**SB 37: Engrossed vs. House Committee Substitute (amended)**

|  |  |
| --- | --- |
| **Engrossed** | **House Committee Substitute** |
| **General Education Curriculum Review (Section 1)*** Language on promotion of social or political beliefs in Sec. 51.315(b)(5)
* Includes Section 51.316, which mandates a value rating ("meets," "conditional," "does not meet") for each degree program, based on ROI and student debt.
* Requires program closure, redesign, or justification for continuance for programs rated “does not meet.”
* Prohibits use of state appropriations for "does not meet" programs.

**Institutional Governance (Section 2 & 3)*** Adds Section 51.35205, granting governing boards the power to approve every job posting for tenured faculty in liberal arts, communications, education, and social work.
* Authorizes boards to form “subcommittees on educational excellence” to approve hires and curriculum changes.

**Faculty Council or Senate (Section 3)*** Prohibits councils from issuing any statement or report unrelated to their advisory role.
 | **General Education Curriculum Review (Article 1)*** Removes references to social or political beliefs in Sec. 51.315(b)(5)
* Strikes performance rating system in Section 51.316.
* No binding rating system or fiscal penalties are included.
* Adds Section 1.2 clarifying decision-making on degree programs and curricula belongs to the institution
* Adds Section 1.3 excluding non-organized classes or individual instruction for two years from review
* Adds Section 1.4 which reflects minor degree and certificate review process from Section 4 of Engrossed (Section 51.989) led by the institution president, exempting programs under 5 years old (6 years in the engrossed version).
* Adds Section 1.5 which reflects curriculum advisory committee language from Section 8 of Engrossed (Section 61.0522), as amended to make committee review general education curriculum, provide report to THECB, and THECB to legislature of needed statutory changes to implement advisory committee recommendations
* Adds Section 1.6 which reflects same language of Section 11 of Engrossed on compliance certification to THECB and legislative committees by 1/1/27

**Institutional Governance (Section 2.1 in Article 2)*** Removes Section 51.35205.
* Instead, allows governing boards to overturn hiring decisions for provosts, VPs, and deans (Section 51.352(g)) but not to review individual job postings in specific disciplines.

**Faculty Council or Senate (Section 2.2 in Article 2)*** No prohibition on issuing statements or reports
 |

|  |  |
| --- | --- |
| **Engrossed** | **House Committee Substitute** |
| **Faculty Council or Senate (continued)*** President, with governing board approval, appoints the officers
* Agendas include “items which final action is contemplated”

**Shared Governance (Section 3)*** President consults with chancellor on annual evaluations of VPs, provosts, deans, or other positions with curriculum oversight
* Specifies the president may not delegate their authority under this section

**Governance, Hiring, and Discipline Decision-Making Authority (Section 4)*** States a faculty member may not have final authority on any hiring decision

**Implementation for Faculty Senate provision (Section 12)*** Faculty senates established before the effective date are abolished, unless they meet standards from Sec. 51.3522 or continuation is ratified by governing board

**Office of Ombudsman (Section 5)*** Ombudsman is appointed by the governor, serves at the governor’s pleasure and acts independently
* Can refer noncompliance to the attorney general for penalties.
* Ombudsman can publicize violations and issue civil investigative demands
 | **Faculty Council or Senate (continued)*** Governing board approval of presiding officers is removed
* Broadens language on agendas to include “sufficient detail” on items to be discussed or voted on

**Shared Governance (Section 2.2 in Article 2)*** Removes language on the president consulting with the chancellor on the evaluations
* Removes language that the president may not delegate their responsibilities under this section

**Governance, Hiring, and Discipline Decision-Making Authority (Section 2.3 in Article 2)*** Clarifies a faculty member not in an administrative leadership position may not have final authority in hiring in any faculty or administrative position

**Implementation for Faculty Senate provision (Sec. 2.4 in Article 2)** * Same language of Section 12 of Engrossed found in Section 2.4 of Article 2

**Office of Ombudsman Office (Sec. 3.1 in Article 3)*** Ombudsman acts as Director of Compliance and Monitoring at THECB rather than Governor appointee
* Reports noncompliance to the State Auditor, not the attorney general.
* Cannot issue civil demands or publicize findings, limited to administrative channels
* The office shall investigate complaints on the general education curriculum review, faculty council or senate, and general education advisory committee
* Only individuals involved with internal university processes can complain on subjects related to DEI, responsibilities of President, and decision-making authority
 |

|  |  |
| --- | --- |
| **Engrossed** | **House Committee Substitute** |
| **Ombudsman Office and Enforcement (continued)*** Any individual with reason to believe law was violated can report; no notarization required
* Attorney General may recommend to the legislature that an institution may not spend state appropriations until compliance is certified
* Grants subpoena power to the Ombudsman
* The office shall annually report the number of reports of noncompliance

**Adding Degree Programs (Section 6)*** Boards must ensure new degree programs meet need by state and local community

**Exclusions from Curriculum Review (Section 7)*** Excludes non-organized classes or individual instruction for two years from review
* Moved to Section 1.3 of HCS

**Curriculum Advisory Committee (Section 8)*** Moved to Section 1.5 of HCS as amended
* Described in Article 1 of HCS section

**Training for Members of Governing Boards (Section 9)*** Training includes overview of legislature, state budget and appropriations; commitments to institutions, the state, and taxpayers
* Affirm understanding of duties
* Moved to Section 3.3 of HCS
 | **Ombudsman Office and Enforcement (continued)*** Adds more restrictions on who can file DEI or Governance complaints, excluding those who have similar lawsuits out of the same factual situations or administrative complaints with other state or federal agencies on similar allegations
* Ombudsman can dismiss complaints that violate criteria on who can file
* Ombudsman may recommend to the legislature that an institution may not spend state appropriations until compliance is certified
* Does not grant subpoena power
* Changes the report to the number of complaints of noncompliance

**Adding Degree Programs (Sec. 3.2 in Article 3)*** Boards must ensure new degree programs meet need by state and local community or there is a nationwide need

**Exclusions from Curriculum Review (Sec. 1.3 in Article 1)*** Same language from Section 12 of Engrossed

**Curriculum Advisory Committee (Sec 1.5 in Article 1)*** Makes committee review general education curriculum, provide report to THECB, and THECB to legislature of needed statutory changes to implement advisory committee recommendations

**Training for Members of Governing Boards (Sec. 3.3 in Article 3)*** Same language from Section 9 of Engrossed
 |

|  |  |
| --- | --- |
| **Engrossed** | **House Committee Substitute** |
| **Effective Date (Section 10)*** Begins with the 2025-26 academic year
* Retained in Section 4.1 of HCS

**Certification of Compliance (Section 11)*** By 1/1/27, governing boards must complete initial review and certify compliance to THECB and legislative committees
* Retained in Section 1.6 of HCS

**Implementation for Faculty Senate provision (Section 12)*** Faculty senates established before the effective date are abolished, unless they meet standards from Sec. 51.3522 or continuation is ratified by governing board
* Retained in Section 1.6 of HCS

**Enabling Clause (Section 13)*** Act is immediately effective with two-thirds vote of all members in each house
* Takes effect 9/1/25 if it does not receive necessary vote
 | **Effective Date (Section 4.1 of Article 4)*** Same language from Section 10 of Engrossed

**Certification of Compliance (Section 1.6 of Article 1)*** Same language from Section 11 of Engrossed

**Implementation for Faculty Senate provision (Section 2.4 in Article 2)*** Faculty senates established before the effective date are abolished, unless they meet standards from Sec. 51.3522 or continuation is ratified by governing board
* Same language from Section 12 of Engrossed

**Enabling Clause (Section 4.2 of Article 4)*** Same language from Section 13 of Engrossed
 |