

SB 17 Testimony

House higher Education Committee

May 8, 2023

Thank you, Mr. Chairman and members of the committee. My name is Pat Heintzelman. I am a professor at a Texas regional university, appearing not on behalf of my institution, but on behalf of myself and as president of the Texas Faculty Association.

We, TFA, are here to oppose Senate Bill 17.

SB 17, the “DEI” bill, seeks to eliminate offices and functions related to diversity, equity, and inclusion from public institutions of higher education. TFA believes that DEI offices work on a broad array of issues that aid institutions in responsible risk mitigation, compliance with state and federal laws, student resilience, and accomplishment of state goals for higher education, notably the Talent Strong Texas initiative.

Our specific issues with the engrossed version of SB 17 include:

- The policies, procedures, and services described in the definition of diversity, equity, and inclusion in Section 2 are extremely broad, and they include a variety of services and programs directly related to student safety and resilience. Institutions could be accused of violating the provisions while pursuing normal activities in good faith. Further, there is no appeals process for a finding contemplated in the bill.
- The processes and penalties related to state funding are extreme, and provide enormous risk and uncertainty for students, faculty, staff, and governing bodies of institutions.
- Because the definition of DEI is so vague and broad and could be construed to touch every facet of an institution’s administration, the State Auditor examinations mandated in the bill are extreme and administratively problematic.

- The statutory requirement for governing boards or their designees to appear each interim to testify amounts to a statutory subpoena, and is, again, extreme in the context of a single provision of the law.

If the legislature and public have concerns about specific DEI issues, we think the proper course of action is study and correction on an individual basis. We strongly oppose the blanket definition and broad elimination of DEI programs, many of which have been instrumental in the improvement of student life and desired results in our institutions.