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S.B. No. 1146

A BILL TO BE ENTITLED

AN ACT

relating to online performance reports for public institutions of higher education.

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

SECTION 1. Subtitle A, Title 3, Education Code, is amended by adding Chapter 51A to read as follows:

CHAPTER 51A. ONLINE PERFORMANCE REPORT CARDS FOR INSTITUTIONS OF HIGHER EDUCATION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 51A.001. DEFINITIONS. In this chapter:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "General academic teaching institution," "institution of higher education," "medical and dental unit," "public state college," and "public technical institute" have the meanings assigned by Section 61.003.

Sec. 51A.002. POWERS AND DUTIES OF COORDINATING BOARD RELATING TO REPORT CARDS; GENERAL REQUIREMENTS FOR REPORT CARDS.

(a) The coordinating board, in consultation with each institution of higher education to which this chapter applies, shall develop and maintain online report cards for each of those institutions.

(b) The coordinating board shall:

(1) request from each institution of higher education to which this chapter applies any information the coordinating

1 board considers necessary for the coordinating board to include
2 information or calculate data required to be included in the
3 institution's report card;

4 (2) establish for each institution of higher education
5 to which this chapter applies a list of representative in-state and
6 out-of-state peer institutions and maintain that list on the
7 coordinating board's Internet website;

8 (3) ensure that each of an institution of higher
9 education's online report cards:

10 (A) is available to the public on the
11 coordinating board's Internet website in a one-page format and is
12 accessible through a link that appears in a prominent place on the
13 coordinating board's Internet website homepage;

14 (B) uses enhanced, user-friendly search
15 capabilities to ensure that the information required to be included
16 in the report card is easily accessible to the persons for whom the
17 report card is designed; and

18 (C) includes a clearly identifiable link to
19 information on the coordinating board's Internet website regarding
20 the coordinating board's higher education accountability system;
21 and

22 (4) ensure that the information provided in each
23 report card is accurate and up to date.

24 (c) The coordinating board may modify, as the coordinating
25 board considers necessary, national data regarding an
26 institution's out-of-state peer institutions to ensure uniformity
27 in the comparison of that data to data regarding the institution for

1 which the report card is created and the institution's in-state
2 peer institutions in a report card under this chapter.

3 Sec. 51A.003. DUTIES OF INSTITUTIONS OF HIGHER EDUCATION
4 RELATING TO REPORT CARDS. Each institution of higher education to
5 which this chapter applies shall:

6 (1) submit to the coordinating board any information
7 requested by the coordinating board as necessary for the
8 coordinating board to include information or calculate data
9 required to be included in the institution's report cards; and

10 (2) ensure that the institution's Internet website
11 homepage includes, in a prominent place, an accessible link to the
12 institution's online report cards maintained on the coordinating
13 board's Internet website.

14 [Sections 51A.004-51A.050 reserved for expansion]

15 SUBCHAPTER B. ONLINE PERFORMANCE REPORT CARDS FOR GENERAL ACADEMIC
16 TEACHING INSTITUTIONS

17 Sec. 51A.051. APPLICABILITY OF SUBCHAPTER. This subchapter
18 applies only to general academic teaching institutions, other than
19 public state colleges.

20 Sec. 51A.052. REPORT CARD FOR LEGISLATORS AND OTHER POLICY
21 MAKERS. (a) The coordinating board shall maintain for each
22 institution to which this subchapter applies an online report card
23 that is designed for use by legislators and other interested policy
24 makers.

25 (b) The report card required by this section must identify:

26 (1) the institutional grouping to which the
27 institution is assigned under the coordinating board's higher

1 education accountability system; and

2 (2) the institution's in-state and out-of-state peer
3 institutions.

4 (c) For purposes of this section, information required to be
5 included in the report card regarding the institution's in-state or
6 out-of-state peer institutions must be listed in the form of the
7 average of that information for those institutions unless otherwise
8 prescribed by coordinating board rule.

9 (d) The report card must include the following information
10 relating to the institution for the most recent state fiscal year
11 and compare that information by percentage to the same information
12 for the state fiscal year preceding the most recent state fiscal
13 year and the state fiscal year preceding the most recent state
14 fiscal year by five years:

15 (1) under the heading "ENROLLMENT," the total number
16 of students enrolled in the institution during the fall semester;

17 (2) under the heading "COSTS," the average annual
18 total academic costs for a resident undergraduate student enrolled
19 in 30 semester credit hours:

20 (A) at the institution; and

21 (B) at the institution's in-state and
22 out-of-state peer institutions;

23 (3) under the heading "STUDENT SUCCESS":

24 (A) the retention rate of first-time, full-time,
25 degree-seeking entering undergraduate students:

26 (i) enrolled in the institution after one
27 academic year and after two academic years; and

1 (ii) enrolled in the institution's
2 out-of-state peer institutions after one academic year and in the
3 institution's in-state peer institutions after two academic years;

4 (B) the percentage of undergraduate students
5 requiring developmental education who, after six years from
6 entering the institution, graduated from or are still enrolled in:

7 (i) the institution; and

8 (ii) the institution's in-state peer
9 institutions;

10 (C) the four-year and six-year graduation rates
11 of full-time bachelor's degree-seeking students:

12 (i) at the institution; and

13 (ii) at the institution's in-state and
14 out-of-state peer institutions; and

15 (D) the average number of years of enrollment
16 attempted by a student to obtain a bachelor's degree:

17 (i) at the institution; and

18 (ii) at the institution's in-state and
19 out-of-state peer institutions; and

20 (4) under the heading "FUNDING":

21 (A) the total amount of money appropriated by the
22 legislature to the institution, including money appropriated for
23 faculty and staff health coverage and other benefits; and

24 (B) the total amount of money from any source
25 available to the institution in that state fiscal year.

26 Sec. 51A.053. REPORT CARD FOR PROSPECTIVE STUDENTS,
27 PARENTS, AND MEMBERS OF THE PUBLIC. (a) The coordinating board

1 shall maintain for each institution to which this subchapter
2 applies an online performance report card that is designed for use
3 by prospective students of the institution, their parents, and
4 other interested members of the public.

5 (b) The report card must identify:

6 (1) the institutional grouping to which the
7 institution is assigned under the coordinating board's higher
8 education accountability system; and

9 (2) the institution's in-state peer institutions.

10 (c) The report card must include the following information
11 relating to the most recent state fiscal year:

12 (1) under the heading "ENROLLMENT":

13 (A) the total number of students enrolled in the
14 institution during the fall semester; and

15 (B) a clearly identifiable link to the
16 information described by Paragraph (A) disaggregated by student
17 ethnicity;

18 (2) under the heading "DEGREES AWARDED":

19 (A) the number of bachelor's degrees, number of
20 master's degrees, number of doctoral degrees, and number of
21 professional degrees awarded by the institution; and

22 (B) a clearly identifiable link to the
23 information described by Paragraph (A) disaggregated by student
24 ethnicity;

25 (3) under the heading "COSTS":

26 (A) the average annual total academic costs for a
27 resident undergraduate student enrolled in 30 semester credit hours

1 at the institution;

2 (B) clearly identifiable links to information
3 regarding:

4 (i) the rate or rates of tuition per
5 semester credit hour charged by the institution;

6 (ii) any tuition and fee incentives offered
7 by the institution; and

8 (iii) the amount and percentage by which
9 the institution has increased tuition for a program or course level
10 during the state fiscal year covered by the report card;

11 (C) the average cost of on-campus room and board
12 per student; and

13 (D) the average cost to a resident undergraduate
14 student enrolled in 30 semester credit hours for total academic
15 costs and on-campus room and board, excluding the cost of books,
16 supplies, transportation, or other expenses;

17 (4) under the heading "FINANCIAL AID":

18 (A) the percentage of undergraduate students
19 enrolled in the institution who receive grants or scholarships;

20 (B) the percentage of undergraduate students
21 enrolled in the institution who receive grants, scholarships,
22 loans, or work-study funds;

23 (C) the average amount of an undergraduate
24 student's grant and scholarship package;

25 (D) the average amount of an undergraduate
26 student's grant, scholarship, loan, and work-study package; and

27 (E) the percentage of undergraduate students who

1 graduate from the institution with education-related debt and, to
2 the extent information is available, the average amount of
3 education-related debt of those students;

4 (5) under the heading "ADMISSIONS":

5 (A) the percentage of undergraduate students
6 whose Scholastic Assessment Test (SAT) score placed the students in
7 the 25th to 75th percentile of students' scores on that test
8 nationally;

9 (B) the percentage of undergraduate students
10 whose American College Test (ACT) score placed the students in the
11 25th to 75th percentile of students' scores on that test
12 nationally; and

13 (C) the percentage of the students who applied
14 for first-time undergraduate admission to the institution who were
15 offered admission to the institution;

16 (6) under the heading "INSTRUCTION":

17 (A) the student/faculty ratio at the
18 institution;

19 (B) the percentage of organized undergraduate
20 classes offered by the institution in which fewer than 20 students
21 are enrolled;

22 (C) the percentage of organized undergraduate
23 classes offered by the institution in which more than 50 students
24 are enrolled; and

25 (D) the percentage of faculty members of the
26 institution who are tenured or tenure-track;

27 (7) under the heading "BACCALAUREATE SUCCESS":

1 (A) four-year, five-year, and six-year
2 graduation rates for full-time bachelor's degree-seeking students
3 at the institution, and links to that information disaggregated by
4 student ethnicity; and

5 (B) the average number of years of enrollment
6 attempted by a student to obtain a bachelor's degree; and

7 (8) under the heading "FIRST-TIME LICENSURE OR
8 CERTIFICATION EXAMINATION PASS RATES," the first-time licensure or
9 certification examination pass rates in the fields of education,
10 law, pharmacy, nursing, and engineering of students enrolled in the
11 institution or who have graduated from the institution.

12 [Sections 51A.054-51A.100 reserved for expansion]

13 SUBCHAPTER C. PERFORMANCE REPORT CARDS FOR LOWER-DIVISION
14 INSTITUTIONS

15 Sec. 51A.101. APPLICABILITY OF SUBCHAPTER. This subchapter
16 applies only to the following institutions of higher education:

- 17 (1) public junior colleges;
18 (2) public technical institutes; and
19 (3) public state colleges.

20 Sec. 51A.102. REPORT CARD FOR LEGISLATORS AND OTHER POLICY
21 MAKERS. (a) The coordinating board shall maintain for each
22 institution to which this subchapter applies an online performance
23 report card for the institution designed for use by legislators and
24 other interested policy makers.

25 (b) The report card must identify:

26 (1) the institutional grouping to which the
27 institution is assigned under the coordinating board's higher

1 education accountability system; and

2 (2) the institution's in-state peer institutions.

3 (c) For purposes of this section, information required to be
4 included in the report card regarding the institution's in-state
5 peer institutions must be listed in the form of the average of that
6 information for those institutions unless otherwise prescribed by
7 coordinating board rule.

8 (d) The report card must include the following information
9 relating to the institution for the most recent state fiscal year
10 and compare that information by percentage to the same information
11 for the state fiscal year preceding the most recent state fiscal
12 year and the state fiscal year preceding the most recent state
13 fiscal year by five years:

14 (1) under the heading "ENROLLMENT," the total number
15 of students enrolled in the institution during the fall semester;

16 (2) under the heading "COSTS," the average annual
17 total academic costs, which for a junior college must include those
18 costs for an in-district and an out-of-district student, for a
19 student enrolled in 30 semester credit hours toward a two-year
20 degree or certificate:

21 (A) at the institution; and

22 (B) at the institution's in-state peer
23 institutions;

24 (3) under the heading "STUDENT SUCCESS":

25 (A) the retention rate of first-time, full-time,
26 degree-seeking entering undergraduate students:

27 (i) enrolled in the institution after two

1 academic years; and

2 (ii) enrolled in the institution's in-state
3 peer institutions after two academic years;

4 (B) the percentage of undergraduate students
5 requiring developmental education who, after three years from
6 entering the institution, graduated from or are still enrolled in:

7 (i) the institution; and

8 (ii) the institution's in-state peer
9 institutions;

10 (C) the three-year, four-year, and six-year
11 graduation rates of full-time degree-seeking students:

12 (i) at the institution; and

13 (ii) at the institution's in-state peer
14 institutions;

15 (D) the percentage of students who transfer to a
16 general academic teaching institution or equivalent institution of
17 higher education:

18 (i) from the institution; and

19 (ii) from the institution's in-state peer
20 institutions; and

21 (E) the percentage of students either employed or
22 enrolled in a general academic teaching institution or equivalent
23 institution of higher education within one year after the date of
24 the student's graduation from:

25 (i) the institution; and

26 (ii) the institution's in-state peer
27 institutions; and

1 (4) under the heading "FUNDING":

2 (A) the total amount of money appropriated by the
3 legislature to the institution for that state fiscal year,
4 including money appropriated for faculty and staff health coverage
5 and other benefits;

6 (B) the total amount of money from any source
7 available to the institution in that state fiscal year; and

8 (C) the tax rate per \$100 valuation of taxable
9 property imposed by the junior college district, if the institution
10 is a public junior college.

11 Sec. 51A.103. REPORT CARD FOR PROSPECTIVE STUDENTS,
12 PARENTS, AND OTHER MEMBERS OF THE PUBLIC. (a) The coordinating
13 board shall maintain for each institution to which this subchapter
14 applies an online performance report card that is designed for use
15 by prospective students of the institution, their parents, and
16 other interested members of the public.

17 (b) The report card must identify:

18 (1) the institutional grouping to which the
19 institution is assigned under the coordinating board's higher
20 education accountability system; and

21 (2) the institution's in-state peer institutions.

22 (c) For purposes of this section, information required to be
23 included in the report card regarding the institution's in-state
24 peer institutions must be listed in the form of the average of that
25 information for those institutions unless otherwise prescribed by
26 coordinating board rule.

27 (d) The report card must include the following information

1 relating to the most recent state fiscal year:

2 (1) under the heading "ENROLLMENT":

3 (A) the total number of students enrolled during
4 the fall semester:

5 (i) at the institution; and

6 (ii) at the institution's in-state peer
7 institutions; and

8 (B) a clearly identifiable link to information
9 described by Paragraph (A) disaggregated by student ethnicity;

10 (2) under the heading "DEGREES AND CERTIFICATES
11 AWARDED":

12 (A) the number of degrees or certificates awarded
13 for each level, type, or other category of degree or certificate
14 specified by the coordinating board for purposes of this paragraph:

15 (i) by the institution; and

16 (ii) by the institution's in-state peer
17 institutions; and

18 (B) a clearly identifiable link to the
19 information described by Paragraph (A) disaggregated by student
20 ethnicity;

21 (3) under the heading "COSTS," the average annual
22 total academic costs, which for a junior college must include those
23 costs for an in-district and out-of-district student, for a student
24 enrolled in 30 semester credit hours toward a two-year degree:

25 (A) at the institution; and

26 (B) at the institution's in-state peer
27 institutions;

1 (4) under the heading "FINANCIAL AID":

2 (A) the percentage of students who receive grants
3 or scholarships:

4 (i) at the institution; and

5 (ii) at the institution's in-state peer
6 institutions;

7 (B) the percentage of students who receive
8 grants, scholarships, loans, or work-study funds:

9 (i) at the institution; and

10 (ii) at the institution's in-state peer
11 institutions;

12 (C) the average amount of a student's grant and
13 scholarship package:

14 (i) at the institution; and

15 (ii) at the institution's in-state peer
16 institutions;

17 (D) the average amount of a student's grant,
18 scholarship, loan, and work-study package:

19 (i) at the institution; and

20 (ii) at the institution's in-state peer
21 institutions; and

22 (E) the percentage of students who graduated with
23 education-related debt and, to the extent information is available,
24 the average amount of education-related debt of those students:

25 (i) from the institution; and

26 (ii) from the institution's in-state peer
27 institutions; and

1 (5) under the heading "STUDENT SUCCESS":

2 (A) the retention rate of first-time, full-time,
3 degree-seeking entering undergraduate students:

4 (i) enrolled in the institution after two
5 academic years; and

6 (ii) enrolled in the institution's in-state
7 peer institutions after two academic years;

8 (B) the percentage of students requiring
9 developmental education who, after three years from entering the
10 institution, have graduated from or are still enrolled in:

11 (i) the institution; and

12 (ii) the institution's in-state peer
13 institutions;

14 (C) the three-year, four-year, and six-year
15 graduation rates of full-time degree-seeking students:

16 (i) at the institution; and

17 (ii) at the institution's in-state peer
18 institutions;

19 (D) the percentage of students who transfer to a
20 general academic teaching institution or equivalent institution of
21 higher education:

22 (i) from the institution; and

23 (ii) from the institution's in-state peer
24 institutions; and

25 (E) the percentage of students either employed or
26 enrolled in a general academic teaching institution or equivalent
27 institution of higher education within one year after the date of

1 the student's graduation from:

2 (i) the institution; and

3 (ii) the institution's in-state peer
4 institutions.

5 [Sections 51A.104-51A.150 reserved for expansion]

6 SUBCHAPTER D. ONLINE PERFORMANCE REPORT CARDS FOR MEDICAL AND
7 DENTAL UNITS

8 Sec. 51A.151. APPLICABILITY OF SUBCHAPTER. This subchapter
9 applies only to medical and dental units.

10 Sec. 51A.152. REPORT CARD FOR LEGISLATORS AND OTHER POLICY
11 MAKERS. (a) The coordinating board shall maintain for each
12 institution to which this subchapter applies an online performance
13 report card designed for use by legislators and other interested
14 policy makers.

15 (b) The report card must identify:

16 (1) the institutional grouping to which the
17 institution is assigned under the coordinating board's higher
18 education accountability system; and

19 (2) the institution's in-state and out-of-state peer
20 institutions.

21 (c) For purposes of this section, information required to be
22 included in the report card regarding the institution's in-state or
23 out-of-state peer institutions must be listed in the form of the
24 average of that information for those institutions unless otherwise
25 prescribed by coordinating board rule.

26 (d) The report card must include the following information
27 relating to the institution for the most recent state fiscal year

1 and compare that information by percentage to the same information
2 for the state fiscal year preceding the most recent state fiscal
3 year and the state fiscal year preceding the most recent state
4 fiscal year by five years:

5 (1) under the heading "ENROLLMENT":

6 (A) the total number of students enrolled in the
7 institution during the fall semester;

8 (B) if applicable, the total number of students
9 enrolled in the institution's medical school during the fall
10 semester; and

11 (C) if applicable, the total number of students
12 enrolled as resident physicians in residency programs accredited by
13 the Accreditation Council for Graduate Medical Education or the
14 American Osteopathic Association at the institution on the most
15 recent September 1 for which the information is available;

16 (2) under the heading "COSTS," the average annual
17 total academic costs, including those costs identified by type of
18 degree program if required by coordinating board rule, for a
19 resident, full-time undergraduate student and for a resident,
20 full-time graduate student:

21 (A) at the institution; and

22 (B) at the institution's in-state and
23 out-of-state peer institutions;

24 (3) under the heading "STUDENT SUCCESS":

25 (A) if applicable, the percentage of medical
26 school students who pass Part 1 or Part 2 of any examination
27 administered or accepted for a medical license under Subtitle B,

1 Title 3, Occupations Code:

2 (i) at the institution; and

3 (ii) at the institution's in-state and
4 out-of-state peer institutions;

5 (B) if applicable, the percentage of medical
6 school students who are practicing primary care in this state:

7 (i) after graduating from the institution;

8 and

9 (ii) after graduating from the
10 institution's in-state peer institutions;

11 (C) the number of nursing degrees or allied
12 health degrees awarded for each level:

13 (i) by the institution; and

14 (ii) by the institution's in-state and
15 out-of-state peer institutions; and

16 (D) the estimated total amount of the
17 institution's research expenditures during that state fiscal year;
18 and

19 (4) under the heading "FUNDING":

20 (A) the total amount of money appropriated by the
21 legislature to the institution, including money appropriated for
22 faculty and staff health coverage and other benefits, for that
23 state fiscal year; and

24 (B) the total amount of money from any source
25 available to the institution for that state fiscal year.

26 Sec. 51A.153. REPORT CARD FOR PROSPECTIVE STUDENTS,
27 PARENTS, AND OTHER MEMBERS OF THE PUBLIC. (a) The coordinating

1 board shall maintain for each institution to which this subchapter
2 applies an online performance report card that is designed for use
3 by prospective students of the institution, their parents, and
4 other interested members of the public.

5 (b) The report card must identify:

6 (1) the institutional grouping to which the
7 institution is assigned under the coordinating board's higher
8 education accountability system; and

9 (2) the institution's in-state and out-of-state peer
10 institutions.

11 (c) For purposes of this section, information required to be
12 included in the report card regarding the institution's in-state
13 peer institutions must be listed in the form of the average of that
14 information for those institutions unless otherwise prescribed by
15 coordinating board rules.

16 (d) The report card must include the following information
17 relating to the most recent state fiscal year:

18 (1) under the heading "ENROLLMENT," with clearly
19 identifiable links to the information disaggregated by student
20 ethnicity:

21 (A) the total number of students enrolled in the
22 institution during the fall semester;

23 (B) if applicable, the total number of students
24 enrolled in the institution's medical school during the fall
25 semester; and

26 (C) if applicable, the total number of students
27 enrolled as resident physicians in residency programs accredited by

1 the Accreditation Council for Graduate Medical Education or the
2 American Osteopathic Association at the institution on the most
3 recent September 1 for which the information is available;

4 (2) under the heading "COSTS":

5 (A) the average annual total academic costs,
6 including those costs identified by type of degree program if
7 required by coordinating board rule, for a resident, full-time
8 student at the institution;

9 (B) clearly identifiable links to information
10 regarding:

11 (i) the rate or rates of tuition per
12 semester credit hour charged by the institution;

13 (ii) any tuition and fee incentives offered
14 by the institution; and

15 (iii) the amount and percentage by which
16 the institution has increased tuition for a program or course level
17 during the five state fiscal years preceding the state fiscal year
18 covered by the report card;

19 (C) the average cost of on-campus room and board
20 per student; and

21 (D) the average cost to a resident undergraduate
22 student enrolled in 30 semester credit hours for tuition and fees
23 and on-campus room and board;

24 (3) under the heading "FINANCIAL AID":

25 (A) the percentage of undergraduate students
26 enrolled in the institution who receive grants or scholarships;

27 (B) the percentage of undergraduate students

1 enrolled in the institution who receive grants, scholarships,
2 loans, or work-study funds;

3 (C) the average amount of an undergraduate
4 student's grant and scholarship package;

5 (D) the average amount of an undergraduate
6 student's grant, scholarship, loan, and work-study package; and

7 (E) the percentage of undergraduate students who
8 graduated from the institution with education-related debt and, to
9 the extent information is available, the average education-related
10 debt of those students;

11 (4) under the heading "STUDENT SUCCESS":

12 (A) if applicable, the percentage of medical
13 school students who pass Part 1 or Part 2 of any examination
14 administered or accepted for a medical license under Subtitle B,
15 Title 3, Occupations Code:

16 (i) at the institution; and

17 (ii) at the institution's in-state peer
18 institutions;

19 (B) if applicable, the percentage of medical
20 school students who are practicing primary care in this state:

21 (i) after graduating from the institution;
22 and

23 (ii) after graduating from the
24 institution's in-state peer institutions;

25 (C) the number of nursing degrees or allied
26 health degrees awarded for each level:

27 (i) by the institution; and

1 (ii) by the institution's in-state peer
2 institutions; and

3 (D) the estimated total amount of the
4 institution's research expenditures; and

5 (5) under the heading "FIRST-TIME LICENSURE OR
6 CERTIFICATION EXAMINATION PASS RATES," the first-time licensure or
7 certification examination pass rates in applicable fields of
8 students who are enrolled in or have graduated from:

9 (A) the institution; and

10 (B) the institution's in-state peer
11 institutions.

12 SECTION 2. The Texas Higher Education Coordinating Board
13 shall create the online performance report cards required by
14 Chapter 51A, Education Code, as added by this Act, and provide the
15 report cards on the board's Internet website not later than
16 February 1, 2008.

17 SECTION 3. 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.