

By: Zaffirini, et al.  
(Zerwas)

S.B. No. 24

A BILL TO BE ENTITLED

AN ACT

relating to training for members of the governing board of a public institution of higher education.

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

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

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

(a-1) The board's rules must require a governing board member who holds an appointive position to attend, as part of the training program, the intensive short orientation course developed under Section 61.0841 and any available training course sponsored or coordinated by the office of the governor with a curriculum designed for training newly appointed state officers, board members, or high-level executive officials. The rules must require 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.