

TEXAS HOUSE OF REPRESENTATIVES TREY MARTINEZ FISCHER

STATE REPRESENTATIVE, DISTRICT 116 - Bexar County

Chairman: Mexican American Legislative Caucus

Member:
House Committee on Natural Resources;
House Committee on Ways & Means;
Select Committee on Transparency
in State Agency Operations

March 14, 2014

The Honorable Carol Alvarado & Dan Flynn Co-Chairs, Select Committee on Transparency in State Agency Operations P.O. Box 2910 Austin, Texas 78768

Dear Co-Chairs Alvarado & Flynn:

On February 10, 2014, I wrote to you expressing my concerns about the abrupt departure of University of Texas Chancellor Francisco Cigarroa. This morning, an article in the Dallas Morning News raises further questions about Chancellor Cigarroa's exit.

In light of issues brought up by the article, I would like to reassert my request that the Committee reconvene to hear testimony from Chairman Paul Foster and Chancellor Francisco Cigarroa. I believe that this Committee has an interest in ascertaining the facts surrounding Chancellor Cigarroa's resignation. Finally, I would appreciate a written response from the Committee regarding this renewed request.

Sincerely

Trey Martinez Fischer

Chairman, Mexican American Legislative Caucus

State Representative, District 116

Enclosure: February 10, 2014 - Letter to Co-Chairs; "UT regent's email hints chancellor was under attack before resignation," *Dallas Morning News*, 3/14/2014.

cc: The Honorable Joe Straus, Speaker of the Texas House of Representatives;
Members of the Select Committee on Transparency in State Agency Operations.





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Dear Co-Chairs Alvarado & Flynn:

Like you, I only recently learned that University of Texas Chancellor Francisco Cigarroa plans to resign from his position and return to the practice of medicine. As the state representative for San Antonio's medical center, I am pleased to learn that Chancellor Cigarroa plans to join the University of Texas Health Science Center as the head of the pediatric transplant team. However, as a Texan and a member of the Transparency Committee, it troubles me that the University of Texas System is losing its Chancellor less than a year after the departure of its General Counsel. In addition, the System has recently lost 4 other lawyers with decades of combined experience in open government, open records, and governmental transparency. UT System, its leadership, and its staff are the intermediaries between the Board of Regents and the component institutions of the System. I am concerned that without proper leadership and experienced staff there will be continued communication and administrative issues between the Board of Regents and the component institutions of the System.

During a recent committee meeting, Co-Chairman Flynn indicated that the committee would maintain an oversight role over the UT System. When we reconvene to review the upcoming report from committee counsel, Rusty Hardin, I urge this committee to call Chairman Paul Foster, Chancellor Francisco Cigarroa and Executive Vice-Chancellor Pedro Reyes to discuss this Committee's on-going concerns, the Chancellor's departure, and the timeline & process to fill this critical position. I am assured that there is bipartisan support to hear their testimony concerning these issues.

Sincerely

Trey Martinez Fischer

Chairman, Mexican American Legislative Caucus

State Representative, District 116

CC: The Honorable Joe Straus, Speaker of the Texas House of Representatives

Members of the Select Committee on Transparency in State Agency Operations



Dallas Morning-News MAR 14 2014

UT regent's email hints chancellor was under attack before resignation

By DAVID BARER

AUSTIN — Weeks before he resigned, University of Texas System Chancellor Francisco Cigarroa received emails from embattled regent Wallace Hall possibly undermining his reputation and job performance, according to an email obtained by *The Dallas Morning News*

In a message to the chancellor, the head of the UT System Board of Regents, Paul Foster, defends Cigarroa's work. And while he does not outline Hall's specific criticism of the chancellor, he refers to a charge that Cigarroa had not properly done his job.

Cigarroa announced his resignation Feb. 10. He cited a desire to return to medicine full time, but some higher education officials speculated that turmoil at UT could have helped spur his departure.

Hall is under House investigation for problems associated with massive record requests he made of UT-Austin and possible micromanagement of the university. He could face impeachment.

Foster, Hall and UT System officials could not be reached for comment.

Foster sent Cigarroa an email Feb. 5 with the subject line "To Set the Record Straight." In it, Foster said he saw numerous emails sent to Cigarroa "by Wallace

Hall and occasionally other board members." *The News* requested a copy of the email under Texas' public records law.

The UT System has gone through some challenging times, Foster wrote to Cigarroa. "I feel it is important to convey to you that I do not agree with the inference that 'you have not done your job.' Nor do I believe that it is the sentiment of the other members of the board."

The Foster email praises Hall for his tenacity as a regent and recommendations to better the university, among other things.

"But I absolutely do not agree with his tactics in trying to pressure you into taking an action that you do not feel is in the best interests of UT-Austin or of the UT System," Foster said in the email, referring to Hall.

"It is clear what he hopes to accomplish, but to disparage your reputation in the process is neither fair nor is it appropriate." Foster said.

Hall has said he is trying to fulfill his duties to oversee UT. He and others have raised questions about whether the flagship campus in Austin focuses too much on research at the expense of teaching, along with other criticisms of UT's management. Hall's critics have charged he

was working to oust UT-Austin President Bill Powers, who remains in his job after a vote of confidence from the board.

Sen. Judith Zaffirni, a Laredo Democrat who is vice chairwoman of the Senate Higher Education Committee and a long-time Cigarroa supporter, blamed the chancellor's departure in part on "negative circumstances" after his resignation.

Cigarroa "has endured unmitigated stress from the rogue regents who want UT President Bill Powers fired," Zaffirni said in a Feb. 10 statement. Those who are unhappy with Cigarroa's support of Powers "reportedly turned their weapons on him."

Cigarroa oversees 15 universities and health institutions, 213,000 students and an annual budget topping \$14 billion, according to the UT System. He will remain chancellor until a successor is found, then he will head pediatric transplant surgery at UT Health Science Center, San Antonio.

The UT System has hired an executive search service, Wheless Partners, to find a new chancellor. The cost of the contract is \$198,000, not including expenses, according to the agreement.