

By: Fraser

S.B. No. 158

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of another institution of higher
3 education to conduct vocational or technical courses in the service
4 area of a junior college district.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter C, Chapter 61, Education Code, is
7 amended by adding Section 61.0551 to read as follows:

8 Sec. 61.0551. APPROVAL OF VOCATIONAL OR TECHNICAL COURSE OR
9 PROGRAM CONDUCTED IN SERVICE AREA OF JUNIOR COLLEGE DISTRICT BY
10 ANOTHER INSTITUTION. (a) This section applies only to a course or
11 program conducted in a county with a population of 35,000 or less
12 when the request for the course or program is made under Subsection
13 (b)(1).

14 (b) The board shall approve a request by an institution of
15 higher education to conduct a lower-division-level vocational or
16 technical course or program at a location in the service area of a
17 junior college district, other than a junior college district that
18 operates the requesting institution, if:

19 (1) not more than one year before the date the
20 requesting institution proposes to begin conducting the course or
21 program, a community request was submitted to the governing board
22 of the junior college district proposing that the junior college
23 district conduct the same type of course or program in the county or
24 municipality named in the community request;

1 (2) the junior college district did not begin to offer
2 the same type of course or program or adopt a formal plan to offer
3 the same type of course or program in the county or municipality, as
4 applicable, before the first anniversary of the date the community
5 request was delivered to the chief executive officer of the junior
6 college district; and

7 (3) the board determines that:

8 (A) there is an unmet need for the course or
9 program in the county or municipality, as applicable;

10 (B) the course or program is consistent with the
11 role and mission of the requesting institution; and

12 (C) the course or program meets the other
13 criteria adopted by the board for approval of a vocational or
14 technical program, other than criteria related to whether the
15 course or program would be conducted in the service area of another
16 institution.

17 (c) For purposes of this section, a community request for a
18 course or program consists of:

19 (1) a resolution adopted by the commissioners court of
20 a county or the governing body of a municipality requesting a junior
21 college district to conduct the course or program in the county or
22 municipality, as applicable; or

23 (2) a petition, approved by one or more employers that
24 together employ not less than 100 full-time equivalent employees in
25 a county or municipality, that:

26 (A) requests a junior college district to conduct
27 the course or program in that county or municipality; and

1 (B) certifies that there is an unmet need for the
2 course or program in that county or municipality and that the course
3 or program would provide skills relevant to the workforce of each of
4 the petitioning employers.

5 (d) For good cause, the board may direct an institution of
6 higher education that conducts a course or program authorized under
7 this section to discontinue conducting the course or program. Good
8 cause may include a determination by the board that:

9 (1) the course or program does not meet enrollment or
10 performance review standards or other criteria established by the
11 board; or

12 (2) the junior college district in whose service area
13 the course or program is conducted has proposed to conduct a course
14 or program of the same type in the same county or municipality and
15 has the resources to conduct the course or program effectively.

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect on the 91st day after the last day of the
21 legislative session.