

By: Bettencourt

S.B. No. 1489

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the governance of public institutions of higher
3 education, including the establishment of a faculty council or
4 senate and the decision-making authority of public institutions of
5 higher education.

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

7 SECTION 1. Subchapter G, Chapter 51, Education Code, is
8 amended by adding Sections 51.3522 and 51.3523 to read as follows:

9 Sec. 51.3522. FACULTY COUNCIL OR SENATE. (a) In this
10 section, "faculty council or senate" means a representative faculty
11 organization directly elected by the general faculty or colleges
12 and schools of an institution of higher education.

13 (b) Only the governing board of an institution of higher
14 education may establish or authorize the establishment of a faculty
15 council or senate at the institution.

16 (c) A faculty council or senate is advisory only. A faculty
17 council or senate may not:

18 (1) be delegated final decision-making authority on
19 any matter; or

20 (2) take action on behalf of the institution,
21 including approving personnel action or conducting an
22 investigation.

23 (d) Unless directed otherwise by the institution's
24 governing board, a faculty council or senate shall report to the

1 institution's president or other chief executive officer.

2 (e) Chapter 2110, Government Code, does not apply to a
3 faculty council or senate.

4 Sec. 51.3523. FACULTY COUNCIL OR SENATE MEETINGS OPEN TO
5 PUBLIC. (a) A faculty council or senate established in accordance
6 with Section 51.3522 shall conduct meetings at which a quorum is
7 present in a manner that is open to the public and in accordance
8 with procedures prescribed by the president of the institution.

9 (b) The procedures prescribed by the president must:

10 (1) provide for notice of the date, hour, place, and
11 subject of the meeting at least 72 hours before the meeting is
12 convened; and

13 (2) require that the notice be:

14 (A) posted on the Internet; and

15 (B) published in a student newspaper of the
16 institution, if an issue of the newspaper is published between the
17 time of the Internet posting and the time of the meeting.

18 (c) Any vote taken by a faculty council or senate must be
19 recorded and made public.

20 SECTION 2. Section 51.354, Education Code, is amended to
21 read as follows:

22 Sec. 51.354. INSTITUTIONAL AUTHORITY AND RESPONSIBILITY.

23 (a) The final decision-making authority on matters regarding an
24 institution of higher education's degree programs and curricula
25 belongs to the institution. The institution shall make the
26 decisions on those matters under the direction of the institution's
27 governing board.

1 **(b)** In addition to specific responsibilities imposed by
2 this code or other law, each institution of higher education has the
3 general responsibility to serve the public and, within the
4 institution's role and mission, to:

5 (1) transmit culture through general education;

6 (2) extend knowledge;

7 (3) teach and train students for professions;

8 (4) provide for scientific, engineering, medical, and
9 other academic research;

10 (5) protect intellectual exploration and academic
11 freedom;

12 (6) strive for intellectual excellence;

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

15 (8) provide continuing education opportunities.

16 SECTION 3. A faculty council or senate established at a
17 public institution of higher education before the effective date of
18 this Act is abolished on October 1, 2025, unless:

19 (1) the faculty council or senate was established in
20 accordance with Section 51.3522, Education Code, as added by this
21 Act; or

22 (2) the faculty council's or senate's continuation is
23 ratified by the institution's governing board before that date.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

S.B. No. 1489

1 Act takes effect September 1, 2025.