

1-1 By: Brown of Brazos (Senate Sponsor - Zaffirini) H.B. No. 1172
1-2 (In the Senate - Received from the House May 4, 2005;
1-3 May 5, 2005, read first time and referred to Subcommittee on Higher
1-4 Education; May 19, 2005, reported favorably to Committee on
1-5 Education; May 23, 2005, reported adversely, with favorable
1-6 Committee Substitute from Committee on Education by the following
1-7 vote: Yeas 6, Nays 0; May 23, 2005, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 1172 By: Zaffirini

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to policies and measures to promote timely graduation of
1-12 students from public institutions of higher education.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter H, Chapter 51, Education Code, is
1-15 amended by adding Section 51.4032 to read as follows:

1-16 Sec. 51.4032. REPORT OF EFFORTS CONCERNING TIMELY
1-17 GRADUATION. (a) Not later than November 1 of each year, the
1-18 president of each general academic teaching institution, as defined
1-19 by Section 61.003, shall provide to the governing board of the
1-20 institution a report for the preceding academic year that examines
1-21 the institution's efforts concerning timely graduation of its
1-22 undergraduate students.

1-23 (b) The report must:

1-24 (1) state, for each undergraduate degree program, the
1-25 average number of semester credit hours attempted and the average
1-26 number of fall and spring semesters attended by a student
1-27 completing the program;

1-28 (2) state the specific efforts implemented by the
1-29 institution to ensure that undergraduate students graduate in a
1-30 timely manner and do not attempt an excessive number of semester
1-31 credit hours beyond the minimum number required to complete the
1-32 students' degree programs, including the institution's efforts to
1-33 provide academic counseling concerning timely graduation,
1-34 including the development of an online student degree progress
1-35 report which compares the courses taken and credit received by a
1-36 student to the courses completed and needed for degree and
1-37 graduation requirements for each academic term, and to implement
1-38 tuition policies that encourage timely graduation; and

1-39 (3) include any other information required by the
1-40 Texas Higher Education Coordinating Board.

1-41 (c) An institution's report must be in the form prescribed
1-42 by coordinating board rule adopted in consultation with general
1-43 academic teaching institutions.

1-44 SECTION 2. Section 54.068, Education Code, is amended to
1-45 read as follows:

1-46 Sec. 54.068. TUITION FOR REPEATED OR EXCESSIVE
1-47 UNDERGRADUATE HOURS. (a) An institution of higher education may
1-48 charge a resident undergraduate student tuition at a higher rate
1-49 than the rate charged to other resident undergraduate students, not
1-50 to exceed the rate charged to nonresident undergraduate students,
1-51 if before the semester or other academic session begins the student
1-52 has previously attempted a number of semester credit hours for
1-53 courses taken at any institution of higher education while
1-54 classified as a resident student for tuition purposes that exceeds
1-55 by at least 30 [~~45~~] hours the number of semester credit hours
1-56 required for completion of the degree program in which the student
1-57 is enrolled. For purposes of this subsection, an undergraduate
1-58 student who is not enrolled in a degree program is considered to be
1-59 enrolled in a degree program or programs requiring a minimum of 120
1-60 semester credit hours, including minors and double majors, and for
1-61 completion of any certificate or other special program in which the
1-62 student is also enrolled, including a program with a study-abroad
1-63 component. An institution of higher education that charges students

2-1 tuition at a higher rate under this subsection may adopt a policy
 2-2 under which the institution exempts from the payment of that higher
 2-3 rate a student that is subject to the payment of the higher rate
 2-4 solely as a result of hardship as determined by the institution
 2-5 under the policy.

2-6 (b) Semester credit hours or other credit listed in Section
 2-7 61.0595(d) is not counted in determining the number of semester
 2-8 credit hours previously attempted by a student for purposes of
 2-9 Subsection (a).

2-10 (c) Subsection (a) applies only [~~does not apply~~] to the
 2-11 tuition charged to a student who initially enrolled as an
 2-12 undergraduate student in an institution of higher education during
 2-13 or after [~~before~~] the 1999 fall semester, except that the
 2-14 institution of higher education may not require a student who
 2-15 initially enrolls as an undergraduate student in an institution of
 2-16 higher education before the 2006 fall semester to pay higher
 2-17 tuition as permitted by Subsection (a) until the number of semester
 2-18 credit hours previously attempted by the student as described by
 2-19 that subsection exceeds the number of semester credit hours
 2-20 required for the student's degree program by at least 45 hours.

2-21 (d) In its appropriations to institutions of higher
 2-22 education, the legislature shall compute the local funds available
 2-23 to each institution as if the tuition collected under Subsections
 2-24 [~~Subsection~~] (a) and (f) were not collected.

2-25 (e) Each institution of higher education shall inform each
 2-26 new undergraduate student enrolling at the institution in writing
 2-27 of the limitation provided by this section on the number of hours or
 2-28 type of courses that a Texas resident is entitled to complete while
 2-29 paying tuition at the rate provided for Texas residents.

2-30 (f) An institution of higher education may charge a resident
 2-31 undergraduate student tuition at a higher rate than the rate
 2-32 charged to other resident undergraduate students, not to exceed the
 2-33 rate charged to nonresident undergraduate students, for any course
 2-34 in which the student enrolls that is the same as or substantively
 2-35 identical to a course for which the student previously completed.
 2-36 The Texas Higher Education Coordinating Board shall adopt a rule
 2-37 that exempts a resident undergraduate student from this subsection
 2-38 if the student enrolls in a course that is the same as or
 2-39 substantially similar to a course that the student previously
 2-40 completed, solely as a result of a hardship or other good cause.

2-41 SECTION 3. Subchapter C, Chapter 61, Education Code, is
 2-42 amended by adding Section 61.0515 to read as follows:

2-43 Sec. 61.0515. SEMESTER CREDIT HOURS REQUIRED FOR
 2-44 BACCALAUREATE DEGREE. (a) To earn a baccalaureate degree, a
 2-45 student may not be required by a general academic teaching
 2-46 institution to complete more than the minimum number of semester
 2-47 credit hours required for the degree by the Southern Association of
 2-48 Colleges and Schools or its successor unless the institution
 2-49 determines that there is a compelling academic reason for requiring
 2-50 completion of additional semester credit hours for the degree.

2-51 (b) The board may review one or more of an institution's
 2-52 baccalaureate degree programs to ensure compliance with this
 2-53 section.

2-54 (c) Subsection (a) does not apply to a baccalaureate degree
 2-55 awarded by an institution to a student enrolled in the institution
 2-56 before the 2008 fall semester. This subsection does not prohibit
 2-57 the institution from reducing the number of semester credit hours
 2-58 the student must complete to receive the degree.

2-59 SECTION 4. Section 61.0595, Education Code, is amended by
 2-60 amending Subsections (a) and (e) and adding Subsection (f) to read
 2-61 as follows:

2-62 (a) In the formulas established under Section 61.059, the
 2-63 board may not include funding for semester credit hours earned by a
 2-64 resident undergraduate student who before the semester or other
 2-65 academic session begins has previously attempted a number of
 2-66 semester credit hours for courses taken at any institution of
 2-67 higher education while classified as a resident student for tuition
 2-68 purposes that exceeds by a least 30 [~~45~~] hours the number of
 2-69 semester credit hours required for completion of the degree program

3-1 or programs in which the student is enrolled, including minors and
3-2 double majors, and for completion of any certificate or other
3-3 special program in which the student is also enrolled, including a
3-4 program with a study-abroad component.

3-5 (e) Subsection (a) applies only [~~does not apply~~] to funding
3-6 for semester credit hours earned by a student who initially
3-7 enrolled as an undergraduate student in any institution of higher
3-8 education during or after [~~before~~] the 1999 fall semester, except
3-9 that with respect to semester credit hours earned by a student who
3-10 initially enrolls as an undergraduate student in any institution of
3-11 higher education before the 2006 fall semester, the board may not
3-12 reduce funding under this section until the number of semester
3-13 credit hours previously attempted by the student as described by
3-14 this section exceeds the number of semester credit hours required
3-15 for the student's degree program by at least 45 hours.

3-16 (f) In the formulas established under Section 61.059, the
3-17 board shall include without consideration of Subsection (a) funding
3-18 for semester credit hours earned by a student who initially
3-19 enrolled as an undergraduate student in any institution of higher
3-20 education before the 1999 fall semester [~~for those semester credit~~
3-21 ~~hours without consideration of Subsection (a)].~~

3-22 (g) To the extent practicable, the savings to the state
3-23 resulting from the exclusion of funding for excess undergraduate
3-24 semester credit hours from the funding formulas of the board as
3-25 required by this section shall be used to finance the Toward
3-26 EXcellence, Access, & Success (TEXAS) grant program under
3-27 Subchapter M, Chapter 56.

3-28 SECTION 5. (a) The changes in law made by this Act to
3-29 Sections 54.068 and 61.0595, Education Code, apply beginning with
3-30 the 2005 fall semester.

3-31 (b) Not later than May 31, 2006, the Texas Higher Education
3-32 Coordinating Board shall adopt the rules required by Section
3-33 61.0515, Education Code, as added by this Act, relating to the
3-34 number of semester credit hours required for completion of a
3-35 baccalaureate degree program at a general academic teaching
3-36 institution.

3-37 (c) Not later than May 31, 2006, the Texas Higher Education
3-38 Coordinating Board shall develop recommendations for the core
3-39 curriculum to conform to the requirements of Section 61.822,
3-40 Education Code, as amended by this Act. Each public institution of
3-41 higher education in this state shall revise its core curriculum as
3-42 necessary to conform to the requirements of Section 61.822,
3-43 Education Code, as amended by this Act, and shall require students
3-44 to comply with the institution's revised core curriculum beginning
3-45 with the 2008 fall semester, except that an institution shall
3-46 permit a student who was enrolled in the institution before the 2008
3-47 fall semester to comply with the core curriculum requirements
3-48 applicable to that student before that semester. Each institution
3-49 of higher education shall issue course catalogs that reflect the
3-50 applicable core curriculum under Section 61.822, Education Code,
3-51 consistent with this subsection. This subsection expires at the
3-52 beginning of the 2010 fall semester.

3-53 (d) The change in law made by this Act to Subsection (c),
3-54 Section 61.822, Education Code, applies to students who transfer
3-55 between institutions of higher education beginning with the 2008
3-56 fall semester. Students who transfer between institutions of
3-57 higher education before the 2008 fall semester are covered by
3-58 Subsection (c), Section 61.822, Education Code, as that subsection
3-59 existed before its amendment by this Act, and that law is continued
3-60 in effect for that purpose.

3-61 SECTION 6. This Act takes effect immediately if it receives
3-62 a vote of two-thirds of all the members elected to each house, as
3-63 provided by Section 39, Article III, Texas Constitution. If this
3-64 Act does not receive the vote necessary for immediate effect, this
3-65 Act takes effect September 1, 2005.

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