



J.R. 2

A Vote of “No Confidence” in Regent Wallace Hall

IN THE UNIVERSITY OF TEXAS AT AUSTIN SENATE OF COLLEGE COUNCILS AND STUDENT GOVERNMENT

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WHEREAS, The House of Representatives of the Texas Legislature convened the Select Committee on Transparency in State Agency Operations at the end of the 83rd legislative session to investigate whether or not Regent Wallace Hall was, “acting in the best interest,” of The University of Texas at Austin, and whether or not to propose articles of impeachment against him¹; and,

¹ Straus, J. (2013, June 25). Proclamation [Press release].
<http://www.lrl.state.tx.us/scanned/speakerdocs/speakerproc06252013.pdf>. Last Accessed 18 November 2013.



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WHEREAS, This committee was formed because of the questionable nature of Regent Halls' actions, which included repeated investigations into the University of Texas Law School Foundation, "making burdensome requests of the University of Texas at Austin staff, misrepresenting information about himself on his application to be a regent, and mishandling private student information."²; and,

WHEREAS, Mr. Kevin Hegarty, the Chief Financial Officer of UT-Austin, testified to the Select Committee on October 22 that Regent Hall has requested over 800,000 documents, which has required Mr. Hegarty's office to expand from two to seven employees to handle the processing of his requests during a period where the University has been compelled to adopt measures of fiscal austerity³; and,

WHEREAS, Mr. Hegarty also testified that he was concerned Regent Hall and the UT System have mishandled private and legally protected student information, including individual student's financial and medical information⁴, and noted in a memorandum to UT System's General Counsel that he, "remain[s] deeply concerned that prior TPIA [Texas Public Information Act] document files sent to the System were returned to the campus having been altered while in UT System possession."⁵; and,

WHEREAS, Ms. Francie Frederick, who testified to the Transparency Committee on November 11, 2013, stated that Regent Hall was in possession of private student information,

² Hamilton, R. (2013, October 22). Testimony Begins in UT Regent Impeachment Investigation. *The Texas Tribune*, Education. Retrieved from <http://www.texastribune.org/2013/10/22/anticipated-hearings-impeachment-investigation-bcg/>. Last Accessed 18 November 2013.

³ Hamilton, R., & Maly, D. (2013, October 22). Pitts: Enough Evidence to Impeach UT Regent Hall. *The Texas Tribune*, Education. Retrieved from <http://www.texastribune.org/2013/10/22/pitts-enough-evidence-impeach-ut-regent-hall/>. Last Accessed 18 November 2013.

⁴ Barer, D. (2013, October 22). UT, Powers under fire, according to early testimony during regent investigation [Blog post]. Retrieved from Dallas News - Trail Blazers Blog: <http://trailblazersblog.dallasnews.com/2013/10/ut-powers-under-fire-according-to-early-testimony-during-ut-regent-investigation.html/>. Last Accessed 18 November 2013.

⁵ Hegarty, K. P. (2013, August 5). FW: Select Committee on Transparency Document Preservation [E-mail to Sharpton Dan]. <http://s3.amazonaws.com/static.texastribune.org/media/documents/201308061007.pdf>. Last Accessed 18 November 2013.



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which he shared with his personal attorneys; furthermore, she testified that Regent Hall did not have a legitimate educational purpose for the information⁶; and,

WHEREAS, The possibility that Regent Hall compromised private student information is a serious ethical violation, especially considering the role that Regents have in governing the University; and,

WHEREAS, Regent Hall's lawyer stated that part of Regent Hall's motivation in his request was to improve the way in which UT-Austin handles its TPIA requests, to which Mr. Hegarty noted that in his two years in office, the only suggestion that Regent Hall has made was that information requests be posted online⁷; and,

WHEREAS, Regent Hall has made several TPIA requests as a private citizen, but asserts his status as a Regent to justify asking UT-Austin to, "waive the assessment and collection of fees, if any, associated with responding to this request."⁸; and,

WHEREAS, Two current members of the Board of Regents, Regents Steve Hicks and Robert Stillwell, have spoken out against Regent Hall's actions; and,

WHEREAS, Regent Steve Hicks accused Regent Hall of undertaking a "witch hunt" to remove Mr. Bill Powers, and called on then-Chairman Powell to stop Hall's, "decisive actions"⁹; and,

WHEREAS, Regent Robert Stillwell endorsed Regent Hicks' view saying, "There is no excuse or cover provided for personal agendas or vindictive actions," and that the Board, "can and should do better"¹⁰; and,

WHEREAS, Former Regent Tom Hicks alleges that Regent Hall initiated contact with the agent of Mr. Nick Saban, the University of Alabama's head football coach, to discuss the

⁶ Texas House of Representatives (Producer). (2013, November 12). Meeting: 11/12/13. *Committee on Transparency in State Agency Operations*. Podcast retrieved from <http://www.house.state.tx.us/video-audio/committee-broadcasts/committee-archives/playcy/?session=83&committee=465&ram=13111209465>. Last Accessed 18 November 2013.

⁷ Hamilton, R., & Maly, D., Pitts: Enough Evidence to Impeach UT Regent Hall.

⁸ Hamilton, R. (2013, June 11). Second UT Regent Enters Fray Against Hall. *The Texas Tribune*, Education. Retrieved from <http://www.texastribune.org/2013/06/11/ut-regents-requests-continue-others-grow-concerned/>. Last Accessed 18 November 2013.

⁹ *Ibid*.

¹⁰ *Ibid*.



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possibility of hiring him as the head coach of UT-Austin's football program, without notifying President William Powers, as required by both the NCAA rules and the UT System's Regents' Rules¹¹; and,

WHEREAS, During the conversation with Mr. Saban's agent, Former Regent Hicks wrote that Regent Hall asserted that, "Bill Powers won't be here at the end of the year."¹²; and,

WHEREAS, Former UT System General Counsel Mr. Barry Burgdorf recently testified that the, "clear intent," of some members of the board was to, "get rid of Bill Powers"; and,

WHEREAS, Ms. Francie Frederick stated in her testimony that, "I think that the distractions that have occurred over the last several years are unfortunate and are starting to detract from what is in the best interest of the University of Texas System."¹³; and,

WHEREAS, The credibility of many of the individuals leveling these accusations is high, as they include officials of UT-Austin, the former UT System General Counsel, and even two other members of the Board of Regents; therefore be it,

RESOLVED, The University of Texas at Austin Senate of College Councils and Student Government believe that, given Regent Hall's comment to former Regent Tom Hicks, coupled with Mr. Burgdorf's and Ms. Frederick's testimony, Regent Hall appears to have a premeditated occupation to remove President William Powers, and is not fulfilling his duty as a Regent of the University of Texas System; and, be it further,

RESOLVED, Given the accusations leveled against Regent Hall, The University of Texas at Austin Senate of College Councils and Student Government question the abilities of Regent Hall to adequately carry out his duties as a Regent of the University of Texas System; and, be it further,

¹¹ Hamilton, R. (2013, September 25). UT System: Should Have Told Powers About Saban. *The Texas Tribune*, Education. Retrieved from <http://www.texastribune.org/2013/09/25/ut-system-powers-should-have-been-notified-saban-c/>. Last Accessed 18 November 2013.

¹² Hamilton, R. (2013, November 6). Hall Said Powers Would Be Gone by Year's End. *The Texas Tribune*, Education. Retrieved from <http://www.texastribune.org/2013/11/06/hall-said-powers-would-be-gone-end-year/>.

¹³ Texas House of Representatives, Meeting: 11/12/13.



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RESOLVED, The University of Texas at Austin Senate of College Councils and Student Government, together, as the official voice for students working to represent the needs, concerns, and opinions of the student body, do not believe that Regent Hall is acting in the best interest of the university in his capacity as a Regent; and, be it further,

RESOLVED, That The University of Texas at Austin Senate of College Councils and Student Government affirm a vote of "no confidence" in Regent Hall's position as a Regent of the University of Texas System; and, be it further,

RESOVLED, That this vote of "no confidence" not be a judgment of guilt on Regent Hall for whatever actions and crimes are alleged against him, but a reflection of the lack of faith that UT-Austin's students have in him to adequately perform his duties as a Regent, upholding the best interest of the University; and, be it further,

RESOVLED, That this resolution be sent to Mr. RICK PERRY, Governor of the State of Texas, Mr. DAVID DEWHURST, Lieutenant Governor of the State of Texas, Mr. JOE STRAUS, Speaker of the Texas House of Representatives, Mr. PAUL FOSTER, Chairman of the Board of Regents; Mr. WALLACE HALL, Regent; Ms. FRANCIE FREDERICK, General Counsel to the Board of Regents; and all MEMBERS OF THE HOUSE SELECT COMMITTEE ON TRANSPARENCY IN STATE AGENCY OPERATIONS