

1-1 By: Zaffirini S.B. No. 24  
1-2 (In the Senate - Filed November 10, 2014; January 26, 2015,  
1-3 read first time and referred to Committee on Higher Education;  
1-4 April 15, 2015, reported favorably by the following vote: Yeas 7,  
1-5 Nays 0; April 15, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Seliger	X		
1-9	West	X		
1-10	Bettencourt	X		
1-11	Burton	X		
1-12	Menéndez	X		
1-13	Perry	X		
1-14	Watson	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to training for members of the governing board of a public  
1-18 institution of higher education.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 61.084, Education Code, is amended by  
1-21 amending Subsections (a) and (d) and adding Subsections (a-1),  
1-22 (a-2), and (h) to read as follows:

1-23 (a) The board by rule shall establish a training program for  
1-24 members of the governing boards of institutions of higher  
1-25 education. Each member of a governing board of an institution of  
1-26 higher education shall attend, during the member's first year [~~two~~  
1-27 ~~years~~] of service as a member of a governing board of an institution  
1-28 of higher education, at least one training program under this  
1-29 section. A member of a governing board who is required to attend a  
1-30 training program under this section may attend additional training  
1-31 programs under this section.

1-32 (a-1) The board's rules must require a governing board  
1-33 member who holds an appointive position to attend, as part of the  
1-34 training program, the intensive short orientation course developed  
1-35 under Section 61.0841 and any available training course sponsored  
1-36 or coordinated by the office of the governor with a curriculum  
1-37 designed for training newly appointed state officers, board  
1-38 members, or high-level executive officials. The rules must require  
1-39 the member to attend those courses the first time they are offered  
1-40 following the date the member takes the oath of office, regardless  
1-41 of whether that attendance is required under other law. The rules  
1-42 may provide a governing board member with additional time to attend  
1-43 those courses if the member for good cause is unable to attend the  
1-44 courses the first time they are offered. Subsection (g) does not  
1-45 apply to the courses required by this subsection.

1-46 (a-2) A member of the governing board of an institution of  
1-47 higher education who holds an appointive position and whose first  
1-48 year of service on the governing board begins on or after September  
1-49 1, 2015, is prohibited from voting on a budgetary or personnel  
1-50 matter related to system administration or institutions of higher  
1-51 education until the member completes the intensive short  
1-52 orientation course described by Subsection (a-1).

1-53 (d) The content of the instruction at the training program  
1-54 shall focus on the official role and duties of the members of  
1-55 governing boards and shall provide training in the areas of  
1-56 budgeting, policy development, ethics, and governance. Topics  
1-57 covered by the training program must [~~may~~] include:

1-58 (1) auditing procedures and recent audits of  
1-59 institutions of higher education;

1-60 (2) the enabling legislation that creates  
1-61 institutions of higher education;

2-1 (3) the role of the governing board at institutions of  
2-2 higher education and the relationship between the governing board  
2-3 and an institution's administration, faculty and staff, and  
2-4 students, including limitations on the authority of the governing  
2-5 board;

2-6 (4) the mission statements of institutions of higher  
2-7 education;

2-8 (5) disciplinary and investigative authority of the  
2-9 governing board;

2-10 (6) the requirements of the open meetings law, Chapter  
2-11 551, Government Code, and the open records law, Chapter 552,  
2-12 Government Code;

2-13 (7) the requirements of conflict of interest laws and  
2-14 other laws relating to public officials;

2-15 (8) any applicable ethics policies adopted by  
2-16 institutions of higher education or the Texas Ethics Commission;

2-17 (9) the requirements of laws relating to the  
2-18 protection of student information under the Family Educational  
2-19 Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) or any  
2-20 other federal or state law relating to the privacy of student  
2-21 information; and

2-22 (10) [~~9~~] any other topic relating to higher  
2-23 education the board considers important.

2-24 (h) The board is responsible for documenting governing  
2-25 board members' completion of the requirements provided by this  
2-26 section.

2-27 SECTION 2. Subchapter C, Chapter 61, Education Code, is  
2-28 amended by adding Section 61.0841 to read as follows:

2-29 Sec. 61.0841. INTENSIVE SHORT COURSE FOR APPOINTED MEMBERS  
2-30 OF GOVERNING BOARDS. (a) The board shall develop an intensive  
2-31 short orientation course for members of the governing boards of  
2-32 institutions of higher education who hold appointive positions.  
2-33 The orientation course must be offered as an online interactive  
2-34 course and may also be offered in the form of a written document or  
2-35 in a one-on-one or group setting.

2-36 (b) The instruction in the orientation course must include:

2-37 (1) best practices relating to excellence,  
2-38 transparency, accountability, and efficiency in the governing  
2-39 structure and organization of general academic teaching  
2-40 institutions and university systems;

2-41 (2) best practices relating to the manner in which  
2-42 governing boards and administrators of general academic teaching  
2-43 institutions and university systems develop and implement major  
2-44 policy decisions, including the need for impartiality and adequate  
2-45 internal review in their processes;

2-46 (3) matters relating to excellence, transparency,  
2-47 accountability, and efficiency in the governance and  
2-48 administration of general academic teaching institutions and  
2-49 university systems; and

2-50 (4) ethics, conflicts of interests, and the proper  
2-51 role of a board member in the governing structure of general  
2-52 academic teaching institutions and university systems.

2-53 SECTION 3. This Act takes effect September 1, 2015.

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