

CHAPTER I. THE BOARD OF REGENTS

1. LEGAL HISTORY.

The 32nd Legislature, 1st Called Session in 1911, provided for the control and management of the normal schools by a State Normal School Board instead of by the State Board of Education. This enabling statute was amended in 1913, 1923, 1929, 1949, 1965, 1969, 1975, and 1995 to form the present Board of Regents of The Texas State University System.

The 38th Legislature of 1923 changed the name of the State Normal Schools to State Teacher's Colleges, and the 59th Legislature changed the name to State Senior Colleges. In 1969, the name of each college was changed to university. The 64th Legislature in 1975 changed the name of the Board of Regents, State Senior Colleges, to the present name of Board of Regents of The Texas State University System.

In 1965, legislative change provided that the Board of Regents be organized into Local Committees, with the Local Committee of each Component meeting at least once each year on the campus to plan for future growth and development of that Component. These laws were codified as *Articles 2644, 2644a, and 2647 of Vernon's Texas Civil Statutes (V.T.C.S.)*. A recodification was done in 1971, with titles of *Subtitle E., Chapter 95, "Administration of the State Senior College System," and Chapter 96, "Institutions of The State Senior College System."* *Article 2647, as recodified in Chapter 95, Subtitle E.,* provides for the composition of the Board of Regents, responsibility of the Board, meetings of the Board, authority for the formation of *Rules and Regulations* in the governance functions, and the power to acquire land. In 2005, the legislature created a place on the Board for a non-voting student regent, *Education Code, Section 51.355*.

2. AUTHORITY.

2.1 Extent of Authority. The Texas Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The Texas State University System, has delegated to the Board of Regents in *Vernon's Texas Codes Annotated*, the power and authority, in broad terms, to administer the System. The following selected excerpts from *Texas Education Code* provide examples of the authority vested in the Board:

The organization, control, and management of the State University System is vested in the Board of Regents of The Texas State University System.¹ The Board is responsible for the general control and management of the Components in the system and may erect, equip, and repair buildings; purchase libraries, furniture, apparatus, fuel, and other necessary supplies;

¹*Education Code, Section 95.01.*

employ and discharge Presidents or principals, teachers, treasurers, and other employees; and fix the salaries of the persons so employed; and perform such other acts as in the judgment of the Board contribute to the development of the Components in the System or the welfare of their students.² The Board has authority to promulgate and enforce such rules, regulations, and orders for the operation, control, and management of the system and its Component institutions as the Board may deem either necessary or desirable. When a power is vested in the Board, the Board may adopt a rule, regulation, or order delegating such power to any officer, employee, or committee as the Board may designate.³

2.2 Limitations on Authority. The Board has no authority except as delegated to it by law. Knowledge of the limitations of its authority is imputed to all persons, firms, and corporations dealing with the Board.

2.3 Degrees, Certificates and Diplomas

2.31 Award. The *Texas Education Code, Section 95.24*, authorizes the Board to determine conditions for the award of degrees, certificates and diplomas. The Board hereby delegates to the president of each component authority to grant degrees, certificates and diplomas upon the recommendation of the respective faculty, deans, and provosts. All such degrees, certificates and diplomas shall bear the signatures of the component president, the system chancellor, and the chairman of the Board of Regents.

2.32 Revocation. The Board hereby provides notice that the granting of any degrees, certificates or diplomas is specifically conditioned upon the truth of representations made by the student in the admission process and also upon honesty in completion of his or her academic work. When the Board determines that a degree, certificate, diploma, or admission to the institution and/or the academic program was obtained through fraud, mistake, or academic dishonesty, the Board may revoke the degree, certificate, or diploma, provided the Component has afforded the degree, certificate, or diploma recipient due process of law.

3. COMPOSITION.

The Board of Regents of The Texas State University System is composed of nine members appointed by the Governor of Texas with the advice and consent of the State Senate. Board members are appointed to serve six-year terms expiring February 1 of odd-numbered years, with three members being appointed biennially.

²*Education Code, Section 95.21 (a).*

³*Education Code, Section 95.21 (b).*