

By: Naishtat

H.B. No. 719

A BILL TO BE ENTITLED

AN ACT

relating to a voting student member on the board of regents of The University of Texas System.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 65.11, Education Code, is amended to read as follows:

Sec. 65.11. BOARD OF REGENTS. (a) The government of the university system is vested in a board of nine regents appointed by the governor with the advice and consent of the senate.

(b) The governor shall appoint one of the regents as provided by Section 65.111.

(c) The board may provide for the administration, organization, and names of the institutions and entities in The University of Texas System in such a way as will achieve the maximum operating efficiency of such institutions and entities, provided, however, that no institution or entity of The University of Texas System not authorized by specific legislative act to offer a four-year undergraduate program as of the effective date of this Act shall offer any such four-year undergraduate program without prior recommendation and approval by a two-thirds vote of the Texas Higher Education Coordinating Board and a specific act of the Legislature.

SECTION 2. Subchapter B, Chapter 65, Education Code, is amended by adding Section 65.111 to read as follows:

1 Sec. 65.111. STUDENT REGENT. (a) In this section:

2 (1) "General academic teaching institution" and
3 "institution of higher education" have the meanings assigned by
4 Section 61.003.

5 (2) "Health institution" means:

6 (A) The University of Texas Health Science Center
7 at Houston;

8 (B) The University of Texas Health Science Center
9 at San Antonio;

10 (C) The University of Texas Health Science Center
11 at Tyler;

12 (D) The University of Texas Medical Branch at
13 Galveston;

14 (E) The University of Texas M.D. Anderson Cancer
15 Center; and

16 (F) The University of Texas Southwestern Medical
17 Center at Dallas.

18 (3) "Student government" means the representative
19 student organization directly elected by the student body of a
20 general academic teaching institution or health institution.

21 (b) The chancellor of the system shall develop a uniform
22 application form to be used by each general academic teaching
23 institution or health institution in the system to solicit
24 applicants for the position of student regent. The chancellor
25 shall consult with The University of Texas System Student Advisory
26 Council before adopting or amending the form.

27 (c) Except as provided by Subsection (h), not later than the

1 October 1 preceding the date on which the term of a student regent
2 expires, the student government of each general academic teaching
3 institution or health institution in the system shall solicit
4 applicants for the position of student regent. The student
5 government shall remove from each application the name of the
6 applicant and the name of the general academic teaching institution
7 or health institution attended by the applicant and shall send each
8 application received by the student government to The University of
9 Texas System Student Advisory Council. From among the applications
10 received by the council, the council shall select five applicants
11 as the council's recommendations for the position of student regent
12 and send the applications of those applicants to the chancellor of
13 the system. From among the applicants whose applications are
14 received by the chancellor, the chancellor shall select two or more
15 applicants as the system's recommendations for the position of
16 student regent and shall send the applications of those applicants
17 to the governor. The governor may request to review all
18 applications for the position of student regent received by The
19 University of Texas System Student Advisory Council and may request
20 to review information required to be removed from an application by
21 a student government under this subsection. The governor with the
22 advice and consent of the senate shall appoint one of the applicants
23 to serve as student regent for the next term of that office. The
24 governor is not required to appoint an applicant recommended by the
25 chancellor.

26 (d) A student regent must be enrolled as an undergraduate or
27 graduate student in a general academic teaching institution or

1 health institution in the system at the time of appointment. For
2 purposes of this subsection, a person is considered to be enrolled
3 in an institution for a summer term if the person was enrolled in
4 the institution for the preceding semester and:

5 (1) is registered or preregistered at the institution
6 for the following fall semester;

7 (2) if the person has not completed the person's degree
8 program, is eligible to continue the degree program at the
9 institution in the following fall semester; or

10 (3) if the person completed a degree in the preceding
11 semester, is admitted to another degree program at the institution
12 for the following fall semester.

13 (e) A student regent may not be enrolled in any institution
14 of higher education outside the system at any time during the
15 student regent's term.

16 (f) The student regent has the same powers and duties,
17 including voting privileges, as the other board members under
18 Subchapter C.

19 (g) On appointment to the board, the student regent shall
20 serve as a member of The University of Texas System Student Advisory
21 Council for the duration of the student regent's term on the board.

22 (h) The student government of the general academic teaching
23 institution or health institution at which the current student
24 regent was enrolled at the time of the regent's appointment may not
25 solicit applicants for the position of student regent for the next
26 regular term of office.

27 (i) A vacancy in the position of student regent shall be

1 filled for the unexpired term as provided by Subsection (c).

2 (j) If a vacancy in the board occurs before February 1,
3 2005, the vacancy shall be filled by a student regent as provided by
4 Subsection (c) as soon as practicable. Notwithstanding Section
5 65.12(c), the term of a student regent appointed to fill a vacancy
6 under this subsection expires February 1, 2005. On the expiration
7 of the term of a student regent appointed under this section, any
8 remainder of the term shall be filled by the governor as provided
9 by Section 65.11(a). This subsection expires January 1, 2006.

10 SECTION 3. Section 65.12, Education Code, is amended to
11 read as follows:

12 Sec. 65.12. QUALIFICATIONS; TERMS. (a) A regent must [~~Each~~
13 ~~member of the board shall~~] be a qualified voter.

14 (b) The regents [~~, and the members~~] shall be selected from
15 different geographic regions [~~portions~~] of the state.

16 (c) The regents appointed under Section 65.11(a) [~~members~~]
17 hold office for staggered terms of six years, with the terms of two
18 or three regents, as applicable, expiring February 1 of
19 odd-numbered years.

20 (d) Except as provided by Subsection (e), a student regent
21 appointed under Section 65.111 holds office for a term of three
22 years, with the term of the initial student regent expiring
23 February 1, 2008.

24 (e) If the three-year term of the student regent is held by
25 final judgement of a court to violate the Texas Constitution, the
26 student regent holds office for a term of six years.

27 SECTION 4. (a) This Act takes effect October 1, 2003.

1 (b) The appropriate student governments, the chancellor of
2 The University of Texas System, and the governor shall take the
3 actions required by Section 65.111, Education Code, as added by
4 this Act, as soon as practicable after this Act takes effect to
5 select a student regent to serve on the board of regents of The
6 University of Texas System for a term expiring February 1, 2008.

7 (c) This Act does not affect the term of a member of the
8 board of regents of The University of Texas System serving on the
9 effective date of this Act.