

By: Blanco, Menéndez

S.B. No. 1709

A BILL TO BE ENTITLED

AN ACT

relating to promoting racial equity in the hiring and promotion of faculty members by public institutions of higher education.

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

SECTION 1. Subchapter 2, Chapter 51, Education Code, is amended by adding Section 51.9085 to read as follows:

Sec. 51.9085. FACULTY DIVERSIFICATION PLAN AND REPORT. (a)

In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) Each institution of higher education shall develop a five-year, research-based plan to increase racial diversity among faculty members at the institution. The plan must include:

(1) diversity and equity assessments that include the perspectives of faculty members of color;

(2) strategies for increasing racial diversity among faculty members to the extent necessary to reflect the racial diversity of the institution's student population; and

(3) research-based methods for supporting faculty members of color to and through tenure and promotion.

(c) Each institution of higher education shall update its plan as appropriate at the conclusion of each five-year period.

(d) Each institution of higher education shall annually prepare and submit to the Texas Higher Education Coordinating Board a report on the institution's progress in increasing racial

1 diversity among faculty members in accordance with the plan
2 developed under this section. The report must include data on the
3 rank, salary, tenure, and promotion of faculty members of color as
4 compared to white faculty members at the institution, disaggregated
5 by department and college, as applicable.

6 SECTION 2. Section 61.057, Education Code, is amended to
7 read as follows:

8 Sec. 61.057. PROMOTION OF TEACHING EXCELLENCE AND EQUITY.

9 (a) To achieve excellence and equity in the teaching of students at
10 institutions and agencies of higher education, the board shall:

11 (1) develop and recommend:

12 (A) minimum equitable faculty compensation
13 plans, basic increment programs, and incentive salary increases;

14 (B) minimum equitable standards for faculty
15 appointment, advancement, promotion, and retirement;

16 (C) equitable [~~general~~] policies for faculty
17 teaching loads, and division of faculty time between teaching,
18 research, administrative duties, and special assignments;

19 (D) equitable faculty improvement programs,
20 including a plan for sabbatical leaves, appropriate for the junior
21 and senior colleges and universities, respectively; and

22 (E) minimum equitable standards for academic
23 freedom, academic responsibility, and tenure;

24 (2) pursue vigorously and continuously a goal of
25 having all college and university academic classes taught by
26 racially diverse faculty members [~~persons~~] holding the minimum of
27 an earned master's degree or its equivalent in academic training,

1 creative work, or professional accomplishment;

2 (3) explore, promote, and coordinate the use of
3 educational television among institutions of higher education and
4 encourage participation by public and private schools and private
5 institutions of higher education in educational television;

6 (4) conduct, and encourage the institutions of higher
7 education to conduct, research into new methods, materials, and
8 techniques for improving the quality of instruction and for the
9 maximum utilization of all available teaching techniques, devices,
10 and resources, including but not limited to large classes, team
11 teaching, programmed instruction, interlibrary exchanges, joint
12 libraries, specially-designed facilities, visual aids, and other
13 innovations that offer promise for superior teaching or for meeting
14 the need for new faculty members, especially faculty members of
15 color, to teach anticipated larger numbers of students; and

16 (5) assume initiative and leadership in providing
17 through the institutions of higher education in the state those
18 programs and offerings which will achieve the objectives set forth
19 in Section 61.002 [~~of this code~~].

20 (b) For purposes of this section, a plan, program, policy,
21 or standard is equitable if it is:

22 (1) free from racial bias and discriminatory barriers;

23 (2) characterized by support based on an understanding
24 of the distinct needs of faculty members of color;

25 (3) designed with structures that promote the success
26 of faculty members of color; and

27 (4) intentional about ensuring that faculty members of

1 color are represented at all levels of decision-making.

2 SECTION 3. Section 61.059(a), Education Code, is amended to
3 read as follows:

4 (a) To finance a system of higher education and to secure an
5 equitable distribution of state funds deemed to be available for
6 higher education, the board shall perform the functions described
7 in this section. Funding policies shall:

8 (1) allocate resources efficiently and provide
9 incentives for programs of superior quality and for institutional
10 diversity that reflects proportional racial representation between
11 faculty members and students, as provided in each institution of
12 higher education's faculty diversification plan developed under
13 Section 51.9085;

14 (2) provide incentives for supporting the five-year
15 master plan developed and revised under Section 61.051;

16 (3) discourage unnecessary duplication of course
17 offerings between institutions and unnecessary construction on any
18 campus; and

19 (4) emphasize an alignment with education goals
20 established by the board.

21 SECTION 4. (a) As soon as practicable after the effective
22 date of this Act, each public institution of higher education shall
23 develop the faculty diversification plan required under Section
24 51.9085, Education Code, as added by this Act.

25 (b) Not later than September 1, 2022, each public
26 institution of higher education shall prepare and submit to the
27 Texas Higher Education Coordinating Board the initial report

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1 required under Section 51.9085, Education Code, as added by this
2 Act.

3 SECTION 5. This Act takes effect September 1, 2021.