

By: Zaffirini, West

S.B. No. 24

A BILL TO BE ENTITLED

1 AN ACT
2 relating to training for members of the governing board of a public
3 institution of higher education.

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

5 SECTION 1. Section 61.084, Education Code, is amended by
6 amending Subsections (a) and (d) and adding Subsections (a-1),
7 (a-2), and (h) to read as follows:

8 (a) The board by rule shall establish a training program for
9 members of the governing boards of institutions of higher
10 education. Each member of a governing board of an institution of
11 higher education shall attend, during the member's first year [~~two~~
12 ~~years~~] of service as a member of a governing board of an institution
13 of higher education, at least one training program under this
14 section. A member of a governing board who is required to attend a
15 training program under this section may attend additional training
16 programs under this section.

17 (a-1) The board's rules must require a governing board
18 member who holds an appointive position to attend, as part of the
19 training program, the intensive short orientation course developed
20 under Section 61.0841 and any available training course sponsored
21 or coordinated by the office of the governor with a curriculum
22 designed for training newly appointed state officers, board
23 members, or high-level executive officials. The rules must require
24 the member to attend those courses the first time they are offered

1 following the date the member takes the oath of office, regardless
2 of whether that attendance is required under other law. The rules
3 may provide a governing board member with additional time to attend
4 those courses if the member for good cause is unable to attend the
5 courses the first time they are offered. Subsection (g) does not
6 apply to the courses required by this subsection.

7 (a-2) A member of the governing board of an institution of
8 higher education who holds an appointive position and whose first
9 year of service on the governing board begins on or after September
10 1, 2015, is prohibited from voting on a budgetary or personnel
11 matter related to system administration or institutions of higher
12 education until the member completes the intensive short
13 orientation course described by Subsection (a-1).

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

19 (1) auditing procedures and recent audits of
20 institutions of higher education;

21 (2) the enabling legislation that creates
22 institutions of higher education;

23 (3) the role of the governing board at institutions of
24 higher education and the relationship between the governing board
25 and an institution's administration, faculty and staff, and
26 students, including limitations on the authority of the governing
27 board;

1 (4) the mission statements of institutions of higher
2 education;

3 (5) disciplinary and investigative authority of the
4 governing board;

5 (6) the requirements of the open meetings law, Chapter
6 551, Government Code, and the open records law, Chapter 552,
7 Government Code;

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

10 (8) any applicable ethics policies adopted by
11 institutions of higher education or the Texas Ethics Commission;

12 (9) the requirements of laws relating to the
13 protection of student information under the Family Educational
14 Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) or any
15 other federal or state law relating to the privacy of student
16 information; and

17 (10) [~~9~~] any other topic relating to higher
18 education the board considers important.

19 (h) The board is responsible for documenting governing
20 board members' completion of the requirements provided by this
21 section.

22 SECTION 2. Subchapter C, Chapter 61, Education Code, is
23 amended by adding Section 61.0841 to read as follows:

24 Sec. 61.0841. INTENSIVE SHORT COURSE FOR APPOINTED MEMBERS
25 OF GOVERNING BOARDS. (a) The board shall develop an intensive
26 short orientation course for members of the governing boards of
27 institutions of higher education who hold appointive positions.

1 The orientation course must be offered as an online interactive
2 course and may also be offered in the form of a written document or
3 in a one-on-one or group setting.

4 (b) The instruction in the orientation course must include:

5 (1) best practices relating to excellence,
6 transparency, accountability, and efficiency in the governing
7 structure and organization of general academic teaching
8 institutions and university systems;

9 (2) best practices relating to the manner in which
10 governing boards and administrators of general academic teaching
11 institutions and university systems develop and implement major
12 policy decisions, including the need for impartiality and adequate
13 internal review in their processes;

14 (3) matters relating to excellence, transparency,
15 accountability, and efficiency in the governance and
16 administration of general academic teaching institutions and
17 university systems; and

18 (4) ethics, conflicts of interests, and the proper
19 role of a board member in the governing structure of general
20 academic teaching institutions and university systems.

21 SECTION 3. This Act takes effect September 1, 2015.