

By: Wentworth, et al.

S.B. No. 934

A BILL TO BE ENTITLED

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AN ACT

relating to student representation on the board of regents of each state university or state university system.

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

SECTION 1. Subdivision (1), Section 51.351, Education Code, is amended to read as follows:

(1) "General academic teaching institution," "governing board," "institution of higher education," "medical and dental unit," "public junior college," and "university system" have the meanings assigned by Section 61.003 [~~of this code~~].

SECTION 2. Subchapter G, Chapter 51, Education Code, is amended by adding Sections 51.355 and 51.356 to read as follows:

Sec. 51.355. NONVOTING STUDENT REGENT; UNIVERSITY SYSTEM BOARD OF REGENTS. (a) In this section, "student government" means the representative student organization directly elected by the student body of a general academic teaching institution or medical and dental unit.

(b) The chancellor of each university system shall develop a uniform application form to be used by each general academic teaching institution and medical and dental unit in the university system to solicit applicants for the position of student regent.

(c) Except as provided by Subsection (f), not later than September 1 of each year, the student government of each general academic teaching institution and medical and dental unit in a

1 university system shall solicit applicants for the position of  
2 student regent. Not later than November 1, from among the  
3 applications received by the student government, the student  
4 government shall select five applicants as the student government's  
5 recommendations for the position of student regent and send the  
6 applications of those applicants, with the name of each applicant  
7 and the name of the institution or unit in which the applicant is  
8 enrolled removed, to the chancellor of the university system. From  
9 among those applicants, the chancellor shall select two or more  
10 applicants as the university system's recommendations for the  
11 position of student regent and shall send the applications of those  
12 applicants to the governor not later than December 1. The governor  
13 may request to review all applications for the position of student  
14 regent received by the student governments and may request to  
15 review information required to be removed from an application by a  
16 student government under this subsection. On February 1, or as soon  
17 thereafter as practicable, the governor shall appoint one of the  
18 applicants to serve as the student regent for the system for a  
19 one-year term expiring on the next February 1. The governor is not  
20 required to appoint an applicant recommended by the chancellor.

21 (d) A student regent must be enrolled as an undergraduate or  
22 graduate student in a general academic teaching institution or  
23 medical and dental unit in the university system at the time of  
24 appointment and throughout the student regent's term. For purposes  
25 of this subsection, a person is considered to be enrolled in an  
26 institution or unit for a summer term if the person was enrolled in  
27 the institution or unit for the preceding semester and:

1           (1) is registered or preregistered at the institution  
2 or unit for the following fall semester;

3           (2) if the person has not completed the person's degree  
4 program, is eligible to continue the degree program at the  
5 institution or unit in the following fall semester; or

6           (3) if the person completed a degree program in the  
7 preceding semester, is admitted to another degree program at the  
8 institution or unit for the following fall semester.

9           (e) A student regent is not a member of the board of regents  
10 of the system for which the student regent is appointed. A student  
11 regent has the same powers and duties as the members of the board of  
12 regents of the system, including the right to attend and  
13 participate in meetings of the board of regents, except that the  
14 student regent:

15           (1) may not vote on any matter before the board or make  
16 or second any motion before the board; and

17           (2) is not counted in determining whether a quorum  
18 exists for a meeting of the board or in determining the outcome of  
19 any vote of the board.

20           (f) The student government of the general academic teaching  
21 institution or medical and dental unit at which a current student  
22 regent was enrolled at the time of the student regent's appointment  
23 may not solicit applicants for the position of student regent for  
24 the next regular term of the position.

25           (g) A vacancy in the position of student regent for a  
26 university system shall be filled for the unexpired term by  
27 appointment by the governor in consultation with the chancellor of

1 the system.

2 Sec. 51.356. NONVOTING STUDENT REGENT; INSTITUTION BOARD OF  
3 REGENTS. (a) This section applies only to a general academic  
4 teaching institution that is not a part of a university system.

5 (b) In this section, "student government" means the  
6 representative student organization directly elected by the  
7 student body of a general academic teaching institution.

8 (c) The president of a general academic teaching  
9 institution shall develop a uniform application form to be used to  
10 solicit applicants for the position of student regent.

11 (d) Not later than September 1 of each year, the student  
12 government of the general academic teaching institution shall  
13 solicit applicants for the position of student regent. Not later  
14 than November 1, from among the applications received by the  
15 student government, the student government shall select five  
16 applicants as the student government's recommendations for the  
17 position of student regent and send the applications of those  
18 applicants, with the name of each applicant removed, to the  
19 president of the institution. From among those applicants, the  
20 president shall select two or more applicants as the institution's  
21 recommendations for the position of student regent and shall send  
22 the applications of those applicants to the governor not later than  
23 December 1. The governor may request to review all applications for  
24 the position of student regent received by the student government  
25 and may request to review information required to be removed from an  
26 application by the student government under this subsection. On  
27 February 1, or as soon thereafter as practicable, the governor

1 shall appoint one of the applicants to serve as the student regent  
2 for the institution for a one-year term expiring on the next  
3 February 1. The governor is not required to appoint an applicant  
4 recommended by the president.

5 (e) A student regent must be enrolled as an undergraduate or  
6 graduate student in the general academic teaching institution at  
7 the time of appointment and throughout the student regent's term.  
8 For purposes of this subsection, a person is considered to be  
9 enrolled in an institution for a summer term if the person was  
10 enrolled in the institution for the preceding semester and:

11 (1) is registered or preregistered at the institution  
12 for the following fall semester;

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

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

19 (f) A student regent is not a member of the board of regents  
20 of the institution for which the student regent is appointed. A  
21 student regent has the same powers and duties as the members of the  
22 board of regents of the institution, including the right to attend  
23 and participate in meetings of the board of regents, except that the  
24 student regent:

25 (1) may not vote on any matter before the board or make  
26 or second any motion before the board; and

27 (2) is not counted in determining whether a quorum

1 exists for a meeting of the board or in determining the outcome of  
2 any vote of the board.

3 (g) A vacancy in the position of student regent for an  
4 institution shall be filled for the unexpired term by appointment  
5 by the governor in consultation with the president of the  
6 institution.

7 SECTION 3. The initial term of a student regent appointed  
8 for a state university system under Section 51.355, Education Code,  
9 as added by this Act, or for a state university under Section  
10 51.356, Education Code, as added by this Act, expires February 1,  
11 2007. The appropriate student governments, the chancellor of each  
12 state university system, the president of each state university  
13 that is not a part of a university system, and the governor shall  
14 take the actions required by Sections 51.355 and 51.356, Education  
15 Code, as added by this Act, as soon as practicable after this Act  
16 takes effect to select a student regent for each state university or  
17 state university system for that initial term.

18 SECTION 4. This Act takes effect September 1, 2005.