

1-1 By: Wentworth, et al. S.B. No. 934
1-2 (In the Senate - Filed March 3, 2005; March 14, 2005, read
1-3 first time and referred to Subcommittee on Higher Education;
1-4 May 16, 2005, reported adversely, with favorable Committee
1-5 Substitute to Committee on Education; May 20, 2005, reported
1-6 adversely, with favorable Committee Substitute from Committee on
1-7 Education by the following vote: Yeas 6, Nays 0; May 20, 2005, sent
1-8 to printer.)

1-9 COMMITTEE SUBSTITUTE FOR S.B. No. 934 By: Zaffirini

1-10 A BILL TO BE ENTITLED
1-11 AN ACT

1-12 relating to student representation on the board of regents of each
1-13 state university or state university system.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Subdivision (1), Section 51.351, Education Code,
1-16 is amended to read as follows:

1-17 (1) "General academic teaching institution,"
1-18 "governing board," "institution of higher education," "medical and
1-19 dental unit," "public junior college," and "university system" have
1-20 the meanings assigned by Section 61.003 [~~of this code~~].

1-21 SECTION 2. Subchapter G, Chapter 51, Education Code, is
1-22 amended by adding Sections 51.355 and 51.356 to read as follows:

1-23 Sec. 51.355. NONVOTING STUDENT REGENT; UNIVERSITY SYSTEM
1-24 BOARD OF REGENTS. (a) In this section, "student government" means
1-25 the representative student organization directly elected by the
1-26 student body of a general academic teaching institution or medical
1-27 and dental unit.

1-28 (b) The chancellor of each university system shall develop a
1-29 uniform application form to be used by each general academic
1-30 teaching institution and medical and dental unit in the university
1-31 system to solicit applicants for the position of student regent.

1-32 (c) Except as provided by Subsection (f), not later than
1-33 September 1 of each year, the student government of each general
1-34 academic teaching institution and medical and dental unit in a
1-35 university system shall solicit applicants for the position of
1-36 student regent. Not later than November 1, from among the
1-37 applications received by the student government, the student
1-38 government shall select five applicants as the student government's
1-39 recommendations for the position of student regent and send the
1-40 applications of those applicants, with the name of each applicant
1-41 and the name of the institution or unit in which the applicant is
1-42 enrolled removed, to the chancellor of the university system. From
1-43 among those applicants, the chancellor shall select two or more
1-44 applicants as the university system's recommendations for the
1-45 position of student regent and shall send the applications of those
1-46 applicants to the governor not later than December 1. The governor
1-47 may request to review all applications for the position of student
1-48 regent received by the student governments and may request to
1-49 review information required to be removed from an application by a
1-50 student government under this subsection. On February 1, or as soon
1-51 thereafter as practicable, the governor shall appoint one of the
1-52 applicants to serve as the student regent for the system for a
1-53 one-year term expiring on the next February 1. The governor is not
1-54 required to appoint an applicant recommended by the chancellor.

1-55 (d) A student regent must be enrolled as an undergraduate or
1-56 graduate student in a general academic teaching institution or
1-57 medical and dental unit in the university system at the time of
1-58 appointment and throughout the student regent's term. For purposes
1-59 of this subsection, a person is considered to be enrolled in an
1-60 institution or unit for a summer term if the person was enrolled in
1-61 the institution or unit for the preceding semester and:

1-62 (1) is registered or preregistered at the institution
1-63 or unit for the following fall semester;

2-1 (2) if the person has not completed the person's degree
 2-2 program, is eligible to continue the degree program at the
 2-3 institution or unit in the following fall semester; or

2-4 (3) if the person completed a degree program in the
 2-5 preceding semester, is admitted to another degree program at the
 2-6 institution or unit for the following fall semester.

2-7 (e) A student regent is not a member of the board of regents
 2-8 of the system for which the student regent is appointed. A student
 2-9 regent has the same powers and duties as the members of the board of
 2-10 regents of the system, including the right to attend and
 2-11 participate in meetings of the board of regents, except that the
 2-12 student regent:

2-13 (1) may not vote on any matter before the board or make
 2-14 or second any motion before the board; and

2-15 (2) is not counted in determining whether a quorum
 2-16 exists for a meeting of the board or in determining the outcome of
 2-17 any vote of the board.

2-18 (f) The student government of the general academic teaching
 2-19 institution or medical and dental unit at which a current student
 2-20 regent was enrolled at the time of the student regent's appointment
 2-21 may not solicit applicants for the position of student regent for
 2-22 the next regular term of the position.

2-23 (g) A vacancy in the position of student regent for a
 2-24 university system shall be filled for the unexpired term by
 2-25 appointment by the governor in consultation with the chancellor of
 2-26 the system.

2-27 Sec. 51.356. NONVOTING STUDENT REGENT; INSTITUTION BOARD OF
 2-28 REGENTS. (a) This section applies only to a general academic
 2-29 teaching institution that is not a part of a university system.

2-30 (b) In this section, "student government" means the
 2-31 representative student organization directly elected by the
 2-32 student body of a general academic teaching institution.

2-33 (c) The president of a general academic teaching
 2-34 institution shall develop a uniform application form to be used to
 2-35 solicit applicants for the position of student regent.

2-36 (d) Not later than September 1 of each year, the student
 2-37 government of the general academic teaching institution shall
 2-38 solicit applicants for the position of student regent. Not later
 2-39 than November 1, from among the applications received by the
 2-40 student government, the student government shall select five
 2-41 applicants as the student government's recommendations for the
 2-42 position of student regent and send the applications of those
 2-43 applicants, with the name of each applicant removed, to the
 2-44 president of the institution. From among those applicants, the
 2-45 president shall select two or more applicants as the institution's
 2-46 recommendations for the position of student regent and shall send
 2-47 the applications of those applicants to the governor not later than
 2-48 December 1. The governor may request to review all applications for
 2-49 the position of student regent received by the student government
 2-50 and may request to review information required to be removed from an
 2-51 application by the student government under this subsection. On
 2-52 February 1, or as soon thereafter as practicable, the governor
 2-53 shall appoint one of the applicants to serve as the student regent
 2-54 for the institution for a one-year term expiring on the next
 2-55 February 1. The governor is not required to appoint an applicant
 2-56 recommended by the president.

2-57 (e) A student regent must be enrolled as an undergraduate or
 2-58 graduate student in the general academic teaching institution at
 2-59 the time of appointment and throughout the student regent's term.
 2-60 For purposes of this subsection, a person is considered to be
 2-61 enrolled in an institution for a summer term if the person was
 2-62 enrolled in the institution for the preceding semester and:

2-63 (1) is registered or preregistered at the institution
 2-64 for the following fall semester;

2-65 (2) if the person has not completed the person's degree
 2-66 program, is eligible to continue the degree program at the
 2-67 institution in the following fall semester; or

2-68 (3) if the person completed a degree program in the
 2-69 preceding semester, is admitted to another degree program at the

3-1 institution for the following fall semester.

3-2 (f) A student regent is not a member of the board of regents
3-3 of the institution for which the student regent is appointed. A
3-4 student regent has the same powers and duties as the members of the
3-5 board of regents of the institution, including the right to attend
3-6 and participate in meetings of the board of regents, except that the
3-7 student regent:

3-8 (1) may not vote on any matter before the board or make
3-9 or second any motion before the board; and

3-10 (2) is not counted in determining whether a quorum
3-11 exists for a meeting of the board or in determining the outcome of
3-12 any vote of the board.

3-13 (g) A vacancy in the position of student regent for an
3-14 institution shall be filled for the unexpired term by appointment
3-15 by the governor in consultation with the president of the
3-16 institution.

3-17 SECTION 3. The initial term of a student regent appointed
3-18 for a state university system under Section 51.355, Education Code,
3-19 as added by this Act, or for a state university under Section
3-20 51.356, Education Code, as added by this Act, expires February 1,
3-21 2007. The appropriate student governments, the chancellor of each
3-22 state university system, the president of each state university
3-23 that is not a part of a university system, and the governor shall
3-24 take the actions required by Sections 51.355 and 51.356, Education
3-25 Code, as added by this Act, as soon as practicable after this Act
3-26 takes effect to select a student regent for each state university or
3-27 state university system for that initial term.

3-28 SECTION 4. This Act takes effect September 1, 2005.

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