

BILL ANALYSIS

C.S.H.B. 2225
By: Giddings
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, there is no student representation on the Texas Higher Education Coordinating Board. C.S.H.B. 2225 provides for student representation on the Texas Higher Education Coordinating Board and in certain coordinating board advisory committees. Students deserve the opportunity to express their ideas and have an influence in higher education.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1: Subchapter B, Chapter 61 of the Education Code is amended by adding language related to a nonvoting student representative. Defines "board" and "student government." Provides that a student representative shall be appointed to the board and that the student representative is not a state officer. Provides guidelines for the appointment procedures and provides for the process of application and selection for the student representative. Provides guidelines for terms of a student regent.

States that the board shall develop a uniform application form to be used by each institution to solicit applicants for the position of student representative to the board. Provides that for an institution of higher education that is not part of a university system, the president of the institution, from among the applicants selected as the student government's recommendations, shall select two or more applicants as the institution's recommendations for the position and send the applications to the governor in accordance with the deadline established for a chancellor to send applications to the governor for a student regent. Provides that a student representative must meet minimum requirements prescribed for a student regent and that the student representative has the same powers and duties as the members of the board, including the right to attend and participate in meetings of the board. Provides for the exception that the student representative may not vote on any matter before the board or make or second any motion, and is not counted in determining whether a quorum exists for a meeting of the board or in determining the outcome of any vote of the board.

Provides that the student representative serves without pay but is entitled to be reimbursed for the actual expenses incurred by the student representative in attending the meetings or other work of the board, subject to the approval of the chairman of the board. Provides that the student government of the institution of higher education at which a current student representative was enrolled at the time of the student representative's appointment may not solicit applicants for the position of student representative for the next regular term of the position. A vacancy in the position of student representative shall be filled for the unexpired term by appointment by the governor.

SECTION 2: Subchapter C, Chapter 61 of the Education Code is amended by adding language related to student representation on certain board advisory committees. Defines "board" and "student government."

States that not later than August 1 of each year, the board shall provide to each institution of higher education a list of available positions for student representatives on board advisory committees, the effective terms of those positions, and the duties and requirements for each

position. Also requires the board to provide to each institution a maximum number of nominees determined by the board allowed to be submitted by each institution for each position, and an application form for appointment to an advisory committee. Provides that not later than September 1 of each year, the president of each institution of higher education shall establish a nomination process for the available positions for student representatives on board advisory committees and shall solicit student applications from which the president may select a number of applicants for those positions, not to exceed the maximum number designated by the board for each position. Provides that not later than December 1, the president shall forward the applications of the nominees selected by the president to the board for consideration. Stipulates that not later than February 1, the board shall appoint a total of not less than four student representatives to designated advisory committees of the board, including the Common Application Advisory Committee, the Distance Education Advisory Committee, the Financial Aid Advisory Committee, the Undergraduate Education Advisory Committee, the Transfer Issues Advisory Committee, or any other advisory committee created to address the needs of higher education, including committees addressing financial aid, student services, and undergraduate education needs.

Provides that a student representative on an advisory committee must meet minimum requirements prescribed for a nonvoting student regent, as those requirements apply to an institution of higher education. States that a student representative has the same powers and duties as the members of the advisory committee, including the right to attend and participate in meetings of the committee. Provides for the exception that the student representative may not vote on any matter before the committee or make or second any motion, and is not counted in determining whether a quorum exists for the committee or in determining the outcome of any vote of the committee.

A student representative serves without pay. A vacancy in the position of student representative on an advisory committee shall be filled for the unexpired term by appointment by the board.

SECTION 3: Provides that the initial term of a student representative appointed to the Texas Higher Education Coordinating Board or for a coordinating board advisory committee expires February 1, 2009. States that the appropriate student governments, the president of each institution of higher education, the coordinating board, and the governor shall take the actions required by this Act as soon as practicable after this Act takes effect to select the initial student representative to the coordinating board and to the advisory committees for the initial term.

SECTION 4: Effective date.

EFFECTIVE DATE

This Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The committee substitute clarifies that the Texas Higher Education Coordinating Board will develop the application form to be used by each institution rather than the institution. Specifies that a student representative is not a state officer. The substitute provides that the application process and terms will start and end to be aligned with how a student regent is appointed and how long a student regent serves. The substitute allows for those institutions that are not part of a university system and without a chancellor to send their nominations directly from their president to the Governor. Adds that the student representative of the board shall be reimbursed for other work of the board as well as board meetings. Mandates that the students meet the same minimum requirements as a Student Regent. Stipulates that the representative may not be from the same school two years in a row. The substitute states that the Texas Higher Education Coordinating Board will evaluate relevant advisory committees for students to serve on each year and provide an updated list of those committees. Stipulates that students serving on advisory committees serve without pay. Finally, the substitute provides for other conforming, non-substantive and clarifying changes.