

By: Lucio

S.B. No. 1131

A BILL TO BE ENTITLED

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AN ACT

relating to the rates of tuition charged to students of institutions of higher education.

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

SECTION 1. Section 54.0513, Education Code, is amended by amending Subsections (a) and (b) and adding Subsection (a-1) to read as follows:

(a) In addition to amounts that a governing board of an institution of higher education is authorized to charge as tuition under the other provisions of this chapter, the governing board~~[under the terms the governing board considers appropriate,~~] may charge any student for an academic period an amount designated as tuition not to exceed the amount charged to the student under Section 54.051 or 54.0512, as applicable, for that academic period ~~[that the governing board considers necessary for the effective operation of the institution].~~

(a-1) Notwithstanding Subsection (a), if the amount of tuition authorized under Subsection (a) is less than the amount the governing board of an institution of higher education charged a similarly situated student for tuition in the 2006-2007 academic year, the governing board may charge the student a total amount of tuition not to exceed the amount the governing board charged a similarly situated student for tuition for the 2006-2007 academic year. For purposes of this subsection, students are similarly

1 situated if they share the same residency status, degree program,
2 course load, course level, tuition exemption status, and other
3 circumstances affecting the amount of tuition the student is
4 charged. The Texas Higher Education Coordinating Board may adopt
5 rules as necessary to administer this subsection.

6 (b) Subject to the limits provided by Subsections (a) and
7 (a-1) on the amount designated as tuition charged under this
8 section, a [A] governing board may set a different tuition rate
9 under this section for each program and course level offered by each
10 institution of higher education[~~. A governing board may set a~~
11 ~~different tuition rate~~] as the governing board considers
12 appropriate to increase graduation rates, encourage efficient use
13 of facilities, [~~or~~] enhance employee performance, or further
14 another legitimate purpose of the institution.

15 SECTION 2. Subsections (e) and (f), Section 54.0515,
16 Education Code, are amended to read as follows:

17 (e) It is the legislature's intent that each institution of
18 higher education[~~, as a condition to tuition deregulation under~~
19 ~~Section 54.0513,~~] reasonably implement the following:

20 (1) each institution shall make satisfactory progress
21 towards the goals provided in its master plan for higher education
22 and in "Closing the Gaps," the state's master plan for higher
23 education; and

24 (2) each institution shall meet acceptable
25 performance criteria, including measures such as graduation rates,
26 retention rates, enrollment growth, educational quality, efforts
27 to enhance minority participation, opportunities for financial

1 aid, and affordability.

2 (f) The committee shall:

3 (1) meet at the call of either chair;

4 (2) monitor and regularly report to the legislature on
5 each institution of higher education's compliance with the
6 requirements of Subsection (e); and

7 (3) receive and review information concerning the
8 affordability and accessibility of higher education~~[, including~~
9 ~~the impact of tuition deregulation]~~.

10 SECTION 3. The changes in law made by this Act apply
11 beginning with tuition charged by an institution of higher
12 education for the 2007-2008 academic year. Tuition charged by an
13 institution of higher education in an academic year before that
14 academic year is covered by the law in effect before the effective
15 date of this Act, and the former law is continued in effect for that
16 purpose.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2007.