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February 24, 2025

To Whom It May Concern:

On behalf of the American Council of Trustees and Alumni (ACTA), I am writing to commend to you the recommendations recently made by the Texas Senate Higher Education Subcommittee. For 30 years, ACTA has worked with governing boards, administrators, policymakers, alumni, and donors to advance the principles of academic freedom, academic excellence, and accountability in American higher education. To that end, ACTA is committed to ensuring governing board members understand and exercise their fiduciary oversight over the institutions they serve.

As you are aware, in April 2024, Lieutenant Governor Dan Patrick charged the Texas Senate to, among other things, monitor how institutions of higher education were responding to the ban on discriminatory diversity, equity, and inclusion (DEI) practices as called for in Senate Bill 17. The Senate Higher Education Subcommittee convened several hearings and released an interim report at the end of January.

I would like to draw your attention to the recommendations listed on page 38 of the interim report, enclosed for your convenience. Notably, the report encourages “governing boards at Texas public institutions of higher education to adopt the Chicago Principles on Freedom of Expression and the Kalven Report on institutional neutrality in order to foster a campus culture dedicated to viewpoint diversity.” ACTA is encouraged to see that the University of Texas System adopted the Chicago Principles in 2022 and a policy of institutional neutrality in 2024.

ACTA advocates for these same policies in our Gold Standard for Freedom of Expression™, and a growing number of institutions around the country are adopting them. We would be delighted to provide you with assistance and resources, including sample resolutions, if you wish to do the same. For additional information, please reach out to Steven McGuire, ACTA’s Paul & Karen Levy Fellow in Campus Freedom, at smcguire@GoACTA.org.

The report also recommends adding statutory language “equipping governing boards at Texas public institutions of higher education with tools to charge their member schools with following Texas law in letter

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and spirit.” This recommendation relates directly to the implementation of Senate Bill 17 in that governing board members ought to be the ones spearheading the effort to address DEI bureaucracies on college campuses. In light of this recommendation, I would like to share with you several resources that we believe would be helpful as you work to continue following the law in letter and spirit.

Governance for a New Era is a blueprint for higher education governance produced by a summit of 22 distinguished national leaders chaired by the late Benno Schmidt, past president of Yale University and former board chairman of the City University of New York. Signatories to the statement include college presidents, trustees, business leaders, academics, and policymakers dedicated to ensuring that America’s colleges and universities shed 20th-century thinking and successfully meet 21st-century challenges. And please be sure to view its companion piece, *Implementing Governance for a New Era*.

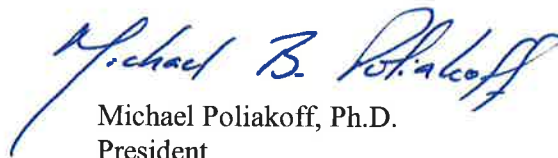
The Basics of Responsible Trusteeship is a short, yet comprehensive brochure that outlines trustees’ legal and fiduciary obligations to ensure the academic and financial health of their institutions—while serving the best interests of the state.

Lastly, ACTA offers a range of board services through our Institute for Effective Governance® (IEG). IEG provides retreats, trainings, and workshops specifically designed to help college and university trustees understand the fundamental issues that make governance in higher education a unique challenge. IEG’s seminars leverage ACTA’s decades of expertise as a national voice in higher education governance and draw upon the knowledge of our extensive network of college and university leaders. For additional information, please reach out to ACTA Associate Director of External Affairs Nick Down at ndown@GoACTA.org.

I hope you find these resources helpful as you navigate the unique challenges of higher education governance. Please do not hesitate to contact us if we can be of assistance.

Thank you for your service to higher education.

Warm regards,



Michael Poliakoff, Ph.D.
President

Enclosures