
DIGEST: SB 15 would have added to the management responsibilities of boards of regents of institutions of higher education and would have expanded the training requirements of individual regents.

Under SB 15, to the extent practicable, communication between the board of regents of a university system or between members of the board and the employees of an institution under its governance would have been conducted through the university system.

The governing board of a university system would have been able to terminate the employment of an institution's president only after receiving a recommendation from the system administration. A board would not have been required to act on such a recommendation. SB 15 would have removed the board's responsibility to evaluate the chief executive officer of each component institution and the responsibility to assist the officer in the achievement of performance goals. This oversight would have transferred to the system administration.

SB 15 would have made governing boards responsible for preserving institutional independence and defending each institution's right to manage its own affairs through its chosen administrators and employees.

The bill would have required that each report, recommendation, or vote of the governing board or of a committee, subcommittee, task force, or similar entity reporting to the governing board have been made available to the public on the board's website by the end of the next business day after the date of the report, recommendation, or vote.

SB 15 would have required individual board members to receive training before voting on issues before the board and would have imposed further rules against conflicts of interest.

**GOVERNOR'S
REASON FOR
VETO:**

"As governor, I have focused on making higher education more affordable, accountable and accessible, and I will continue to support innovative ideas that will improve the quality of our universities.

"Limiting oversight authority of a board of regents, however, is a step in the wrong direction. History has taught us that the lack of board oversight in both the corporate and university settings diminishes accountability and provides fertile ground for organizational malfeasance.

“I am committed to improving higher education and making sure students and taxpayers receive the greatest value for the investment they make in higher education. We have achieved great success to that end, and must continue to build upon it.

“Strengthening our institutions is crucial to keeping Texas competitive and a magnet for business relocation, expansion and start-ups, which provide jobs and allow our citizens to prosper and build better lives for themselves and their families. Texas institutions of higher education have the opportunity to make our state even greater than it is today, and we must insist on finding ways to utilize innovative techniques and technology to make college more attainable for all. By implementing efficiencies designed to improve access and lower the cost to students, including reducing tuition, and providing an accountable and quality education we can prepare our students for a successful future.”

RESPONSE: **Sen. Kel Seliger**, the bill’s author, said: “I am very disappointed by Gov. Perry’s decision to veto SB 15, a bill that not only puts into statute best practices, but also adds much needed transparency to higher education governance. Given the continued lack of transparency and persistent conflicts, this legislation clearly was necessary, due in no small part to some of Gov. Perry’s appointees. The decision to veto SB 15 ensures that the conflicts, controversies, and lack of transparency will continue. It harms the reputation of Texas’ world class public universities and hinders their ability to attract the best students, faculty, and administrators to this great state.”

Rep. Dan Branch, the House sponsor, said: “The work of the 82nd Legislature’s Joint Oversight Committee for Higher Education Governance, Excellence, and Transparency brought to light the fact that portions of the Education Code related to higher education governance are unclear.

“The committee also found that, among other things, the lack of clarity in state law has been a significant factor in the ongoing conflict between The University of Texas System Board of Regents and The University of Texas at Austin.

“SB 15 would have given statutory guidance to governing boards, systems, chancellors, presidents, and institutions of higher education by codifying numerous current and best practices. The veto of SB 15 puts Texas higher education systems and institutions at risk of facing less clarity about their respective governing roles and could lead to more unnecessary conflict.”

NOTES: The HRO analysis of [SB 15](#) appeared in the May 13 *Daily Floor Report*.