

## **BILL ANALYSIS**

Senate Research Center

S.B. 15  
By: Seliger et al.  
Higher Education  
3/25/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, governing board appointees who are appointed in the interim are allowed to serve with full voting authority.

This legislation clarifies that all duties not specifically prescribed by law to governing boards or system administration are the responsibilities of the institutions.

Currently, members of governing boards must go through a training program that focuses on the official role and duties of the members of governing boards, including training in the areas of budgeting, policy development, and governance. This legislation requires that training in ethics becomes part of this training program, and that any appointee who has not received the required training is prohibited from voting on any budgetary or personnel matter of the system or institutions.

As proposed, S.B. 15 amends current law relating to the duties and responsibilities of members of governing boards of university systems and institutions of higher education.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 51.352, Education Code, by adding Subsection (g), to prohibit any appointee who is unconfirmed by the senate from voting on any budgetary or personnel matter related to system administration or institutions of higher education.

SECTION 2. Amends Section 51.354, Education Code, by adding Subsection (9), to provide that, in addition to specific responsibilities imposed by this code or other law, each institution of higher education has the general responsibility to serve the public and, within the institution's role and mission, to fulfill certain duties, including, in addition to the duties described in this section (Institutional Responsibility), all duties not specifically prescribed by law to governing boards or system administration are the responsibilities of institutions of higher education.

SECTION 3. Amends Section 61.084, Government Code, as follows:

(d) Requires that the content of the instruction at the training program focus on the official role and duties of the members of governing boards and provide training in the areas of budgeting, policy development, ethics, and governance. Requires, rather than authorizes, that topics covered by the training program include auditing procedures and recent audits of institutions of higher education; the enabling legislation that creates institutions of higher education; the role of the governing board at institutions of higher education and the relationship between the governing board and an institution's administration, faculty and staff, and students; the mission statements of institutions of higher education; disciplinary and investigative authority of the governing board; the requirements of the open meetings law, Chapter 551 (Open Meetings), Government Code, and the open records law, Chapter 552 (Public Information), Government Code;

the requirements of conflict of interest laws and other laws relating to public officials; any applicable ethics policies adopted by institutions of higher education or the Texas Ethics Commission; and any other topic relating to higher education the board considers important.

(e)-(g) Makes no changes to these subsections.

(h) Provides that an appointee who has not received the training required under this section is prohibited from voting on any budgetary or personnel matter related to system administration or institutions of higher education.

SECTION 4. Effective date: upon passage or September 1, 2013.