

TFA Texas Faculty Association Higher Ed Legislative Report

February 16, 2023

Affiliated with TSTA/NEA

Lieutenant Governor Patrick Announces Priorities

The lieutenant governor published his biennial list of top 30 priorities on Monday, February 13. These issues were listed in numerical order, corresponding to the numbers of bills to be filed. Four of Patrick's priorities directly affect higher education:

Senate Bill 16: Banning Critical Race Theory (CRT) in Higher Education

Senate Bill 17: Banning Discriminatory "Diversity, Equity and Inclusion" (DEI) Policies in Higher Education

Senate Bill 18: Eliminating Tenure at General Academic Institutions

Senate Bill 19: Creating a New Higher Education Endowment Fund

None of these priorities are a surprise. Patrick has been talking about each of these issues in the run up to the legislative session. However, actually seeing them listed as matters in the short list of numbered priorities brings them sharply into focus for higher education faculty, other stakeholders, the media and the general public.

As of this writing, we do not have specific bill language on any of these issues. Senate Bill 19 will likely take the form of a new endowment for Texas Tech University and the University of Houston to advance them as research institutions, with substantial seed money coming from our current surplus. This is a concept we would likely strongly support.

Senate Bills 16, 17 and 18, on the other hand, are deeply problematic in concept.

Banning Critical Race Theory, or the consideration of any theory, is antithetical to the very nature of academic freedom, discussion, debate and the advance of knowledge.

Banning Diversity, Equity and Inclusion policies inhibits our ability to reach the full talent of Texas, both in our faculty and students, potentially creates barriers between our institutions and the very populations they are serving, and compromises our ability to meet state policy goals such as the 60x30 initiative.

Eliminating tenure is a threat to the strong structure of academic rigor and peer review that has preserved and advanced the quality of higher education, fostered intellectual innovation and defended academic freedom. The historical benefits to our educational system, technical innovation, intellectual advancement and civic life are incalculable.

What You Can Do

- Communicate broadly with your colleagues about what we know so far, including the assigned bill numbers, and encourage them to commit to engage (including association membership!) as we move toward committee hearings on these bills.
- Research and report to the association on instances where the rhetoric advancing Senate Bills 17, 18 and 19 is already having a negative impact on Texas higher education, including issues with hiring new faculty,

retaining existing faculty, recruiting graduate students or observations of preemptive policies at your institutions tied to these policy statements.

- Consider support, in concept, for Senate Bill 19 to advance the growth research capacity and opportunity in Texas.
- Continue communication with your elected representatives with updates on the latest developments.