

BILL ANALYSIS

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S.B. 934
By: Wentworth et al.
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Each state-supported university in Texas has a board of regents consisting of nine members appointed by the governor. Currently, 39 states have a student representative on the board of regents of one or more state-supported institutions of higher education. As proposed, S.B. 934 requires that one of the nine regents be a currently enrolled undergraduate or graduate student. The term for the voting student member would be one year. The student regent would be nominated by the governor and confirmed by the Texas Senate, just as the other eight regents are.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter G, Chapter 51, Education Code, by adding Sections 51.355, 51.356, and 51.357, as follows:

Sec. 51.355. STUDENT REGENT DESIGNATE; UNIVERSITY SYSTEM BOARD OF REGENTS. (a) Defines "student government."

(b) Requires the chancellor of each university system to develop a uniform application form to be used by each general academic teaching institution in the university system to solicit applicants for the position of student regent designate (designate).

(c) Requires, except as provided by Subsection (f), not later than September 1 of each year, the student government of each general academic teaching institution in a university system to solicit applicants for the position of designate. Requires the student government not later than November 1, and from among the applications received by the student government, to select five applicants as the student government's recommendations for the designate position and to send the applications of those applicants, with the name of each applicant and the name of the institution in which the applicant is enrolled removed, to the chancellor of the university system. Requires, from among those applicants, the chancellor to select two or more applicants as the university system's recommendations for the position of designate and to send the applications of those applicants to the governor not later than December 1. Authorizes the governor to request to review all applications for the position of designate received by the student governments and to review information required to be removed from an application by a student government under this subsection. Requires the governor, on February 1 or as soon thereafter as practicable, with the advice and consent of the senate, to appoint one of the applicants to serve as the designate on the university system's board of regents to a one-year term expiring on the next February 1. Provides that the governor is not required to appoint an applicant recommended by the chancellor.

(d) Requires a designate to be enrolled as an undergraduate or graduate student in a general academic teaching institution at the time of appointment and throughout

the designate's term of office. Provides that for the purposes of this subsection, a person is considered to be enrolled in an institution for a summer term if they meet certain requirements pertaining to enrollment.

(e) Provides that a designate for a university system has the same powers and duties as the members of the board of regents of the system, with certain exceptions.

(f) Prohibits the student government of the institution at which the designate was enrolled at the time of the designate's selection from soliciting applicants for the position of student regent designate for the next regular term of the position.

(g) Requires a vacancy in the position of designate to be filled for the unexpired term by appointment by the governor in consultation with the chancellor of the university system.

Sec. 51.356. STUDENT REGENT DESIGNATE; INSTITUTION BOARD OF REGENTS. (a) Provides that this section applies only to an institution that is not a part of a university system.

(b) Defines "student government."

(c) Requires the president of a general academic teaching institution to develop a uniform application form to be used to solicit applicants for the position of student regent designate.

(d) Requires, not later than September 1 of each year, the student government of each general academic teaching institution to solicit applicant for the position of designate. Requires the student government, not later than November 1 and from among the applications received by the student government, to select five applicants as the student government's recommendations for the designate position and to send the applications of those applicants, with the name of each applicant and the name of the institution in which the applicant is enrolled removed, to the president of the institution. Requires, from among those applicants, the president to select two or more applicants as the institution's recommendations for the position of designate and to send the applications of those applicants to the governor not later than December 1. Authorizes the governor to request to review all applications for the position of designate received by the student government and to review information required to be removed from an application by a student government under this subsection. Requires the governor, on February 1 or as soon thereafter as practicable, with the advice and consent of the senate, to appoint one of the applicants to serve as the designate on the institution's board of regents to a one-year term expiring on the next February 1. Provides that the governor is not required to appoint an applicant recommended by the president.

(e) Requires a designate to be enrolled as an undergraduate or graduate student in a general academic teaching institution at the time of appointment and throughout the designate's term of office. Provides that for the purposes of this subsection, a person is considered to be enrolled in an institution for a summer term if they meet certain requirements pertaining to enrollment.

(f) Provides that a designate for a university system has the same powers and duties as the members of the board of regents of the system, with certain exceptions.

(g) Requires a vacancy in the position of designate to be filled for the unexpired term by appointment by the governor in consultation with the president of the general academic teaching institution.

Sec. 51.357. VOTING STUDENT REGENT. (a) Provides that on the expiration of the term of a designate appointed by the board of regents of a university system under Section 51.355 or to the board of regents of a general academic teaching institution under Section 51.356, the designate succeeds to the position of student regent on that board for a term of one year.

(b) Provides that a student regent serving under this section has the same powers and duties, including voting privileges, as the other members of the board on which the student regent serves.

(c) Provides that the enrollment requirements described by Section 51.355(d) or 51.356(e), as applicable, for a designate apply to a student regent serving under this section.

(d) Requires, if a vacancy in the position of student regent occurs, the person serving as designate under Section 51.355(d) or 51.356(e), as applicable, to fill the vacancy for the unexpired term. Requires the resulting vacancy in the position of designate to be filled for the unexpired term as provided by Section 51.355 or 51.356, as applicable.

(e) Provides that if the one-year term of the student regent is held by final judgment of a court to violate the Texas Constitution, the student regent holds the office for a term of six years.

SECTION 2. Amends Sections 65.11 and 65.12, Education Code, as follows:

Sec. 65.11. BOARD OF REGENTS. Requires one of the members of the board of regents of The University of Texas System to be a student regent serving under Section 51.357. Makes nonsubstantive changes.

Sec. 65.12. QUALIFICATIONS; TERMS. Requires the members of the board of regents of The University of Texas System, other than the student regent, to be selected from different portions of the state. Provides that the board members, other than the student regent, hold office for staggered terms of six years, with terms of two or three regents, as applicable, expiring February 1 of odd-numbered years. Provides that the student regent holds office for a term of one year expiring February 1, with the term of the initial student regent expiring February 1, 2008.

SECTION 3. Amends Sections 85.11 and 85.12, Education Code, as follows:

Sec. 85.11. BOARD OF REGENTS. Requires one of the members of the board of regents of the Texas A&M University System to be a student regent serving under Section 51.357. Makes nonsubstantive changes.

Sec. 85.12. QUALIFICATIONS; TERMS. Requires the members of the board of regents of the Texas A&M University System, other than the student regent, to be selected from different portions of the state. Provides that the board members, other than the student regent, hold office for staggered terms of six years, with terms of two or three regents, as applicable, expiring February 1 of odd-numbered years. Provides that the student regent holds office for a term of one year expiring February 1, with the term of the initial student regent expiring February 1, 2008.

SECTION 4. Amends Subchapter A, Chapter 95, Education Code, by amending Section 95.02 and adding Section 95.022, as follows:

Sec. 95.02. New heading: BOARD OF REGENTS. Requires one of the members of the board of regents of the Texas State University System to be a student regent serving under Section 51.357. Deletes existing text pertaining to membership terms and voting.

Sec. 95.022. QUALIFICATIONS; TERMS. (a) Requires each member of the board of regents of the Texas State University System, other than the student regent, to be a qualified voter.

(b) Requires the members of the board of regents of the Texas State University System, other than the student regent, to be selected from different portions of the state.

(c) Provides that the board members, other than the student regent, hold office for terms of six years, with the terms of two or three regents, as applicable, expiring February 1 of odd-numbered years.

(d) Provides that the student regent holds office for a term of one year expiring February 1, with the term of the initial student regent expiring February 1, 2008.

SECTION 5. Amends Sections 101.11 and 101.12, Education Code, as follows:

Sec. 101.11. BOARD OF REGENTS. Requires one of the members of the board of regents of Stephen F. Austin State University to be a student regent serving under Section 51.357. Makes nonsubstantive changes.

Sec. 101.12. TERM OF OFFICE. Provides that the members of the board of regents of Stephen F. Austin State University, other than the student regent, hold office for staggered terms of six years, with the terms of two or three regents, as applicable, expiring January 31 of odd-numbered years. Provides that the student regent serves a one-year term expiring February 1, with the term of the initial student regent expiring February 1, 2008.

SECTION 6. Amends Sections 103.02 and 103.03, Education Code, as follows:

Sec. 103.02. BOARD OF REGENTS. Requires one of the members of the board of regents of Midwestern State University to be a student regent serving under Section 51.357.

Sec. 103.03. BOARD MEMBERS: APPOINTMENT, TERMS, OATH. Provides that the members of the board of regents of Midwestern State University, other than the student regent, hold office for staggered terms of six years. Provides that the student regent serves a one-year term expiring February 1, with the term of the initial student regent expiring February 1, 2008.

SECTION 7. Amends Section 105.051 and 105.052, Education Code, as follows:

Sec. 105.051. BOARD OF REGENTS. Requires one of the members of the board of regents of the University of North Texas System to be a student regent serving under Section 51.357.

Sec. 105.052. TERMS OF OFFICE; REMOVAL; VACANCY. Provides that the board members of the University of North Texas System, other than the student regent, hold office for staggered terms of six years. Provides that the student regent serve a one-year term expiring February 1, with the term of the initial student regent expiring February 1, 2008. Provides that a regent, rather than member of the board, may be removed from office for inefficiency or malfeasance of office.

SECTION 8. Amends Sections 106.11 and 106.12, Education Code, as follows:

Sec. 106.11. BOARD OF REGENTS. Requires one of the members of the board of regents of Texas Southern University to be a student regent serving under Section 51.357.

Sec. 106.12. TERMS OF OFFICE. Provides that the members of the board of regents of Texas Southern University appointed under 106.11(a) hold office for staggered terms of six years, with terms of two or three regents, as applicable, expiring February 1 of odd-

numbered years. Provides that the student regent holds office for a term of one year expiring February 1, with the term of the initial student regent expiring February 1, 2008.

SECTION 9. Amends Section 107.21, Education Code, as follows:

Sec. 107.21. BOARD OF REGENTS. (a) Requires four of the regents of Texas Woman's University to be women.

(b) Requires one of the members of the board of regents of Texas Woman's University to be a student regent serving under Section 51.357.

(c) Requires each regent other than the student regent, rather than each member of the board, to be a qualified voter.

(d) Requires the regents to be selected from different portions of the state.

(e) Provides that the members of the board of regents of Texas Woman's University hold office for staggered terms of six years, with terms of two or three regents, as applicable, expiring February 1 of odd-numbered years.

(f) Provides that the student regent holds office for a term of one year expiring February 1, with the term of the initial student regent expiring February 1, 2008.

SECTION 10. Amends Sections 109.21 and 109.22, Education Code, as follows:

Sec. 109.21. BOARD OF REGENTS. Requires one of the members of the board of regents of the Texas Tech University System to be a student regent serving under Section 51.357.

Sec. 109.22. BOARD MEMBERS; TERMS, VACANCIES. (a) Provides that the members of the board of regents of the Texas Tech University System, except for the initial appointees, hold office for staggered terms of six years, with the terms of two or three regents, as applicable, expiring January 31 of odd-numbered years. Deletes existing text pertaining to terms in the 1970s.

(b) Provides that the student regent holds office for a term of one year expiring February 1, with the term of the initial student regent expiring February 1, 2008

SECTION 11. Amends Section 111.12, Education Code, to require one of the members of the board of regents of the University of Houston to be a student regent serving under Section 51.357. Sets forth the terms of office for each appointed regent. Provides that the student regent holds office for a term of one year expiring February 1, with the term of the initial student regent expiring February 1, 2008.

SECTION 12. Provides that the initial term of a student regent designate selected for a state university system under Section 51.355, Education Code, as added by this Act, or for a state university under Section 51.356, Education Code, as added by this Act, expires February 1, 2007. Requires the appropriate student governments, the chancellor of each state university system, the president of each state university that is not a part of a university system, and the governor to take the actions required by Sections 51.355 and 51.356, Education Code, as added by this Act, as soon as practicable after this Act takes effect to select a student regent designate for each state university or state university system for that initial term.

SECTION 13. Provides that the initial term of a student regent on a board of regents of a state university or state university system begins on the expiration of the initial term of the student regent designate serving on that board.

SECTION 14. Requires, of the terms on the board of regents of a state university or state university system that expire February 1, 2007, one of the terms to be filled by the initial student regent as provided by Section 51.357, Education Code, as added by this Act, and two of the terms to be filled for six-year terms as provided by law.

SECTION 15. Provides that this Act does not affect the term of a member of a board of regents of a state university or state university system serving on the effective date of this Act.

SECTION 16. Effective date: September 1, 2005.