

Alex M. Cranberg

March 17, 2015

Dear Texas Senate Higher Education Committee:

I write in opposition to SB 177. The effect of this bill would be to retain each individual Regent's fiduciary responsibility as a Board member while tying his hands in exercising that responsibility.

Voters are asking why tuitions are ever-increasing, why special consideration is being given to specially-connected applicants for admission, why no-bid contracts are being let that may cost the State millions of dollars. These questions are often not popular ones. Voters won't get answers by having those charged with oversight of academic institutions relegated to being purveyors of long term policy pronouncements.

Legislators also properly ask many of these questions and are often dogged, vigorous maybe even ungentle in their pursuit of the truth, if they are doing their job. Why should a Board or its members tasked every day with governing an institution be discouraged from going wherever an inquiry of concern to it leads, even if that involves gathering data that various employees with a vested interest in the outcome may suddenly find burdensome? My experience has been that personnel at Universities are no less prone than humans everywhere to cover up inconvenient truths or mistakes. That is a reluctant observation since the words on the Tower read "Ye Shall Know the Truth and the Truth Shall Set Ye Free". The culture of an academic research and learning institution should be more and not less open than other places to the sometimes rough-and-tumble of hard questions being asked and if not answered satisfactorily being followed up and followed up and followed up. Regents also sometimes learn that concerns are misplaced and there are good reasons for certain practices; sometimes hypotheses must be revised based on data. That is the essence of the spirit of inquiry. There is no need to place unnecessary hurdles to the pursuit of truth unless the discovery of truth is not a goal. I hope and

believe that our own Texas Legislature will not so frustrate inquiry.

Much has been made about "reams of data" being requested by Regents. These claims are largely exaggerated by those who have a vested interest in minimizing oversight. The most prominent example cited is the supposedly hundreds of thousands of pages requested by Regent Hall at one point. Unmentioned is the fact that nearly all these pages had previously been requested by (mostly) reporters and faculty and that Regent Hall merely wanted to look at the already collected boxes of material. His diligence resulted in follow on concerns and subsequent narrower requests about many valid issues involving the handling of open records requests, personnel hiring and discipline, admissions, sole source contracting and other items that affect the quality, cost and integrity of our System. Some legislators have certainly asked for far more original data from System in their pursuit of Regent Hall. These legislative requests similarly should not be begrudged even if they are also "burdensome". Excellence will not be borne only out of "niceness"; we can value decorum but expect vigorous debate based on facts and not just supposition or hope. We can trust, but we should verify without fear of being called un-collaborative.

Had SB177 been law previously, perhaps Regent Hall would have been subject to impeachment, and perhaps we would not have learned much of what should have been known to this Board for the exercise of its fiduciary obligation.

Please let us get past this unfortunate time in the history of the University and not compound the current climate of mistrust by passing SB177.

Respectfully,

*Alex Cranberg*

Alex M. Cranberg