

SENATE BILL 79

By Gresham

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7, relative to creating a higher education ombudsman.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, is amended by adding Section 2 through 7 as a new, appropriately designated part:

SECTION 2. There is created within the office of the comptroller of the treasury the office of higher education ombudsman to answer questions and provide information to faculty, staff and employees of the University of Tennessee system and the board of regents system. The role of such office is to assist faculty, staff and employees in obtaining information regarding the operations and financial workings of the higher education systems and to provide educational outreach on higher education issues to faculty, staff and employees.

SECTION 3.

(a) Each state higher education system shall appoint a person from existing personnel who shall serve as a contact person for the higher education ombudsman when the ombudsman has an issue or question concerning the system.

(b) Each state higher education system shall notify the higher education ombudsman concerning the appointee within sixty (60) days of July 1, 2013. If at any time a system changes the contact person, the system shall notify the higher education ombudsman within seven (7) business days of the change.

SECTION 4. The higher education ombudsman shall:

(1) Work with the higher education systems to ensure that faculty, staff and employees of the systems are provided with a means to obtain information about or comment on the operations and financial workings of the systems;

(2) Establish means to receive comments from faculty, staff and employees of the systems regarding the operations and financial workings of the systems;

(3) Establish means to refer comments from faculty, staff and employees received pursuant to subdivision (2) to the contact person of the affected system in the appropriate circumstances and to maintain the confidentiality of the identity of the person making such comments.

SECTION 5. The higher education ombudsman shall report annually to the chairs of the education committees of the senate and the house of representatives regarding the office's activities, findings and recommendations. A copy of the report shall be provided to the governor, members of the general assembly and to the president of the University of Tennessee system and the chancellor of the board of regents. Prior to publishing the report, the higher education ombudsman shall provide any affected state higher education system with an opportunity to comment on draft reports and include the system's comments in the final version of the report.

SECTION 6. The contact information for the higher education ombudsman shall be published on the comptroller's web site. The web site shall also include the names of all contact persons for each state higher education system as provided in Section 3.

SECTION 7. There is created within the office of the higher education ombudsman the position of higher education inspector general. The higher education ombudsman shall function as the higher education inspector general, unless the comptroller of the treasury finds that the two (2) positions should be held by two (2) different persons to function most efficiently. The higher education inspector general shall examine financial and policy compliance within the two (2) state higher education systems. The higher education inspector general shall report annually to the chairs of the education committees of the senate and the house of representatives regarding the inspector general's activities, findings and recommendations. A copy of the report shall be provided to the governor, members of the general assembly and to the president of the University of Tennessee system and the chancellor of the board of regents.

Prior to publishing the report, the higher education inspector general shall provide any affected state higher education system with an opportunity to comment on draft reports and include the system's comments in the final version of the report.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.