

## 2.2 Governing Board

*The institution has a governing board of at least five members that is the legal body with specific authority over the institution. The board is an active policy-making body for the institution and is ultimately responsible for ensuring that the financial resources of the institution are adequate to provide a sound educational program. The board is not controlled by a minority of board members or by organizations or interests separate from it. Both the presiding officer of the board and a majority of other voting members of the board are free of any contractual, employment, or personal or familial financial interest in the institution.*

*A military institution authorized and operated by the federal government to award degrees has a public board on which both the presiding officer and a majority of the other members are neither civilian employees of the military nor active/retired military. The board has broad and significant influence upon the institution's programs and operations, plays an active role in policy-making, and ensures that the financial resources of the institution are used to provide a sound educational program. The board is not controlled by a minority of board members or by organizations or interests separate from the board except as specified by the authorizing legislation. Both the presiding officer of the board and a majority of other voting board members are free of any contractual, employment, or personal or familial financial interest in the institution.*

### Judgment of Compliance

#### Compliance

### Narrative of Compliance

Prairie View A&M University is a state-supported institution of higher education, and one of the academic institutional members of The Texas A&M University System [1]. As a system member, it is under the authority and supervision of the TAMUS Board of Regents. As noted in Texas Education Code 85.11, the Board is comprised of nine members appointed by the Governor with the advice and consent of the Senate [2]. The Board is the governing body with legal responsibility for any action taken by the University. Texas Education Code 51.352 makes clear that the Board oversees the financial resources of each institution within the System, including Prairie View A&M University, and assures that these resources are used properly to fulfill its mission [3].

The Board has adopted an Ethics Policy that complies with all applicable state conflict of interest laws. Neither the Chair of the Board nor any of the members have contractual, employment, personal or familial interest in Prairie View A&M University. Furthermore, Regents serve without compensation but are entitled to receive expenses incurred in conducting official business, in accordance with state law [4]. Members of the Board are subject to the Standards of Conduct in Texas Government Code 572.051 for State Officers and Employees [5] and to the Texas A&M University System Policy 07.03 on Conflicts of Interest, Dual Office Holding and Political Activities [6].

The Governor is the only officer with authority to appoint members of the Board and is empowered to make interim appointments in order to ensure continuity of membership, subject to consent of the Senate. In making appointments, the Governor is required by law in Texas Education Code 51.352 to "ensure that the appointee has the background and experience suitable for performing the statutory responsibility of a member of the governing board" [3].

The Board is required by law to adopt bylaws for the governance of TAMUS and its components. The bylaws of the Board clearly establish continuity in Board membership with staggered terms of six years, with terms expiring February 1st of odd-numbered years, and they also ensure Board independence. In addition, Board policy states that any change in the bylaws governing the Board must occur after proper

deliberation and a majority vote. The board meets at least five times a year to conduct the business of the various agencies and universities within the system [7].

State law provides that the governing board must "preserve institutional independence and defend its right to manage its own affairs through its chosen administrators and employees" [3]. The Board's bylaws may be amended by a vote of a majority of members at a properly convened meeting. A quorum is five members. The Board may only take official action in a meeting subject to the Texas Open Meetings Act and information of the Board is subject to the provisions of the Texas Public Information Act under Texas Government Code 552 [8]. Minutes of all Board of Regents meetings are recorded, and a copy of each set of minutes is maintained for public access by the Office of the Board of Regents [9]. Members of the Board of Regents and their biographies are available via the Board of Regents website [10] as are the Committees and Special Appointments for 2009-2011 [11].

## Supporting Documentation and Links

- [\[1\] Texas A&M University System Policy 02.04 System Members of the Texas A&M University System](#)  
PDF Document, 3 Pages
- [\[2\] Texas Education Code 85.11 Administration of the Texas A&M University System, Board of Regents](#)  
PDF Document, 1 Page
- [\[3\] Texas Education Code 51.352 Provisions Applicable to Higher Education, Responsibility of Governing boards](#)  
PDF Document, 2 Pages | [Full Text Version](#)
- [\[4\] Texas Education Code 85.15 Administration of the Texas A&M University System, Expenses of Regents](#)  
PDF Document, 1 Page | [Full Text Version](#)
- [\[5\] Texas Government Code 572.051 Financial Disclosure, Code of Conduct, and Conflict of Interest, Standards of Conduct](#)  
PDF Document, 2 Pages | [Full Text Version](#)
- [\[6\] Texas A&M University System Policy 07.03 Conflicts of Interest, Dual Office Holding and Political Activities](#)  
PDF Document, 5 Pages
- [\[7\] Bylaws of the TAMUS Board of Regents](#)  
PDF Document, 7 Pages
- [\[8\] Texas Government Code 552 Public Information](#)  
PDF Document, 91 Pages
- [\[9\] Texas A&M University System Board of Regents Website, Minutes of the Board of Regents, 1995-present](#)  
PDF Document, 3 Pages
- [\[10\] Texas A&M University System Board of Regents Website, Regents Biographies and Photographs](#)  
PDF Document, 15 Pages
- [\[11\] Texas A&M University System Board of Regents Website, Committees and Special Appointments for 2009-2011](#)  
PDF Document, 2 Pages