mortgage LLC dba Mr. Cooper	Texas Working Off-Campus Grant	8/25/2021	40,000.00
College Readiness and Success	25148	Sky 5 Solutions	Texas Working Off-Campus Grant	8/26/2021	31,600.00
College Readiness and Success	24725	FI Companies	Texas Working Off-Campus Grant	7/16/2021	24,960.00
College Readiness and Success	24734	Insane Vinyl LLC	Texas Working Off-Campus Grant	7/19/2021	24,960.00
College Readiness and Success	24692	Contract Land Staff LLC	Texas Working Off-Campus Grant	7/12/2021	18,400.00
College Readiness and Success	24695	Ridout Barrett & Co., P.C.	Texas Working Off-Campus Grant	7/6/2021	17,000.00
College Readiness and Success	24719	Clover Educational Consulting	Texas Working Off-Campus Grant	6/28/2021	13,500.00
College Readiness and Success	24697	Voestalpine Bohler Welding USA LLC	Texas Working Off-Campus Grant	7/6/2021	12,800.00
College Readiness and Success	24721	Cortez Consulting Services Corp	Texas Working Off-Campus Grant	6/29/2021	3,840.00
College Readiness and Success	25217	Querium Corporation	Web Based Development and Implementation	8/19/2021	49,770.00
College Readiness and Success	25141	Insite Productions LLC	Webhosting Subscription Generation Texas Website	8/20/2021	255.71
College Readiness and Success	25371	University of Houston	Work-Study Student Mentorship Program	8/31/2021	152,561.00
College Readiness and Success	25371	University of Texas Rio Grande Valley	Work-Study Student Mentorship Program	8/31/2021	144,979.00
College Readiness and Success	25371	The University of Texas at Arlington	Work-Study Student Mentorship Program	8/31/2021	135,866.00
College Readiness and Success	25371	University of North Texas	Work-Study Student Mentorship Program	8/31/2021	132,888.00
College Readiness and Success	25371	Texas State University	Work-Study Student Mentorship Program	8/31/2021	126,108.00
College Readiness and Success	25371	The University of Texas at Dallas	Work-Study Student Mentorship Program	8/31/2021	66,431.00
College Readiness and Success	25371	University of Houston-Downtown	Work-Study Student Mentorship Program	8/31/2021	63,596.00
College Readiness and Success	25371	The University of Texas at El Paso	Work-Study Student Mentorship Program	8/31/2021	52,292.58
College Readiness and Success	25371	Texas Woman's University	Work-Study Student Mentorship Program	8/31/2021	51,882.00
College Readiness and Success	25371	Texas Southern University	Work-Study Student Mentorship Program	8/31/2021	42,907.00
College Readiness and Success	25371	Stephen F. Austin State University	Work-Study Student Mentorship Program	8/31/2021	42,619.00
College Readiness and Success	25371	Texas A&M International University	Work-Study Student Mentorship Program	8/31/2021	42,042.00
College Readiness and Success	25371	Texas A&M University-Commerce	Work-Study Student Mentorship Program	8/31/2021	41,258.00
College Readiness and Success	25371	Texas A&M University-Campus Christi	Work-Study Student Mentorship Program	8/31/2021	38,825.00
College Readiness and Success	25371	The University of Texas at Tyler	Work-Study Student Mentorship Program	8/31/2021	30,396.00
College Readiness and Success	25371	West Texas A&M University	Work-Study Student Mentorship Program	8/31/2021	27,004.00
College Readiness and Success	25371	Texas A&M University-Kingsville	Work-Study Student Mentorship Program	8/31/2021	26,590.00
College Readiness and Success	25371	University of North Texas at Dallas	Work-Study Student Mentorship Program	8/31/2021	20,406.00
College Readiness and Success	25371	The University of Texas at Permian Basin	Work-Study Student Mentorship Program	8/31/2021	13,558.00
College Readiness and Success	25124	Data Projections Inc.	Zoom Licenses	8/16/2021	3,772.70
Commissioner's Office	24864	KPMG LLP	Amendment Fiscal Audit	8/10/2021	7,040.00
Commissioner's Office	24682	Zodiac Studios LLC	Audio and Visual Support	9/3/2021	4,999.99
Commissioner's Office	25100	TL Abbott Investments LLC	Business Cards	7/21/2021	48.00
Commissioner's Office	24743	TL Abbott Investments LLC	Business Cards	7/6/2021	38.00
Commissioner's Office	24756	Texas Legislative Service	Direct Publication Texas Legislative Service	7/6/2021	600.00
Commissioner's Office	25326	Texas Legislative Service	Direct Publication Texas Legislative Service	8/26/2021	500.00

Division	Contract	Performing Agent	Description	Active Date	Total \$
Commissioner's Office	24439	Alliance Work Partners	Employee Assistance Program	6/23/2021	5,000.00
Commissioner's Office	25383	Yourmembership com Inc	Job Flash Package Austin Bar Association	9/2/2021	584.00
Commissioner's Office	24669	V Quest Office Machines & Supplies LTD	Journal Notebooks	6/9/2021	132.00
Commissioner's Office	24947	GTS Technology Solutions Inc	Keyboard and Mouse	7/12/2021	78.17
Commissioner's Office	24744	Contessa Gallery & Frame Shop	Matting and Frame Mounting	7/1/2021	180.00
Commissioner's Office	24722	Clerk Supreme Court	Membership Dues	6/29/2021	940.00
Commissioner's Office	24693	American Institute of Certified Public Accountants	Membership Dues	6/14/2021	710.00
Commissioner's Office	25177	State Higher Education Executive Officers	Membership Dues State Higher Education Executive Officers	8/30/2021	22,254.00
Commissioner's Office	24672	Texas State Board of Public Accountancy	Membership Renewal CPA License	6/11/2021	75.00
Commissioner's Office	25165	Texas State Board of Public Accountancy	Membership Renewal CPA License	8/2/2021	75.00
Commissioner's Office	24710	Forum for the Future of Higher Education	Membership Renewal Forum for the Future of Higher Education	6/11/2021	5,000.00
Commissioner's Office	25118	The Institute of Internal Auditors	Membership Renewal Institute of Internal Auditors	7/22/2021	175.00
Commissioner's Office	24746	University of Texas at Austin - UT Copy Center	Notecards and Envelopes	6/29/2021	559.75
Commissioner's Office	24668	V Quest Office Machines & Supplies LTD	Office Supplies	6/7/2021	315.99
Commissioner's Office	25318	V Quest Office Machines & Supplies LTD	Office Supplies	8/30/2021	297.50
Commissioner's Office	24728	State Higher Education Executive Officers	Registration Fees 67th Annual Meeting	6/17/2021	699.99
Commissioner's Office	24745	ISACA	Registration Fees Certificate of Cloud Auditing Knowledge Training	6/30/2021	749.00
Commissioner's Office	24654	TPASS Budget and Internal Acct.	Registration Fees Certified Texas Contract Developer Training	6/9/2021	375.00
Commissioner's Office	24747	ACFE	Registration Fees Fighting Fraud in Government	6/30/2021	199.20
Commissioner's Office	24497	University of Texas School of Law	Registration Fees Seminar Live Webcast	6/9/2021	550.00
Commissioner's Office	24673	Sequoia CPE LP	Registration Fees Sequoia CPE Ethics Course	6/11/2021	191.00
Commissioner's Office	24677	State Higher Education Executive Officers	Registration Fees State Agency and Regional Compact Staff Conference	6/8/2021	795.00
Commissioner's Office	24658	Comptrollers of Public Accts TPASS	Renewal Fees Dual Certificate	7/2/2021	75.00
Commissioner's Office	25297	House of Representatives	Retirement Gifts	8/26/2021	400.00
Commissioner's Office	24647	Houston Chronicle	Subscription Digital Service	6/11/2021	173.35
Commissioner's Office	24675	Wolters Kluwer Financial Services Inc	TeamMate Software Licenses and TeamCloud Subscription	6/7/2021	2,020.00
Compliance Monitoring	25374	ACFE	Membership Renewal Association of Certified Fraud Examiners	9/1/2021	225.00
External Relations	25373	Texas Legislative Service	Direct Publication Texas Legislative Service	8/27/2021	100.00
Financial Services	25272	Arthur J Gallagher Risk Management Services Inc	Auto Insurance	8/31/2021	332.51
Financial Services	25147	V Quest Office Machines & Supplies LTD	Badge Holders	8/3/2021	35.00
Financial Services	25293	Federal Express Corp	Delivery and Overnight Shipping Services	8/24/2021	2,000.00
Financial Services	25101	Federal Express Corp	Delivery and Overnight Shipping Services	7/19/2021	700.00
Financial Services	25310	Xerox Corporation	Lease Xerox Copiers	8/25/2021	15,117.00
Financial Services	24661	V Quest Office Machines & Supplies LTD	Office Supplies	6/7/2021	430.00
Financial Services	24687	US Postmaster	Renewal Fees Box and Caller Service	6/9/2021	2,006.00
Financial Services	25144	CFS Products	Replacement Feed Wheel	7/26/2021	119.95
GEER Internal Audit	25241	State Auditors Office	State Single Audit	8/30/2021	99,500.00
General Counsel	25264	University of Texas at Austin Testing & Eval	Registration Fees Certified Texas Contract Developer Exam	8/26/2021	130.00
Human Resources	25321	Texas Department of Public Safety	Clearinghouse Record Retrieval	8/26/2021	400.00
Information Solutions & Services	25215	AT&T Mobility II LLC dba AT&T Mobility	AT&T iPhone and iPad Data Services	9/1/2021	15,000.00
Information Solutions & Services	25213	AT&T Teleconference Services	AT&T Teleconferencing	9/2/2021	1,200.00
Information Solutions & Services	25344	Lyncverse Technologies	HP Managed Print Services and Lease	8/25/2021	7,500.00
Information Solutions & Services	25384	Shi Government Solutions Inc	HP ProBooks and Hardware Support	8/31/2021	24,240.00
Information Solutions & Services	25210	Omega Broadcast Group	Maintenance and Support Audio/Visual Systems	9/2/2021	13,000.00
Information Solutions & Services	24667	Project Management Institute	Membership Dues	6/11/2021	164.00
Information Solutions & Services	25173	Project Management Institute	Membership Dues	8/18/2021	164.00
Information Solutions & Services	25332	Project Management Institute	Membership Dues	8/30/2021	164.00
Information Solutions & Services	24730	DLT Solutions LLC	Pluralsight Business Professional License	6/25/2021	21,142.44
Information Solutions & Services	24852	TASSCC	Registration Fees TASSCC Annual Conference	7/6/2021	1,150.00
Information Solutions & Services	24757	Ziegner Technologies Inc	Renewal Abila MIP Fund Accounting Maintenance and Support	8/24/2021	8,492.33
Information Solutions & Services	25160	SysAid Technologies	Renewal Fees SysAid License	8/18/2021	4,818.00
Information Solutions & Services	25093	Solid Border Inc	Subscription Palo Alto	7/13/2021	25,136.00
Information Solutions & Services	25094	Software One Inc	Subscription Skype for Business	7/29/2021	6,828.50
Information Solutions & Services	24688	Daman Consulting Incorporated	Temporary Personnel GEER Data Modernization Staff Augmentation	7/28/2021	1,310,160.00
Information Solutions & Services	25238	Shi Government Solutions Inc	Tibco Maintenance and IBI Silver Tibco Software	8/31/2021	6,171.70
Information Solutions & Services	25106	SAS Institute Inc	Virtual Training SAS	7/29/2021	3,600.00
Information Solutions & Services	24729	Web-Head Technologies Inc	Webhead Hosting Service	6/17/2021	8,652.00
Information Solutions & Services	25388	Dpt of Info Resources-TexAn	Data Center Circuit Tex-An 2000 Charges and CCTS Phone Charges	8/31/2021	195,000.00
Information Solutions & Services	25387	Tx Dept of Info Resources-DCS	Data Center Services	8/31/2021	5,328,786.00
Internal Audit	25120	ACFE	Membership Renewal Association of Certified Fraud Examiners	7/27/2021	225.00
Internal Audit	25122	ACFE	Membership Renewal Association of Certified Fraud Examiners	7/21/2021	225.00
Internal Audit	25158	ACFE	Membership Renewal Association of Certified Fraud Examiners	7/27/2021	225.00
Internal Audit	25378	Brustein & Manasevit	Registration Fees Brustein & Manasevit Virtual Training	8/31/2021	800.00

Division	Contract	Performing Agent	Description	Active Date	Total \$
Strategic Planning and Funding	25121	Economic Modeling LLC	Analyst Agreement	8/17/2021	15,000.00
Strategic Planning and Funding	25258	Dallas County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	93,026,586.00
Strategic Planning and Funding	25258	Lone Star College System	Community College 10 Pay Schedule Article III	8/26/2021	82,949,101.00
Strategic Planning and Funding	25258	Alamo Community College District	Community College 10 Pay Schedule Article III	8/26/2021	67,793,857.00
Strategic Planning and Funding	25258	Houston Community College System	Community College 10 Pay Schedule Article III	8/26/2021	63,587,217.00
Strategic Planning and Funding	25258	Tarrant County College District	Community College 10 Pay Schedule Article III	8/26/2021	58,943,344.00
Strategic Planning and Funding	25258	Austin Community College	Community College 10 Pay Schedule Article III	8/26/2021	53,943,141.00
Strategic Planning and Funding	25258	Collin County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	44,609,466.00
Strategic Planning and Funding	25258	San Jacinto College District	Community College 10 Pay Schedule Article III	8/26/2021	41,307,655.00
Strategic Planning and Funding	25258	South Texas College	Community College 10 Pay Schedule Article III	8/26/2021	40,094,035.00
Strategic Planning and Funding	25258	El Paso County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	31,545,292.00
Strategic Planning and Funding	25258	Blinn College	Community College 10 Pay Schedule Article III	8/26/2021	25,353,968.00
Strategic Planning and Funding	25258	Tyler Junior College	Community College 10 Pay Schedule Article III	8/26/2021	19,086,154.00
Strategic Planning and Funding	25258	Del Mar College	Community College 10 Pay Schedule Article III	8/26/2021	17,359,107.00
Strategic Planning and Funding	25258	Central Texas College	Community College 10 Pay Schedule Article III	8/26/2021	14,525,924.00
Strategic Planning and Funding	25258	Amarillo College	Community College 10 Pay Schedule Article III	8/26/2021	13,782,665.00
Strategic Planning and Funding	25258	South Plains College	Community College 10 Pay Schedule Article III	8/26/2021	13,544,798.00
Strategic Planning and Funding	25258	Navarro College	Community College 10 Pay Schedule Article III	8/26/2021	12,689,698.00
Strategic Planning and Funding	25258	McLennan Community College	Community College 10 Pay Schedule Article III	8/26/2021	11,913,320.00
Strategic Planning and Funding	25258	North Central Texas Community College District	Community College 10 Pay Schedule Article III	8/26/2021	11,421,474.00
Strategic Planning and Funding	25258	Laredo Community College	Community College 10 Pay Schedule Article III	8/26/2021	11,390,060.00
Strategic Planning and Funding	25258	Lee College	Community College 10 Pay Schedule Article III	8/26/2021	10,510,561.00
Strategic Planning and Funding	25258	Trinity Valley Community College	Community College 10 Pay Schedule Article III	8/26/2021	10,269,636.00
Strategic Planning and Funding	25258	Odessa College	Community College 10 Pay Schedule Article III	8/26/2021	9,840,503.00
Strategic Planning and Funding	25258	Kilgore College	Community College 10 Pay Schedule Article III	8/26/2021	9,654,902.00
Strategic Planning and Funding	25258	Texas Southmost College	Community College 10 Pay Schedule Article III	8/26/2021	9,335,004.00
Strategic Planning and Funding	25258	Wharton County Junior College	Community College 10 Pay Schedule Article III	8/26/2021	9,305,255.00
Strategic Planning and Funding	25258	Southwest Texas Junior College	Community College 10 Pay Schedule Article III	8/26/2021	9,198,628.00
Strategic Planning and Funding	25258	Weatherford College	Community College 10 Pay Schedule Article III	8/26/2021	8,925,334.00
Strategic Planning and Funding	25258	Angelina College	Community College 10 Pay Schedule Article III	8/26/2021	8,769,343.00
Strategic Planning and Funding	25258	Alvin Community College	Community College 10 Pay Schedule Article III	8/26/2021	7,587,622.00
Strategic Planning and Funding	25258	Paris Junior College	Community College 10 Pay Schedule Article III	8/26/2021	7,372,923.00
Strategic Planning and Funding	25258	Midland College	Community College 10 Pay Schedule Article III	8/26/2021	7,089,473.00
Strategic Planning and Funding	25258	Grayson College	Community College 10 Pay Schedule Article III	8/26/2021	7,035,148.00
Strategic Planning and Funding	25258	Temple College	Community College 10 Pay Schedule Article III	8/26/2021	7,027,187.00
Strategic Planning and Funding	25258	Texarkana College	Community College 10 Pay Schedule Article III	8/26/2021	6,988,565.00
Strategic Planning and Funding	25258	Hill College	Community College 10 Pay Schedule Article III	8/26/2021	6,833,452.00
Strategic Planning and Funding	25258	Coastal Bend College	Community College 10 Pay Schedule Article III	8/26/2021	6,696,908.00
Strategic Planning and Funding	25258	College of the Mainland	Community College 10 Pay Schedule Article III	8/26/2021	6,649,121.00
Strategic Planning and Funding	25258	Howard College	Community College 10 Pay Schedule Article III	8/26/2021	6,177,458.00
Strategic Planning and Funding	25258	Cisco College	Community College 10 Pay Schedule Article III	8/26/2021	5,840,238.00
Strategic Planning and Funding	25258	Vernon College	Community College 10 Pay Schedule Article III	8/26/2021	5,742,430.00
Strategic Planning and Funding	25258	Brazosport College	Community College 10 Pay Schedule Article III	8/26/2021	5,709,984.00
Strategic Planning and Funding	25258	Northeast Texas Community College	Community College 10 Pay Schedule Article III	8/26/2021	5,393,749.00
Strategic Planning and Funding	25258	Panola College	Community College 10 Pay Schedule Article III	8/26/2021	5,315,530.00
Strategic Planning and Funding	25258	Victoria College	Community College 10 Pay Schedule Article III	8/26/2021	5,102,088.00
Strategic Planning and Funding	25258	Galveston College	Community College 10 Pay Schedule Article III	8/26/2021	4,799,136.00
Strategic Planning and Funding	25258	Ranger College	Community College 10 Pay Schedule Article III	8/26/2021	4,227,526.00
Strategic Planning and Funding	25258	Western Texas College	Community College 10 Pay Schedule Article III	8/26/2021	3,763,079.00
Strategic Planning and Funding	25258	Clarendon College	Community College 10 Pay Schedule Article III	8/26/2021	3,384,272.00
Strategic Planning and Funding	25258	Southwest Collegiate Institute for the Deaf	Community College 10 Pay Schedule Article III	8/26/2021	3,326,403.00
Strategic Planning and Funding	25258	Frank Phillips College	Community College 10 Pay Schedule Article III	8/26/2021	2,887,422.00
Strategic Planning and Funding	25258	Midland College	Community College 10 Pay Schedule Article III	8/26/2021	307,854.00
Strategic Planning and Funding	25075	Shi Government Solutions Inc	HP Monitor and Logitech USB Headset	7/9/2021	362.00
Strategic Planning and Funding	25096	Shi Government Solutions Inc	Logitech Wireless Mouse	7/13/2021	33.00
Strategic Planning and Funding	24594	The University of Texas at Tyler	Nursing Shortage Reduction Program	6/23/2021	1,050,380.21
Strategic Planning and Funding	24592	The University of Texas at Arlington	Nursing Shortage Reduction Program	6/14/2021	716,048.66
Strategic Planning and Funding	24582	Concordia University	Nursing Shortage Reduction Program	6/14/2021	568,626.88
Strategic Planning and Funding	24548	Grayson College	Nursing Shortage Reduction Program	6/14/2021	426,470.16
Strategic Planning and Funding	24549	Houston Community College System	Nursing Shortage Reduction Program	6/29/2021	426,470.16
Strategic Planning and Funding	24585	Covenant Health System	Nursing Shortage Reduction Program	6/28/2021	242,192.93
Strategic Planning and Funding	24558	San Jacinto College District	Nursing Shortage Reduction Program	6/28/2021	205,337.48

Division	Contract	Performing Agent	Description	Active Date	Total \$
Strategic Planning and Funding	24597	Texas Tech Univ Health SC - El Paso (774)	Nursing Shortage Reduction Program	6/14/2021	205,337.48
Strategic Planning and Funding	24587	Texas A&M International University	Nursing Shortage Reduction Program	6/14/2021	179,012.17
Strategic Planning and Funding	24543	Austin Community College	Nursing Shortage Reduction Program	6/9/2021	168,482.04
Strategic Planning and Funding	24590	Texas A&M University-Corpus Christi	Nursing Shortage Reduction Program	6/14/2021	160,584.44
Strategic Planning and Funding	24552	Laredo Community College	Nursing Shortage Reduction Program	6/24/2021	147,421.78
Strategic Planning and Funding	24546	Dallas College	Nursing Shortage Reduction Program	6/9/2021	142,156.72
Strategic Planning and Funding	24593	The University of Texas at Austin	Nursing Shortage Reduction Program	6/28/2021	136,891.66
Strategic Planning and Funding	24584	University of St Thomas	Nursing Shortage Reduction Program	6/14/2021	131,626.59
Strategic Planning and Funding	24596	Texas State Technical College-West Texas	Nursing Shortage Reduction Program	6/14/2021	121,096.47
Strategic Planning and Funding	24578	Abilene Christian University	Nursing Shortage Reduction Program	6/21/2021	115,831.40
Strategic Planning and Funding	24563	Vernon College	Nursing Shortage Reduction Program	6/9/2021	110,566.34
Strategic Planning and Funding	24545	College of the Mainland	Nursing Shortage Reduction Program	6/15/2021	73,710.89
Strategic Planning and Funding	24556	Odessa College	Nursing Shortage Reduction Program	6/28/2021	73,710.89
Strategic Planning and Funding	24562	Trinity Valley Community College	Nursing Shortage Reduction Program	6/9/2021	68,445.83
Strategic Planning and Funding	24550	Howard College	Nursing Shortage Reduction Program	6/21/2021	57,915.70
Strategic Planning and Funding	24554	Navarro College	Nursing Shortage Reduction Program	7/15/2021	57,915.70
Strategic Planning and Funding	24595	Lamar State College-Port Arthur	Nursing Shortage Reduction Program	6/21/2021	57,915.70
Strategic Planning and Funding	24551	Kilgore College	Nursing Shortage Reduction Program	7/8/2021	42,120.51
Strategic Planning and Funding	24559	San Jacinto College District	Nursing Shortage Reduction Program	6/28/2021	42,120.51
Strategic Planning and Funding	24564	Victoria College	Nursing Shortage Reduction Program	6/10/2021	42,120.51
Strategic Planning and Funding	24591	West Texas A&M University	Nursing Shortage Reduction Program	6/29/2021	42,120.51
Strategic Planning and Funding	24586	Sam Houston State University	Nursing Shortage Reduction Program	6/10/2021	36,855.45
Strategic Planning and Funding	24580	Hardin-Simmons University	Nursing Shortage Reduction Program	6/9/2021	31,590.38
Strategic Planning and Funding	24557	Ranger College	Nursing Shortage Reduction Program	6/15/2021	26,325.32
Strategic Planning and Funding	24560	South Plains College	Nursing Shortage Reduction Program	6/15/2021	26,325.32
Strategic Planning and Funding	24579	McMurry University	Nursing Shortage Reduction Program	6/16/2021	26,325.32
Strategic Planning and Funding	24581	Baylor University	Nursing Shortage Reduction Program	7/1/2021	26,325.32
Strategic Planning and Funding	24544	Blinn College	Nursing Shortage Reduction Program	6/9/2021	21,060.25
Strategic Planning and Funding	24547	Dallas College	Nursing Shortage Reduction Program	6/9/2021	21,060.25
Strategic Planning and Funding	24588	Texas A&M University-Commerce	Nursing Shortage Reduction Program	6/16/2021	21,060.25
Strategic Planning and Funding	24553	McLennan Community College	Nursing Shortage Reduction Program	6/21/2021	10,530.13
Strategic Planning and Funding	24555	Northeast Texas Community College	Nursing Shortage Reduction Program	6/9/2021	10,530.13
Strategic Planning and Funding	24561	Southwest Texas Junior College	Nursing Shortage Reduction Program	6/28/2021	10,530.13
Strategic Planning and Funding	24583	Schreiner University	Nursing Shortage Reduction Program	6/10/2021	10,530.13
Strategic Planning and Funding	24565	Weatherford College	Nursing Shortage Reduction Program	6/9/2021	5,265.07
Strategic Planning and Funding	24589	Texas A&M University-Texarkana	Nursing Shortage Reduction Program	6/28/2021	5,265.06
Strategic Planning and Funding	25314	Texarkana College	Regional 60x30TX Grant	8/30/2021	5,000.00
Strategic Planning and Funding	25313	North Central Texas Community College District	Regional 60x30TX No-Cost Extension	8/30/2021	0.00
Strategic Planning and Funding	24663	Daman Consulting Incorporated	Temporary Personnel GEER Data Modernization Staff Augmentation	7/28/2021	2,867,067.00
Strategic Planning and Funding	24727	Next Chapter Communications LLC	Texas Public Higher Education Almanac	7/15/2021	18,940.00
Strategic Planning and Funding	25245	Texas Tech University	Texas Research Incentive Program	8/30/2021	6,649,916.00
Strategic Planning and Funding	25245	University of Houston	Texas Research Incentive Program	8/30/2021	6,141,937.00
Strategic Planning and Funding	25245	The University of Texas at Dallas	Texas Research Incentive Program	8/30/2021	1,090,929.00
Strategic Planning and Funding	25245	The University of Texas at San Antonio	Texas Research Incentive Program	8/30/2021	825,000.00
Strategic Planning and Funding	25245	The University of Texas at Arlington	Texas Research Incentive Program	8/30/2021	790,233.00
Strategic Planning and Funding	25245	University of North Texas	Texas Research Incentive Program	8/30/2021	531,985.00
Strategic Planning and Funding	25245	The University of Texas at El Paso	Texas Research Incentive Program	8/30/2021	345,000.00
Strategic Planning and Funding	25245	Texas State University	Texas Research Incentive Program	8/30/2021	250,000.00
Strategic Planning and Funding	25265	SAS Institute Inc	Training Points SAS Academic	8/26/2021	5,000.00
Strategic Planning and Funding	25155	UT Austin (Service)	UT Austin OSP-Willcox	8/17/2021	99,667.00
Strategic Planning and Funding	25126	Shi Government Solutions Inc	Webcam with Microphone	7/26/2021	11.00
Student Financial Aid Programs	25097	V Quest Office Machines & Supplies LTD	Academic Planner 2021-2022	7/26/2021	22.00
Student Financial Aid Programs	25347	Pacer Service Center	Bankruptcy Court Records	8/30/2021	200.00
Student Financial Aid Programs	25342	GlobalScope Communications Corporation	Cloud Based Call Center Services	8/27/2021	99,000.00
Student Financial Aid Programs	25334	Dpt of Info Resources-TexAn	E-Commerce Online Payment Services	8/31/2021	8,000.00
Student Financial Aid Programs	25331	ACI Payments Inc	Electronic Lockbox File Services	9/3/2021	1,000.00
Student Financial Aid Programs	25335	E-Oscar Web	Electronic Services THECB Loan Program Online Data Exchange	8/31/2021	1,500.00
Student Financial Aid Programs	25091	Tele Communications Inc	Headsets	7/9/2021	676.75
Student Financial Aid Programs	25338	FSX Holdings LLC	Legal Fees E-Filing Services	8/30/2021	500,000.00
Student Financial Aid Programs	24627	University of Florida	License Plate Crossover Agreement	7/9/2021	0.00
Student Financial Aid Programs	25333	Corporation Service Company	Mandated Electronic Recording Abstracts and Release of Judgment Liens	8/27/2021	25,000.00
Student Financial Aid Programs	25348	Pitney Bowes Reserve Account	Postage	9/2/2021	350,000.00

Division	Contract	Performing Agent	Description	Active Date	Total \$
Student Financial Aid Programs	25349	Process to Process Deliveries	Process Serve Services	8/31/2021	150,000.00
Student Financial Aid Programs	24674	University of Texas at Austin Testing & Eval	Registration Fees Certified Texas Contract Developer Exam	6/8/2021	260.00
Student Financial Aid Programs	25175	TASF AA	Registration Fees TASF AA Annual Conference	7/29/2021	325.00
Student Financial Aid Programs	24749	Flores & Associates LLC	Repair Service DR9050C Cannon Scanner	6/29/2021	130.00
Student Financial Aid Programs	25351	US Postal Service	Service Fees Post Office Box	8/30/2021	1,900.00
Student Financial Aid Programs	25337	Experian Information Solutions Inc	Subscription Experian Database	9/2/2021	60,000.00
Student Financial Aid Programs	25343	LexisNexis Risk Solutions	Subscription Online Skip Tracing	9/3/2021	34,000.00
Student Financial Aid Programs	25336	Equifax Information Services LLC	Subscription Skip Tracing	8/31/2021	1,000.00
Student Financial Aid Programs	25305	Workquest Temps	Temporary Personnel Executive Assistant III	8/23/2021	790.26
Student Financial Aid Programs	25381	GTS Technology Solutions Inc	Tripp Lite 4 Port Portable Slim USB 3.0 Superspeed Hub	9/7/2021	107.94
					993,627,703.14

**Memorandum of Understanding (\$0 Contract Amount)**

College Readiness and Success	24773	Lubbock Christian University	Provide access and use of the ApplyTexas System	8/10/2021	0
College Readiness and Success	24892	Wayland Baptist University	Provide access and use of the ApplyTexas System	8/31/2021	0
Strategic Planning and Funding	25142	Texas Workforce Commission	Data Platform Agreement among TWC, THECB, EA and Coleridge Initiative	8/3/2021	0
Student Financial Aid Programs	24836	Angelo State University	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24838	Lamar University	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24839	Midwestern State University	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24840	Prairie View A&M University	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24841	Sam Houston State University	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24842	Stephen F. Austin State University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24843	Sul Ross State University	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24844	Tarleton State University	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24846	Texas A&M International University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24847	Texas A&M University	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24848	Texas A&M University - Central Texas	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24849	Texas A&M University at Galveston	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24853	Texas A&M University-Commerce	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24854	Texas A&M University-Corpus Christi	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24855	Texas A&M University-Kingsville	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24856	Texas A&M University-San Antonio	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24857	Texas A&M University-Texasarkana	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24858	Texas Southern University	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24859	Texas State University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24860	Texas Tech University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24862	The University of Texas at Arlington	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24863	The University of Texas at Austin	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24865	The University of Texas at Dallas	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24866	The University of Texas at El Paso	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24867	The University of Texas at Permian Basin	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24868	The University of Texas at San Antonio	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24869	The University of Texas at Tyler	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24870	University of Houston	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24871	University of Houston -Clear Lake	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24874	University of Houston-Downtown	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24875	University of Houston -Victoria	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24876	University of North Texas	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24877	University of North Texas at Dallas	Financial Aid Program Participation Agreement	8/23/2021	0
Student Financial Aid Programs	24878	West Texas A&M University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24879	University of Texas Rio Grande Valley	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24880	Texas A&M Health Science Center	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24881	Texas Tech University Health Sciences Center	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24882	The University of Texas Health Science Center at Houston	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24883	The University of Texas Health Science Center at San Antonio	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24884	The University of Texas M.D. Anderson Cancer Center	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24885	The University of Texas Medical Branch at Galveston	Financial Aid Program Participation Agreement	7/28/2021	0

Division	Contract	Performing Agent	Description	Active Date	Total \$
Student Financial Aid Programs	24886	The University of Texas Southwestern Medical Center	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24887	University of North Texas Health Science Center at Fort Worth	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24891	Texas Tech Univ Health SC - El Paso (774)	Financial Aid Program Participation Agreement	8/26/2021	0
Student Financial Aid Programs	24895	Texas State Technical College-Waco	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24896	Lamar Institute of Technology	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24897	Lamar State College-Orange	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24899	Lamar State College-Port Arthur	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24900	Abilene Christian University	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24901	Austin College	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24902	Baylor University	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24903	Concordia University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24904	Dallas Baptist University	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24907	East Texas Baptist University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24910	Hardin-Simmons University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24912	Houston Baptist University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24914	Howard Payne University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24916	Huston-Tillotson University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24918	Jacksonville College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24920	Jarvis Christian College	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24922	Letourneau University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24923	Lubbock Christian University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24924	McMurry University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24925	Our Lady of The Lake University of San Antonio	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24926	Parker University	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24927	Paul Quinn College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24928	Rice University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24930	South Texas College of Law	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24931	Southern Methodist University	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24932	Southwestern Adventist University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24933	Southwestern Assemblies of God University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24935	Southwestern University	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24936	St. Edward's University	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	24937	St. Mary's University of San Antonio	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24938	Texas Chiropractic College	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24941	Texas Christian University	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24942	Texas College	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24943	Texas Lutheran University	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24944	Texas Wesleyan University	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24945	Trinity University	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24946	University of Dallas	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24948	University of Mary Hardin-Baylor	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24949	University of St Thomas	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24950	University of the Incarnate Word	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24951	Wayland Baptist University	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	24952	Wiley College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24955	Alvin Community College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24957	Amarillo College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24958	Angelina College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24959	Austin Community College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24960	Blinn College	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24961	Brazosport College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24962	Central Texas College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24963	Cisco College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24965	Clarendon College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	24967	Coastal Bend College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	24968	College of the Mainland	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24970	Collin County Community College District	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	24974	Dallas College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	24982	Del Mar College	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24984	El Paso Community College	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	24986	Frank Phillips College	Financial Aid Program Participation Agreement	8/9/2021	0
Student Financial Aid Programs	24988	Galveston College	Financial Aid Program Participation Agreement	8/10/2021	0

Division	Contract	Performing Agent	Description	Active Date	Total \$
Student Financial Aid Programs	24989	Grayson College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25020	Hill College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	25022	Houston Community College System	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25024	Howard College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25027	Kilgore College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25030	Laredo Community College	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	25031	Lee College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25033	Lone Star College System	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	25035	McLennan Community College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25039	Midland College	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	25040	Navarro College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25041	North Central Texas Community College District	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25042	Alamo Community College District (Northeast Lakeview College)	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25043	Northeast Texas Community College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25044	Northwest Vista College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25045	Odessa College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25046	Palo Alto College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25047	Panola College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25048	Paris Junior College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25049	Ranger College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25050	San Antonio College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25051	San Jacinto College District	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25052	South Plains College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25053	South Texas College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25054	Southwest Texas Junior College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	25055	St. Philip's College	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	25056	Tarrant County College District	Financial Aid Program Participation Agreement	8/24/2021	0
Student Financial Aid Programs	25057	Temple College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25058	Texarkana College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25059	Texas Southmost College	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25060	Trinity Valley Community College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25061	Tyler Junior College	Financial Aid Program Participation Agreement	8/10/2021	0
Student Financial Aid Programs	25062	Vernon College	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25063	Victoria College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25064	Weatherford College	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25065	Western Texas College	Financial Aid Program Participation Agreement	7/28/2021	0
Student Financial Aid Programs	25066	Wharton County Junior College	Financial Aid Program Participation Agreement	8/16/2021	0
Student Financial Aid Programs	25067	A Career In Teaching ACP	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25069	Region VII-Edu Service Center	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25071	Region XII- Edu Service Center	Financial Aid Program Participation Agreement	9/8/2021	0
Student Financial Aid Programs	25072	Region XIII- Edu Service Center	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25078	Region X-Edu Service Center	Financial Aid Program Participation Agreement	7/27/2021	0
Student Financial Aid Programs	25082	Region XIV- Edu Service Center	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25086	Teacher Builder	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25089	A Career in Teaching McAllen	Financial Aid Program Participation Agreement	7/26/2021	0
Student Financial Aid Programs	25234	Criswell College	Financial Aid Program Participation Agreement	8/31/2021	0
Student Financial Aid Programs	25235	Amberton University	Financial Aid Program Participation Agreement	8/31/2021	0



# **Texas Higher Education Coordinating Board**

**Contracts Executed by the Agency Over \$1 Million**

**June 7, 2021 – September 8, 2021**

Division	Contract	Performing Agent	Description	Active Date	Total \$
Academic Quality and Workforce	25026	Texas State Technical College System	Perkins Basic Grant	9/1/2021	2,336,321.00
Academic Quality and Workforce	24964	Alamo Community College District	Perkins Basic Grant	9/1/2021	2,066,281.00
Academic Quality and Workforce	24983	Dallas College	Perkins Basic Grant	9/1/2021	1,343,288.00
Academic Quality and Workforce	25029	Tyler Junior College	Perkins Basic Grant	9/7/2021	1,101,916.00
Academic Quality and Workforce	24972	Austin Community College	Perkins Basic Grant	9/1/2021	1,013,398.00
Information Solutions & Services	25387	Tx Dept of Info Resources-DCS	Data Center Services	8/31/2021	5,328,786.00
Information Solutions & Services	24688	Daman Consulting Incorporated	Temporary Personnel GEER Data Modernization Staff Augmentation	7/28/2021	1,310,160.00
Strategic Planning and Funding	25258	Dallas County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	93,026,586.00
Strategic Planning and Funding	25258	Lone Star College System	Community College 10 Pay Schedule Article III	8/26/2021	82,949,101.00
Strategic Planning and Funding	25258	Alamo Community College District	Community College 10 Pay Schedule Article III	8/26/2021	67,793,857.00
Strategic Planning and Funding	25258	Houston Community College System	Community College 10 Pay Schedule Article III	8/26/2021	63,587,217.00
Strategic Planning and Funding	25258	Tarrant County College District	Community College 10 Pay Schedule Article III	8/26/2021	58,943,344.00
Strategic Planning and Funding	25258	Austin Community College	Community College 10 Pay Schedule Article III	8/26/2021	53,943,141.00
Strategic Planning and Funding	25258	Collin County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	44,609,466.00
Strategic Planning and Funding	25258	San Jacinto College District	Community College 10 Pay Schedule Article III	8/26/2021	41,307,655.00
Strategic Planning and Funding	25258	South Texas College	Community College 10 Pay Schedule Article III	8/26/2021	40,094,035.00
Strategic Planning and Funding	25258	El Paso County Community College District	Community College 10 Pay Schedule Article III	8/26/2021	31,545,292.00
Strategic Planning and Funding	25258	Blinn College	Community College 10 Pay Schedule Article III	8/26/2021	25,353,968.00
Strategic Planning and Funding	25258	Tyler Junior College	Community College 10 Pay Schedule Article III	8/26/2021	19,086,154.00
Strategic Planning and Funding	25258	Del Mar College	Community College 10 Pay Schedule Article III	8/26/2021	17,359,107.00
Strategic Planning and Funding	25258	Central Texas College	Community College 10 Pay Schedule Article III	8/26/2021	14,525,924.00
Strategic Planning and Funding	25258	Amarillo College	Community College 10 Pay Schedule Article III	8/26/2021	13,782,665.00
Strategic Planning and Funding	25258	South Plains College	Community College 10 Pay Schedule Article III	8/26/2021	13,544,798.00
Strategic Planning and Funding	25258	Navarro College	Community College 10 Pay Schedule Article III	8/26/2021	12,689,698.00
Strategic Planning and Funding	25258	McLennan Community College	Community College 10 Pay Schedule Article III	8/26/2021	11,913,320.00
Strategic Planning and Funding	25258	North Central Texas Community College District	Community College 10 Pay Schedule Article III	8/26/2021	11,421,474.00
Strategic Planning and Funding	25258	Laredo Community College	Community College 10 Pay Schedule Article III	8/26/2021	11,390,060.00
Strategic Planning and Funding	25258	Lee College	Community College 10 Pay Schedule Article III	8/26/2021	10,510,561.00
Strategic Planning and Funding	25258	Trinity Valley Community College	Community College 10 Pay Schedule Article III	8/26/2021	10,269,636.00
Strategic Planning and Funding	25258	Odessa College	Community College 10 Pay Schedule Article III	8/26/2021	9,840,503.00
Strategic Planning and Funding	25258	Kilgore College	Community College 10 Pay Schedule Article III	8/26/2021	9,654,902.00
Strategic Planning and Funding	25258	Texas Southmost College	Community College 10 Pay Schedule Article III	8/26/2021	9,335,004.00
Strategic Planning and Funding	25258	Wharton County Junior College	Community College 10 Pay Schedule Article III	8/26/2021	9,305,255.00
Strategic Planning and Funding	25258	Southwest Texas Junior College	Community College 10 Pay Schedule Article III	8/26/2021	9,198,628.00
Strategic Planning and Funding	25258	Weatherford College	Community College 10 Pay Schedule Article III	8/26/2021	8,925,334.00
Strategic Planning and Funding	25258	Angelina College	Community College 10 Pay Schedule Article III	8/26/2021	8,769,343.00
Strategic Planning and Funding	25258	Alvin Community College	Community College 10 Pay Schedule Article III	8/26/2021	7,587,622.00
Strategic Planning and Funding	25258	Paris Junior College	Community College 10 Pay Schedule Article III	8/26/2021	7,372,923.00
Strategic Planning and Funding	25258	Midland College	Community College 10 Pay Schedule Article III	8/26/2021	7,089,473.00
Strategic Planning and Funding	25258	Grayson College	Community College 10 Pay Schedule Article III	8/26/2021	7,035,148.00
Strategic Planning and Funding	25258	Temple College	Community College 10 Pay Schedule Article III	8/26/2021	7,027,187.00
Strategic Planning and Funding	25258	Texarkana College	Community College 10 Pay Schedule Article III	8/26/2021	6,988,565.00
Strategic Planning and Funding	25258	Hill College	Community College 10 Pay Schedule Article III	8/26/2021	6,833,452.00
Strategic Planning and Funding	25258	Coastal Bend College	Community College 10 Pay Schedule Article III	8/26/2021	6,696,908.00
Strategic Planning and Funding	25258	College of the Mainland	Community College 10 Pay Schedule Article III	8/26/2021	6,649,121.00
Strategic Planning and Funding	25258	Howard College	Community College 10 Pay Schedule Article III	8/26/2021	6,177,458.00
Strategic Planning and Funding	25258	Cisco College	Community College 10 Pay Schedule Article III	8/26/2021	5,840,238.00
Strategic Planning and Funding	25258	Vernon College	Community College 10 Pay Schedule Article III	8/26/2021	5,742,430.00
Strategic Planning and Funding	25258	Brazosport College	Community College 10 Pay Schedule Article III	8/26/2021	5,709,984.00
Strategic Planning and Funding	25258	Northeast Texas Community College	Community College 10 Pay Schedule Article III	8/26/2021	5,393,749.00
Strategic Planning and Funding	25258	Panola College	Community College 10 Pay Schedule Article III	8/26/2021	5,315,530.00
Strategic Planning and Funding	25258	Victoria College	Community College 10 Pay Schedule Article III	8/26/2021	5,102,088.00
Strategic Planning and Funding	25258	Galveston College	Community College 10 Pay Schedule Article III	8/26/2021	4,799,136.00
Strategic Planning and Funding	25258	Ranger College	Community College 10 Pay Schedule Article III	8/26/2021	4,227,526.00
Strategic Planning and Funding	25258	Western Texas College	Community College 10 Pay Schedule Article III	8/26/2021	3,763,079.00

Division	Contract	Performing Agent	Description	Active Date	Total \$
Strategic Planning and Funding	25258	Clarendon College	Community College 10 Pay Schedule Article III	8/26/2021	3,384,272.00
Strategic Planning and Funding	25258	Southwest Collegiate Institute for the Deaf	Community College 10 Pay Schedule Article III	8/26/2021	3,326,403.00
Strategic Planning and Funding	25258	Frank Phillips College	Community College 10 Pay Schedule Article III	8/26/2021	2,887,422.00
Strategic Planning and Funding	24594	The University of Texas at Tyler	Nursing Shortage Reduction Program	6/23/2021	1,050,380.21
Strategic Planning and Funding	24663	Daman Consulting Incorporated	Temporary Personnel GEER Data Modernization Staff Augmentation	7/28/2021	2,867,067.00
Strategic Planning and Funding	25245	Texas Tech University	Texas Research Incentive Program	8/30/2021	6,649,916.00
Strategic Planning and Funding	25245	University of Houston	Texas Research Incentive Program	8/30/2021	6,141,937.00
Strategic Planning and Funding	25245	The University of Texas at Dallas	Texas Research Incentive Program	8/30/2021	1,090,929.00
Student Financial Aid Programs	24542	Nelnet	Loan Management System	7/21/2021	1,860,000.00
					973,786,121.21

## Agency Operations Committee

### AGENDA ITEM VI-A

#### Review of the "Fiscal Year 2021 Financial Report to the Board"

RECOMMENDATION: No action required

#### Background Information:

During each quarterly committee meeting, the Finance Department provides a financial report summarizing the agency's fiscal-year-to-date budgetary and financial activities. This is a financial management report that is developed for both agency and Board use. Staff may revise this report periodically to present the most relevant information.

#### Key points:

- This report reflects data through the third quarter of fiscal year 2021 (FY 21).
  - September 1, 2020 through May 31, 2021.
- The report is distributed to agency executive management monthly.
- Report overview:
  - Budget adjustments are primarily related to carrying forward of unexpended balances from FY 20 into FY 21.
  - College Access Loan (CAL) volume is about 8% lower than previous year's level.
  - Two bond sales occurred recently. Approximately \$180 million of new money bond proceeds were received from the sale of bonds to fund new loans for the 2021-22 academic year. Also, approximately \$96 million of bond proceeds were received to pay off the 2011 bond series. This, and previous, debt realignment activities have yielded over \$110 million in cash flow savings from future debt payments for the CAL program.
  - Graduate Medical Education (GME) encumbrances or expenditures are beginning to increase as the main distribution of the funds occur in the summer period.
  - The Graduate Medical Education Expansion program is projected to receive \$11.8 million from the GME permanent fund to fund additional residency positions. This is \$800,000 higher than originally appropriated.
  - The Texas OnCourse initiative is reflected in this report. The budget and expense activities are consolidated within the administrative strategy A.1.1. College Readiness and Success.

Ken Martin, Assistant Commissioner for Financial Services/CFO, will present this item to the committee and is available to answer any questions.

Agency Operations Committee

AGENDA ITEM VI-B

Consideration of adopting a resolution authorizing the issuance of Texas College Student Loan Bonds in one or more series; and delegation of the authority for administration and approval of the activities necessary to complete the sale of the private activity bonds

RECOMMENDATION: Approval

Background Information:

Texas Higher Education Coordinating Board (THECB) staff is requesting approval to issue up to \$200 million in aggregate par and premium of private activity bonds in Fiscal Year 2022 to fund College Access Loans to eligible students under Texas Education Code, Chapter 52, Subchapter C, and to refund the 2012 bond series. THECB staff has determined that it will be necessary to issue these bonds in one or more series to provide adequate funding to maintain the student loan program. The refunding bonds may be sold if interest rates for municipal bonds remain favorable at the time of closing.

Key Points:

- An application to the Bond Review Board may be submitted for a portion of the state's allocation of private activity tax exempt volume cap for each bond series.
- Up to \$200 million of volume cap will be used to issue new bonds to support new student loans during the 2022-23 academic year.
- Up to \$30 million of volume cap may be used to refund the 2012 bond series that is callable on August 1, 2022.
- The THECB is a state-voted issuer of private activity bonds.
- These bonds are authorized under the Texas Constitution, Sections 50b-4 through 50b-7.
- Total bond debt outstanding is approximately \$1.3 billion.
- Total bond-funded student loans outstanding is \$1.7 billion.
- The THECB has \$850 million of bonding authority remaining.
- Ten percent of the state ceiling is reserved for state voter issuers, and the THECB is authorized to issue up to \$200 million in new bonds (Texas Government Code, Section 1372). Refunding bonds are authorized in this statute under sub-ceiling 5 and require a separate allocation.
- The agency sells tax-exempt private activity general obligation bonds.
- The agency is required to maintain compliance with various state statutes, Securities Exchange Commission rules, and Internal Revenue Service regulations.
- These bonds are general obligation and are backed by the full credit of the state (Moody's AAA rating April 2021).
- The Office of the Attorney General is required to approve the final sale.

**Historical Bond Sales**

<u>Series</u>	<u>Par</u>	<u>Net Premium</u>	<u>Par + Net Premium</u>
2014	\$ 68,130,000	\$ 13,014,804	\$ 81,144,804
2015	\$ 150,000,000	\$ 19,502,971	\$ 169,502,971
2016	\$ 158,065,000	\$ 21,930,090	\$ 179,995,090
2017	\$ 155,720,000	\$ 14,893,632	\$ 170,613,632
2018R	\$ 94,915,000	\$ 8,933,967	\$ 103,848,967
2019	\$ 159,965,000	\$ 10,310,723	\$ 170,275,723
2019R	\$ 45,965,000	\$ 8,890,263	\$ 54,855,263
2020A	\$ 88,865,000	\$ 10,849,446	\$ 99,714,446
2020B	\$ 73,340,000	\$ 14,151,173	\$ 87,491,173

**College Access Loan Disbursement History**

	<u># of Students</u>	<u>Total Gross Disbursed</u>
<b>PY 04</b>	5,994	\$38,044,856.45
<b>PY 05</b>	6,243	\$41,442,307.08
<b>PY 06</b>	7,040	\$49,470,079.89
<b>PY 07</b>	11,944	\$102,756,666.88
<b>PY 08</b>	7,999	\$74,181,871.12
<b>PY 09</b>	8,702	\$79,778,517.38
<b>PY 10</b>	8,911	\$86,157,023.17
<b>PY 11</b>	8,378	\$87,521,197.15
<b>PY 12</b>	8,655	\$97,407,152.08
<b>PY 13</b>	8,102	\$100,585,758.18
<b>PY 14</b>	7,533	\$98,925,759.26
<b>PY 15</b>	9,080	\$118,877,752.87
<b>PY 16</b>	10,615	\$148,242,100.06
<b>PY 17</b>	11,921	\$172,867,455.17
<b>PY 18</b>	9,056	\$148,466,342.93

Ken Martin, Assistant Commissioner for Financial Services/CFO, will present this item. Richard Donoghue, Partner with McCall, Parkhurst & Horton, and Lee Donner, Managing Director with Hilltop Securities Inc., will be available to answer any questions regarding the proposed resolution authorizing the issuance of the bonds, the delegation the authority to approve all final terms of the bonds, or the delegation of authority to file for the state's allocation of private activity volume cap.

**A RESOLUTION**

**BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD AUTHORIZING THE ISSUANCE OF STATE OF TEXAS COLLEGE STUDENT LOAN AND REFUNDING BONDS IN ONE OR MORE SERIES; DELEGATING THE APPROVAL OF ALL FINAL TERMS OF THE BONDS; APPROVING THE FORMS OF AN OFFICIAL STATEMENT, PAYING AGENT/REGISTRAR AGREEMENT AND ESCROW AGREEMENT; AND RESOLVING OTHER MATTERS RELATED TO THE SUBJECT**

**DATE OF APPROVAL: OCTOBER 21, 2021**

**TABLE OF CONTENTS**

Page

**ARTICLE I DEFINITIONS AND OTHER PRELIMINARY MATTERS**

Section 1.01 Findings.....2  
Section 1.02 Definitions.....2  
Section 1.03 Other Definitions. ....6  
Section 1.04 Table of Contents, Titles and Headings.....6  
Section 1.05 Interpretation. ....6  
Section 1.06 Ratification of Prior Actions. ....7

**ARTICLE II AUTHORIZATION; GENERAL TERMS**

Section 2.01 Authorization; Delegation of Final Terms.....7  
Section 2.02 Designation, Date, Denomination, Maturities and Interest.....9  
Section 2.03 Medium, Method and Place of Payment.....9  
Section 2.04 Execution and Registration of Bond. ....10  
Section 2.05 Ownership. ....11  
Section 2.06 Registration, Transfer and Exchange; Book-Entry System. ....11  
Section 2.07 Cancellation. ....13  
Section 2.08 Replacement Bonds. ....13

**ARTICLE III FUNDS AND INVESTMENTS**

Section 3.01 Funds.....14  
Section 3.02 Student Loan Auxiliary Fund.....15  
Section 3.03 Interest and Sinking Fund. ....15  
Section 3.04 Provision for Payment of Bonds. ....17  
Section 3.05 Transfers to Interest and Sinking Fund. ....17  
Section 3.06 Preparation of Vouchers and Issuance of Warrants for Debt Service. ....18  
Section 3.07 Investment of Funds.....18  
Section 3.08 Cooperation with State Officers.....19  
Section 3.09 Deposit and Transfer of Funds; Duties of Comptroller. ....19  
Section 3.10 Additional Bonds. ....19  
Section 3.11 Interest Rate Swap Agreement.....19

**ARTICLE IV REDEMPTION OF BONDS BEFORE MATURITY**

Section 4.01 Limitation on Redemption. ....20  
Section 4.02 Optional Redemption. ....20  
Section 4.03 Mandatory Sinking Fund Redemption.....21  
Section 4.04 Partial Redemption.....21  
Section 4.05 Notice of Redemption. ....21  
Section 4.06 Payment Upon Redemption. ....21  
Section 4.07 Effect of Redemption. ....22

**ARTICLE V PAYING AGENT/REGISTRAR**

Section 5.01 Appointment of Initial Paying Agent/Registrar.....22  
Section 5.02 Qualification. ....22  
Section 5.03 Maintaining Paying Agent/Registrar. ....22  
Section 5.04 Termination. ....22  
Section 5.05 Notice of Change to Owners.....22  
Section 5.06 Agreement to Perform Duties and Functions.....23  
Section 5.07 Delivery of Records to Successor. ....23

**ARTICLE VI FORM OF THE BONDS**

Section 6.01 Form Generally. ....23  
Section 6.02 CUSIP Registration.....24  
Section 6.03 Legal Opinion. ....24  
Section 6.04 Statement of Insurance.....24

**ARTICLE VII APPROVAL OF OFFICIAL STATEMENT AND ESCROW AGREEMENT;  
AUTHORITY TO REFUND REFUNDED BONDS AND EXECUTE OTHER DOCUMENTS**

Section 7.01 Approval of Official Statement.....24  
Section 7.02 Control and Delivery of Bonds; Authority to Execute All Other Documents; Appropriation of Funds. ....25  
Section 7.03 Redemption of Certain Refunded Bonds; Approval of Escrow Agreement.....25

**ARTICLE VIII PARTICULAR REPRESENTATIONS AND COVENANTS**

Section 8.01 Payment of the Bonds. ....26  
Section 8.02 Other Representations and Covenants. ....26  
Section 8.03 Covenants Regarding Tax Exemption. ....27  
Section 8.04 Notices to S&P and Moody's.....30

**ARTICLE IX DEFAULT AND REMEDIES**

Section 9.01 Events Of Default. ....30  
Section 9.02 Remedies for Default. ....31  
Section 9.03 Remedies not Exclusive.....31

**ARTICLE X DISCHARGE**

Section 10.01 Defeasance of Bonds.....31

**ARTICLE XI CONTINUING DISCLOSURE UNDERTAKING**

Section 11.01 Annual Reports. ....33

AGENDA ITEM VI-B

Section 11.02 Event Notices.....33  
Section 11.03 Limitations, Disclaimers and Amendments.....35

**ARTICLE XII AMENDMENTS OF AND SUPPLEMENTS TO RESOLUTION**

Section 12.01 Without Consent of Owners.....36  
Section 12.02 With Consent of Owners.....36  
Section 12.03 Effect of Consents.....37  
Section 12.04 Notation on or Exchange of Bonds.....37  
Section 12.05 Notice to Owners. ....37  
Section 12.06 Technical Amendments. ....37

**ARTICLE XIII MISCELLANEOUS**

Section 13.01 Authorization For Private Activity Bond Allocation and Assignment of  
Unencumbered State Ceiling .....38  
Section 13.02 Authorized Transfers Of Funds. ....38  
Section 13.03 Payment Of Attorney General Fee.....39

- EXHIBIT A - FINAL TERMS OF THE BONDS
- EXHIBIT B - FORM OF BOND
- EXHIBIT C - DESCRIPTION OF ANNUAL FINANCIAL INFORMATION

**A RESOLUTION**

**BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD AUTHORIZING THE ISSUANCE OF STATE OF TEXAS COLLEGE STUDENT LOAN AND REFUNDING BONDS IN ONE OR MORE SERIES; DELEGATING THE APPROVAL OF ALL FINAL TERMS OF THE BONDS; APPROVING THE FORMS OF AN OFFICIAL STATEMENT, PAYING AGENT/REGISTRAR AGREEMENT AND ESCROW AGREEMENT; AND RESOLVING OTHER MATTERS RELATED TO THE SUBJECT**

*WHEREAS*, at a state-wide election held on November 8, 2011, the voters of the State of Texas (the "State") approved an amendment to the Texas Constitution (known as Article III, Section 50b-7 of the Texas Constitution, "Section 50b-7"), which authorized the Texas Higher Education Coordinating Board (the "Board"), an agency of the State, to issue College Student Loan Bonds (as defined herein) in an aggregate principal amount of outstanding bonds that at all times must be equal to or less than the aggregate principal amount of College Student Loan Bonds previously authorized by any other provision or former provision of the Texas Constitution; and

*WHEREAS*, provisions other than Section 50b-7 and former provisions of the Texas Constitution have authorized \$1.86 billion in aggregate principal amount of College Student Loan Bonds; and

*WHEREAS*, the Board hereby finds it desirable to issue additional College Student Loan Bonds pursuant to such voted authorization under Section 50b-7, in order to provide the Board with the capability of making additional student loans; and

*WHEREAS*, the Board, pursuant to authority given by the voters of the State at a statewide election, has issued its State of Texas College Student Loan Bonds, Series 2012 (the "Series 2012 Bonds") for the purpose of providing funds to make loans to students for the purpose of financing the cost of post-secondary education at public and private educational institutions in the State; and

*WHEREAS*, the Board additionally desires to authorize the refunding of all or a portion of the outstanding Series 2012 Bonds maturing on and after August 1, 2023, in the aggregate principal amount of \$29,345,000, provided such refunding will produce a net present value savings calculated in the manner and satisfying the requirements of this Resolution; and

*WHEREAS*, Chapter 1207, Texas Government Code, as amended ("Chapter 1207"), authorizes the Board to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a place of payment (paying agent) for the Refunded Bonds (as defined herein), or with another trust company or commercial bank that does not act as a depository for the Board, in an amount sufficient to provide for the payment of the Refunded Bonds, and such deposit, if made before such payment dates, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Bonds; and

*WHEREAS*, Chapter 1207 (specifically Section 1207.062 thereof) further authorizes the Board to enter into an escrow agreement with respect to the safekeeping, investment,

AGENDA ITEM VI-B

administration and disposition of any such deposit; provided that such deposit may be invested and reinvested in the obligations specified in Chapter 1207; and

*WHEREAS*, the Escrow Agreement hereinafter authorized between the Board and the Escrow Agent constitutes an escrow agreement of the kind authorized and permitted by Chapter 1207; and

*WHEREAS*, the Board hereby finds and declares a public purpose and deems it advisable and in the best interests of the Board and the State to issue College Student Loan Bonds (defined in Section 1.02 hereof as the "Bonds") in one or more Series in an aggregate principal amount not to exceed \$229,345,000, to be used for the purposes of (i) making additional student loans, (ii) refunding the Refunded Bonds and/or (iii) paying all or a portion of the costs of issuing such Bonds; and

*WHEREAS*, the issuance of the maximum principal amount of Bonds authorized by this Resolution will not exceed the principal limits with respect to College Student Loan Bonds set forth in the Act (as defined herein) and in Section 50b-7 with respect to Bonds issued to make additional student loans and in the other applicable Constitutional Provisions (as defined herein) with respect to Bonds issued to refund the Refunded Bonds; and

*WHEREAS*, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

**BE IT RESOLVED BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD:**

**ARTICLE I  
DEFINITIONS AND OTHER PRELIMINARY MATTERS**

**Section 1.01 FINDINGS.** It is hereby found and determined that the matters and facts set out in the preamble to this Resolution are true and correct.

**Section 1.02 DEFINITIONS.** Unless otherwise expressly provided or unless the context clearly requires otherwise in this Resolution, the following terms shall have the meanings specified below:

"Act" means Chapter 52 of the Texas Education Code, as amended.

"Additional Bonds" means bonds issued after the Issuance Date by the Board payable from the same sources as the Bonds.

"Authorized Denomination" means \$5,000 and any integral multiple thereof.

"Authorized Representative" means one or more of the following officers of the Board: the Chair of the Board, the Vice Chair of the Board, the Chair of the Agency Operations Committee of the Board, the Commissioner, Assistant Commissioner Financial Services/CFO and such other officer or employee of the Board authorized by the Board to act as an Authorized Representative.

## AGENDA ITEM VI-B

"Bond Date" means the date designated as the date of each Series of Bonds and set forth in Exhibit A to this Resolution.

"Bond Purchase Contract" means the Board's agreement with Underwriters providing for the sale of a Series of Bonds; provided that two or more Series of Bonds may be sold to the same Underwriters pursuant to the terms of a single Bond Purchase Contract.

"Bond Year" means the period beginning on August 2 of any calendar year and continuing through August 1 of the following calendar year; provided that, the first and last bond years may be short periods.

"Bonds" means any one or more, as the case may be, of the College Student Loan Bonds of each Series authorized to be issued pursuant to Section 2.01 of this Resolution.

"Book-Entry System" means the system maintained by the Securities Depository described in Section 2.06(g).

"Business Day" means any day other than (i) a Saturday, Sunday, legal holiday or any other day on which banking institutions in New York, New York, or Austin, Texas are generally authorized or obligated by law or executive order to close, or (ii) a day on which the New York Stock Exchange is closed.

"Code" means the Internal Revenue Code of 1986, as amended, including applicable regulations, published rulings and court decisions.

"College Student Loan Bonds" means general obligation bonds issued pursuant to the Constitutional Provision, including any College Student Loan Refunding Bonds.

"College Student Loan Refunding Bonds" means general obligation bonds issued pursuant to the Constitutional Provision to refund any College Student Loan Bonds attributable thereto.

"Commissioner" means the Commissioner of Higher Education.

"Comptroller" means the Comptroller of Public Accounts of the State.

"Constitutional Provision" means, collectively, as applicable, (i) Sections 50b, 50b-1, 50b-2 and 50b-3 of Article III of the Texas Constitution (which Sections were repealed "to eliminate duplicative, executed, obsolete, archaic and ineffective constitutional provisions" pursuant to Section 55 of H.J.R. No. 62 approved by the voters of the State on November 2, 1999), (ii) Section 50b-4, as amended, Section 50b-5 and Section 50b-6 of Article III of the Texas Constitution, and (iii) Section 50b-7 of Article III of the Texas Constitution.

"Defeased Bonds" shall have the meaning specified in Section 10.01(a) of this Resolution.

"Defeasance Securities" shall have the meaning specified in Section 10.01(c) of this Resolution.

## AGENDA ITEM VI-B

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

"DTC" means The Depository Trust Company of New York, New York, and its successors and assigns.

"Escrow Agent" means each entity serving in such capacity pursuant to Section 7.03 of this Resolution, or any successor thereto as provided in this Resolution.

"Escrow Agreement" means each Escrow Agreement by and between the Board and the Escrow Agent pertaining to any Refunded Bonds.

"Event of Default" means any event of default as defined in Section 9.01 of this Resolution.

"Financial Advisor" means such financial advisory firm(s) designated by the Board as its financial advisor or co-financial advisors with respect to the Board's student loan programs authorized pursuant to the Act.

"Financial Obligation" means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that "financial obligation" shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

"Fiscal Year" means the period of time beginning in each calendar year on September 1st and ending August 31st of the calendar year next following, or any other 12-month period of time adopted by the State as its "fiscal year."

"Future Escrow Agreement" shall have the meaning specified in Section 10.01(a) of this Resolution.

"Initial Bond" means the initial Bond of each Series authorized by Section 2.04(d) of this Resolution.

"Interest and Sinking Fund" means the interest and sinking fund described in Section 3.03 of this Resolution.

"Interest Payment Date" means each February 1 and August 1, commencing with the first such interest payment date set forth in Exhibit A to be attached hereto.

"Issuance Date" means the date of the initial delivery of and payment for each Series of Bonds.

"Maximum Rate" means the maximum per annum interest rate on the Bonds permitted by applicable law.

## AGENDA ITEM VI-B

"Moody's" means Moody's Investors Service, 7 World Trade Center, 250 Greenwich Street, New York, New York 10007, or such other address provided by Moody's to the Board, its successors and assigns.

"MSRB" means the Municipal Securities Rulemaking Board.

"Official Statement" shall have the meaning specified in Section 7.01 of this Resolution.

"Outstanding" means, when used to modify Bonds, Bonds issued, authenticated and delivered under this Resolution, excluding: (i) Bonds which have been exchanged or replaced or otherwise surrendered for cancellation; (ii) Bonds which have been paid; (iii) Bonds which have become due and for the payment of which moneys have been duly provided; and (iv) Defeased Bonds.

"Owner" means the person who is the registered owner of a Bond or Bonds, as shown in the Register.

"Paying Agent/Registrar" means the entity serving in such capacity pursuant to Section 5.01 of this Resolution, or any successor thereto as provided in this Resolution.

"Paying Agent/Registrar Agreement" means each Paying Agent/Registrar Agreement by and between the Board and the Paying Agent/Registrar, pertaining to the Bonds.

"Preliminary Official Statement" shall have the meaning specified in Section 7.01 of this Resolution.

"Previously Issued Bonds" means College Student Loan Bonds heretofore issued by the Board payable from the same sources as the Bonds and remaining unpaid.

"Record Date" means the close of business on the 15th calendar day of the month immediately preceding the Interest Payment Date.

"Refunded Bonds" means the Series 2012 Bonds that the Commissioner or the Assistant Commissioner Financial Services/CFO, acting pursuant to Section 2.01 hereof, determines to be refunded by the Bonds. The Refunded Bonds shall be specified in Exhibit A to this Resolution.

"Register" means the Register specified in Section 2.06(a) of this Resolution.

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

"S&P" means S&P Global Ratings, 55 Water Street, 38<sup>th</sup> Floor, New York, New York 10041, or such other address provided by S&P to the Board, its successors and assigns.

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

"Securities Depository" means a "clearing agency" registered under Section 17A of the Securities Exchange Act of 1934, as amended, including DTC, or its nominee, and the successors and assigns of any such entity.

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

## AGENDA ITEM VI-B

"State" means the State of Texas.

"Student Loan Auxiliary Fund" means the student loan auxiliary fund described in Section 3.02 of this Resolution.

"TOP Fund" means the Texas Opportunity Plan Fund administered by the Board created in the State Treasury by Article III, Section 50b of the Texas Constitution.

"Treasury Regulations" means regulations promulgated by the U. S. Department of the Treasury pursuant to the Code.

"Unclaimed Payments" means money deposited with the Paying Agent/Registrar for the payment of principal of, redemption premium, if any, or interest on the Bonds as the same come due and payable or money set aside for the payment of Bonds duly called for redemption prior to maturity, which moneys remain on deposit with the Paying Agent/Registrar following the date on which such payments are due.

"Underwriters" means the investment banking firm or firms that contract to purchase the Bonds of a Series pursuant to a Bond Purchase Contract in accordance with Section 2.01(c)(ii) of this Resolution; provided, that (i) the Underwriters shall be selected by the Commissioner or the Assistant Commissioner Financial Services/CFO with the advice of the Financial Advisor, and (ii) the same Underwriters may contract to purchase two or more Series of such Bonds pursuant to a single Bond Purchase Contract.

**Section 1.03 OTHER DEFINITIONS.** Terms defined in the recitals to this Resolution shall have such assigned meanings unless otherwise expressly provided or unless the context clearly requires otherwise.

**Section 1.04 TABLE OF CONTENTS, TITLES AND HEADINGS.** The table of contents, titles and headings of the Articles and Sections of this Resolution have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof 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 1.05 INTERPRETATION.**

(a) Unless the context requires otherwise, the provisions of this Resolution referring to a Bond or the Bonds shall be interpreted and construed as referring to a Bond or the Bonds of a particular Series issued pursuant to this Resolution.

(b) Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa.

(c) This Resolution and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein.

**Section 1.06 RATIFICATION OF PRIOR ACTIONS.**

All prior actions taken for or on behalf of the Board in connection with the Bonds are hereby ratified, confirmed and approved.

**ARTICLE II  
AUTHORIZATION; GENERAL TERMS**

**Section 2.01 AUTHORIZATION; DELEGATION OF FINAL TERMS.**

(a) Authorization. Pursuant to authority conferred by and in accordance with the provisions of the Constitution and laws of the State, including particularly, as applicable, the Constitutional Provision, the Act, Chapter 1371 of the Texas Government Code, as amended, and Chapter 1207 with respect to any Bonds issued as College Student Loan Refunding Bonds, the Bonds are hereby authorized to be issued, in the maximum aggregate principal amount (calculated without regard to premium or discount affecting the sale price) of \$229,345,000 in one or more Series, for the purpose of (i) making additional student loans, (ii) refunding the Refunded Bonds and/or (iii) paying all or a portion of the costs of issuing such Bonds, all in accordance with and subject to the terms, conditions and limitations contained herein.

(b) Delegation of Final Terms. As authorized by Section 1371.053(c)(2), Texas Government Code, and Section 1207.007 Texas Government Code with respect to any Bonds issued as College Student Loan Refunding Bonds, the Commissioner and the Assistant Commissioner Financial Services/CFO are each hereby authorized, appointed and designated as the officer of the Board authorized to act on behalf of the Board in the sale and delivery of the Bonds authorized by this Resolution and in carrying out the other procedures specified in this Resolution, including determining (i) the aggregate principal amount of the Bonds to be issued hereunder, subject to Section 2.01(a) hereof, (ii) the price at which the Bonds will be sold, (iii) the aggregate principal amount of each maturity of the Bonds, (iv) the rate or rates of interest to be borne by each maturity of the Bonds, (v) the due date of each maturity of the Bonds (provided that, the final maturity date thereof shall not occur later than 40 years after the Issuance Date), (vi) the Bond Date, (vii) the dates, prices and terms upon which the Bonds shall be subject to redemption prior to maturity at the option of the Board, as well as the dates, prices and principal amounts at which the Bonds shall be subject to mandatory sinking fund redemption, if any, (viii) which of the Series 2012 Bonds shall comprise the Refunded Bonds, if any Bonds are issued for such purpose (ix) all other matters relating to the issuance, sale and delivery of the Bonds. In addition, the Bonds issued to refund the Refunded Bonds must be sold on terms that produce a net present value savings. The Commissioner and the Assistant Commissioner Financial Services/CFO, acting for and on behalf of the Board, are each further authorized to revise, complete and attach Exhibit A to this Resolution for each Series of Bonds issued under this Resolution, containing a description of the final terms of the Bonds of such Series approved pursuant to the authority granted herein and, if applicable, a list of any Refunded Bonds being refunded by the Bonds of such Series; provided, that each Series of Bonds must be sold on terms that produce (i) interest rates that do not exceed the Maximum Rate and (ii) a sales price for the Bonds of such Series to the initial purchaser(s) thereof at not less than 95% of the par amount thereof, plus accrued interest, if any. It is further provided, however, that notwithstanding the foregoing provisions, the Bonds shall not be delivered unless, prior to delivery, the Bonds have been rated by a nationally recognized rating agency for municipal securities in one of the four

## AGENDA ITEM VI-B

highest rating categories for long term obligations, as required by Section 1371.001(5), Texas Government Code.

(c) Sale of Bonds.

(i) Manner of Sale. If prior to the time of anticipated sale of a Series of Bonds authorized to be issued pursuant to the terms of this Resolution the Financial Advisor advises the Commissioner or the Assistant Commissioner Financial Services/CFO in writing to the effect that, based upon then current market conditions, a negotiated sale of such Bonds is anticipated to result in a lower true interest cost to the Board as compared to a sale by competitive bid, then the Board hereby determines that a negotiated sale is a more efficient and economical method of selling such Bonds, and therefore such Bonds shall be sold by negotiated sale. If, however, the Commissioner or the Assistant Commissioner Financial Services/CFO does not receive such written advice from the Financial Advisor with respect to the anticipated sale of a Series of Bonds, then such Bonds shall be sold by competitive bid.

(ii) Negotiated Sales. For Bonds to be sold by negotiated sale, the Commissioner or the Assistant Commissioner Financial Services/CFO, acting for and on behalf of the Board, (i) shall designate a senior managing Underwriter for the Bonds and shall select such additional Underwriters as deemed appropriate to assure that the Bonds are sold on advantageous terms, and (ii) is further authorized to approve, execute and deliver a Bond Purchase Contract, which is hereby approved in substantially the form presented herewith, with such changes as are acceptable to the Commissioner or the Assistant Commissioner Financial Services/CFO. The approval of a Bond Purchase Contract by the Commissioner or the Assistant Commissioner Financial Services/CFO shall be conclusively evidenced by his or her execution thereof.

(iii) Competitive Bid. For Bonds to be sold by competitive bid, (i) each Authorized Representative, acting for and on behalf of the Board, is hereby severally authorized and directed to prepare and distribute a Notice of Sale and Bidding Instructions for the sale of such Bonds (which shall be distributed electronically using i-Deal Prospectus or such other electronic dissemination service deemed acceptable by an Authorized Representative), and (ii) Commissioner and the Assistant Commissioner Financial Services/CFO, acting for and on behalf of the Board, are each further authorized to approve and accept the winning bid from the bidder or bidders submitting the lowest true interest cost to the Board to evidence the Board's acceptance of the best bid or bids for such Bonds received as a result of competitive bidding.

(d) Payment of Costs of Issuance. Notwithstanding any other provision of this Resolution to the contrary, to the extent not otherwise provided for, the proceeds of the Bonds may be used to pay the costs of issuance thereof.

(e) Expiration of Delegation of Authority. The authority granted to the Commissioner and the Assistant Commissioner Financial Services/CFO as set forth in Section 2.01(b) to approve the final terms of the Bonds by completing and executing Exhibit A attached to this Resolution for each Series of Bonds issued under this Resolution shall expire at 5:00 P.M. on October 21, 2022. Bonds priced on or before October 21, 2022 may be delivered to the initial purchaser after such date.

AGENDA ITEM VI-B

(f) Delegation in Best Interests of the Board. In satisfaction of Section 1201.022(a)(3), Texas Government Code, the Board hereby determines that the delegation of the authority to the Commissioner and the Assistant Commissioner Financial Services/CFO to approve the method of sale and final terms and conditions of each Series of the Bonds as set forth in this Resolution is, and the decisions made by the Commissioner and/or the Assistant Commissioner Financial Services/CFO pursuant to such delegated authority and incorporated in Exhibit A to be attached hereto will be, in the Board's best interests and shall have the same force and effect as if such determinations were made by the Board, and the Commissioner and the Assistant Commissioner Financial Services/CFO are each hereby authorized to make and include in Exhibit A to be attached hereto an appropriate finding to that effect.

**Section 2.02 DESIGNATION, DATE, DENOMINATION, MATURITIES AND INTEREST.**

(a) Each Series of Bonds shall be designated: "STATE OF TEXAS COLLEGE STUDENT LOAN BONDS"; provided that (i) any Series of Bonds issued for the purposes of making student loans and refunding Refunded Bonds shall also have the words "AND REFUNDING" included in the designation of such Bonds before the word "BONDS", and (ii) any Series of Bonds issued for the purpose of refunding Refunded Bonds, but not for the purpose of making student loans, shall also have the word "REFUNDING" included in the designation of such Bonds before the word "BONDS". The title of the Bonds shall be designated by the year in which each Series is awarded pursuant to Section 2.01 hereof and in the event that another Series of Bonds is issued by the Board within a calendar year each Series within that year shall have a letter designation following the year starting with the letter "A" and proceeding alphabetically thereafter unless otherwise determined by the Commissioner or the Assistant Commissioner Financial Services/CFO. Each Series of Bonds issued pursuant to this Resolution shall be numbered separately from R-1 upward in order of their authentication, except for the Initial Bond of each Series, which shall be numbered T-1.

(b) The Bonds shall be dated as of the applicable Bond Date. The Bonds shall be issued hereunder in the principal amount and shall mature in each of the years and in the principal amounts, all as determined by the Commissioner or the Assistant Commissioner Financial Services/CFO pursuant to Section 2.01 hereof and as set forth in Exhibit A to be attached hereto. The Bonds shall be in fully registered form, without coupons and in Authorized Denominations.

(c) Interest on the Bonds shall be payable on each Interest Payment Date and shall accrue and be paid on each Bond respectively until its maturity or prior redemption from the later of the Issuance Date or the most recent Interest Payment Date to which interest has been paid or provided for at the rate or rates per annum as specified in Exhibit A to be attached hereto. Unless otherwise determined by the Commissioner or the Assistant Commissioner Financial Services/CFO, interest on the Bonds shall be calculated on the basis of a 360-day year composed of 12 months of 30 days each.

**Section 2.03 MEDIUM, METHOD AND PLACE OF PAYMENT.**

(a) The principal of, redemption premium, if any, and interest on the Bonds shall be paid in lawful money of the United States of America.

## AGENDA ITEM VI-B

(b) Interest on the Bonds shall be payable to the Owners as shown in the Register at the close of business on the Record Date.

(c) Principal and interest shall be paid by check, dated as of the Interest Payment Date, and sent by first-class mail, postage prepaid, by the Paying Agent/Registrar to each Owner at the address shown in the Register, or by such other customary banking arrangement, such as by wire transfer, acceptable to the Paying Agent/Registrar at the request of and at the risk and expense of the Owner. Notwithstanding the foregoing, during any period in which ownership of the Bonds is determined by a Book Entry System at a Securities Depository for the Bonds, payments made to the Securities Depository, or its nominee, shall be made in accordance with arrangements between the Board and the securities depository.

(d) The principal of each Bond shall be paid to the Owner thereof on the due date, whether at the maturity date or the date of prior redemption, only upon presentation and surrender of such Bond at the designated office of the Paying Agent/Registrar.

(e) If the date for the payment of the principal of or interest on the Bonds is not a Business Day, the date for such payment shall be the next succeeding Business Day, and payment on such date shall for all purposes be deemed to have been made on the due date thereof as specified in Section 2.02 of this Resolution, and no interest shall accrue on such payments in the interim.

(f) Unclaimed Payments that remain unclaimed by the Owners for 90 days after the applicable payment or redemption date shall be segregated in a special escrow account and held in trust, uninvested by the Paying Agent/Registrar, for the account of the Owners of the Bonds to which the Unclaimed Payments pertain. Unclaimed Payments remaining unclaimed by the Owners entitled thereto for three years after the applicable payment or redemption date shall be reported and disposed of by the Paying Agent/Registrar in accordance with the applicable provisions of Texas law, including, to the extent applicable, Title 6 of the Texas Property Code, as amended.

### **Section 2.04 EXECUTION AND REGISTRATION OF BOND.**

(a) The Bonds shall be executed on behalf of the Board by the Chair or Vice Chair and by the Secretary of the Board, by their manual or facsimile signatures, and the official seal of the Board shall be impressed or placed in facsimile form thereon. Such facsimile signatures on the Bonds shall have the same effect as if each of the Bonds had been signed manually and in person by each of said officers, and such facsimile seal on the Bonds shall have the same effect as if the official seal of the Board had been manually impressed upon each of the Bonds.

(b) If any officer of the Board whose manual or facsimile signature appears on the Bonds ceases to be such officer before the authentication of such Bonds or before the delivery thereof, such manual or facsimile signature nevertheless shall be valid and sufficient for all purposes as if such officer had remained in such office.

(c) Except as provided below, no Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Resolution unless and until there appears thereon the Certificate of Paying Agent/Registrar substantially in the form provided herein, duly authenticated by manual execution by an officer or duly authorized signatory of the Paying

## AGENDA ITEM VI-B

Agent/Registrar. It shall not be required that the same officer or authorized signatory of the Paying Agent/Registrar sign the Certificate of Paying Agent/Registrar on all of the Bonds. In lieu of the executed Certificate of Paying Agent/Registrar described above, the Initial Bond of each Series delivered on the Issuance Date shall have attached or affixed thereto the Comptroller's Registration Certificate substantially in the form provided herein, manually executed by the Comptroller, or by his or her duly authorized agent, which Certificate shall be evidence that such Initial Bond has been duly approved by the Attorney General of the State of Texas, and that it is a valid and binding obligation of the Board, and that it has been registered by the Comptroller.

(d) On the Issuance Date, one Initial Bond for each Series representing the entire principal amount of all Bonds of such Series, payable in stated installments to the respective initial purchaser, or its designee, executed by the manual or facsimile signature of the Chair or Vice Chair and of the Secretary of the Board, approved by the Attorney General, and registered by the Comptroller by Registration Certificate attached or affixed thereto, will be delivered to the Paying Agent/Registrar on behalf of the respective initial purchaser or its designee. Upon payment for the Initial Bond of such Series, the Paying Agent/Registrar shall cancel each such Initial Bond and deliver to DTC on behalf of the respective initial purchaser a single registered, definitive Bond for each maturity of the Bonds of such Series, in the respective aggregate principal amount thereof, registered in the name of Cede & Co., as nominee of DTC.

### **Section 2.05 OWNERSHIP.**

(a) The Board, the Paying Agent/Registrar and any other person may treat the person in whose name any Bond is registered as the absolute Owner of such Bond for the purpose of making and receiving payment of the principal thereof and redemption premium, if any, thereon, for the further purpose of making and receiving payment of the interest thereon (except interest shall be paid to the person in whose name the Bond is registered on the Record Date), and for all other purposes, whether or not such Bond is overdue, and neither the Board nor the Paying Agent/Registrar shall be bound by any notice or knowledge to the contrary.

(b) All payments made to the Owner of a Bond shall be valid and effectual and shall discharge the liability of the Board and the Paying Agent/Registrar upon such Bond to the extent of the sums paid.

### **Section 2.06 REGISTRATION, TRANSFER AND EXCHANGE; BOOK-ENTRY SYSTEM.**

(a) So long as any Bonds remain Outstanding, the Board shall cause the Paying Agent/Registrar to keep at its designated office the Register, in which, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with this Resolution.

(b) The ownership of a Bond may be transferred only upon the presentation and surrender of the Bond at the designated office of the Paying Agent/Registrar with such endorsement or other evidence of transfer as is acceptable to the Paying Agent/Registrar. No transfer of any Bond shall be effective until entered in the Register.

(c) The Bonds shall be exchangeable upon the presentation and surrender thereof at the designated office of the Paying Agent/Registrar for a Bond or Bonds of the same Series,

## AGENDA ITEM VI-B

maturity and interest rate and in any Authorized Denomination and in an aggregate principal amount equal to the unpaid principal amount of the Bonds presented for exchange. The Paying Agent/Registrar is hereby authorized to authenticate and deliver Bonds exchanged for other Bonds in accordance with this Section.

(d) Each exchange Bond delivered by the Paying Agent/Registrar in accordance with this Section shall be entitled to the benefits and security of this Resolution to the same extent as the Bond or Bonds in lieu of which such exchange Bond is delivered.

(e) No service charge shall be made to the Owner for the initial registration, any subsequent transfer, or exchange for a different denomination of any of the Bonds. The Paying Agent/Registrar, however, may require the Owner to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection with the registration, transfer or exchange of a Bond.

(f) Neither the Board nor the Paying Agent/Registrar shall be required to issue, transfer or exchange any Bond (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following Interest Payment Date, or (ii) called for redemption prior to maturity, in whole or in part, within 30 days prior to the date fixed for redemption; provided, however, such limitation shall not be applicable to an exchange by the Owner of the uncalled principal balance of a Bond.

(g) The Bonds may be issued or subsequently registered in the name of a Securities Depository or a nominee therefor, and held in the custody of the Securities Depository. In such event, a single Bond for each maturity will be issued and delivered to the Securities Depository for the Bonds, and neither the beneficial owners of such Bonds nor the Paying Agent/Registrar will receive physical delivery of Bonds except as provided herein, all transfers of beneficial ownership interests will be made by book-entry only, and no investor or other party purchasing, selling or otherwise transferring beneficial ownership of Bonds will receive, hold or deliver any Bond certificate. The Board and the Paying Agent/Registrar will recognize the Securities Depository or its nominee as the Owner for all purposes, including notices and voting.

Whenever, during the term of the Bonds, the beneficial ownership thereof is determined through the books of the Securities Depository, (i) the Board covenants and agrees to meet the requirements of the Securities Depository with respect to required notices and other provisions of the letter of representations or agreement executed with respect to such Bonds and (ii) the requirements in this Resolution of holding, delivering or transferring such Bonds shall be deemed modified to require the appropriate person to meet the requirements of the Securities Depository with respect to such actions to produce the same effect. Any provisions hereof permitting or requiring delivery of such Bonds shall, while such Bonds are in a Book-Entry System, be satisfied by the notation on the books of the Securities Depository in accordance with applicable State law.

The Board and the Paying Agent/Registrar may rely conclusively upon (i) a certificate of the Securities Depository as to the identity of the Depository Participants in the Book-Entry System with respect to the Bonds and (ii) a certificate of any such Depository Participant as to the identity of, and the respective principal amount of Bonds owned by, the beneficial owners of the Bonds.

## AGENDA ITEM VI-B

The Board may from time to time appoint a Securities Depository or a successor thereto and enter into a letter of representation or other agreement with such Securities Depository to establish procedures with respect to the Bonds.

Neither the Board nor the Paying Agent/Registrar will have any responsibility or obligation to any Securities Depository, any Depository Participant in the Book-Entry System or the beneficial owners of the Bonds with respect to (i) the accuracy of any records maintained by the Securities Depository or any Depository Participant; (ii) the payment by the Securities Depository or by any Depository Participant of any amount due to any beneficial owner of the Bonds in respect of the principal amount or redemption or purchase price of, or interest on, any Bonds; (iii) the delivery of any notice by the Securities Depository or any Depository Participant; (iv) the selection of the beneficial owners of the Bonds to receive payment in the event of any partial redemption of the Bonds; or (v) any other action taken by the Securities Depository or any Depository Participant.

Bond certificates are required to be delivered and registered in the name of the beneficial owner of the Bonds, under the following circumstances:

(i) a Securities Depository determines to discontinue providing its service with respect to the Bonds and no successor Securities Depository is appointed as described above; or

(ii) the Board determines not to continue the Book-Entry System through a Securities Depository.

If, at any time, the Securities Depository ceases to hold the Bonds, thereafter all references herein to the Securities Depository shall be of no further force or effect.

Neither the Board nor the Paying Agent/Registrar will have any responsibility or obligation to any Depository Participant for the Book-Entry System or to the beneficial owners of the Bonds with respect to the records delivered to the Board and the Paying Agent/Registrar in order to accomplish the delivery and registration in the names of the beneficial owners of the Bonds.

**Section 2.07 CANCELLATION.** All Bonds paid or redeemed before scheduled maturity in accordance with this Resolution, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance with this Resolution, shall be canceled and proper records made regarding such payment, redemption, exchange or replacement. The Paying Agent/Registrar shall destroy such canceled Bonds and periodically furnish the Board with certificates of destruction of such Bonds.

### **Section 2.08 REPLACEMENT BONDS.**

(a) Upon the presentation and surrender to the Paying Agent/Registrar of a mutilated Bond, the Paying Agent/Registrar shall authenticate and deliver in exchange for such mutilated bond a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously Outstanding. The Board or the Paying Agent/Registrar, as applicable, may require the Owner of such Bond to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection therewith and any other expenses connected therewith.

## AGENDA ITEM VI-B

(b) If any Bond is lost, apparently destroyed, or wrongfully taken, the Board, pursuant to the applicable laws of the State and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall authorize, and the Paying Agent/Registrar shall deliver, a replacement Bond of like tenor and principal amount, bearing a number not contemporaneously Outstanding, provided that the Owner first:

(i) furnishes to the Paying Agent/Registrar satisfactory evidence of his or her ownership of and the circumstances of the loss, destruction or theft of such Bond;

(ii) furnishes such security or indemnity as may be required by the Paying Agent/Registrar and the Board to save them harmless;

(iii) pays all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Paying Agent/Registrar and any tax or other governmental charge that is authorized to be imposed; and

(iv) satisfies any other reasonable requirements imposed by the Board or the Paying Agent/Registrar.

(c) After the delivery of such replacement Bond, if a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the Board and the Paying Agent/Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the Board or the Paying Agent/Registrar in connection therewith.

(d) If any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the Board, in its discretion, instead of issuing a replacement Bond, may authorize the Paying Agent/Registrar to pay such Bond when it becomes due and payable.

(e) Each replacement Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Resolution to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

### ARTICLE III FUNDS AND INVESTMENTS

**Section 3.01 FUNDS.** There have been created in the State Treasury two funds designated respectively:

(1) "Student Loan Auxiliary Fund"; and

(2) "State of Texas College Student Loan Bonds Interest and Sinking Fund" herein called "Interest and Sinking Fund". The Interest and Sinking Fund constitutes the Interest and Sinking Fund for the Bonds, Previously Issued Bonds and any Additional Bonds.

AGENDA ITEM VI-B

**Section 3.02 STUDENT LOAN AUXILIARY FUND.**

(a) There shall be deposited into the Student Loan Auxiliary Fund the following:

(1) Except as provided in Sections 2.01(d) and 3.10 hereof, all proceeds from the sale of the Bonds and Additional Bonds (other than any Bonds or Additional Bonds issued as College Student Loan Refunding Bonds), excluding any accrued interest on the Bonds and Additional Bonds which shall be deposited into the Interest and Sinking Fund pursuant to Section 3.03(a)(4) of this Resolution;

(2) Gifts or grants made to the Board for purposes of the Student Loan Auxiliary Fund; and

(3) All money received in any Fiscal Year from repayment of student loans granted under the Act which are made by the Board from funds on deposit in the Student Loan Auxiliary Fund, and interest thereon, which is in excess of the amount required to be deposited into the Interest and Sinking Fund pursuant to the provisions of Section 3.03(a) hereof.

(b) Money in the Student Loan Auxiliary Fund shall be used for the following purposes (provided, however, that (i) in no event may funds deposited in the Student Loan Auxiliary Fund pursuant to Section 3.02(a)(1) hereof be used for a purpose described in clause (2) below and (ii) funds deposited in the Student Loan Auxiliary Fund pursuant to Section 3.02(a)(2) hereof must be applied in accordance with the requirements of Section 52.53 of the Act):

(1) to make loans to students as now or hereafter provided by the Constitution and laws of the State, particularly the Act;

(2) to pay administration and operating expenses, and to fund any other lawful purpose, related to the Board's student loan program operated pursuant to the Act;

(3) to the extent permitted by law, including Subchapter F of Chapter 52, Texas Education Code, as amended, to transfer funds to the Interest and Sinking Fund in the event funds on deposit in the Interest and Sinking Fund are insufficient to pay principal and interest on any of the Bonds, Previously Issued Bonds and Additional Bonds; and

(4) to the extent permitted by law, including Subchapter F of Chapter 52, Texas Education Code, as amended, to transfer to other funds and accounts established by the Board to comply with covenants related to maintaining the tax-exempt status of the Bonds, the Previously Issued Bonds and any Additional Bonds.

**Section 3.03 INTEREST AND SINKING FUND.**

(a) There shall be deposited into the Interest and Sinking Fund the following:

(1) money received in each Fiscal Year as repayment of student loans granted under the Act and interest thereon sufficient to pay the interest on and principal of the Previously Issued Bonds, the Bonds and any Additional Bonds to become due during the

## AGENDA ITEM VI-B

ensuing Fiscal Year; provided, however, if permitted by law, the Board may reduce, in whole or in part, the amount required to be accumulated in the Interest and Sinking Fund to pay interest on and principal of the Previously Issued Bonds, the Bonds and any Additional Bonds to become due during the ensuing Fiscal Year; provided further that such action described above may not be exercised unless the Board has received written confirmation from each rating agency then maintaining a rating (at the request of the Board) on the Bonds, the Previously Issued Bonds and any Additional Bonds then outstanding that the exercise of such action will not cause a reduction or withdrawal of their respective ratings then applicable to any of the Bonds, Previously Issued Bonds or Additional Bonds and unless the Board has provided written notice of any such reduction to the Texas Bond Review Board;

(2) money required by the Constitutional Provision and the Act to be transferred into the Interest and Sinking Fund by the Comptroller out of first moneys coming into the Treasury of the State in each Fiscal Year not otherwise appropriated by the State Constitution;

(3) money transferred by the Board from the Student Loan Auxiliary Fund pursuant to Section 3.02(b)(3) and (4) hereof; and

(4) accrued interest on the Bonds, if any.

(b) Money in the Interest and Sinking Fund is hereby pledged to secure payment of principal of and interest on the Bonds, the Previously Issued Bonds and any Additional Bonds, and shall be used only for the purpose of paying interest on and principal of the Bonds, the Previously Issued Bonds and any Additional Bonds, and for transferring to other funds and accounts established by the Board to comply with covenants related to maintaining the tax-exempt status of the Bonds, the Previously Issued Bonds and any Additional Bonds.

(c) The Board hereby authorizes the use of any surplus funds in the Interest and Sinking Fund, as determined by an Authorized Representative, to defease and/or redeem, from time to time, certain outstanding College Student Loan Bonds previously issued by the Board in accordance with the applicable defeasance and redemption provisions in the respective resolutions authorizing such College Student Loan Bonds. Each Authorized Representative is hereby severally authorized on behalf of the Board to determine and retire, from time to time, the various portions of such outstanding College Student Loan Bonds which are economically advantageous for the Board to retire by the defeasance and/or redemption of such debt. Each Authorized Representative is authorized to enter into one or more escrow agreements in substantially the form approved by the Board as necessary to accomplish such defeasances. In the event of such a defeasance, each Authorized Representative is authorized hereby to take such steps as may be necessary to purchase the escrowed securities identified in such escrow agreements on behalf of the Board and is authorized to create and fund the escrow funds contemplated by the escrow agreements through the use of such surplus funds in the Interest and Sinking Fund. Each Authorized Representative is authorized to call for redemption such College Student Loan Bonds to be redeemed pursuant to this section and is hereby authorized to provide and complete an appropriate notice of redemption to the paying agent(s) for such College Student Loan Bonds. For the avoidance of doubt, each Authorized Representative is authorized to utilize the authority in this subsection to defease and/or redeem any and all of the Series 2012 Bonds in lieu of issuing bonds under this Resolution to refund such bonds.

**Section 3.04 PROVISION FOR PAYMENT OF BONDS.**

(a) The Board recognizes the absolute and ultimate obligation of the State to provide during each Fiscal Year all money necessary for the payment of the principal of and interest on the Bonds, the Previously Issued Bonds and all Additional Bonds when such interest or principal and interest become due, out of the first moneys coming into the State Treasury in each Fiscal Year not otherwise appropriated by the State Constitution, less any amount in the Interest and Sinking Fund at the end of the preceding Fiscal Year, as set forth in the Constitutional Provision.

(b) All money received by the Board as principal and interest repayments of loans granted under the Act shall be deposited with the Comptroller in the Interest and Sinking Fund as received until the amount contained in said fund shall be sufficient to pay the principal and interest to become due on the Bonds, the Previously Issued Bonds and any Additional Bonds during the ensuing Fiscal Year; provided, however, if permitted by law, the Board may reduce, in whole or in part, the amount required to be accumulated in the Interest and Sinking Fund to pay interest on and principal of the Previously Issued Bonds, the Bonds and any Additional Bonds to become due during the ensuing Fiscal Year; and provided further that such action described above may not be exercised unless the Board has received written confirmation from each rating agency then maintaining a rating (at the request of the Board) on the Bonds, the Previously Issued Bonds and any Additional Bonds then outstanding that the exercise of such action will not cause a reduction or withdrawal of their respective ratings then applicable to any of the Bonds, Previously Issued Bonds or Additional Bonds and unless the Board has provided written notice of any such reduction to the Texas Bond Review Board.

(c) As early as possible in each Fiscal Year the Board shall cause to be furnished to the Comptroller a statement showing:

(1) the amount of money and investments in the Interest and Sinking Fund at the close of the preceding Fiscal Year;

(2) the amount of interest or principal and interest which will become due during that Fiscal Year on the Bonds, the Previously Issued Bonds and the Additional Bonds; and

(3) the amount of money, if any, which should be transferred to the Interest and Sinking Fund from the first money coming into the Treasury of the State in that Fiscal Year not otherwise appropriated by the State Constitution.

**Section 3.05 TRANSFERS TO INTEREST AND SINKING FUND.** If the statement required by the foregoing Section shows that the amount of money and the value of investments contained in the Interest and Sinking Fund is less than the amount of interest or interest and principal scheduled to become due on the Bonds, the Previously Issued Bonds and the Additional Bonds during that Fiscal Year, the Comptroller shall (i) first, allocate available funds then on deposit in the Interest and Sinking Fund to pay the principal and interest on the Bonds, the Previously Issued Bonds and any Additional Bonds which will become due during that Fiscal Year, and (ii) second, transfer into the Interest and Sinking Fund out of the first money coming into the Treasury of the State in that Fiscal Year, not otherwise appropriated by the State Constitution, such additional amount as shall be required to pay the interest or interest and principal of the

## AGENDA ITEM VI-B

Bonds, the Previously Issued Bonds and Additional Bonds maturing and coming due during that Fiscal Year.

### **Section 3.06 PREPARATION OF VOUCHERS AND ISSUANCE OF WARRANTS FOR DEBT SERVICE.**

(a) Prior to each interest payment date and/or maturity date while any of the Bonds, the Previously Issued Bonds or Additional Bonds remain outstanding or interest is due thereon, it shall be the duty of the officers and employees of the Board to prepare or cause to be prepared and to file with the Comptroller a voucher (or other instrument required by the Comptroller) showing the amount of money required to pay the principal of and interest on all such bonds then to become due. Such voucher shall specify the paying agent to which remittance is to be made, and shall direct that a warrant or warrants for such amount or amounts be issued, payable to the order of such paying agent.

(b) Based on each such voucher it shall be the duty of the Comptroller after the filing with his or her of such voucher, to draw on the State Treasury a proper warrant in the amount shown in such voucher, payable to the order of the paying agent specified in the voucher. Such warrant shall be drawn against the Interest and Sinking Fund. The Comptroller shall forward the warrant to the principal office of the paying agent specified in the voucher. Such warrant shall be forwarded, so as to allow ample time for conversion of the warrant into current funds by the paying agent specified in the voucher by such principal and interest payment date. The Comptroller may utilize any other means of payment permitted under State law for purposes of this section.

### **Section 3.07 INVESTMENT OF FUNDS.**

(a) Any moneys in the Student Loan Auxiliary Fund in excess of the amount necessary for student loans shall be invested by the Comptroller in any investments authorized pursuant to (1) Chapter 2256, Texas Government Code, as amended, (2) Section 404.024, Texas Government Code, as amended, or (3) any other statute which describes the types of investments in which the Comptroller, the Board or any other agency of the State can invest its funds. The foregoing notwithstanding, no proceeds of the Bonds (or repayments of student loans) deposited to such fund for a period longer than six months (or, in the case of repayments, three months) will be invested in obligations with a yield materially higher than the yield on the Bonds.

(b) The Comptroller, at the direction of the Board (or the Commissioner or the Assistant Commissioner Financial Services/CFO, as hereinafter authorized), may sell any investments owned in the Interest and Sinking Fund or in the Student Loan Auxiliary Fund at the prevailing market price. Except as may otherwise be required by Section 8.03 with respect to compliance with the rebate covenant therein described, income from such investments shall be deposited into the Interest and Sinking Fund.

(c) Notwithstanding any other provision of this Section 3.07 to the contrary (other than the last sentence of Section 3.07(a)), all moneys in the Interest and Sinking Fund and in the Student Loan Auxiliary Fund in excess of the amount necessary for student loans shall be invested by the Comptroller in any investments authorized pursuant to (1) Chapter 2256, Texas Government Code, as amended, (2) Section 404.024 of the Texas Government Code, as amended, or (3) any other statute which describes the types of investments in which the

## AGENDA ITEM VI-B

Comptroller, the Board or any other agency of the State may invest its funds; provided, all such investments shall be scheduled to mature prior to the date such moneys must be available for use for its intended purpose. Each Authorized Representative is hereby expressly severally authorized, empowered and directed from time to time and at any time to take any action necessary to comply with the provisions of this Section 3.07 (and any other provision of this Resolution or of any Board resolution governing any Previously Issued Bonds with respect to the investment of moneys in the Interest and Sinking Fund, the Student Loan Auxiliary Fund and the Texas Opportunity Plan Fund (created in the State Treasury by the Constitutional Provision)), including, but not limited to, to direct the Comptroller or the Comptroller's designee, pursuant to an agreement therewith or otherwise, to invest such moneys in the investments authorized herein and in any Board resolution governing any Previously Issued Bonds.

**Section 3.08 COOPERATION WITH STATE OFFICERS.** It is the duty of the Board, its officers, employees and agents (who are hereby so authorized and directed) to cooperate with and aid the Comptroller in calculating the amounts to be deposited in, or transferred to, the appropriate funds, and in ascertaining the amounts to be remitted to the Paying Agent/Registrar to meet the requirements for the due and punctual payment of the principal and interest on the Previously Issued Bonds and the Bonds as such interest and principal become due and payable.

**Section 3.09 DEPOSIT AND TRANSFER OF FUNDS; DUTIES OF COMPTROLLER.** The Comptroller is hereby authorized and directed to make the deposits and transfers required under all provisions of this Resolution and the Board's resolutions authorizing Previously Issued Bonds and Additional Bonds. The Comptroller is further hereby authorized and directed to do all things necessary or convenient to make current funds available at the Paying Agent/Registrar to pay principal of and interest on all Bonds and Previously Issued Bonds as they mature, all in accordance with the respective authorizing resolutions.

**Section 3.10 ADDITIONAL BONDS.**

The Board reserves the right to issue Additional Bonds from time to time, provided that the provisions for the issuance of such Additional Bonds will preserve the primary sources for the payment thereof and for the security thereof as set forth in the Constitutional Provision. Notwithstanding any other provision of this Resolution to the contrary, the proceeds of any Additional Bonds may be used to pay the costs of issuance thereof and to fund any reserves required by the Board resolution authorizing the issuance of such bonds to the extent not otherwise provided for.

**Section 3.11 INTEREST RATE SWAP AGREEMENT.**

(a) To the extent permitted by applicable law and subject to the condition in subsection (d) set forth below, the Board expressly reserves the right to enter into one or more interest rate swap agreements in connection with its interest obligation on any Previously Issued Bonds, Bonds or Additional Bonds. In which event, (i) the net amounts payable by the Board under such interest rate swap agreement(s) shall be deemed to be interest on the Previously Issued Bonds, Bonds or Additional Bonds subject to such agreement for all purposes of the Board's resolutions authorizing such bonds and (ii) the net amounts received by the Board under such interest rate swap agreement(s) shall be deposited and applied in the same manner as repayments of student loans granted under the Act for all purposes of such resolutions.

## AGENDA ITEM VI-B

(b) Notwithstanding the provisions of subsection (a) set forth above, (i) money transferred to the Interest and Sinking Fund from the first money coming into the Treasury of the State pursuant to Section 3.05 of this Resolution (and similar provisions of the Board's resolutions authorizing Previously Issued Bonds and Additional Bonds), shall not be used to pay any amounts owed by the Board under an interest rate swap agreement and (ii) the Board shall separately account for such transferred money to the extent necessary to ensure that such money is not used to pay such amounts. To the extent that there are not sufficient funds in the Interest and Sinking Fund to pay the amounts owed by the Board under an interest rate swap agreement (as a result of the immediately preceding sentence or otherwise), the Board shall pay the deficiency from the Student Loan Auxiliary Fund.

(c) Notwithstanding the provisions of subsection (b) set forth above, the Board may pay the net amounts payable by the Board under an interest rate swap agreement from any lawfully available source, including from moneys transferred to the Interest and Sinking Fund from the first money coming into the Treasury of the State (as described above in subsection (b)(i)).

(d) As a condition to the Board's entering into an interest rate swap agreement pursuant to this Section 3.11, the Board must receive an opinion of its bond counsel to the effect that such action is permitted by law and is authorized pursuant to this Resolution and the Board's resolutions authorizing Previously Issued Bonds and Additional Bonds.

### **ARTICLE IV REDEMPTION OF BONDS BEFORE MATURITY**

#### **Section 4.01 LIMITATION ON REDEMPTION.**

The Bonds shall be subject to redemption prior to scheduled maturity only as provided in this Article IV and Exhibit A hereto.

#### **Section 4.02 OPTIONAL REDEMPTION.**

(a) On the date or dates, if any, specified in Exhibit A hereto (after completion and execution by the Commissioner or the Assistant Commissioner Financial Services/CFO, as authorized by Section 2.01 hereof), the Bonds may be redeemed prior to their scheduled maturities, at the option of the Board, with funds derived from any lawfully available source, as a whole or in part (provided that a portion of a Bond may be redeemed only in an Authorized Denomination), at the redemption prices specified in Exhibit A hereto. The Board shall determine the maturity or maturities of the Bonds, and the principal amount of Bonds within each maturity, to be redeemed. If less than all the Bonds of a maturity are to be redeemed, the particular Bonds to be redeemed shall be selected by the Paying Agent/Registrar by lot or other random method for redemption. The Board shall deliver notice to the Paying Agent/Registrar of its intention to redeem Bonds at least 35 days prior to the redemption date.

(b) The Board shall deposit an amount sufficient to pay the redemption price of the Bonds to be redeemed with the Paying Agent/Registrar. Such moneys shall be invested in obligations, having maturities which coincide with the redemption date, and bearing the highest rating of Moody's if such entity is then providing a rating with respect to the Bonds, and S&P, if such entity is then providing a rating with respect to the Bonds.

## AGENDA ITEM VI-B

### **Section 4.03 MANDATORY SINKING FUND REDEMPTION.**

The Bonds, if any, identified on Exhibit A hereto (after completion and execution by the Commissioner or the Assistant Commissioner Financial Services/CFO, as authorized by Section 2.01 hereof) shall be subject to mandatory sinking fund redemption prior to their scheduled maturities at the redemption prices, at the times and in the principal amounts shown on Exhibit A hereto. The principal amount of such Bonds required to be redeemed pursuant to the operation of such mandatory sinking fund redemption requirements may be reduced, at the option of the Board, by the principal amount of any such Bonds which, prior to the date of the mailing of notice of such mandatory redemption, shall have been (i) acquired by the Board and delivered to the Paying Agent/Registrar for cancellation, (ii) purchased and canceled by the Paying Agent/Registrar at the request of the Board, or (iii) redeemed pursuant to the optional redemption provisions described in Section 4.02(a) hereof and not theretofore credited against a mandatory sinking fund redemption requirement.

### **Section 4.04 PARTIAL REDEMPTION.**

(a) A portion of a single Bond of a denomination greater than an Authorized Denomination may be redeemed but only in a principal amount equal to an Authorized Denomination which will allow for the unredeemed portion thereof to remain in an Authorized Denomination. The Paying Agent/Registrar shall treat each minimum Authorized Denomination of such Bond as though it were a single Bond for purposes of selection for redemption.

(b) Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar shall authenticate and deliver an exchange Bond or Bonds in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

### **Section 4.05 NOTICE OF REDEMPTION.**

(a) The Paying Agent/Registrar shall cause notice of redemption of any Bond to be redeemed in whole or in part to be mailed by first-class mail to S&P and Moody's and to the Owner thereof at the address of the Owner appearing in the Register at least 30 days prior to the redemption date.

(b) The notice of redemption shall identify the Bonds to be redeemed, and shall specify the numbers thereof, the redemption date and the redemption price. The notice shall state that (i) on the redemption date the Bonds called for redemption will be payable at the designated office of the Paying Agent/Registrar, and (ii) on and after the redemption date interest will cease to accrue.

(c) Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice.

**Section 4.06 PAYMENT UPON REDEMPTION.** Upon presentation and surrender of any Bond called for redemption at the designated office of the Paying Agent/ Registrar on or after the date fixed for redemption, the Paying Agent/Registrar shall pay the principal of and accrued interest on such Bond to the date of redemption from the money provided for that purpose.

AGENDA ITEM VI-B

**Section 4.07 EFFECT OF REDEMPTION.**

(a) Notice of redemption having been given, and due provision having been made for payment, the Bonds or portions thereof called for redemption shall become due and payable on the date fixed for redemption; thereafter, such Bonds or portions thereof shall cease to bear interest from the date fixed for redemption, whether or not such Bonds are presented and surrendered for payment on such date.

(b) If the Board shall fail to make provision for the payment of all sums due on a redemption date, then any Bond or portion thereof called for redemption shall continue to bear interest until due provision is made with the Paying Agent/Registrar for the payment of same by the Board.

**ARTICLE V  
PAYING AGENT/REGISTRAR**

**Section 5.01 APPOINTMENT OF INITIAL PAYING AGENT/REGISTRAR.**

An Authorized Representative is hereby authorized to select an eligible entity to serve as Paying Agent/Registrar for the Bonds. The Paying Agent/Registrar shall signify its acceptance of the duties and obligations imposed on it hereunder by its execution of a Paying Agent/Registrar Agreement, which is hereby approved in substantially the form presented herewith. Each Authorized Representative is hereby severally authorized to approve any changes in the Paying Agent/Registrar Agreement and to execute and deliver the Paying Agent/Registrar Agreement in final form. The signature of any Authorized Representative may be attested by the Secretary of the Board. An Authorized Representative may determine to approve, execute and deliver a separate Paying Agent/Registrar Agreement with respect to each Series of Bonds issued under this Resolution.

**Section 5.02 QUALIFICATION.** Each Paying Agent/Registrar shall be a commercial bank, trust company organized under a law of the State, or other entity duly qualified and legally authorized to serve as and perform the duties and services of paying agent and registrar for the Bonds.

**Section 5.03 MAINTAINING PAYING AGENT/REGISTRAR.**

(a) At all times while any Bonds are Outstanding, the Board shall maintain a Paying Agent/Registrar that is qualified under Section 5.02 of this Resolution.

(b) If the Paying Agent/Registrar resigns or otherwise ceases to serve as such, the Board will promptly appoint a replacement.

**Section 5.04 TERMINATION.** The Board, upon not less than 30 days' notice to the Paying Agent/Registrar, reserves the right to terminate the appointment of any Paying Agent/Registrar by delivering written notice of such termination.

**Section 5.05 NOTICE OF CHANGE TO OWNERS.** Promptly upon each change in the entity serving as Paying Agent/Registrar, the Board will cause notice of the change to be sent to each Owner by first-class United States mail, postage prepaid, at the address shown in the

## AGENDA ITEM VI-B

Register, stating the effective date of the change and the name and mailing address of the replacement Paying Agent/Registrar.

**Section 5.06 AGREEMENT TO PERFORM DUTIES AND FUNCTIONS.** By accepting the appointment as Paying Agent/Registrar and executing a Paying Agent/Registrar Agreement with the Board in substantially the form presented herewith, the Paying Agent/Registrar is deemed to have agreed to the provisions of this Resolution and that it will perform the duties and functions of Paying Agent/Registrar prescribed thereby.

### **Section 5.07 DELIVERY OF RECORDS TO SUCCESSOR.**

If a Paying Agent/Registrar is replaced, such Paying Agent/Registrar, promptly upon the appointment of the successor, will deliver the Register (or a copy thereon) and all other pertinent books and records relating to the Bonds to the successor Paying Agent/Registrar.

## **ARTICLE VI FORM OF THE BONDS**

### **Section 6.01 FORM GENERALLY.**

(a) The Bonds, including the Registration Certificate of the Comptroller, the Certificate of the Paying Agent/Registrar and the Assignment form to appear on each of the Bonds, (i) shall be substantially in the form set forth in Exhibit B hereto, with such appropriate insertions, omissions, substitutions and other variations as are permitted or required by this Resolution, and (ii) may have such letters, numbers or other marks of identification and such legends and endorsements (including any reproduction of an opinion of counsel) thereon as, consistently herewith, may be determined by the Board or by the officers executing such Bonds, as evidenced by their execution thereof.

(b) The definitive Bonds shall be typewritten, photocopied or printed, and may be produced by any combination of these methods or produced in any other similar manner, all as determined by the officers executing such Bonds, as evidenced by their execution thereof.

(c) The Initial Bond of each Series submitted to the Attorney General of the State of Texas may be typewritten and photocopied or otherwise reproduced.

(d) The Initial Bond of each Series shall be in the form set forth in paragraph (a) of this Section, except for the following alterations:

(i) immediately under the name of the Bond, the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As Shown Below" and the reference to "CUSIP NO." shall be deleted; and

(ii) in the first paragraph of the Bond, the words "on the Maturity Date specified above, the sum of \_\_\_\_\_ DOLLARS" shall be deleted and the following will be inserted: "on each of the maturity dates, in the principal amounts and bearing interest at the per annum rates set forth in the following schedule:

AGENDA ITEM VI-B

<u>Maturity Date</u> (August 1)	<u>Principal Amount</u>	<u>Interest Rate"</u>
------------------------------------	-------------------------	-----------------------

(Information to be inserted from Exhibit A to be completed and attached hereto by the Commissioner or the Assistant Commissioner Financial Services/CFO as described in, and as authorized by, Section 2.01(b) of this Resolution.)

**Section 6.02 CUSIP REGISTRATION.**

The Board may secure identification numbers through the CUSIP Service Bureau Division of S&P, and may authorize the printing of such numbers on the face of the Bonds. It is expressly provided, however, that the presence or absence of CUSIP numbers on the Bonds shall be of no significance or effect as regards the legality thereof and neither the Board nor the attorneys approving said Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed on the Bonds.

**Section 6.03 LEGAL OPINION.**

The approving legal opinion of McCall, Parkhurst & Horton L.L.P., bond counsel, may accompany the Bonds, which may be executed in facsimile.

**Section 6.04 STATEMENT OF INSURANCE.**

A statement relating to the issuance of a municipal bond insurance policy issued for the Bonds, if any, may be printed on or attached to each Bond.

**ARTICLE VII  
APPROVAL OF OFFICIAL STATEMENT AND ESCROW AGREEMENT;  
AUTHORITY TO REFUND REFUNDED BONDS AND EXECUTE OTHER  
DOCUMENTS**

**Section 7.01 APPROVAL OF OFFICIAL STATEMENT.** The Preliminary Official Statement (the "Preliminary Official Statement"), substantially in the form presented to and considered at this meeting, with such changes as the Authorized Representatives may hereafter approve (including, but not limited to, any changes necessary to conform the Preliminary Official Statement and any related sale documents to the actual method of sale selected pursuant to Section 2.02(c) of this Resolution), is hereby in all respects approved, and each Authorized Representative is hereby severally authorized and directed to determine the date of sale of the Bonds, to deem the Preliminary Official Statement "final" for purposes of the Rule, to make or approve such changes in the Preliminary Official Statement as may be required to provide a final Official Statement (the "Official Statement"), and to execute the Official Statement and deliver appropriate numbers of executed copies thereof to the initial purchaser(s) of the Bonds to use in connection with the sale of the Bonds. An Authorized Representative may determine to prepare, approve, execute and deliver a separate Preliminary Official Statement and Official Statement with respect to separate Series of Bonds.

AGENDA ITEM VI-B

**Section 7.02 CONTROL AND DELIVERY OF BONDS; AUTHORITY TO EXECUTE ALL OTHER DOCUMENTS; APPROPRIATION OF FUNDS.**

(a) Each Authorized Representative is hereby severally authorized to have control of the Initial Bond of each Series and all necessary records and proceedings pertaining thereto pending investigation, examination, and approval of the Attorney General of the State, registration by the Comptroller, and registration with, and initial exchange or transfer by, the Paying Agent/Registrar. After registration by the Comptroller, delivery of the Bonds shall be made to the respective initial purchaser against receipt by the Board of all amounts due to the Board under the terms of sale.

(b) Each Authorized Representative shall be and is hereby expressly severally authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things, including publishing any required notices of public hearings and conducting any required public hearings, and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the Board all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution, the Bonds, the sale of the Bonds and the Preliminary Official Statement. Any such signature of an Authorized Representative may be attested by the Secretary of the Board.

(c) Each Authorized Representative is further authorized and directed, and there is hereby appropriated such moneys of the Board as are necessary, to (i) pay the costs of issuance of the Bonds to the extent not paid from Bond proceeds and (ii) make the deposits described in Section 7.03 hereof in amounts sufficient, together with Bond proceeds, to provide for the refunding of all or a portion of any Refunded Bonds.

**Section 7.03 REDEMPTION OF CERTAIN REFUNDED BONDS; APPROVAL OF ESCROW AGREEMENT.**

(a) Subject to the determination by the Commissioner or the Assistant Commissioner Financial Services/CFO of the particular bonds that shall constitute the Refunded Bonds, the Board irrevocably calls the Refunded Bonds for redemption prior to maturity on the first optional redemption date following delivery of the Series of Bonds issued to refund such Refunded Bonds, for which all of the notice requirements for redemption can reasonably be met, at a redemption price of par (plus accrued interest to the date fixed for redemption). Each Authorized Representative is hereby severally authorized to provide for notice of such redemption to be given in accordance with the resolution(s) of the Board authorizing such Refunded Bonds.

(b) Concurrently with the initial delivery of each Series of Bonds issued to refund any Refunded Bonds, the Board shall deposit all or a portion of the proceeds from the sale of any such Series of Bonds, in the amount set forth in the Escrow Agreement for such Refunded Bonds, together with other available funds of the Board, if required, with the Escrow Agent aggregating an amount together with investment earnings thereon, if any, sufficient to provide for the refunding of the respective Refunded Bonds identified in such Escrow Agreement, all in accordance with Chapter 1207. The Escrow Agreement is hereby approved in substantially the form presented herewith. Each Authorized Representative is hereby severally authorized, to approve any changes in the Escrow Agreement and to execute and deliver the Escrow Agreement in final form. An Authorized Representative is hereby authorized to select an eligible entity to

## AGENDA ITEM VI-B

serve as Escrow Agent and may approve, execute and deliver one or more Escrow Agreement(s) with any such Escrow Agent.

(c) To assure the purchase of the "Escrowed Securities" referred to in the Escrow Agreement for the Refunded Bonds, each Authorized Representative is hereby severally authorized to subscribe for, agree to purchase and purchase eligible defeasance securities authorized in the resolution(s) of the Board authorizing the Refunded Bonds, in such amounts and maturities and bearing interest at such rates as may be provided for in such Escrow Agreement, and to execute any and all subscriptions, purchase agreements, commitments, letters of authorization and other documents necessary to effectuate the foregoing, and is authorized to create and fund the "Escrow Fund" contemplated by such Escrow Agreement through the use of the proceeds of the Series of Bonds issued to refund the Refunded Bonds, the moneys and investments held in the fund securing the Refunded Bonds, and other lawfully available moneys of the Board.

(d) To satisfy in a timely manner all of the Board's obligations under this Resolution and the Escrow Agreement(s), each Authorized Representative is hereby severally authorized and directed for and on behalf of the Board to take all other actions that are reasonably necessary to provide for the refunding of the Refunded Bonds including, without limitation, executing and delivering for and on behalf of the Board all certificates, consents, receipts, requests and other documents as may be reasonably necessary to satisfy the Board's obligations under the Escrow Agreement(s) and this Resolution and to direct the transfer and application of funds of the Board consistent with the provisions of the Escrow Agreement(s) and this Resolution.

### **ARTICLE VIII PARTICULAR REPRESENTATIONS AND COVENANTS**

**Section 8.01 PAYMENT OF THE BONDS.** On or before each Interest Payment Date for the Bonds, there shall be made available to the Paying Agent/Registrar, out of the Interest and Sinking Fund, money sufficient to pay such principal of, redemption premium, if any, and interest on the Bonds as will accrue or mature on the applicable Interest Payment Date or date of prior redemption.

**Section 8.02 OTHER REPRESENTATIONS AND COVENANTS.**

(a) The Board will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in this Resolution and in each Bond; the Board will promptly pay or cause to be paid the principal of, redemption premium, if any, and interest on each Bond on the dates and at the places and manner prescribed in such Bond; and the Board will, at the times and in the manner prescribed by this Resolution, deposit or cause to be deposited the amounts of money specified by this Resolution.

(b) The Board is duly authorized under the laws of the State to issue the Bonds; all action on its part for the creation and issuance of the Bonds has been duly and effectively taken; and the Bonds in the hands of the Owners thereof are and will be valid and enforceable obligations of the Board in accordance with their terms.

AGENDA ITEM VI-B

**Section 8.03 COVENANTS REGARDING TAX EXEMPTION.** The Board intends that the interest on the Bonds will be excludable from gross income for federal income tax purposes pursuant to sections 103 and 141 through 150 of the Code. The Board covenants and agrees not to take any action, or omit to take any action within its control, that if taken or omitted, respectively, would cause the interest on the Bonds to be includable in gross income, as defined in section 61 of the Code, for federal income tax purposes. In particular, the Board covenants and agrees to comply with each requirement of this Section 8.03; provided, however, that the Board will not be required to comply with any particular requirement of this Section 8.03 if the Board has received an opinion of nationally recognized bond counsel ("Counsel's Opinion") that (i) such noncompliance will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds or (ii) compliance with some other requirement set forth in this Section 8.03 will satisfy the applicable requirements of the Code, in which case compliance with such other requirement specified in such Counsel's Opinion will constitute compliance with the corresponding requirement specified in this Section 8.03 for federal income tax purposes. In particular, but not by way of limitation thereon, the Board covenants as follows:

(a) to use the proceeds of the Bonds in a manner such that the Bonds constitute "qualified student loan bonds" within the meaning of section 144(b) of the Code. To that end, the Board hereby covenants that the student loans made from the Student Loan Auxiliary Fund constitute a program or programs described in section 144(b)(1) of the Code because such program or programs either (i) meet the requirements of section 144(b)(1)(A) of the Code, or (ii) meet the requirements of section 144(b)(1)(B) of the Code in that such program is of general application, approved by the State, and no loan under such program exceeds the difference between the total cost of attendance and other forms of assistance (with certain statutory exceptions) for which the student borrower may be eligible;

(b) to take such action to assure that at least 95 percent of the net proceeds (as defined in section 150 of the Code) of the Bonds, and any Refunded Bonds, are used (or have been used) to make loans to students who either are -

- (1) residents of the State; or
- (2) enrolled at an educational institution located in the State.

Except to the extent of the foregoing, the Board shall not permit any discrimination in the making of the loans described in section 144(b)(1)(A) of the Code based on geographic location or educational institution;

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

(d) to refrain from taking any action that would cause the Bonds to be "advance refunding" bonds within the meaning of section 149(d) of the Code or "hedge bonds" within the meaning of section 149(g) of the Code and the applicable Regulations thereunder;

## AGENDA ITEM VI-B

(e) to make such use of the proceeds of the Bonds, including interest or other investment income derived from Bond proceeds, regulate investments of proceeds of the Bonds, and take such other and further action as may be required so that the Bonds will not be "arbitrage bonds" within the meaning of section 148(a) of the Code. Moreover, the Board will certify, through an authorized officer, employee or agent, based upon all facts and estimates known or reasonably expected to be in existence on the date the Bonds are delivered, that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of section 148(a) of the Code;

(f) to take such action including, but not limited to, making yield reduction payments in accordance with Section 1.148-5 of the Treasury Regulations, as is necessary to ensure that the yield on the loans to students financed with the proceeds of the Bonds will not exceed the yield on the Bonds by more than two percentage points, as more fully set forth in section 1.148-2 of the Treasury Regulations;

(g) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, to satisfy the requirements of section 148 of the Code (relating to arbitrage);

(h) to rebate to the United States of America, as required by section 148(f) of the Code, (1) at least once every five-year period (beginning on the date of delivery of the Bonds) 90% of, and (2) within 60 days of the date on which the Bonds have been paid in full 100% of, the earnings received by the Board from the investment of the gross proceeds in obligations or securities, other than loans made to students, which have a yield in excess of the yield on the Bonds;

(i) to use no more than two percent of the proceeds of the Bonds within the meaning of section 147(g) of the Code for the payment of costs of issuance;

(j) to use no portion of the proceeds of the Bonds to provide any airplane, sky-box or other private luxury box, health club facility, facility primarily used for gambling or store the principal business of which is the sale of alcoholic beverages for consumption off premises;

(k) no person or any related person, as defined in section 147(a)(2) of the Code, from whom the Board may acquire student loans shall, pursuant to any arrangement, formal or informal, purchase the Bonds in an amount related to the amount of the student loans to be acquired under the Program from such person by the Board; and

(l) to account for the expenditure of sale proceeds and investment earnings to be used for the purposes described in this Resolution on its books and records in accordance with the requirements of the Internal Revenue 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 date that the expenditure is made. The foregoing notwithstanding, the Board recognizes that in order for proceeds to be expended under the Internal Revenue 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 Bonds, or (2) the date the Bonds are retired. The Board agrees to obtain the advice of nationally-recognized 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 Bonds. For purposes hereof, the Board shall

## AGENDA ITEM VI-B

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; and

(m) to retain all pertinent and material records relating to the use and expenditure of the proceeds of the Bonds until six years after the last Bond is redeemed, or such shorter period as authorized by subsequent guidance issued by the Department of Treasury, if applicable. All records will be kept in a manner that ensures their complete access throughout the retention period. For this purpose, it is acceptable that such records are kept either as hardcopy books and records or in an electronic storage and retrieval system, provided that such electronic system includes reasonable controls and quality assurance programs that assure the ability of the Board to retrieve and reproduce such books and records in the event of an examination of the Bonds by the Internal Revenue Service.

Prior to the issuance of future tax-exempt College Student Loan Bonds, including any Bonds issued for the purpose of making additional student loans, the Board expects to fund student loans made under the Act from lawfully available sources other than from proceeds of College Student Loan Bonds. The Board finds, considers, and declares that the reimbursement of the Board for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Board and, as such, hereby chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues tax-exempt College Student Loan Bonds, including any Bonds issued for the purpose of making additional student loans. The Board reasonably expects to issue Bonds under this Resolution, in one or more series, with an aggregate maximum principal amount not to exceed the amount set forth in Section 2.01(a) of this Resolution for the purpose of making additional student loans and paying all or a portion of the costs of issuing the Bonds. All costs to be reimbursed as contemplated by this subsection will be used to fund student loans made by the Board under the Act. No tax-exempt College Student Loan Bonds, including the Bonds, will be issued to reimburse the Board for the funding of a student loan made under the Act as contemplated by this subsection after a date which is later than 18 months after the date such loan is made. No proceeds of tax-exempt College Student Loan Bonds, including the Bonds, will be used as contemplated by this subsection to reimburse costs previously paid with the proceeds of other College Student Loan Bonds issued by the Board.

It is the understanding of the Board that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. The Board acknowledges its execution and receipt of the "Federal Tax Certificate," which the Board understands is in furtherance of the covenants contained in this section. The Board agrees, subject to any changes made pursuant to this paragraph, to comply with the Federal Tax Certificate as if such instructions were included herein. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Bonds, the Board will not be required to comply with any covenants contained herein to the extent that such modification or expansion, in the opinion of nationally-recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bonds, the Board agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the

## AGENDA ITEM VI-B

exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In furtherance of such intention, the Board hereby authorizes and directs any Authorized Representative to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Board, which may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

In order to facilitate compliance with the covenants set forth above and with the requirements of Section 148 of the Code, an Excess Earnings Account and a Rebate Account may be established in the Student Loan Auxiliary Fund by the Board for the sole benefit of the United States of America, and such accounts shall not be subject to the claim of any other person, including without limitation, the Owners. Funds may be deposited into, and withdrawn from, the Excess Earnings Account and the Rebate Account as set forth in the Federal Tax Certificate.

Notwithstanding any other provision of this Resolution to the contrary, the Board's obligations under the covenants and provisions of this Section 8.03 will survive the defeasance and discharge of the Bonds.

### **Section 8.04 NOTICES TO S&P AND MOODY'S.**

The Board covenants that it will give prior written notice to S&P and Moody's of (i) any amendment to this Resolution, or (ii) the redemption of all of the Outstanding Bonds of any Series. Unless notified by S&P or Moody's otherwise, such notices shall be sent to the following addresses:

S&P Global Ratings  
55 Water Street  
38th Floor  
New York, NY 10041

Attn: Municipal Structured Surveillance

Moody's Investors Service  
7 World Trade Center  
250 Greenwich Street  
New York, NY 10007

Attn: Public Finance

## **ARTICLE IX DEFAULT AND REMEDIES**

### **Section 9.01 EVENTS OF DEFAULT.**

Each of the following occurrences or events for the purpose of this Resolution is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of, redemption premium, if any, or interest on any of the Bonds when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement, or obligation of the Board, which default materially and adversely affects the rights of the Owners, including but not limited to their prospect or ability to be repaid in accordance with this Resolution, and the continuation thereof for a period of 60 days after notice of such default is given by any Owner to the Board.

AGENDA ITEM VI-B

**Section 9.02 REMEDIES FOR DEFAULT.**

(a) Upon the happening of any Event of Default, any Owner or an authorized representative thereof, including but not limited to, a trustee or trustees therefor, may proceed against the Board for the purpose of protecting and enforcing the rights of the Owners under this Resolution by mandamus or other suit, action or special proceeding in equity or at law in any court of competent jurisdiction for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Owners hereunder or any combination of such remedies.

(b) All such proceedings shall be instituted and maintained for the equal benefit of all Owners of Bonds then Outstanding.

**Section 9.03 REMEDIES NOT EXCLUSIVE.**

(a) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Resolution.

(b) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

**ARTICLE X  
DISCHARGE**

**Section 10.01 DEFEASANCE OF BONDS.**(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer Outstanding (a "Defeased Bond") within the meaning of this Resolution, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities (hereinafter defined) that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Board with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the funds on deposit in the Interest and Sinking Fund provided in this Resolution, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Resolution to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment

## AGENDA ITEM VI-B

arrangements, the Board expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Board be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Board, or deposited as directed in writing by the Board. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Board or deposited as directed in writing by the Board.

(c) The term "Defeasance Securities" means (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the Board adopts or approves the proceedings authorizing the financial arrangements, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the Board adopts or approves the proceedings authorizing the financial arrangements, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iv) any other then authorized securities or obligations under applicable State law in existence on the date the Board adopts or approves any proceedings authorizing the financial arrangements that may be used to defease obligations such as the Bonds. The foregoing notwithstanding, the Commissioner or the Assistant Commissioner Financial Services/CFO may elect when establishing the terms of the Bonds pursuant to Exhibit A hereto to modify the definition of "Defeasance Securities" by eliminating any securities or obligations set forth in the preceding sentence upon determining that it is in the best interests of the Board to do so.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Board shall make proper arrangements to provide and pay for such services as required by this Resolution.

(e) In the event that the Board elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

(f) Notwithstanding the provisions of this Section 10.01 to the contrary, (i) the Board may provide for the irrevocable deposit required by this Section 10.01 to be made with the

## AGENDA ITEM VI-B

Paying Agent/Registrar or with any other eligible bank or trust company then authorized by State law, and (ii) the Board may reserve the right to call any Defeased Bonds for redemption to the extent permitted and in the manner required by law.

### **ARTICLE XI CONTINUING DISCLOSURE UNDERTAKING**

**Section 11.01 ANNUAL REPORTS.** The Board shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within six months after the end of each Fiscal Year, financial information and operating data with respect to the Board of the general type included in the final Official Statement authorized by this Resolution being the information described in Exhibit C hereto, together with audited financial statements of the Board for such Fiscal Year if the Board commissions an audit of such statements and the audit is completed within the period during which they must be provided; provided, however, if the Board commissions an audit of such statements and the audit is not completed within the period during which they must be provided, such audited financial statements shall be delivered to the MSRB, in an electronic format as prescribed by the MSRB, when and if they become available. Any financial information or audited financial statements so to be provided shall be prepared in accordance with generally accepted accounting principles for governmental entities or such other accounting principles as the Board may be required to employ from time to time pursuant to State law or regulations.

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

The financial information and operating data to be provided pursuant to this section may be set forth in full in one or more documents or may be included by specific reference to any document available to the public on the MSRB's Internet web site or filed with the SEC.

#### **Section 11.02 EVENT NOTICES.**

As used in this Section 11.02, the term "obligated person" shall mean any person, including the Board, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all or part of the obligations on the Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities). The Board shall notify the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of ten (10) business days after the occurrence of the event, of any of the following events with respect to the Bonds:

1. principal and interest payment delinquencies;
2. non-payment related defaults, if material;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on credit enhancements reflecting financial difficulties;
5. substitution of credit or liquidity providers, or their failure to perform;

## AGENDA ITEM VI-B

6. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. modifications to rights of the holders of the Bonds, if material;
8. bond calls, if material, and tender offers;
9. defeasances;
10. release, substitution, or sale of property securing repayment of the Bonds, if material;
11. rating changes;
12. bankruptcy, insolvency, receivership or similar event of the obligated person;

Note to paragraph 12: For the purposes of the event identified in paragraph 12 of this Section 11.02, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

13. the consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

14. appointment of a successor or additional trustee or the change of name of a trustee, if material;

15. incurrence of a Financial Obligation of the Board, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Board, any of which affect security holders, if material; and

16. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Board, any of which reflect financial difficulties.

Notes to paragraphs 15 and 16: For the purposes of the events identified in paragraphs 15 and 16 of this Section 11.02, the Board intends the words used in such paragraphs and the definition of Financial Obligation in this Resolution to have the same meanings as when they are used in the Rule, as evidenced by SEC Release No. 34-83885, dated August 20, 2018.

## AGENDA ITEM VI-B

In addition, the Board shall notify the MSRB, in a timely manner, of any failure by the Board to provide financial information or operating data in accordance with Section 11.01 hereof by the time required by such Section.

**Section 11.03 LIMITATIONS, DISCLAIMERS AND AMENDMENTS.** The Board shall be obligated to observe and perform the covenants specified in this Article for so long as, but only for so long as, the Board remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the Board in any event will give notice required by paragraphs 8 and 9 of Section 11.02 above of any Bond calls and defeasances that cause the Board to be no longer such an "obligated person".

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

UNDER NO CIRCUMSTANCES SHALL THE BOARD BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE BOARD, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS ARTICLE XI, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the Board in observing or performing its obligations under this Article shall comprise a breach of or default under the Resolution for purposes of any other provision of this Resolution.

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

The provisions of this Article may be amended by the Board from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law or a change in the identity, nature, status, or type of operations of the Board, but only if (1) the provisions of this Article, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the Owners of a majority in aggregate principal amount (or any greater amount required by another provision of this Resolution that authorizes such an amendment) of the Outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the Board (such as nationally recognized bond counsel) determined that such

## AGENDA ITEM VI-B

amendment will not materially impair the interest of the Owners and Beneficial Owners of the Bonds. If the Board so amends the provisions of this Article, it shall include with any amended financial information or operating data next provided in accordance with paragraph (a) of this Article an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The Board may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds.

### **ARTICLE XII AMENDMENTS OF AND SUPPLEMENTS TO RESOLUTION**

#### **Section 12.01 WITHOUT CONSENT OF OWNERS.**

Without notice to or the consent of any Owner, the Board may, at any time, amend this Resolution to cure any ambiguity or cure, correct or supplement any defective or inconsistent provision contained in this Resolution or make any other change that does not in the opinion of bond counsel for the Board, in any respect, materially and adversely affect the interests of the Owners. Without limiting the foregoing, the Board may amend or supplement this Resolution without notice to or the consent of any Owner:

(a) to modify this Resolution or the Bonds to permit qualification under the Trust Indenture Act of 1939, as amended, or any similar federal statute at the time in effect, or to permit the qualification of the Bonds for sale under the securities laws of any state of the United States;

(b) to authorize different authorized denominations of the Bonds and to make correlative amendments and modifications to this Resolution regarding exchangeability of Bonds of different authorized denominations, redemptions of portions of Bonds of particular authorized denominations and similar amendments and modifications of a technical nature;

(c) to increase or decrease the number of days specified for the giving of notices in Article IV and to make corresponding changes to the period for notice of redemption of the Bonds provided that no decreases in any such number of days shall become effective until 30 days after the Paying Agent/Registrar has given notice to the Owners of the Bonds; or

(d) to provide for an uncertificated system of registering the Bonds or to provide for the change to or from a Book-Entry System for the Bonds.

**Section 12.02 WITH CONSENT OF OWNERS.** If an amendment of or supplement to this Resolution or the Bonds without any consent of Owners is not permitted by the preceding Section, the Board may enter into such amendment or supplement without prior notice to any Owners but with the consent of the Owners of at least a majority in principal amount of all the Bonds then Outstanding under this Resolution. However, nothing herein contained shall permit or be construed to permit the amendment of, without the consent of each Owner affected thereby, or supplement to the terms and conditions in this Resolution, so as to:

## AGENDA ITEM VI-B

- (a) change the sinking fund requirements, if any, Interest Payment Dates or the maturity or maturities of the Outstanding Bonds;
- (b) reduce the rate of interest borne by any of the Outstanding Bonds;
- (c) reduce the amount of the principal or purchase price of or premium, if any, payable on the Outstanding Bonds;
- (d) modify the terms of payment of principal or purchase price of, premium, if any, or interest on the Outstanding Bonds, or impose any conditions with respect to such payments;
- (e) affect the rights of the Owners of fewer than all of the Outstanding Bonds; or
- (f) decrease the minimum percentage of the principal amount of Outstanding Bonds necessary for consent to any such amendment.

In addition, if moneys or investments have been deposited or set aside with the Paying Agent/Registrar pursuant to Article X for the payment of Bonds and those Bonds shall not have in fact been actually paid in full, no amendment to the provisions of that Article shall be made without the consent of the Owner of each of those Bonds affected.

**Section 12.03 EFFECT OF CONSENTS.** Any consent received pursuant to Section 12.02 will bind each Owner delivering such consent and each subsequent Owner of a Bond or portion of a Bond evidencing the same debt as the consenting Owner's Bond.

**Section 12.04 NOTATION ON OR EXCHANGE OF BONDS.** If an amendment or supplement changes the terms of a Bond, the Paying Agent/Registrar may require the Owner to deliver it to the Paying Agent/Registrar. The Paying Agent/Registrar may place an appropriate notation on the Bond about the changed terms and return it to the Owner. Alternatively, if the Paying Agent/Registrar and the Board determine, the Board in exchange for the Bond will issue and the Paying Agent/Registrar will authenticate a new Bond that reflects the changed terms.

**Section 12.05 NOTICE TO OWNERS.** The Paying Agent/Registrar shall cause notice of the execution of each supplement or amendment to this Resolution to be mailed to the Owners. The notice will at the option of the Paying Agent/Registrar, either (i) briefly state the nature of the amendment or supplement and that copies of it are on file with the Paying Agent/Registrar for inspection by Owners or (ii) enclose a copy of such amendment or supplement.

**Section 12.06 TECHNICAL AMENDMENTS.** Each Authorized Representative, the General Counsel to the Board and Bond Counsel are hereby authorized to approve, subsequent to the date of the adoption of this Resolution, any technical amendments to this Resolution as may be required by any bond rating agency as a condition to the granting of a rating on the Bonds, as may be required by the office of the Texas Attorney General as a condition to the approval of the Bonds and as may be required to assist the initial purchaser(s) of the Bonds in complying with the Rule.

**ARTICLE XIII  
MISCELLANEOUS**

**Section 13.01 AUTHORIZATION FOR PRIVATE ACTIVITY BOND ALLOCATION AND ASSIGNMENT OF UNENCUMBERED STATE CEILING.**

(a) In order to assure that sufficient amounts will be available under the State ceiling for allocation of private activity bonds for the Bonds, to the extent necessary, the Board hereby authorizes and delegates to each Authorized Representative the authority to submit one or more appropriate applications or requests to the Texas Bond Review Board for the purpose of obtaining one or more certificates of reservation for a portion of the State's allocation for private activity bonds for one or more eligible program years in any eligible category and amount pursuant to the terms of Chapter 1372, Texas Government Code, as amended, and the rules and regulations of the Texas Bond Review Board.

(b) Each Authorized Representative is hereby further authorized to prepare, execute and submit one or more appropriate applications, or applications for carryforward, to the Texas Bond Review Board for the purpose of preserving any such allocation determined by such Authorized Representative to be necessary to issue the Bonds. The Board further authorizes each Authorized Representative to re-submit an application for obtaining a portion of the State's allocation for private activity bonds that was withdrawn so long as such application is re-submitted within the current or following program year.

(c) Each Authorized Representative is further authorized to prepare, execute and submit one or more requests to the Texas Bond Review Board for assignment as carryforward to the Board in an aggregate amount not to exceed \$350,000,000 of any unencumbered state ceiling for the year 2021 pursuant to the terms of Chapter 1372, Texas Government Code, as amended, including Section 1372.03 thereof, and the rules and regulations of the Texas Bond Review Board.

**Section 13.02 AUTHORIZED TRANSFERS OF FUNDS.**

(a) The Board hereby expressly authorizes the Commissioner, acting for and on behalf of the Board, to approve from time to time and at any time the transfer of moneys (i) between the TOP Fund and the Student Loan Auxiliary Fund, (ii) among the separate accounts established within the TOP Fund and (iii) among the separate accounts established within the Student Loan Auxiliary Fund, if the Commissioner determines that any such transfer will enable the Board to loan such moneys to students or otherwise utilize such moneys in a more efficient and economical manner; provided that, for any such transfer among the separate accounts within the Student Loan Auxiliary Fund or out of the Student Loan Auxiliary Fund to the TOP Fund, the Commissioner shall obtain advice from the Board's bond counsel to the effect that such transfer will not adversely effect the exclusion from gross income of interest on any outstanding College Student Loan Bonds for federal income tax purposes under existing law.

(b) The Board hereby finds and determines that each such transfer authorized by subsection (a) hereof is necessary to administer the TOP Fund or the Student Loan Auxiliary Fund, as applicable. Upon making any such transfer, an Authorized Representative shall document the reason for the transfer in the accounting of the applicable fund.

**Section 13.03 PAYMENT OF ATTORNEY GENERAL FEE.**

The Board hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each Series of the Bonds or (ii) \$9,500 per Series, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code; provided that the Board also authorizes the disbursement of such other amounts as may be necessary to comply with any future amendments to Section 1202.004 of the Texas Government Code, or other similar statutory provision, applicable to a Series of the Bonds. Each Authorized Representative is hereby instructed to take the necessary measures to make such payments. The Board is also authorized to reimburse the appropriate funds for such payment from proceeds of the Bonds.

[Remainder of this page intentionally left blank.]

AGENDA ITEM VI-B

**ADOPTED AND APPROVED THIS 21ST DAY OF OCTOBER, 2021.**

\_\_\_\_\_  
Secretary,  
Texas Higher Education Coordinating Board

\_\_\_\_\_  
Chair,  
Texas Higher Education Coordinating Board

(Seal)

\* \* \* \* \*

[SIGNATURE PAGE TO BOND RESOLUTION]

**EXHIBIT A**

**FINAL TERMS OF THE BONDS**

[Note: All capitalized terms used in this Exhibit A which are not otherwise defined herein shall have the same meanings as set forth in the resolution approved on October 21, 2021 (the "Bond Resolution") by the Texas Higher Education Coordinating Board which authorized the issuance of the Bonds.]

- (A) As provided in Section 2.01(b) of the Bond Resolution, the State of Texas College Student Loan [Refunding][and Refunding]<sup>1</sup> Bonds, Series 20[ ]<sup>2</sup> (the "Bonds") which are authorized to be issued pursuant to the Bond Resolution, shall be dated \_\_\_\_\_, 202\_\_ and shall be issued in the aggregate principal amount of \$\_\_\_\_\_,000, to be used to \_\_\_\_\_.<sup>3</sup>
- (B) The Bonds shall (i) mature on each of the dates and in the respective principal amounts, and (ii) bear interest from the Issuance Date to their respective date of maturity or prior redemption at the respective interest rates, all as set forth below:

<b>MATURITY DATE (AUGUST 1)</b>	<b>PRINCIPAL AMOUNT</b>	<b>INTEREST RATE</b>	<b>MATURITY DATE (AUGUST 1)</b>	<b>PRINCIPAL AMOUNT</b>	<b>INTEREST RATE</b>

<sup>1</sup> Select and include appropriate bracketed language, if necessary, depending on whether the Series of Bonds is being issued to make student loans *and* refund the Refunded Bonds, or solely to refund the Refunded Bonds.

<sup>2</sup> Unless otherwise determined by an Authorized Representative, use the year in which the Bonds are issued and include Series letter designation if two or more Series of Bonds are issued.

<sup>3</sup> Complete depending upon whether the Series of Bonds is being issued to make student loans, to make student loans and refund Refunded Bonds or to refund Refunded Bonds.

AGENDA ITEM VI-B

(C) As provided in Section 2.02(b) of the Bond Resolution, interest on the Bonds shall be payable on each Interest Payment Date, commencing \_\_\_\_\_, 20\_\_\_\_, until its maturity or prior redemption.

(D) [\_\_\_\_\_ ("\_\_\_\_") has been designated as the senior managing Underwriter for the Bonds. \_\_\_\_\_ and the other Underwriters listed in the Bond Purchase Contract are included in the listing of investment banking firms that was previously approved by the Board. The Bonds shall be sold to the Underwriters pursuant to the Bond Purchase Contract at the prices specified therein. The aggregate price to be paid by the Underwriters for the Bonds is in excess of 95% of the aggregate principal amount thereof and none of the Bonds bear interest at a rate in excess of the Maximum Rate.]<sup>4</sup>

[As a result of competitive sale held on \_\_\_\_\_, 202\_\_\_\_, the firm of \_\_\_\_\_ (the "Purchaser") submitted the bid having the lowest true interest cost on the Bonds. Therefore, the Bonds shall be sold to and purchased by the Purchaser at a price equal to \$ \_\_\_\_\_, with no accrued interest. The aggregate price to be paid by the Purchaser for the Bonds is in excess of 95% of the aggregate principal amount thereof and none of the Bonds bear interest at a rate in excess of the Maximum Rate.]<sup>5</sup>

(E) [Optional Redemption. On \_\_\_\_\_, or on any date thereafter, the Bonds may be redeemed prior to their scheduled maturities, at the option of the Board, with funds derived from any lawfully available source, as a whole or in part (provided that a portion of a Bond may be redeemed only in an Authorized Denomination), at a redemption price of \_\_\_\_% of the principal amount thereof called for redemption, plus accrued interest thereon to the date fixed for redemption. The Board shall determine the maturity or maturities, and the principal amount of Bonds within each maturity, to be redeemed. If less than all Bonds of a maturity are to be redeemed, the particular Bonds to be redeemed shall be selected by the Paying Agent/Registrar by lot or other random method for redemption.]

[Mandatory Sinking Fund Redemption. The Bonds maturing on \_\_\_\_\_ and \_\_\_\_\_ are subject to mandatory sinking fund redemption prior to maturity at a price equal to \_\_\_\_% of the principal amount thereof plus accrued interest to the date fixed for redemption, on \_\_\_\_\_ 1 in the years and in the principal amounts shown below:

<b>BONDS MATURING AUGUST 1, _____</b>		<b>BONDS MATURING AUGUST 1, _____</b>	
<u>REDEMPTION DATE</u>	<u>PRINCIPAL AMOUNT</u>	<u>REDEMPTION DATE</u>	<u>PRINCIPAL AMOUNT</u>
August 1, 20____	\$ _____	August 1, 20____	\$ _____
August 1, 20____	_____	August 1, 20____	_____
August 1, 20____ (maturity)	_____	August 1, 20____	_____

<sup>4</sup> Complete for Bonds sold by negotiated sale.  
<sup>5</sup> Complete for Bonds sold by competitive bid.

AGENDA ITEM VI-B

\_\_\_\_\_, 1, \_\_\_\_ (maturity) \_\_\_\_\_

The principal amount of such Bonds required to be redeemed pursuant to the operation of such mandatory sinking fund redemption requirements may be reduced, at the option of the Board, by the principal amount of any such Bonds which, prior to the date of the mailing of notice of such mandatory redemption, shall have been (i) acquired by the Board and delivered to the Paying Agent/Registrar for cancellation, (ii) purchased and canceled by the Paying Agent/Registrar at the request of the Board, or (iii) redeemed pursuant to the optional redemption provisions described above and not theretofore credited against a mandatory sinking fund redemption requirement.]

[The Bonds are not subject to redemption prior to their scheduled maturities.]<sup>6</sup>

- (F) All other terms of the Bonds shall be as set forth in the Bond Resolution.
- (G) [The Refunded Bonds are identified on Schedule I hereto, and the present value savings requirement of Section 2.01(b) of the Bond Resolution (which present value savings, as calculated by the Board's financial advisor, is approximately equal to \_\_\_\_\_%) has been satisfied. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ is hereby appointed to serve as Escrow Agent for the Refunded Bonds.]<sup>7</sup>
- (H) In consultation with, and reliance upon the advice of the Board's Financial Advisor, I hereby find that the terms and sale are the most advantageous reasonably available on the date and time of the pricing of the Bonds given the then existing market conditions and the stated terms of sale on such date and time.
- (I) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ is hereby appointed to serve as Paying Agent/Registrar for the Bonds.

---

<sup>6</sup> Redemption provisions to be updated to match the applicable redemption terms of the Bonds as established by an Authorized Representative

<sup>7</sup> Include and complete only if the Series of Bonds is being issued to refund Refunded Bonds.

**SCHEDULE I**<sup>8</sup>  
**REFUNDED BONDS**

STATE OF TEXAS  
COLLEGE STUDENT LOAN BONDS, SERIES 2012

Maturity Date    Principal Amount    Redemption Date

---

<sup>8</sup> Include and complete only if the Series of Bonds is being issued to refund Refunded Bonds.

AGENDA ITEM VI-B

**APPROVED BY THE TEXAS HIGHER EDUCATION COORDINATING BOARD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 202\_ IN ACCORDANCE WITH SECTION 2.01(b) OF THE BOND RESOLUTION.**

\_\_\_\_\_  
TEXAS HIGHER EDUCATION COORDINATING BOARD

TITLE: \_\_\_\_\_

**EXHIBIT B**

**I. FORM OF BOND**

No. \_\_\_\_\_

\$ \_\_\_\_\_

CUSIP NO. \_\_\_\_\_

**UNITED STATES OF AMERICA  
STATE OF TEXAS  
COLLEGE STUDENT LOAN [AND REFUNDING] [REFUNDING]<sup>1</sup> BOND,  
SERIES 201[\_\_\_]<sup>2</sup>**

**INTEREST  
RATE**

**MATURITY  
DATE**

**DATED  
DATE**

\_\_\_\_\_%

August 1, 20\_\_

\_\_\_\_\_, 202\_\_

The **STATE OF TEXAS**, acting through the **TEXAS HIGHER EDUCATION COORDINATING BOARD** (the "Board"), for value received, hereby promises to pay to

\_\_\_\_\_

or registered assigns, on the Maturity Date specified above, the sum of

\_\_\_\_\_ **DOLLARS**

and to pay interest on such principal amount on each Interest Payment Date (as defined herein) from the later of the Issuance Date (as defined in the hereinafter defined Resolution) or the most recent Interest Payment Date to which interest has been paid or provided for. The Dated Date of this Bond is \_\_\_\_\_, 202\_\_, but interest shall accrue from the Issuance Date.

Capitalized terms used herein and not otherwise defined shall have the meanings assigned thereto in the resolution of the Board adopted on October 21, 2021, pursuant to which the Bonds (as defined herein) are issued (the "Resolution"). In the event of a conflict between the provisions of this Bond and the Resolution, the Resolution shall control.

Interest on this Bond is payable to the registered owner hereof by check, dated as of the Interest Payment Date, and sent by first-class mail, postage prepaid, by the Paying Agent/Registrar to each Owner at the address shown on the Register or by such other customary banking arrangement, such as by wire transfer, acceptable to the Paying Agent/Registrar at the request of and at the risk and expense of the Owner. The principal hereof is payable upon

<sup>1</sup> Select and include appropriate bracketed language, if necessary, depending on whether the Series of Bonds is being issued to make student loans *and* refund the Refunded Bonds, or solely to refund the Refunded Bonds.

<sup>2</sup> Include Series letter designation if two or more Series of Bonds are issued pursuant to the Resolution.

## AGENDA ITEM VI-B

presentation and surrender of this Bond at the designated office of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, as Paying Agent/Registrar, or any successor Paying Agent/Registrar. For the purpose of the payment of interest on this Bond, the registered owner shall be the person in whose name this Bond is registered on the "Record Date," which shall be the close of business on the 15th calendar day of the month immediately preceding such Interest Payment Date. As used herein, "Interest Payment Date" means each February 1 and August 1, commencing \_\_\_\_\_ **[insert the first interest payment date set forth in Exhibit A to the Resolution, as appropriate]**. The Bonds will be issued in denominations of \$5,000 and any integral multiple thereof. Interest on the Bonds shall be computed on the basis of a 360-day year of twelve 30-day months. Notwithstanding the foregoing, during any period in which ownership of the Bonds is determined by a Book Entry System at a Securities Depository for the Bonds, payments made to the Securities Depository, or its nominee, shall be made in accordance with arrangements between the Board and the securities depository.

Any payments required to be made hereunder on any day which is not a Business Day (as defined below) shall be made instead on the next succeeding Business Day and no interest shall accrue on such payments in the interim. A "Business Day" means any day other than a Saturday, Sunday, legal holiday or any other day on which banking institutions in New York, New York or Austin, Texas are authorized or obligated by law or executive order to close or a day on which the New York Stock Exchange is closed.

This Bond is one of series of fully registered bonds specified in the title hereof issued in the aggregate principal amount of \$ \_\_\_\_\_,000 (herein referred to as the "Bonds"). The Bonds are being issued pursuant to the Resolution which authorized the issuance of bonds in one or more series, in an aggregate principal amount not to exceed \$229,345,000, for the purpose of [making additional student loans] [refunding the Refunded Bonds].<sup>3</sup>

This Bond shall not be valid or obligatory for any purpose unless it is registered by the Comptroller of Public Accounts of Texas by certificate affixed or attached hereto or authenticated by the Paying Agent/Registrar by due execution of the Authentication Certificate provided herein.

Reference is hereby made to the Resolution and the Paying Agent/Registrar Agreement, copies of which are on file with the Board and available upon request, for the provisions, among others, with respect to the nature and extent of the duties and obligations of the Board, the Paying Agent/Registrar and the Owners. The Owner of this Bond, by the acceptance hereof, is deemed to have agreed and consented to the terms, conditions and provisions of the Resolution and the Paying Agent/Registrar Agreement.

### REDEMPTION PROVISIONS

[Insert redemption provisions from Exhibit A to the Resolution.]

**[PARTIAL REDEMPTION]**. If less than all of the Bonds are to be redeemed, the Board shall direct the Paying Agent/Registrar to call Bonds or portions thereof by lot or other random

---

<sup>3</sup> Select and include appropriate bracketed language depending on whether the Series of Bonds is being issued to make student loans and/or refund the Refunded Bonds.

## AGENDA ITEM VI-B

method for redemption. A portion of a single Bond of a denomination greater than an Authorized Denomination may be redeemed but only in a principal amount equal to an Authorized Denomination which will allow for the unredeemed portion thereof to remain in an Authorized Denomination. The Paying Agent/Registrar shall treat each minimum Authorized Denomination of such Bond as though it were a single Bond for purposes of selection for redemption.

**NOTICE OF REDEMPTION.** A written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption to the Registered Owner of each Bond to be redeemed at its address as it appeared on the Registration Books maintained by the Paying Agent/Registrar on the day such notice of redemption is mailed. Any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Registered Owner. By the date fixed for any such redemption, due provision shall be made by the Board with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof which are to be so redeemed. If such written notice of redemption is mailed and if due provision for such payment is made, all as provided above, the Bonds or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being Outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any Authorized Denomination or Denominations, at the written request of the Registered Owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Registered Owner upon the surrender thereof for cancellation, at the expense of the Board, all as provided in the Resolution.]<sup>4</sup>

### GENERAL PROVISIONS

As provided in the Resolution, and subject to certain limitations therein set forth, this Bond is transferable upon surrender of this Bond for transfer at the designated office of the Paying Agent/Registrar with such endorsement or other evidence of transfer as is acceptable to the Paying Agent/Registrar; thereupon, one or more new fully registered Bonds of the same stated maturity and of Authorized Denominations, bearing the same rate of interest, and for the same aggregate principal amount will be issued to the designated transferee or transferees.

The series of Bonds of which this is one shall be and is hereby made a general obligation of the State, pursuant to the Constitutional Provision and the Act, and for the faithful performance of all covenants, recitals and stipulations herein contained, and for the faithful performance in proper time and manner of each official or other act required and necessary to provide for the prompt payment of principal of and interest on this Bond when due, the funds on deposit in the Interest and Sinking Fund and the full faith and credit of the State are hereby pledged.

---

<sup>4</sup> Include bracketed language only if Exhibit A to the Resolution provides for redemption of Bonds prior to maturity.

AGENDA ITEM VI-B

A continuing appropriation has been made by the Constitutional Provision, effective so long as any of the Bonds, and other bonds issued under the Constitutional Provision, or interest thereon, are outstanding and unpaid, from the first moneys coming into the State Treasury in each Fiscal Year, not otherwise appropriated by the Constitution, in an amount sufficient to pay the principal of and interest on the Bonds, and all other bonds issued under the Constitutional Provision, and due to be paid in such Fiscal Year. The principal of and interest on the Bonds are payable from such appropriated moneys and from such other moneys as are available to the Board for such purpose.

Subject to limitations now or hereafter contained in the Constitution and laws of the State, the Board reserves the right to issue Additional Bonds which will in all things be on a parity with the Bonds and other outstanding bonds heretofore issued pursuant to the Act and Article III, Sections 50b, 50b-1, 50b-2, 50b-3 (which Sections were repealed "to eliminate duplicative, executed, obsolete, archaic and ineffective constitutional provisions" pursuant to Section 55 of H.J.R. No. 62 approved by the voters of the State on November 2, 1999), and Article III, Sections 50b-4, 50b-5, 50b-6 and 50b-7 of the Texas Constitution.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this Bond and the series of which it forms a part have been properly done, have happened and have been performed in regular and due time, form and manner as required by the Constitution and laws of the State and the Resolution, and that the series of Bonds of which this is a part does not exceed any constitutional or statutory limitation, and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part as such principal and interest become due by a continuing appropriation heretofore made by the Constitutional Provision and by a pledge of the credit of the State.

IN WITNESS WHEREOF, this Bond is executed with the lithographed or printed facsimile or manual signature of the [Chair][Vice Chair] of the Board, the lithographed or printed facsimile or manual signature of the Secretary of the Board, and the seal of the Board is lithographed, printed, manually impressed or placed in facsimile form hereon.

\_\_\_\_\_  
Secretary,  
Texas Higher Education Coordinating Board

\_\_\_\_\_  
[Chair][Vice Chair]  
Texas Higher Education Coordinating Board

[SEAL]

II.

Form of Comptroller's Registration Certificate

OFFICE OF THE COMPTROLLER           §  
OF PUBLIC ACCOUNTS                   §     REGISTER NO. \_\_\_\_\_  
OF THE STATE OF TEXAS               §

I hereby certify that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this Bond has been examined by him as required by law, that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation of the Texas Higher Education Coordinating Board and that this Bond has this day been registered by me.

Witness my hand and seal of office at Austin, Texas, \_\_\_\_\_.

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

[SEAL]

III.

Form of Authentication Certificate

[The following Authentication Certification may be deleted from the Initial Bond if the Comptroller's Registration Certificate appears thereon.]

**CERTIFICATE OF PAYING AGENT/REGISTRAR**

The records of the Paying Agent/Registrar show that the Initial Bond of this series of Bonds was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas, and that this is one of the Bonds referred to in the within-mentioned Resolution.

\_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_,  
as Paying Agent/Registrar

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

By: \_\_\_\_\_  
Authorized Signatory

IV.

Assignment

**FOR VALUE RECEIVED**, the undersigned Registered Owner of this Bond, or duly authorized representative or attorney thereof, hereby assigns this Bond to

(Assignee's Social Security or Taxpayer Identification Number)	(print or typewrite Assignee's name and address, including zip code)

and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney to transfer the registration of this Bond on the Paying Agent/Registrar's Registration Books with full power of substitution in the premises.

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

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature guarantee (pursuant to the Securities Transfer Association signature guarantee program).

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

**DESCRIPTION OF ANNUAL FINANCIAL INFORMATION**

The following information is referred to in Article XI of this Resolution.

**Annual Financial Statements and Operating Data**

The financial information and operating data with respect to the Board to be provided annually in accordance with such Article are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

1. All quantitative financial information and operating data with respect to the Board of the general type included in the Official Statement under Tables 2 through 5.

Agency Operations Committee

AGENDA ITEM VII-A

Update on Internal Audit reports and activities

RECOMMENDATION: No action required

Background Information:

The Internal Audit team completed four projects during the reporting period since the July 2021 Agency Operations Committee meeting. The final reports are attached.

Internal Audit Engagements Completed

- (1) *A Self-Assessment of Internal Audit Work Quality at the THECB*, (no issues)
- (2) *A Review of Selected Grant Programs Administered by CRS*, (no issues)
- (3) *A Follow Up Review of Various Audit Reports* (summary report)
- (4) *Internal Audit Annual Report for FY21* (summary report)

<b>Internal Audit Projects in Progress as of 9/22/21</b>	<b>Stage of Project</b>
IA/CM Annual Report with Performance Measures	Reporting
Data Modernization Initiative Review and Advisory Services	Planning
GEER Funds Review and Advisory Services	Planning

Other Internal Audit Activities

- Coordination of External Audit(s)
  - Financial Statement Audit - KPMG
  - State of Texas Single Audit - CLA
- Various activities related to federal grants compliance including participation in grant committee meetings and federal grant compliance training
- Requests for information and other inquiries

Mark Poehl, Assistant Commissioner of Internal Audit and Compliance, and Paul Maeyaert, Assistant Director of Internal Audit and Compliance, will present this item to the committee and are available to answer questions.



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

July 26, 2021

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Mathew B. Smith  
STUDENT REPRESENTATIVE

S. Javaid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.thecb.state.tx.us>

Dr. Harrison Keller  
Commissioner of Higher Education  
1200 E. Anderson Lane  
Austin, TX 78752

Dear Dr. Keller:

We performed an assessment of internal audit work quality to satisfy the requirements of professional auditing standards. It is our opinion that the Internal Audit Office *generally conforms* to the Institute of Internal Auditors (IIA) *International Standards for the Professional Practice of Internal Auditing*. These standards require:

- 1300 – Quality Assurance/Improvement Program  
1311—Internal Assessments
  - Periodic reviews performed through self-assessment or by other persons within the organization with sufficient knowledge of internal audit practices.

Our self-assessment of internal audit work quality was based on an evaluation of the audit project *A Follow Up of Performance Measures at The Higher Education Coordinating Board, THECB-IA-WP-20-223*, issued in January 2021. We conducted our review using the quality assurance checklist outlined by our Internal Audit Department.

If you have any questions or comments, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Mark A. Poehl".

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner,  
Internal Audit and Compliance

**PERFORMED BY:**

Aporajita Ahmed, CPA, CFE, CITP, CGMA, CICA, Cyber Security Professional,  
Internal Audit Lead

cc:

**THECB**

**Board Members**

**Commissioner's Office**

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

**STATUTORY DISTRIBUTION REQUIREMENT**

**Legislative Budget Board**

Mr. Christopher Mattson

**Governor's Office of Budget & Planning**

Ms. Sarah Hicks, Director

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Executive Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

Fred Farias III, O.D.  
CHAIR

September 7, 2021

Donna N. Williams  
VICE CHAIR

Dr. Harrison Keller  
Commissioner of Higher Education  
1200 E. Anderson Lane  
Austin, TX 78752

Ricky A. Raven  
SECRETARY OF THE  
BOARD

Matthew B. Smith  
STUDENT  
REPRESENTATIVE

Dear Dr. Keller,

S. Javaid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

I am attaching the final report of *A Review of Selected Grant Programs Administered by College Readiness Success*, Report No. THECB-IA-WP-21-235. This report will be presented at the October 2021 Agency Operations Committee meeting.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

The issues presented in this report resulted in a Category 1 Report Rating. These reports contain no or minimal reportable observations. There were no findings resulting from this review.

(512) 427-6101  
Fax (512) 427-6127

Web site:

If you have any questions or comments, please let me know.

<http://www.highered.texas.gov>

Sincerely,

A handwritten signature in black ink that reads "Mark A. Poehl".

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

**EXECUTIVE SUMMARY**

Administration, oversight, and monitoring of the Advise TX program are effective in the following areas of review:

- Compliance with riders
- Compliance with expenditure requirements
- Reconciliation of accounts

There were no reportable conditions noted from this engagement.

**Objective, Scope and Methodologies**

Our engagement objective was to review the internal administrative activities of College Readiness and Success for selected grant programs for compliance, effectiveness, and efficiency. Our review scope focused on Advise TX program processes related to the 2020-2021 biennium. Our engagement included reviewing relevant statutes, rules, agency policies, procedures, manuals, and documentation related to the engagement area, and performing various testing to address the engagement objectives. We also interviewed appropriate agency staff.

**Background**

The Advise TX Program partners with institutions of higher education such as Texas A&M University, Texas Christian University, Trinity University, and the University of Texas at Austin to increase the number of first-generation, low-income, and/or underrepresented students who apply, enter, and complete college. THECB funds the Advise TX program through state appropriations along with assistance from the National College Advising Corps and school districts. Advisors provide student assistance to 112 high schools across Texas by assisting with college research, FAFSA completion, and host meetings with parents and families. Annually the Advise TX program is evaluated by Stanford and monitored by THECB staff. Funding for the Advise TX programs has stayed consistent over the last four appropriation cycles with the exception of 20-21. During FY21, in response to the Governor’s request for a 5% reduction for each agency, the Advise TX program was reduced by \$150,000.

<b>Appropriation Year</b>	<b>Funding</b>	<b>Expenditures</b>
16-17	\$4,000,000	\$4,000,000
18-19	\$4,000,000	\$4,000,000
20-21	\$4,000,000	\$3,850,000

**PERFORMED BY:**

Ms. Aporajita Ahmed, CPA, CFE, CITP, CGMA, CICA, Cyber Security Professional, Internal Audit lead

Ms. Michelle Koog, CFE, CISA, Internal Auditor

cc:

**THECB**

**Board Members**

**Commissioner's Office**

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Nicole Bunker-Henderson, General Counsel

Mr. Ray Martinez, Deputy Commissioner for Academic Quality and Workforce

**College Readiness and Success**

Mr. Jerel Booker, Assistant Commissioner for College Readiness and Success

**Statutory Distribution Requirement**

Governor's Office - Budget and Policy Division

Ms. Sarah Hicks, Director

State Auditor's Office

Internal Audit Coordinator

Legislative Budget Board

Mr. Christopher Mattson, Manager

Sunset Advisory Commission

Ms. Jennifer Jones, Executive Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

September 20, 2021

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

Dr. Harrison Keller  
Commissioner of Higher Education  
1200 E. Anderson Lane  
Austin, TX 78752

Dr. Keller:

I am attaching the final report of *A Follow Up Review of Various Audit Reports*, Report No. THECB-IA-WP-21-231. This report will be presented at the October 2021 Agency Operations Committee meeting.

The issues presented in this report show substantial progress towards addressing outstanding Internal Audit findings and outlines remaining issues that are still in progress. Management continues to demonstrate an ability to remediate identified internal control deficiencies on a timely basis. This report documents the status of all outstanding internal audit findings and recommendations as of 8/31/2021, except for issues noted in the *Audit of Formula Funding – Health-Related Institutions* report issued May 26, 2021. We plan to follow up on the completion of those issues in fiscal year 2022.

We would like to thank agency staff for their significant work in completing and documenting these prior recommendations and look forward to their continued support in completing the remaining recommendations.

If you have any questions or comments, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Mark A. Poehl".

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

The Texas Higher Education Coordinating Board **implemented** audit recommendations from the following projects by completing the following:

<b>Audit Report</b>	<b>Recommendations Implemented by THECB</b>
<i>A Review of Contract Management at the Texas Higher Education</i> Coordinating Board Report No. THECB-IA-WP-19-214, Issued October 2019	<ul style="list-style-type: none"> <li>• A risk assessment of the grant management process was completed.</li> </ul>
<i>A Review of Contract Administration at the Texas Higher Education</i> Coordinating Board Report No. THECB-IA-WP-20-227, Issued December 2020	<ul style="list-style-type: none"> <li>• Quarterly reviews of user access to BMS were implemented and are working as intended.</li> <li>• A monitoring checklist was implemented.</li> <li>• Contracts reviewed in BMS have the required dual signatures.</li> </ul>
<i>A Review of Selected Security Awareness Practices</i> Report No. THECB-IA-WP-19-219, Issued September 2019	<ul style="list-style-type: none"> <li>• Agency-wide security awareness training was updated to include the importance of locking computer terminals.</li> <li>• Quarterly security awareness emails to staff were implemented.</li> </ul>
<i>An Audit of Academic Grant Program Administration-GME Expansion Program</i> Report No. THECB-IA-WP-20-222, Issued March 2020	<ul style="list-style-type: none"> <li>• Policies and procedures were updated to include a step-by-step refund process.</li> </ul>

The Texas Higher Education Coordinating Board is still *in process* with the following audit recommendations:

Audit Report	Recommendations in process by THECB
<p><i>A Review of Contract Management at the Texas Higher Education</i> Coordinating Board Report No. THECB-IA-WP-19-214, Issued October 2019</p>	<ul style="list-style-type: none"> <li>• Updated Grant Management Policies and Procedures are currently in review.</li> </ul>
<p><i>An Audit of Academic Grant Program Administration-GME Expansion Program</i> Report No. THECB-IA-WP-20-222, Issued March 2020</p>	<ul style="list-style-type: none"> <li>• The Texas Administrative Code revision to include the refund process is still in process and will be presented at the January Board Meeting.</li> <li>• The new SharePoint site in development for the Academic and Health Affairs area is being established and should be completed soon.</li> </ul>
<p><i>A Review of Scholarship Programs</i> Report No. THECB-IA-WP-19-215, Issued September 2019</p>	<ul style="list-style-type: none"> <li>• Updates to the agency websites have been pulled into the Data Modernization Initiative and will be completed at a later date.</li> </ul>

**PERFORMED BY:**

Ms. Michelle Koog, CFE, CISA, Internal Auditor

CC:

**THECB**

**Board Members**

**Commissioner's Office**

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Nicole Bunker-Henderson, General Counsel

Mr. Ray Martinez, Deputy Commissioner Academic Affairs and Workforce Education

Ms. Lori Fey, Deputy Commissioner Data Analytics and Innovation

**Information Solutions & Services**

Ms. Zhenzhen Sun, Assistant Commissioner Information Solutions & Services/CIOO)

**College Readiness and Success**

Mr. Jerel Booker, Assistant Commissioner for College Readiness and Success

**Academic Affairs and Workforce Education**

Dr. Stacey Silverman, Assistant Commissioner for Academic and Health Affairs

**Statutory Distribution Requirement**

Governor's Office - Budget and Policy Division

Ms. Sarah Hicks, Director

State Auditor's Office

Internal Audit Coordinator

Legislative Budget Board

Mr. Christopher Mattson, Manager

Sunset Advisory Commission

Ms. Jennifer Jones, Executive Director

**TEXAS HIGHER EDUCATION COORDINATING BOARD**

**INTERNAL AUDIT  
ANNUAL REPORT**



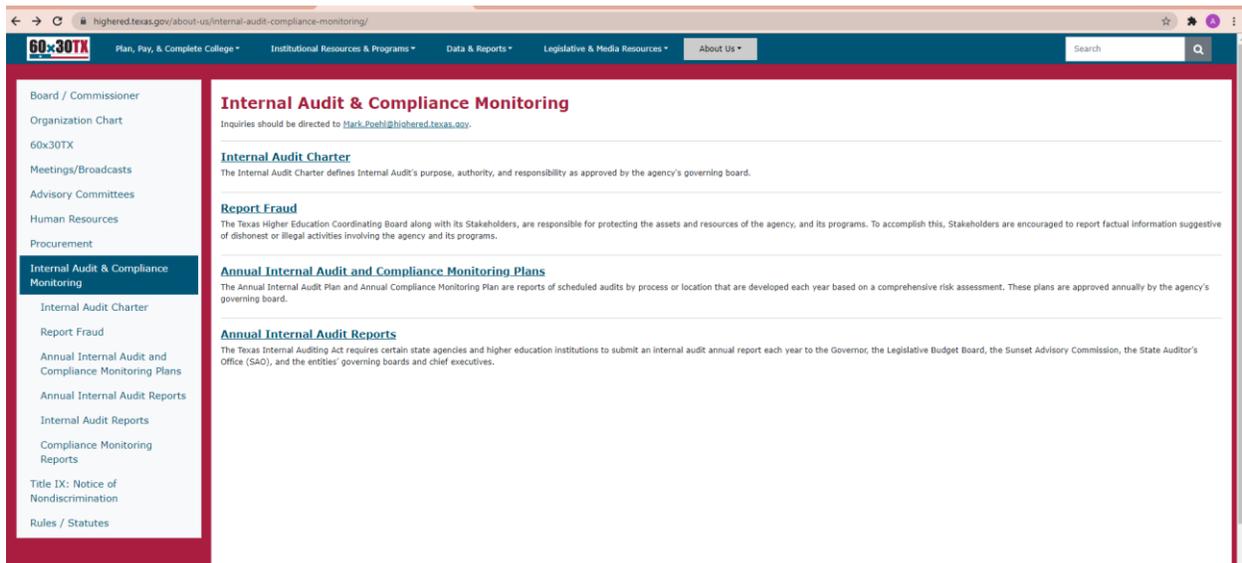
**FOR  
FISCAL YEAR 2021**

**Fiscal year 2021 Internal Audit Annual Report Table of Contents**

Compliance with Texas Government Code, Section 2102.015 _____	3
Internal Audit Plan for Fiscal Year 2021 _____	4
Consulting Engagements and Non-Audit Services Completed _____	7
External Quality Assurance Review (Peer Review) _____	8
Internal Audit Plan for Fiscal Year 2022 _____	19
External Audit Services Procured in Fiscal Year 2021 _____	21
Reporting Suspected Fraud and Abuse _____	21

## Compliance with Texas Government Code, Section 2102.015

Texas Government Code, Section 2102.015 requires state agencies to post on the agency’s Internet Web site its internal audit plan, internal audit annual report, and any weaknesses or concerns resulting from the audit plan or annual report. Please see the [Coordinating Board internet web site](#) and the “Internal Audit and Compliance Monitoring” tab under ‘About Us’ for this required information. The 2022 Internal Audit Annual Report will be posted following its presentation to the board in October, 2021.



## Internal Audit Plan for Fiscal Year 2021

Explanatory Information - The table below indicates the status of FY 21 planned audits, as shown on the approved audit plan, versus those accomplished during the year.

<b>Board-Approved FY 21 Audit Plan</b>	<b>Status of Audit at 8/31/21</b>
Follow Up Audits	<p>(1) A Follow Up Review of An Internal Audit of College Access Loan Administration, Report No. THECB-IA-WP-20-228 Report date: September 18, 2020.</p> <p>(2) A Follow Up Review of Data Administration and Governance, Report No. THECB-IA-WP-20-228 Report date: September 18, 2020.</p> <p>(3) A Follow Up Audit of Contract Administration, Report No. THECB-IA-WP-20-228 Report date: September 18, 2020.</p> <p>(4) A Follow Up Audit of SAO Performance Measures, Report No. THECB-IA-WP-20-223 Report date: January 4, 2021.</p> <p>(5) An Audit of Formula Funding-Community College 'Ten Pay' Payment System, Report No. THECB-IA-WP-20-228 Report date: September 18, 2020.</p>
A Follow Up Review of Various Audit Reports	<p>A Follow Up Review of Various Audit Reports Report No. THECB-IA-WP-21-231 <i>Project in reporting stage.</i></p> <ul style="list-style-type: none"> <li>(1) A Review of Contract Management</li> <li>(2) A Review of Contract Administration</li> <li>(3) An Audit of Academic Grant Program Administration-GME Expansion Program</li> <li>(4) A Review of Scholarship Programs</li> </ul>

<b>Board-Approved FY 21 Audit Plan</b>	<b>Status of Audit at 8/31/21</b>
	(5) A Review of Selected Security Awareness Practices
Self-Assessment of Work Quality, Internal Audit	Self-Assessment of Work Quality THECB-IA-WP-21-234 Report date: July 26, 2021.
An Audit of Borrower Services	THECB-IA-WP-21-232 Report date: April 8, 2021.
An Audit of Formula Funding-Health Related Institutions	THECB-IA-WP-21-233 Report date: May 26, 2021.
A Review of Contract Management Administration	THECB-IA-WP-20-227 Report date: December 1, 2020. Note: Carried forward from Fiscal Year 2020 Audit Plan.
A Review of Bond Program	THECB-IA-WP-20-222 Report date: September 18, 2020. Note: Carried forward from Fiscal Year 2020 Audit Plan.
An Audit of Human Resources Policy Compliance-Optional Retirement Programs	THECB-IA-WP-20-226 Report date: September 10, 2020. Note: Carried forward from Fiscal Year 2020 Audit Plan.
Ongoing Status Assessment of Corrective Action Plan Implementation to Address NTT Texas and AT&T Cybersecurity Assessment Reports	THECB-IA-WP-21-224 Report date: February 1, 2021.
A Review of Selected Grant Programs Administered by College Readiness and Success-Advise TX	THECB-IA-WP-21-235 <i>Project in reporting stage.</i>
A Review of Contract Management Administration	This engagement will be combined with, and reported under, the FY 22 GEER project.

Contract Audits Performed since Fiscal Year 2015:

1. Fiscal Year 2015:
  - a. Review of Contract Management at The Higher Education Coordinating Board, THECB-IA-WP-14-173, Report date: April 23, 2015.
2. Fiscal Year 2016:
  - a. A Review of Contract Administration, THECB-IA-WP-16-184, Report date: September 14, 2016.
  - b. An Internal Audit Follow Up of Contract Management, THECB-IA-WP-16-185, Report date: September 16, 2016.
3. Fiscal Year 2017:
  - a. An Internal Audit of Contract Administration, THECB-IA-WP-17-195, Report date: December 20, 2017.
4. Fiscal Year 2019:
  - a. A Follow Up Audit of Contract Administration, THECB-IA-WP-19-211, Report date: January 8, 2019.
5. Fiscal Year 2020:
  - a. Complaint Regarding Access to Research Data and Regarding Competitive Grant Vendor Selection, THECB-IA-WP-19-216C, Report date: June 3, 2019.
6. Fiscal Year 2021:
  - a. A Follow Up Audit of Contract Administration, THECB-IA-WP-20-228, Report date: September 18, 2020.
  - b. A Review of Contract Management Administration THECB-IA-WP-20-227, Report date: December 1, 2020.

## **Consulting Engagements and Non-Audit Services Completed**

The Texas Higher Education Coordinating Board internal audit function did not perform consulting or non-audit services in fiscal year 2021.

## External Quality Assurance Review (Peer Review)



### Texas Higher Education Coordinating Board

#### INTERNAL AUDIT and COMPLIANCE DEPARTMENT REPORT

August 2019

Prepared by:  
Richard Tarr, CIA, CISA  
P.O. Box 560716  
Orlando, FL 32856  
Ph/Fax: 407.896.2760  
E-mail: rtarr@racar.com



Texas Higher Education Coordinating Board - 2019

OVERVIEW

An External Quality Assurance (EQA) review was conducted at the offices of the Texas Higher Education Coordinating Board (THECB) in Austin, Texas from July 8 to July 12, 2019 for audits conducted from September 1, 2016 to March 31, 2019.

Texas Government Code § 2102 (Texas Internal Auditing Act) requires an internal audit activity be in conformance with the Standards for the Professional Practice of Internal Auditing, the Code of Ethics, contained in the Professional Practices Framework as promulgated by the Institute of Internal Auditors (IIA), and with the Government Accountability Office's (GAO) Generally Accepted Government Auditing Standards (GAGAS). These are collectively referred to as the *Standards* in this report.

The overall objective of the EQA review was to determine the extent to which the Internal Audit and Compliance Department (IACD) at THECB is in conformance with the *Standards* and the requirements of the Texas Internal Auditing Act.

The review was performed by Richard Tarr, CIA, CISA and Elizabeth Stepp, CPA, CIA, CGAP, CRMA who attest that they are fully qualified to conduct this EQA review, and are independent in all respects from THECB and the IACD. The reviewers utilized guidance from both the State Agency Internal Audit Forum (SAIAF) Peer Review Program's assessment tool and the IIA's 2017 "Quality Assessment Manual" that include within the scope of the work evaluations and assessments of the following areas:

- The Director, Internal Audit and Compliance's reporting relationship and his communication with the Agency Operating Committee, and the Commissioner of Higher Education;
- The independence and the objectivity of the audit work performed;
- Existing internal audit policies and procedures;

Texas Higher Education Coordinating Board - 2019

- The risk assessment and annual audit planning process;
- The planning process for individual audit projects;
- The audit methodologies used in performing the work;
- A review of a representative sample of audit workpaper files and reports;
- The workpaper documentation that supported the work performed;
- The support in the workpapers for the conclusions and recommendations in the audit reports;
- How the results of audits are communicated;
- The procedures for following up on audit recommendations; and
- The knowledge, skills, discipline, and training of the staff.

Interviews were also conducted with selected individuals, who included, among others: the Chair of the Board; the Chair of the Agency Operating Committee (AOC); the Commissioner of Higher Education; the Deputy Commissioner for Academic Planning and Policy/Chief Academic Officer; the Deputy Commissioner for Agency Operations and Communications/Chief Operating Officer; the General Counsel; the Director of Internal Audit and Compliance; and the audit staff.

#### OPINION

It is important to note that the *Standards* are expressed in terms of broad concepts and objectives rather than detailed procedures, and their application requires the exercise of professional judgement. The extent of internal audit policies and procedures and the manner in which they are implemented will depend upon a number of factors such as an audit activity's size and organizational structure, the nature of its audit responsibilities, its philosophy with respect to the degree of operating autonomy appropriate for its staff, and the expectations of its board or governing body and senior management.

Based on the work outlined above, it is the review team's opinion concerning:

Texas Higher Education Coordinating Board - 2019

The IIA Standards:

For the period under review, the internal audit activity at the THECB “Generally Conforms” to the IIA Standards, and the Code of Ethics. This is the top rating provided within the IIA guidance, with the others being “Partially Conforms” and “Does Not Conform”. For a detailed list of conformance to individual IIA Standards, please see Attachment A. The review team has identified opportunities for further enhancing the internal audit activity, details of which are provided in this report.

The GAO Standards:

For the period under review, the ICAD at the THECB has in place, in all material respects, the appropriate processes and procedures in place to receive a Peer Review Rating of “Pass”. This rating is the highest of the three ratings provided within the GAO Standards, with the other ratings being “Pass With Deficiencies”, and “Fail”. For a detailed list of conformance to individual GAO Standards, please see Attachment B.

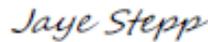
The Texas Internal Auditing Act:

As of July 12, 2019, the internal audit activity at the THECB conforms to all requirements.

This report should be sent to the Chair of the Board, the Chair of the Agency Operating Committee, and The Commissioner of Higher Education.



Richard H. Tarr, CIA, CISA  
External Quality Assurance Team Lead



Elizabeth J. Stepp, CPA, CIA, CGAP, CRMA  
External Quality Assurance Team Member

Texas Higher Education Coordinating Board - 2019

OBSERVATIONS

The Director of Internal Audit and Compliance is a CPA (Certified Public Accountant), a CIA (Certified Internal Auditor), a CISA (Certified Information Systems Auditor), and a CFE (Certified Fraud Examiner) with extensive auditing experience in higher education, is very effectively managing the IACD, has a good working relationship with the AOC and is well respected by senior executives at the agency. He is also well respected by the IACD staff. He reports functionally to the AOC and administratively to the Commissioner for Higher Education as required by the Texas Internal Auditing Act.

The IACD has a strong Internal Audit Charter that authorizes the staff to: have full, free, and unrestricted access to all functions, records, property, and personnel; allocate resources; have full and free access to the AOC; set audit frequencies; select audit subjects; determine the scope of work, and apply the techniques required to accomplish audit objectives. All of these are requirements of the *IIA Standards*. Also, the AOC must approve decisions regarding the appointment and removal of the IACD Director. This enables the IACD to be very independent and capable of rendering objective assessments and conclusions when conducting their work. The department also has a very well thought out risk-based annual audit planning process that is approved by the AOC for both internal agency audits and compliance audits at the components.

The interviews conducted with the Board Chair, the AOC Chair, the Commissioner of Higher Education and senior agency management indicated that there is strong support for the scope and type of audit work the IACD conducts. A confidential survey of IACD audit customers conducted during the review indicated that over 99% of those surveyed rated the department excellent and good on 18 different criteria. This is a very positive rating and speaks well of the professionalism and ability of the Director and the audit staff.

Texas Higher Education Coordinating Board - 2019

A sample of audit workpapers was reviewed and verified that the conclusions and opinions communicated in the audit reports that are issued are appropriately supported. The audit projects were appropriately planned and the work performed was adequately documented in accordance with the *Standards*. There was evidence in the workpapers that the audit work was conducted at a very professional level. The audit programs were appropriately referenced to the audit steps. The tests performed during the audits and the conclusions contained in the audit reports were supported by the work documented in the workpapers. There was evidence that the workpapers are thoroughly reviewed by someone other than the person who performed the work and the Director reviews all the workpapers and the audit reports before they are issued.

#### OPPORTUNITIES FOR CONTINUOUS IMPROVEMENT

While the internal audit activity at THECB generally conforms to the *Standards*, the following comments and recommendations are intended to build on the foundation that is already in place with the objective of further improving on the efficacy and value of the audit work being performed. These are not intended to correct a lack of conformance with the *Standards*. They are operational ideas based on the experiences of the external review team from working with other internal audit activities.

- 1. The department would benefit from enhancing direct supervision of the Internal Audit, Compliance Monitoring, and Federal Compliance functions.**

Currently while there is an Internal Audit Lead position that provides project-level assistance to the two internal audit staff members, direct supervision of the three internal audit staff, the four Compliance Monitoring staff, and the Federal Compliance Specialist is provided by the Director. This arrangement requires the Director to review and approve, in detail, the audit planning and

Texas Higher Education Coordinating Board - 2019

work of eight staff members in addition to a long list of other responsibilities.

The agency would be better served if someone were given day to day supervisory responsibilities over the Internal Audit, Compliance Monitoring, and Federal Compliance functions. While the Director would still have overall responsibility for the quality of the work performed by the staff, his review could be less detailed allowing him the time to deal with higher level concerns at the Board and Commissioner level. This would also allow someone else in the department the opportunity to gain supervisory experience.

*Response:*

*We agree with the recommendation to increase the level of direct supervision over the Internal Audit, Compliance Monitoring, and Federal Compliance functions. The Director, Internal Audit and Compliance, will evaluate current roles and responsibilities within the department, and make changes to achieve enhanced direct supervision. Target date for responsibilities to be re-aligned is by November 1, 2019.*

**2. Provide the Agency Operations Committee and the Commissioner a periodic report on the status of audit recommendations.**

Currently IACD creates and distributes individual follow-up reports on the status of previous audit recommendations for audit and review projects conducted at the agency and the institutions of higher education. Preparing and distributing individual follow-up reports to the Agency Operations Committee and the Commissioner is time consuming and makes it difficult for these recipients to get an oversight view of where there may be delays or issues that would need their attention.

It would be more efficient and effective if IACD maintained and distributed an on-going status report that tracked all outstanding recommendations either from

Texas Higher Education Coordinating Board - 2019

on-sight audits, desk reviews or agency audits to the Agency Operations Committee and the Commissioner. This report could be a simple spread sheet that includes: a brief description of the recommendation; the date the recommendation was agreed to be implemented by; whether or not it has been implemented; and the name of the person directly responsible for implementation. This spread sheet could even be color coded as to the status of the implementation. "Completed" recommendations could be color coded as green, "in process" coded as yellow, and "past due" coded as red. This report would make it easier for the Agency Operations Committee and the Commissioner to stay current overall on the status of recommendations at both the agency level and at the institution of higher education level.

*Response:*

*We agree with the recommendation to provide high level status reporting on Internal Audit and Compliance Monitoring recommendations. Effective with the fiscal year beginning September 1, 2019, recommendations outstanding will be tracked and a periodic report will be provided to the Agency Operations Committee and the Commissioner.*

Texas Higher Education Coordinating Board - 2019

Attachment A: Summary of IIA Standards

		GC	PC	DNC
Overall Evaluation				
Definition of Internal Auditing				
Code of Ethics				
<b>ATTRIBUTES STANDARDS</b>				
1000	<b>Purpose, Authority, and Responsibility</b>			
1010	Recognition of the Definition of Internal Auditing, the Code of Ethics, and the Standards in the Internal Audit Charter.			
1100	<b>Independence and Objectivity</b>			
1110	Organizational Independence			
1111	Direct Interaction with the Board			
1120	Individual Objectivity			
1130	Impairments to Independence or Objectivity			
1200	<b>Proficiency and Due Professional Care</b>			
1210	Proficiency			
1220	Due Professional Care			
1230	Continuing Professional Development			
1300	<b>Quality Assurance and Improvement Program</b>			
1310	Requirements of the Quality Assurance and Improvement Program			
1311	Internal Assessments			
1312	External Assessments			
1320	Reporting on the Quality Assurance and Improvement Program			
1321	Use of "Conforms with the <i>International Standards for the Professional Practice of Internal Auditing</i> "			
1322	Disclosure of Nonconformance			

Texas Higher Education Coordinating Board - 2019

PERFORMANCE STANDARDS		GC	PC	UNC
<b>2000</b>	<b>Managing the Internal Audit Activity</b>			
2010	Planning			
2020	Communication and Approval			
2030	Resource Management			
2040	Policies and Procedures			
2050	Coordination			
2060	Reporting to Senior Management and the Board			
2070	External Service Provider and Organizational Responsibilities for Internal Audit			
<b>2100</b>	<b>Nature of Work</b>			
2110	Governance			
2120	Risk Management			
2130	Control			
<b>2200</b>	<b>Engagement Planning</b>			
2201	Planning Considerations			
2210	Engagement Objectives			
2220	Engagement Scope			
2230	Engagement Resource Allocation			
2240	Engagement Work Programs			
<b>2300</b>	<b>Performing the Engagement</b>			
2310	Identifying Information			
2320	Analysis and Evaluation			
2330	Documenting Information			
2340	Engagement Supervision			
<b>2400</b>	<b>Communicating Results</b>			
2410	Criteria for Communicating			
2420	Quality of Communications			
2421	Errors and Omissions			
2430	Use of "Conducted in Conformance with the International Standards for the Professional Practice of Internal Auditing"			
2431	Engagement Disclosure of Nonconformance			
2440	Disseminating Results			
2450	Overall Opinions			
<b>2500</b>	<b>Monitoring Progress</b>			
2600	Resolution of Senior Management's Acceptance of Risks			

Texas Higher Education Coordinating Board - 2019

Attachment B: Summary of GAO Standards

	Pass	Fail
<b>General (107)</b>		
Independence (59)		
Professional Judgement (9)		
Competence (13)		
Quality Control & Assurance (26)		
<b>Performance (85)</b>		
Planning (52)		
Supervision (3)		
Evidence (23)		
Documentation (7)		
<b>Reporting (44)</b>		

## Internal Audit Plan for Fiscal Year 2022

### TEXAS HIGHER EDUCATION COORDINATING BOARD

#### INTERNAL AUDIT & COMPLIANCE MONITORING

#### Annual Internal Audit Plan for Fiscal Year 2022

The Texas Internal Auditing Act requires state agency Internal Auditors to conduct a program of auditing that includes an annual audit plan, is prepared using risk assessment techniques, and identifies the individual audits to be conducted during the year. The following proposed plan meets the requirements of the Texas Internal Auditing Act.

Specific risk factors were considered as they apply to the agency’s significant operational activities. These risk factors included:

- Financial significance;
- Reputational significance and visibility;
- Complexity; inherent risk; and the potential for abuse;
- Prior audit and compliance monitoring results as an indicator of control effectiveness;
- Audit recency – internal audit, compliance monitoring (as applicable), KPMG, SAO, and/or Federal auditors; and
- Changes in mission or key management.

A risk-ranked listing of significant operational activities became the basis for the audits proposed for consideration herein.

#### Required and Risk-Based Audits

	<u>Estimated Hours Required</u>	<u>%</u>
1. Follow Up of Prior Audits <i>Assess the implementation status of previously reported internal audit findings in the areas of Academic Grants (3/2020), Select Security Awareness Practices (9/2019), and Formula Funding (5/2021). Review the status of recommendations made by other external auditors, as necessary.</i>	160	5%
2. Carry forward of remaining 2021 Projects <i>Carry forward of remaining work for Review of Selected Grant Programs and Contract Management projects</i>	520	18%
3. Solicit and Host an External Quality Assurance Review of the Internal Audit Function <i>Use competitive solicitation to engage a qualified, independent reviewer to perform an External Quality Assurance Review (QAR) of the Internal Audit Function. An External QAR is required by the Texas Internal Auditing Act, Texas Government Code, Title 10, Subtitle C, Chapter 2102.</i>	160	5%

4.	Investigations <i>Texas Government Code Chapter 321.022, Coordination of Investigations, requires the coordination of investigations between the agency and the Texas State Auditor's Office. If the administrative head of an agency that is subject to audit by the state auditor has reasonable cause to believe that money received from the state by the agency or by a client/department of the agency may have been lost, misappropriated, or misused, or that other fraudulent or unlawful conduct has occurred in relation to the operation of the agency, the administrative head shall report the reason and basis for the belief to the state auditor. The state auditor may investigate the report or may monitor any investigation conducted by the agency.</i>	300	10%
5.	Provide Assistance-External Audit of Agency Financial Statements <i>Internal Audit provides 80 hours of audit support to reduce external audit fees and to increase the level of knowledge of external auditors' assessment of the agency's financial statements and associated risks.</i>	80	3%
6.	Data Modernization Initiative Ongoing Review and Advisory Services <i>Review and advise management on the state of governance, risk and controls within and around the Data Modernization Initiative. The Data Modernization Initiative has as its stated vision to "Equip internal and external stakeholders with actionable insight and data vision for decision-making purposes."</i>	470	16%
7.	CRAFT (Customer Relation and Feedback Tracking) System Application Audit <i>Perform an application audit of the CRAFT system to determine if the system adequately protects confidential or sensitive information and is reliable. CRAFT is an internal software application that allows the agency to easily record and track stakeholder inquiries received by phone, email, mail, website, and fax.</i>	320	11%
8.	Governor's Emergency Education Relief (GEER) Funds Review and Advisory Services <i>Review and advise management on the state of governance, risk and controls within and around the use of GEER funds. GEER I funds include \$160 Million of support allocated to pass through to institutions of higher education institutions and \$15 Million of support for specified agency initiatives. An additional \$94 Million has been recently allocated under GEER II to THECB.</i>	470	16%
9.	Audit of the Texas College Work-Study (TCWS) Program <i>Review the internal administrative activities of the TCWS program for compliance, effectiveness, and efficiency. The Texas College Work-Study program appropriations for FY 2021 were approximately \$9.3 million.</i>	440	15%
<b>TOTAL HOURS - Required and Risk-Based Audits</b>		<b>2920</b>	<b>100%</b>

## **External Audit Services Procured in Fiscal Year 2021**

The agency contracted with KPMG, LLP, to perform an independent audit of the agency's Fiscal Year 2020 Financial Statements. As part of the agreement, the agency provided 80 hours of internal audit staff support to KPMG, LLP.

## **Reporting Suspected Fraud and Abuse**

Actions taken by the agency to address the requirements of Section 7.10.Fraud Reporting, General Appropriations Act (82nd Legislature), Article IX and Government Code, Section 321.022.Coordination of Investigations, include:

- 1) Established a fraud prevention policy and posted the policy on the agency intranet for the employees. The policy encourages reporting of suspected violations to the State Auditor's Office Fraud Hotline.
- 2) Established a link to the State Auditor's Office Fraud Hotline on the agency's home page to enable the general public or employees to report suspected fraud or misconduct directly to the State Auditor's Office.
- 3) Coordinated with the Special Investigations Unit of the State Auditor's Office to investigate suspected fraud.
- 4) Provided ethics-related information to all new employees as part of the orientation process.

Agency Operations Committee

AGENDA ITEM VIII-A

Update on state and federal Compliance Monitoring reports and activities

RECOMMENDATION: No action required

Background Information:

**State Compliance Monitoring**

The state Compliance Monitoring team completed eight projects during the reporting period since the July 2021 Agency Operations Committee meeting. The final reports are attached. One report, Texarkana College, includes one finding related to residency requirements.

1. Compliance Monitoring Desk Review of TEOG at Panola College
2. Compliance Monitoring Desk Review of TEOG at Angelina College
3. Compliance Monitoring Desk Review of TEOG at Texarkana College (one finding)
4. Compliance Monitoring Desk Review of Formula Funding at West Texas A&M University
5. Compliance Monitoring Desk Review of Formula Funding at Lee College
6. Compliance Monitoring Desk Review of TEXAS Grant at The University of Texas at Dallas
7. Compliance Monitoring Desk Review of TEOG at El Paso Community College
8. Compliance Monitoring Desk Review of TEOG at Collin College

<b>State CM Projects in Progress as of 9/7/21</b>	<b>Stage of Project</b>
Sul Ross State University (Formula Funding)	Fieldwork
Navarro College (TEOG)	Reporting
Dallas Baptist University (TEG)	Planning

Other state Compliance Monitoring Activities

- Reviewing applications and interviewing for replacement Compliance Specialist due to a retirement

## **Federal Compliance Monitoring**

### Federal Compliance Monitoring Activities

- Perkins Fiscal Year (FY) 19 sub-recipient monitoring reviews – 14 of 15 project reports issued, one in fieldwork due to Covid-related issues
- Single audit (A-133) reviews – 56 Projects; 56 reports issued, no issues noted
- Perkins FY 20 sub-recipient monitoring reviews – 20 projects in fieldwork
- GEER funding – participation in GEER meetings, training, and initial planning

The final reports are attached. Mark Poehl, Assistant Commissioner of Internal Audit and Compliance, and Paul Maeyaert, Assistant Director of Internal Audit and Compliance, will present this item and are available to answer questions.



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

June 25, 2021

Dr. Gregory S. Powell, President  
Panola College  
1109 W. Panola  
Carthage, Texas 75633

Dear Dr. Powell,

I am attaching the final report on *A Compliance Monitoring Desk Review of the Texas Educational Opportunity Grant at Panola College*, Report No. THECB-CM-FA-21-027. There were no findings resulting from this engagement.

Panola College complied with relevant Coordinating Board (THECB) rules and regulations for the Texas Educational Opportunity Grant (TEOG) and with the Texas Administrative Code (TAC), Title 19, Part 1, Chapter 22, Subchapter M.

## Summary

Our desk review included tests of relevant financial data reported and certified by Panola College for award year 2019-2020. We believe the evidence obtained provides a reasonable basis for the reportable observations and recommendations, if any, based on the desk review objectives.

Our work included procedures to verify:

- Students met all eligibility criteria, including SAP requirements;
- Students demonstrated financial need;
- Students fulfilled residency requirements;
- Applicable students registered with the selective service system; and
- Reported award amounts reconciled with Panola College's student data system and payment records.

This Compliance Monitoring report will be presented to the THECB Committee on Agency Operations, a standing committee of the THECB Board, in October 2021.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments on the conduct of this engagement, please let me know.

Sincerely,

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

**PERFORMED BY:**

Ms. Carol Conner, CFE, Senior Compliance Specialist

cc:

**THECB**

**Board Members**

**Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Mr. Ken Martin, Assistant Commissioner for Financial Services and Chief Financial Officer

**Student Financial Aid Programs**

Dr. Charles W. Contéro-Puls, Assistant Commissioner

**Panola College**

Mr. William Goolsby, Chair, Board of Trustees

Mr. Alan Howard, Vice President of Fiscal Services

Ms. Denise Welch, Director of Financial Aid

Mr. Allen West, Director of Information Technology

**Texas Association of Community Colleges**

Mr. Jacob Fraire, President

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Director

**Office of the Governor-Budget and Policy Division**

Ms. Sarah Hicks, Budget and Policy Director

**Legislative Budget Board**

Mr. Christopher Mattsson, Assistant Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

June 10, 2021

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javaid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

Dr. Michael J. Simon, President  
Angelina College  
3500 South First Street  
Lufkin, TX 75901

Dear Dr. Simon,

I am attaching the final report on *A Compliance Monitoring Desk Review of the Texas Educational Opportunity Grant at Angelina College*, Report No. THECB-CM-FA-21-022. There were no reportable findings resulting from this engagement.

Angelina College complied with relevant Coordinating Board (THECB) rules and regulations for the Texas Educational Opportunity Grant and with Texas Administrative Code (TAC), Title 19, Part 1, Chapter 22, Subchapter M, §22.253-22.265.

## Summary

Our desk review included tests of relevant financial data reported and certified by Angelina College for award year 2019-2020. We believe the evidence obtained provides a reasonable basis for the findings and recommendations, if any, based on the desk review objectives.

Our work included procedures to verify:

- Students met all eligibility criteria, including SAP requirements;
- Students demonstrated financial need;
- Students fulfilled residency requirements;
- Applicable students registered with the selective service system; and
- Reported award amounts reconciled with Angelina College's student data system and payment records.

This Compliance Monitoring report will be presented to the THECB Committee on Agency Operations, a standing committee of the THECB Board, in October 2021.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments on the conduct of this engagement, please let me know.

Sincerely,

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

**PERFORMED BY:**

Ms. Elizabeth M. Steele, Compliance Specialist

CC:

**THECB****Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Mr. Ray Martinez, Deputy Commissioner, Academic Affairs and Workforce Education

Ms. Nichole Bunker-Henderson, General Counsel

Mr. Ken Martin, Assistant Commissioner for Financial Services & Chief Financial Officer

**Student Financial Aid Programs**

Dr. Charles W. Contéro-Puls, Assistant Commissioner

**Angelina College**

Mrs. Hilary Haglund Walker, President, Board of Trustees

Mr. Glenn Goforth, Director of Student Financial Aid

Mr. Chris Sullivan, Vice President of Business Affairs and In-House Counsel

Mr. Ken Street, Senior Director of Information Technology

Ms. Krista Brown, Executive Director of Marketing and Strategic Enrollment

Ms. Melissa Goins, Controller

**Texas Association of Community Colleges**

Mr. Jacob Fraire, President

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Director

**Office of the Governor-Budget and Policy Division**

Ms. Sarah Hicks, Budget and Policy Director

**Legislative Budget Board**

Mr. Christopher Mattsson, Assistant Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

Fred Farias III, O.D.  
CHAIR

July 27, 2021

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

Dr. Jason Smith, President  
Texarkana College  
2500 North Robison Rd.  
Texarkana, TX 75599

RE: Desk Review of the Texas Educational Opportunity Grant at Texarkana College

Dear Dr. Smith,

I am attaching the final report *A Compliance Monitoring Desk Review of the Texas Educational Opportunity Grant at Texarkana College*, Report No. THECB-CM-FA-21-026. There was one finding related to student eligibility resulting from this engagement. Management's responses have been incorporated into the final report.

## Summary

Texarkana College substantially complied with Coordinating Board requirements regarding the administration of the Texas Educational Opportunity Grant Program.

Our scope included the following areas and results.

- Students met all eligibility criteria, including SAP requirements; one recommendation noted.
- Students demonstrated financial need; no recommendations noted.
- Students fulfilled residency requirements; no recommendations noted.
- Reported award amounts reconciled with Texarkana College's student data system and payment records; no recommendations noted.

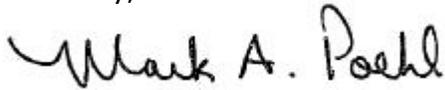
One finding was noted regarding Texarkana College's compliance with award residency requirements. Please see the Detailed Observation, Recommendation, and Management's Response section of the report for further information. A follow up audit will be performed to evaluate Texarkana College's implementation of corrective action to address noted recommendations.

Our desk review included tests of relevant financial data reported and certified by Texarkana College for award year 2019-2020. We believe the evidence obtained provides a reasonable basis for the findings and recommendations, based on the desk review objectives.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Agency Operations, a standing committee of the THECB Board, in October, 2021.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments, please let me know.

Sincerely,



Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

### **Detailed Observation, Recommendation, and Management's Response**

**1. A Texas Educational Opportunity Grant (TEOG) in an amount of \$1,227 was awarded to an ineligible student, and did not comply with program requirements referenced in the Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter M, Sections 22.253-265.**

A Texas Educational Opportunity Grant (TEOG) in amount of \$1,227 was awarded to an ineligible student, and did not comply with program requirements referenced in the Texas Administrative Code (TAC), Title 19, Part 1, Chapter 22, Subchapter M, Sections 22.253-265.

Grant awarding processes and controls over student eligibility, including residency, should be strengthened to ensure compliance with the TAC, Title 19, Part 1, Chapter 22, Subchapter M, Sections 22.253-265.

We reviewed 30 samples to determine whether they met Texas Educational Opportunity Grant (TEOG) program criteria requirements including eligibility. 29 of the 30 samples we reviewed met the TEOG reviewed criteria requirements. We found that one student recipient was not a Texas resident as required by TAC, Section 22.256(a)(1), and therefore did not meet the TEOG eligibility requirements.

The TAC, Section 22.256(a)(1) states that "To receive an initial year award through the Program, a student must: (1) be a resident of Texas ...."

Enhanced oversight of the College's financial aid and grant awarding system and compliance with statutory requirements provides greater assurance that student eligibility requirements are met.

#### **Recommendations:**

- A. Refund \$1,227 in reported Texas Educational Opportunity Grant ineligible award to the Texas Higher Educational Coordinating Board.
- B. Strengthen oversight of grant awarding processes and controls over student eligibility and comply with Texas Administrative Code, Sections 22.253-265 requirements.

#### **Management Response:**

Persons responsible for corrective action at Texarkana College include Kim Jones, VP of Finance; Phyllis Deese, VP of Administrative Services; and Dr. Donna McDaniel, VP of Instruction.

- A. Texarkana College contacted the Texas Higher Education Coordinating Board and returned the \$1,227 in TEOG funds on 7/2/21 for the student identified as ineligible. Texarkana College has also performed a 100% internal review of residency for the students awarded TEOG that were not selected for review. Texarkana College's internal review showed that, for the year under review, all remaining students were classified correctly as Texas residents.
- B. Texarkana College has reviewed their internal controls and processes used to determine student eligibility, including residency. Texarkana is a border city and many of our students relocate across the state line frequently. Because of this, Texarkana College has an already established procedure of having the registrar's office manually review residency on all TEOG students immediately before they are awarded. In this instance, there was an oversight in the manual review process and this one student was allowed to receive the award. Because of this error, we have strengthened our internal controls and are now requiring two separate residency re-verifications by the registrar's office prior to awarding any TEOG grants.

**PERFORMED BY:**

Ms. Elizabeth Steele, Compliance Specialist

CC:

**THECB****Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Mr. Ray Martinez, Deputy Commissioner, Academic Affairs and Workforce Education

Ms. Nichole Bunker-Henderson, General Counsel

Mr. Ken Martin, Assistant Commissioner for Financial Services & Chief Financial Officer

**Student Financial Aid Programs**

Dr. Charles W. Contéro-Puls, Assistant Commissioner

**Texarkana College**

Ms. Kaye Ellison, President, Board of Trustees

Dr. Donna McDaniel, Vice President of Instruction

Ms. Kimberly Jones, Vice President of Finance

Ms. Phyllis Deese, Vice President of Administrative Services/Human Resources

Ms. Susan Johnston, Director of Financial Aid

Mr. Robert Hoover, Controller

**Texas Association of Community Colleges**

Mr. Jacob Fraire, President

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Director

**Office of the Governor-Budget and Policy Division**

Ms. Sarah Hicks, Director of Budget and Policy

**Legislative Budget Board**

Mr. Christopher Mattsson, Assistant Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

August 17, 2021

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javaid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

Dr. Walter Wendler, President  
West Texas A&M University  
2501 Fourth Avenue  
Canyon, TX 79016

RE: Desk Review of Formula Funding at West Texas A&M University

Dear Dr. Wendler,

I am attaching the final report for *A Compliance Monitoring Desk Review of Formula Funding at West Texas A&M University*, Report No. THECB-CM-FF-21-005. There were no findings resulting from this engagement.

## Summary

Our review included tests of relevant enrollment data reported and certified by West Texas A&M University for accuracy and completeness in accordance with Texas Administrative Code, Title 19, Part 1, Chapter 13, Subchapter F. Our desk review focused on the following enrollment data and time periods:

- Semester Credit Hours and Tuition Payment for CBM001 (Student Report) during summer 2019, fall 2019, and spring 2020; and
- Contact Hours and Enrollment for CBM004 (Class Report) during summer 2019, fall 2019, and spring 2020.

Our work included procedures to verify:

- Student tuition payment was received in accordance with requirements;
- Reported contact hours were eligible for formula funding;
- Reported enrollment was eligible for formula funding; and
- Evidence of academic credentials were maintained to support required instructor qualifications.

This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Agency Operations, a standing committee of the THECB Board, in October 2021.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments, please let me know.

Sincerely,

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

**PERFORMED BY:**

Ms. Elizabeth Steele, Compliance Specialist

CC:

**THECB****Board Members****Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Lori Fey, Deputy Commissioner, Data Analytics and Innovation

Mr. Ray Martinez, Deputy Commissioner, Academic Affairs and Workforce Education

Ms. Nichole Bunker-Henderson, General Counsel

**Data Analytics and Innovation**

Ms. Emily Cormier, Assistant Commissioner, Strategic Planning and Funding

**West Texas A&M University**

Mr. Jarvis Hampton, Assistant Vice President, Institutional Research & Effectiveness

Mr. James Webb, Vice President, Information Technology and CIO

Ms. Diane Brice, Registrar

Ms. Virginia Leathers, Associate Director, Admissions

**Texas A&M University System**

Mr. Tim Leach, Chairman, Board of Regents

Mr. Charlie Hrcir, Chief Auditor, Internal Audit

Ms. Amanda Dotson, Director, Internal Audit

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Director

**Office of the Governor-Budget and Policy Division**

Ms. Sarah Hicks, Director of Budget and Policy

**Legislative Budget Board**

Mr. Christopher Mattsson, Assistant Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

June 10, 2021

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javaid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

Dr. Lynda Villanueva, President  
Lee College  
200 Lee Drive  
Baytown, TX 77520

RE: A Compliance Monitoring Desk Review of Formula Funding at Lee College

Dear Dr. Villanueva,

Lee College has complied with the relevant Coordinating Board rules and regulations regarding enrollment data used for formula funding and with Texas Administrative Code (TAC) Title 19, Part 1, Chapter 13, Subchapter F in the areas of student contact hour eligibility, tuition payment, and enrollment.

### Summary

Our review included tests of relevant enrollment data reported and certified by Lee College for accuracy and completeness in accordance with Texas Administrative Code (TAC) Title 19, Part 1, Chapter 13, Subchapter F. We believe the evidence obtained provides a reasonable basis for the reportable observations and recommendations, if any, based on the desk review objectives.

Our desk review focused on the following enrollment data and time periods:

- Contact Hours and Tuition Payments for CBM001 (Student Report) during summer I and II 2019, fall 2019, and spring 2020;
- Enrollment for CBM004 (Class Report) during summer I and II 2019, fall 2019, and spring 2020; and
- Enrollment for CBM00C (Continuing Education Class Report) during summer I and II 2019, fall 2019, and spring 2020.

Our work included procedures to verify:

- Reported contact hours were eligible for formula funding;
- Student tuition payments were received in accordance with requirements; and
- Reported enrollment was eligible for formula funding.
- Evidence of academic credentials were maintained to support required instructor qualifications.

The cooperation of your staff during this review is greatly appreciated. This Compliance Monitoring report will be presented to the Texas Higher Education Coordinating Board (THECB) Committee on Agency Operations, a standing committee of the THECB Board, in October 2021. If you have any questions or comments on the conduct of this review, please let me know.

Sincerely,

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

**PERFORMED BY:**

Ms. Shebah Washington, Compliance Specialist

CC:

**THECB**

**Board Members**

**Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Lori Fey, Deputy Commissioner, Data Analytics and Innovation

Mr. Ray Martinez, Deputy Commissioner, Academic Affairs and Workforce Education

Ms. Nichole Bunker-Henderson, General Counsel

**Data Analytics and Innovation**

Ms. Emily Cormier, Assistant Commissioner, Funding

**Lee College**

Mr. Mark Hall, Board of Regents, Chairman

Mr. Scott Bennett, Associate Vice President, Student Services

Ms. Annette Ferguson, Vice President of Finance and Administration

Dr. Carolyn Lightfoot, Chief Information Officer

Dr. Carl Husband, Registrar and Reporting Officer

**Texas Association of Community Colleges**

Mr. Jacob Fraire, President and Chief Executive Officer

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Director

**Office of the Governor-Budget and Policy Division**

Ms. Sarah Hicks, Budget and Policy Director

**Legislative Budget Board**

Mr. Christopher Mattsson, Assistant Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

July 15, 2021

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

Dr. Richard C. Benson, President  
The University of Texas at Dallas  
800 W. Campbell Road  
Richardson, TX 75080-3021

Dear Dr. Benson,

I am attaching the final report on *A Compliance Monitoring Desk Review of TEXAS Grant at The University of Texas at Dallas*, Report No. THECB-CM-FA-21-017. There were no findings resulting from this engagement.

The UT Dallas complied with relevant Coordinating Board (THECB) rules and regulations for the Towards EXcellence, Access, and Success (TEXAS) Grant and with Texas Administrative Code (TAC), Title 19, Chapter 22.225-22.239.

## Summary

Our desk review included tests of relevant financial data reported and certified by UT Dallas for award year 2019-2020. We believe the evidence obtained provides a reasonable basis for the findings and recommendations, if any, based on the desk review objectives.

Our work included procedures to verify:

- Students met all eligibility criteria, including SAP requirements;
- Students demonstrated financial need;
- Students fulfilled residency requirements;
- Applicable students registered with the selective service system; and
- Reported award amounts reconciled with UT Dallas' student data system and payment records.

This Compliance Monitoring report will be presented to the THECB Committee on Agency Operations, a standing committee of the THECB Board, in October 2021.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments on the conduct of this engagement, please let me know.

Sincerely,

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

**PERFORMED BY:**

Ms. Shebah Washington, Compliance Specialist

cc:

**THECB**

**Board Members**

**Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Mr. Ken Martin, Assistant Commissioner for Financial Services & Chief Financial Officer

**Student Financial Aid Programs**

Dr. Charles W. Contéro-Puls, Assistant Commissioner

**The University of Texas at Dallas**

Ms. Toni Stephens, Chief Audit Executive

Ms. Sarah Dorsey, Interim Senior Director of Financial Aid

**The University of Texas System**

Mr. Kevin P. Eltife, Chairman, Board of Regents

Mr. James B. Milliken, Chancellor

Mr. J. Michael Peppers, Chief Audit Executive

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Director

**Office of the Governor-Budget and Policy Division**

Ms. Sarah Hicks, Budget and Policy Director

**Legislative Budget Board**

Mr. Christopher Mattsson, Assistant Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

August 10, 2021

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javaid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

Dr. William Serrata, President  
El Paso Community College  
9050 Viscount Blvd  
El Paso, TX 79925

Dear Dr. Serrata,

I am attaching the final report on *A Compliance Monitoring Desk Review of the Texas Educational Opportunity Grant at El Paso Community College*, Report No. THECB-CM-FA-21-021. There were no findings resulting from this engagement.

El Paso Community College complied with relevant Coordinating Board (THECB) rules and regulations for the Texas Educational Opportunity Grant (TEOG) and with the Texas Administrative Code (TAC), Title 19, Part 1, Chapter 22, Subchapter M.

## Summary

Our desk review included tests of relevant financial data reported and certified by El Paso Community College for award year 2019-2020. We believe the evidence obtained provides a reasonable basis for the reportable observations and recommendations, if any, based on the desk review objectives.

Our work included procedures to verify:

- Students met all eligibility criteria, including SAP requirements;
- Students demonstrated financial need;
- Students fulfilled residency requirements;
- Applicable students registered with the selective service system; and
- Reported award amounts reconciled with El Paso Community College's student data system and payment records.

This Compliance Monitoring report will be presented to the THECB Committee on Agency Operations, a standing committee of the THECB Board, in October 2021.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments on the conduct of this engagement, please let me know.

Sincerely,

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

**PERFORMED BY:**

Ms. Shebah Washington, Compliance Specialist

CC:

**THECB**

**Board Members**

**Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Mr. Ken Martin, Assistant Commissioner for Financial Services & Chief Financial Officer

**Student Financial Aid Programs**

Dr. Charles W. Contéro-Puls, Assistant Commissioner

**El Paso Community College**

Mr. Brian Haggerty, Chair, Board of Trustees

Dr. Carlos Amaya, Interim Vice President, Student and Enrollment Services

Dr. Jenny Giron, Vice President, Chief Information Officer, Information Technology

Dr. Cassandra Lachica-Chavez, Registrar and Executive Director, Admissions

Ms. Ines Lopez, Executive Director of Financial Aid

Ms. Ana Zuniga, Comptroller

Mr. Abraham Hubail, Executive Director of Information Technology

**Texas Association of Community Colleges**

Mr. Jacob Fraire, President

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Director

**Office of the Governor-Budget and Policy Division**

Ms. Sarah Hicks, Budget and Policy Director

**Legislative Budget Board**

Mr. Christopher Mattsson, Assistant Director



# TEXAS HIGHER EDUCATION COORDINATING BOARD

P.O. Box 12788 Austin, Texas 78711

August 10, 2021

Fred Farias III, O.D.  
CHAIR

Donna N. Williams  
VICE CHAIR

Ricky A. Raven  
SECRETARY OF THE BOARD

Matthew B. Smith  
STUDENT REPRESENTATIVE

S. Javaid Anwar  
Emma W. Schwartz  
R. Sam Torn  
Welcome Wilson, Jr.

Harrison Keller, Ph.D.  
COMMISSIONER  
OF HIGHER EDUCATION

(512) 427-6101  
Fax (512) 427-6127

Web site:  
<http://www.highered.texas.gov>

Dr. H. Neil Matkin, District President  
Collin College  
3452 Spur 399  
McKinney, Texas 75069

Dear Dr. Matkin,

I am attaching the final report on *A Compliance Monitoring Desk Review of the Texas Educational Opportunity Grant at Collin College*, Report No. THECB-CM-FA-21-023. There were no findings resulting from this engagement.

Collin College complied with relevant Coordinating Board (THECB) rules and regulations for the Texas Educational Opportunity Grant (TEOG) and with the Texas Administrative Code (TAC), Title 19, Part 1, Chapter 22, Subchapter M.

## Summary

Our desk review included tests of relevant financial data reported and certified by Collin College for award year 2019-2020. We believe the evidence obtained provides a reasonable basis for the reportable observations and recommendations, if any, based on the desk review objectives.

Our work included procedures to verify:

- Students met all eligibility criteria, including SAP requirements;
- Students demonstrated financial need;
- Students fulfilled residency requirements;
- Applicable students registered with the selective service system; and
- Reported award amounts reconciled with Collin College's student data system and payment records.

This Compliance Monitoring report will be presented to the THECB Committee on Agency Operations, a standing committee of the THECB Board, in October 2021.

The cooperation of your staff during this review is greatly appreciated. If you have any questions or comments on the conduct of this engagement, please let me know.

Sincerely,

Mark A. Poehl, CPA, CIA, CISA, CFE  
Assistant Commissioner, Internal Audit and Compliance

**PERFORMED BY:**

Mr. Bobby Lane, CFE, CICA, Compliance Specialist

CC:

**THECB**

**Board Members**

**Commissioner's Office**

Dr. Harrison Keller, Commissioner of Higher Education

Mr. Rey Rodriguez, Deputy Commissioner and Chief of Staff

Ms. Nichole Bunker-Henderson, General Counsel

Mr. Ken Martin, Assistant Commissioner for Financial Services and Chief Financial Officer

**Student Financial Aid Programs**

Dr. Charles W. Contéro-Puls, Assistant Commissioner

**Collin College**

Mr. Andrew Hardin, Chair, Board of Trustees

Ms. Julie M. Bradley, Assistant Vice President Controller/Student Financial Services

Mr. Alan Pixley, Director, Financial Aid/Veterans Affairs

Mr. Ali Subhani, CIA, CISA, GSNA, Director, Internal Audit

**Texas Association of Community Colleges**

Mr. Jacob Fraire, President

**State Auditor's Office**

Internal Audit Coordinator

**Sunset Advisory Commission**

Ms. Jennifer Jones, Director

**Office of the Governor-Budget and Policy Division**

Ms. Sarah Hicks, Budget and Policy Director

**Legislative Budget Board**

Mr. Christopher Mattsson, Assistant Director

Agency Operations Committee

AGENDA ITEM IX

Adjournment