

By: Seliger, et al.

S.B. No. 15

A BILL TO BE ENTITLED

AN ACT

relating to the duties and responsibilities of members of governing boards of university systems and institutions of higher education.

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

SECTION 1. Section 51.352, Education Code, is amended by adding Subsection (g) to read as follows:

Sec. 51.352. (g) Any appointee who is unconfirmed by the Senate is prohibited from voting on any budgetary or personnel matter related to system administration or institutions of higher education.

SECTION 2. Section 51.354, Education code, is amended by adding Subsection (9) to read as follows:

Sec. 51.354. 51.354. INSTITUTIONAL RESPONSIBILITY. 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:

- (1) transmit culture through general education;
- (2) extend knowledge;
- (3) teach and train students for professions;
- (4) provide for scientific, engineering, medical, and other academic research;
- (5) protect intellectual exploration and academic freedom;

1 (6) strive for intellectual excellence;

2 (7) provide educational opportunity for all who can
3 benefit from postsecondary education and training; and

4 (8) provide continuing education opportunities.

5 (9) In addition to the duties described in this
6 section, all duties not specifically prescribed by law to governing
7 boards or system administration are the responsibilities of
8 institutions of higher education.

9 SECTION 3. Section 61.084, Government Code, is amended to
10 read as follows:

11 (d) The content of the instruction at the training program
12 shall focus on the official role and duties of the members of
13 governing boards and shall provide training in the areas of
14 budgeting, policy development, ethics, and governance. Topics
15 covered by the training program ~~may~~ shall include:

16 (1) auditing procedures and recent audits of
17 institutions of higher education;

18 (2) the enabling legislation that creates
19 institutions of higher education;

20 (3) the role of the governing board at institutions of
21 higher education and the relationship between the governing board
22 and an institution's administration, faculty and staff, and
23 students;

24 (4) the mission statements of institutions of higher
25 education;

26 (5) disciplinary and investigative authority of the
27 governing board;

1 (6) the requirements of the open meetings law, Chapter
2 551, Government Code, and the open records law, Chapter 552,
3 Government Code;

4 (7) the requirements of conflict of interest laws and
5 other laws relating to public officials;

6 (8) any applicable ethics policies adopted by
7 institutions of higher education or the Texas Ethics Commission;
8 and

9 (9) any other topic relating to higher education the
10 board considers important.

11 (e) In addition to the content of the instruction at a
12 training program required under Subsection (d), topics covered by
13 the training program for members of a governing board of a public
14 junior college district must include information about best
15 practices in campus financial management, financial ratio
16 analysis, and case studies using financial indicators.

17 (f) The minutes of the last regular meeting held by a
18 governing board of a public junior college district during a
19 calendar year must reflect whether each member of the governing
20 board has completed any training required to be completed by the
21 member under this section as of the meeting date.

22 (g) The board shall provide an equivalent training program
23 by electronic means in the event a member of a governing board is
24 unable to attend the training program required by this section.
25 Completion of the training program by electronic means is deemed to
26 satisfy the requirements of this section.

27 (h) An appointee who has not received the training required

1 under this section is prohibited from voting on any budgetary or
2 personnel matter related to system administration or institutions
3 of higher education.

4 SECTION 4. Except as otherwise provided by this Act, this
5 Act takes effect immediately if it receives a vote of two-thirds of
6 all the members elected to each house, as provided by Section 39,
7 Article III, Texas Constitution. If this Act does not receive the
8 vote necessary for immediate effect, this Act takes effect
9 September 1, 2013.