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### MINUTES OF THE SPECIAL TELEPHONIC MEETING BOARD OF REGENTS, THE TEXAS A&M UNIVERSITY SYSTEM

#### February 28, 2025

Chairman Bill Mahomes convened a special meeting of the Board of Regents of The Texas A&M University System at 12:02 p.m., Friday, February 28, 2025, Board Meeting Room, Board Annex, Texas A&M University, College Station, Texas.

The following members of the Board were present via telephonic conference call:

Mr. Bill Mahomes, Chairman Mr. Robert L. Albritton, Vice Chairman Mr. David Baggett Mr. John W. Bellinger Mr. Randy Brooks Mr. Jay Graham Mr. Michael J. Plank Mr. Sam Torn Mr. Cage Sawyers (Student Regent) (joined after meeting convened)

The following member of the Board was not present:

Mr. Michael A. Hernandez

#### RECESS TO EXECUTIVE SESSION

Chairman Mahomes announced that a quorum was present and said the Board would recess to executive session to consider matters as permitted by Chapter 551, Sections 71 and 74 of the <u>Texas Government Code</u>. He said that in accordance with the law, no final action, decision, or vote with regard to any matter considered in the executive session would be made or taken.

Note: The Board met in executive session from 12:02 p.m. until 12:26 p.m.

#### **RECONVENE IN OPEN SESSION**

Chairman Mahomes reconvened the meeting in open session at 12:27 p.m. and announced that the Board had met in executive session from 12:02 p.m. to 12:26 p.m., during which time it had conferred with System attorneys on legal matters, including Item 1.

Chairman Mahomes asked Ms. Vickie Spillers to read the resolution contained in Item 1. After reading the resolution, Chairman Mahomes inquired if there were any questions from the Board or any discussion of the item. There being none, he called for a motion for the approval of the item. Regent Albritton moved the adoption of the resolution contained in Item 1. Regent Brooks seconded the motion. Ms. Spillers called each regent's name for the vote. The record of the vote is as follows: Albritton – yes, Baggett - yes, Bellinger - yes, Brooks - yes, Graham - yes, Plank - yes, Torn - yes, and Mahomes voted yes.

<u>Note</u>: Regent Hernandez was not present at the meeting.

The following minute order was approved (066-2025).

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#### **MINUTE ORDER 066-2025 (ITEM 1)**

### ADOPTION OF A RESOLUTION REGARDING CERTAIN PUBLIC EVENTS ON THE CAMPUSES OF UNIVERSITIES IN THE TEXAS A&M UNIVERSITY SYSTEM

WHEREAS, Texas Education Code Section 85.21 grants the Board of Regents (Board) the power and the obligation to establish rules and regulations as needed for the proper government of The Texas A&M University System (System); and

WHEREAS, the eleven universities within the System (collectively the 'Universities') are under the management and control of the Board pursuant to applicable provisions of the Texas Education Code; and

WHEREAS, the Board necessarily uses its discretion when carrying out its responsibility for the proper governance of the System and the proper management of the Universities; and

WHEREAS, the Board recognizes and supports the efforts of the Universities' student, staff and faculty organizations, to foster a sense of community and belonging for the many students, staff and faculty of the Universities from varied backgrounds; and

WHEREAS, the Board is aware that each of the Universities operate and maintain meeting rooms, theaters, auditoriums, and other venues available to student, staff and faculty organizations in which the organizations periodically host events that are open to members of the public (Special Event Venues); and

WHEREAS, the Board recognizes a special interest in maintaining the Universities' Special Event Venues as limited forums for the purpose of promoting the mission of the System to provide education, conduct research, commercialize technology, offer training and deliver services for the people of Texas and beyond; and

WHEREAS, the Board finds that it is inconsistent with the System's mission and core values of its Universities, including the value of respect for others, to allow Special Event Venues of the Universities to be used for drag shows that involve biological males dressing in women's clothing, wearing exaggerated female make up and/or exaggerated prosthetics meant to parody the female body type, and that are: open to the public; involve sexualized, vulgar or lewd conduct; and involve conduct that demeans women (Drag Show Events); and

WHEREAS, the Board finds that Drag Show Events are likely to create or contribute to a hostile environment for women contrary to System anti-discrimination policy and Title IX of the Education Amendments of 1972 (Title IX), as these events often involve unwelcome and objectively offensive conduct based on sex for many members of the respective communities of the Universities, particularly when they involve the mockery or objectification of women; and

WHEREAS, the Board is advised that there are alternative locations for such events at off-campus venues and private facilities near the Universities; and

WHEREAS, the Board acknowledges President Trump's Executive Order issued January 20, 2025, entitled *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*. The Board further acknowledges that the Executive Order recognizes two sexes, male and female, and specifies that the federal government shall not promote gender ideology; and

WHEREAS, the Executive Order further provides that federal funds shall not be used to promote gender ideology; and

WHEREAS, the Board acknowledges Governor Abbott's letter dated January 30, 2025, expressing support for the Executive Order and directing state agencies to "comply with the law and the biological reality that there are only two sexes – male and female"; and

WHEREAS, given that both the System and the Universities receive significant federal funding, the use of facilities at the Universities for Drag Show Events may be considered promotion of gender ideology in violation of the Executive Order and the Governor's directive; now, therefore, be it

RESOLVED, that it is the policy of the Board of Regents that Drag Show Events shall not be held at Special Event Venues on any of the campuses of the Universities, from and after the date of this resolution; and, be it, further

RESOLVED, that the Board of Regents directs the Chancellor and the President of each of the Universities to take the actions necessary to implement the policy set forth above, including action to cancel any upcoming Drag Show Events and to review and, as needed, to revise the university's procedures for the use of its Special Event Venues to ensure compliance with (a) the policy expressed in this resolution, (b) the above-referenced Executive Order from President Trump and directive from Governor Abbott, and (c) other state and federal law, including Title IX and its promise of a discrimination-free educational environment.

ADOPTED, this 28<sup>th</sup> day of February 2025.

# **ADJOURN**

There being no further business, Chairman Mahomes asked for a motion to adjourn. On a motion by Regent Graham, the meeting was adjourned at 12:35 p.m. on the same day.

Vickie Burt Spillers Executive Director, Board of Regents