



# Curriculum Compliance

ENSURING ACADEMIC EXCELLENCE

## **SB 37 and Ombudsman Compliance Readiness Guide**

Documentation-first readiness support for Texas universities

### **Executive Summary**

SB 37 creates a new governance and oversight environment for Texas public higher education. The law increases governing board responsibility for curriculum review and certification, limits faculty governance bodies to advisory functions, and establishes an Ombudsman office with investigative and escalation authority.

This guide explains what changed under SB 37, how Ombudsman oversight works, what documentation institutions should be prepared to produce, and a 90-day readiness plan.

This readiness program documents the institution's compliance process and identifies issues and gaps. It does not verify compliance and does not certify compliance. Certification responsibility is assigned by SB 37 to the governing board.

# 1. What Changed Under SB 37

SB 37 introduces requirements that impact curriculum governance, board oversight, faculty governance structures, and enforcement pathways.

## Key changes

- Comprehensive governing board review of general education curriculum and graduation requirements at least once every five years.
- Annual updates to the governing board regarding changes to general education curriculum.
- Mandatory governing board certification of compliance to the Texas Higher Education Coordinating Board and legislative committees.
- Faculty councils and senates are defined as advisory bodies only, with added public meeting and agenda requirements.
- Creation of the Office of Ombudsman within THECB, with investigative and escalation authority.

# 2. Ombudsman Investigative Powers

SB 37 establishes a complaint-driven investigative and enforcement process with defined statutory timelines and escalation mechanisms.

## Ombudsman process overview

- Complaints must identify the complainant, cite the specific statute alleged to be violated, and include specific facts and evidence.
- The Ombudsman notifies the governing board within five days of receiving a qualifying complaint.
- The governing board must respond within 175 days.
- Institutions must respond within 30 days to written information requests, except privileged information.
- If unresolved after the Ombudsman's report, the matter may be referred to the Attorney General with recommended actions, including potential restrictions on the use of appropriated funds until compliance is certified.

### 3. Required Evidence and Documentation

SB 37 oversight is evidence-driven. Institutions should be prepared to produce organized documentation quickly and consistently.

#### **Governing Board Evidence**

- Board review schedule and scope
- Board-approved review criteria
- Minutes and records of review actions
- Annual curriculum update submissions
- Certification preparation materials

#### **Faculty Governance Evidence**

- Charters reflect advisory-only authority
- Public meeting and agenda procedures
- Agenda posting and retention proof
- Proposal posting procedures
- Scope and statement limitations

#### **Curriculum Evidence**

- General Education and graduation requirement inventory
- Syllabus archive and version control
- Course-level alignment documentation
- Civic and workforce relevance rationale
- Accreditation alignment evidence

#### **Ombudsman Readiness Evidence**

- Internal complaint intake workflow
- Evidence binder structure and owners
- 30-day response collection workflow
- Privilege review coordination process
- Board notification and escalation protocol

## **4. Compliance Readiness Support Program**

This program supports SB 37 readiness through documentation, issue identification, and board-ready deliverables.

### **What the program provides**

- Process documentation: documented workflows, criteria, and evidence structures aligned to SB 37.
- Issue identification: gap analysis and risk register focused on documentation and process readiness.
- Board-ready deliverables: review summaries and evidence packs that support governing board oversight and certification duties.
- Ombudsman-ready evidence packages: response-ready binders and request workflows designed for the 30-day information request window.
- Training workshops: practical sessions for leaders, staff, and faculty governance bodies focused on documentation and process discipline.

### **What the program does not provide**

This program is designed to support SB 37 readiness through documentation, issue identification, and evidence organization. SB 37 requires that all responsibilities be assigned to the university and its governing board.

### **No compliance certification**

SB 37 requires certification responsibility to be assigned to the university's governing board. The governing board must certify compliance to the Texas Higher Education Coordinating Board and legislative committees. This program supports the board's work by documenting the institution's process and preparing board-ready evidence, but it does not issue compliance certifications.

### **No compliance verification as an auditor**

In line with SB 37 this program does not provide an audit opinion or a formal verification statement such as "the university is compliant" or "the university is

noncompliant.” Instead, the program documents institutional processes, identifies gaps and risk areas, and provides practical recommendations to strengthen documentation and readiness.

### **No replacement of legal counsel**

SB 37 compliance and Ombudsman oversight may involve legal questions, privilege considerations, investigation response strategy, and interactions with state enforcement authorities. SB 37 requires the university’s legal counsel to be responsible for legal advice and legal decision-making. This program works alongside institutional counsel by organizing documentation, supporting readiness planning, and improving process discipline, but it by law cannot provide legal advice or replace the role of counsel.

## 5. SB 37 Compliance Engagement Framework

Collaborative partnership to achieve board certification confidence through systematic documentation and process improvement, aligned with Texas Education Code §51.315 requirements.

### Strategic Value Proposition

- Support for Governing Boards:
  - Defensible certification documentation ready for Governing Board's review and THECB submission
  - Evidence of good-faith, systematic compliance process
  - Sustainable internal systems for recurring review cycles
  - External unbiased auditing, review, recommendations, and reports
- For Faculty Governance:
  - Respect for existing academic processes and decision rights
  - Clarity on statutory boundaries, not instructional content
  - Collaborative improvement, not external mandates
  - Focus on collaborative compliance, not policing
- For Administration:
  - Risk mitigation through documented due diligence
  - Predictable compliance path without operational disruption
  - Board confidence in certification decisions

### Collaborative Engagement Process

- Phase 1: Strategic Assessment
  - Working together to understand your current state*
    - Current state documentation review
      - Review of all syllabi, curriculum, academic, athletic, HR, IT and administration policies and procedures
    - Governance process mapping
    - SB 37 requirements alignment

- Phase 2: Documentation System Build  
*Co-creating your evidence architecture*
  - Evidence templates and frameworks
  - Board reporting tools
  - Risk prioritization
- Phase 3: Readiness & Handoff  
*Empowering your team for certification success*
  - Certification package completion
  - Training delivery  
Workshops
  - Internal ownership transition

### **Next Steps**

- Schedule complimentary strategy consultation to begin our collaboration:
- Contact: [contact@CurriculumCompliance.com](mailto:contact@CurriculumCompliance.com)
- Phone: +1 (832) 819-4067
- Our Commitment: We partner with your institution—never dictate to it—leveraging your expertise while providing the external validation and documentation rigor required for SB 37 certification success.