

09.05 Financial Disclosure on Official System Websites



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Policy Statement

This policy establishes the requirements for financial disclosure disclaimers on websites.

Reason for Policy

This policy is required to identify appropriate disclosures for the presentation of financial information on The Texas A&M University System (system) and member websites.

Procedures and Responsibilities

1. FINANCIAL DISCLOSURE REQUIREMENTS

The system is required to identify and present financial information on the system's official websites. The information presented on the official websites of the system may constitute "speaking to the market" under the anti-fraud provisions of federal securities law which include federal statutes and caselaw as well as administrative rulings and promulgations of the Securities and Exchange Commission (SEC).

Anti-fraud laws require that all communications in connection with the sale of a security, including information posted on an official system website, must disclose all material information and not include information that would be misleading to a potential investor.

Official system websites will segregate information that is provided for financial disclosure purposes from other types of information and clearly identify the purpose of information posted on its website.

2. ADMINISTRATION OF FINANCIAL INFORMATION DISCLOSURE AND WEBSITE DESIGN

The Internet posting of financial information on the official "system or system member websites" (SMWS) must be controlled, in accordance with the requirements of the SEC. Postings should include:

- (a) A separate financial disclosure section within the official SMWS;
- (b) A disclosure that is attached to financial data only; and
- (c) Secure access requirements to view the financial disclosure section information.

3. IMPLEMENTATION

Implementation of this policy is the responsibility of the chancellor or designee. Each member must apply the financial disclosure statement to its financial data as defined by the SEC or link to the System Offices website which contains the disclosure for financial statements.

Related Statutes, Policies, or Requirements

[Section 10\(b\) of the United States Securities Exchange Act of 1934 \[15 U.S.C. § 78j\(b\)\]](#)

[Securities and Exchange Commission Rule 10b-5 \[17 C.F.R. § 240.10b-5\]](#)

[Section 17\(a\) of the United States Securities Act of 1933 \[15 U.S.C. § 77q\(a\)\]](#)

[Securities and Exchange Commission Interpretive Release 2000-53 – April 2000](#)

[System Regulation 21.01.01, *Financial Accounting and Reporting*](#)

Member Rule Requirements

A rule is not required to supplement this policy.

Contact Office

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