



BRANDON CREIGHTON

STATE SENATOR
DISTRICT 4

February 26, 2025

TO: Members of the Board of Regents

CC: Senator Joan Huffman
Chair, Senate Committee on Finance

FR: Senator Brandon Creighton
Senator Paul Bettencourt

RE: Compliance with Senate Bill 17

In 2023, Texas paved the way by passing SB 17—a groundbreaking law that banned DEI programming at public institutions and ignited a nationwide shift toward merit-based advancement. Regarded as the nation’s strongest law to eliminate DEI, the legislation has been replicated across the nation to ensure that taxpayer dollars are not used on divisive initiatives that compromise merit, stifle free speech, and fuel division on college campuses.

Since SB 17 took effect, and with President Trump’s return to the White House prompting further executive actions in alignment with our lead, the private sector has also embraced similar steps. It is imperative for Texas institutions to comply with state law, ensuring consistency with these broader shifts and preventing conflicts with federal regulations, thereby safeguarding against the potential loss of federal funding.

Texas Education Code Section 51.3525(e) prohibits institutions from spending state-appropriated funds contingent upon a report submitted by the governing board, certifying full compliance with the prohibitions under SB 17. Though governing boards did comply with this provision of the law, the reports were not found to be satisfactory.

Texas Education Code 51.3534(b)(1)(A) directs governing boards to ensure each member institution does not “establish or maintain” a DEI office—this includes renaming, relaunching or reauthorizing a DEI unit under the guise of a different name. We have found this to be the case in numerous instances, particularly at our health-related institutions. Therefore, due to these valid findings of noncompliance, requests for increases in state funds for all public institutions of higher education this legislative session are now frozen at levels from the previous biennium.

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As legislators begin budget deliberations, we expect you to provide clear and indisputable evidence that DEI programming has been fully eliminated from the operations of all your member institutions. Please be prepared to demonstrate full compliance with SB 17 upon request.

Failure to demonstrate adherence to the letter and spirit of the law will be met with full enforcement of mechanisms available to the Legislature, including impacts to your funding requests. We urge you to ensure that your member institutions are in complete compliance with SB 17 and stand ready to address any lingering concerns.

Please direct any questions or requests for clarification to the Senate Committee on Education K-16:

P.O. Box 12068
Austin, Texas 78711
(512) 463-0355

Sincerely,



Brandon Creighton, Chair, Senate Committee on Education K-16



Paul Bettencourt, Chair, Article III Workgroup - Higher Education