

SENATE AMENDMENTS

2nd Printing

By: Flores, Guillen, Bonnen

H.B. No. 2198

A BILL TO BE ENTITLED

AN ACT

relating to authorizing certain public junior colleges to offer
baccalaureate degree programs.

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

SECTION 1. Section 130.0012, Education Code, is amended to
read as follows:

Sec. 130.0012. [~~PILOT PROJECT.~~] BACCALAUREATE DEGREE
PROGRAMS. (a) The Texas Higher Education Coordinating Board shall
authorize [~~establish a pilot project to examine the feasibility and
effectiveness of authorizing~~] public junior colleges to offer
baccalaureate degree programs in the fields of applied science and
applied technology under this section. Offering a baccalaureate
degree program under this section [~~Participation in the pilot
project~~] does not otherwise alter the role and mission of a public
junior college.

(b) The coordinating board shall authorize baccalaureate
degree programs [~~operate the pilot project~~] at each [~~three~~] public
junior college that previously participated in a pilot project to
offer baccalaureate degree programs and shall authorize
baccalaureate degree programs at an additional public junior
college if the coordinating board determines that it is in the best
interest of this state for that public junior college to offer those
degree programs after considering the criteria established by the
coordinating board under Subsection (e) [~~colleges, as determined by~~

1 ~~the coordinating board~~].

2 (c) A public junior college offering a baccalaureate degree
3 program under this section [~~participating in the pilot project~~]
4 must meet all applicable accreditation requirements of the
5 Commission on Colleges of the Southern Association of Colleges and
6 Schools.

7 (d) A public junior college offering a baccalaureate degree
8 program under this section [~~participating in the pilot project~~] may
9 not offer more than five baccalaureate degree programs [~~under the~~
10 ~~project~~] at any time. The degree programs are subject to the
11 continuing approval of the coordinating board.

12 (e) In determining whether a public junior college may offer
13 baccalaureate degree programs and what baccalaureate degree
14 programs are to be offered, [~~the junior college and~~] the
15 coordinating board shall consider:

16 (1) the need for the degree programs in the region
17 served by the junior college;

18 (2) how those degree programs would complement the
19 other programs and course offerings of the junior college;

20 (3) whether those degree programs would unnecessarily
21 duplicate the degree programs offered by other institutions of
22 higher education; and

23 (4) the ability of the junior college to support the
24 program and the adequacy of the junior college's facilities,
25 faculty, administration, libraries, and other resources.

26 (f) [~~(e)~~] Each public junior college that offers a
27 baccalaureate degree program under this section [~~the pilot project~~]

1 must enter into an articulation agreement with one or more general
2 academic teaching institutions to ensure that students enrolled in
3 the degree program have an opportunity to complete the degree if the
4 public junior college ceases to offer the degree program. The
5 coordinating board may require a general academic teaching
6 institution that offers a comparable degree program to enter into
7 an articulation agreement with the public junior college as
8 provided by this subsection.

9 (g) [~~(f)~~] In its recommendations to the legislature
10 relating to state funding for public junior colleges, the
11 coordinating board shall recommend that a public junior college
12 receive substantially the same state support for junior-level and
13 senior-level courses offered under this section [~~the pilot project~~]
14 as that provided to a general academic teaching institution for
15 substantially similar courses. In determining the contact hours
16 attributable to students enrolled in a junior-level or senior-level
17 course offered under this section [~~the pilot project~~] used to
18 determine a public junior college's proportionate share of state
19 appropriations under Section 130.003, the coordinating board shall
20 weigh those contact hours as necessary to provide the junior
21 college the appropriate level of state support to the extent state
22 funds for those courses are included in the appropriations. This
23 subsection does not prohibit the legislature from directly
24 appropriating state funds to support junior-level and senior-level
25 courses offered under this section [~~the pilot project~~].

26 (h) [~~(g)~~] Each public junior college offering a
27 baccalaureate degree program under this section [~~participating in~~

1 ~~the pilot project]~~ shall prepare a biennial report on the operation
2 and effectiveness of the junior college's baccalaureate degree
3 programs ~~[offered under the project]~~ and shall deliver a copy of the
4 report to the coordinating board in the form and at the time
5 determined by the coordinating board.

6 (i) The ~~[(h) Not later than January 1, 2009, the]~~
7 coordinating board shall establish an application process to select
8 additional public junior colleges that will be authorized to offer
9 baccalaureate degree programs under this section ~~[prepare a~~
10 ~~progress report on the pilot project. Not later than January 1,~~
11 ~~2011, the coordinating board shall prepare a report on the~~
12 ~~effectiveness of the pilot project, including any recommendations~~
13 ~~for legislative action regarding the offering of baccalaureate~~
14 ~~degree programs by public junior colleges. The coordinating board~~
15 ~~shall deliver a copy of each report to the governor, the lieutenant~~
16 ~~governor, the speaker of the house of representatives, and the~~
17 ~~chair of the standing committee of each house of the legislature~~
18 ~~with primary jurisdiction over higher education].~~

19 ~~[(i) Unless the authority to continue offering the~~
20 ~~baccalaureate degree programs is continued by the legislature, a~~
21 ~~public junior college may not:~~

22 ~~[(1) enroll a new student in a baccalaureate degree~~
23 ~~program under the pilot project after the 2011 fall semester,~~

24 ~~[(2) offer junior-level or senior-level courses for~~
25 ~~those degree programs after the 2015 fall semester, unless the~~
26 ~~coordinating board authorizes the college to offer those courses,~~

27 ~~or~~

1 ~~[(3) award a baccalaureate degree under the pilot~~
2 ~~project after the 2015 fall semester, unless the coordinating board~~
3 ~~approves the awarding of the degree.]~~

4 (j) The coordinating board shall prescribe procedures to
5 ensure that each public junior college that offers a degree program
6 under this section ~~[the pilot project]~~ informs each student who
7 enrolls in the degree program of [+

8 ~~[(1) the nature of the pilot project, including the~~
9 ~~limited duration of the project, and~~

10 ~~[(2)]~~ the articulation agreement entered into under
11 Subsection (f) ~~[(e)]~~ for the student's degree program.

12 ~~[(k) This section expires January 1, 2020.]~~

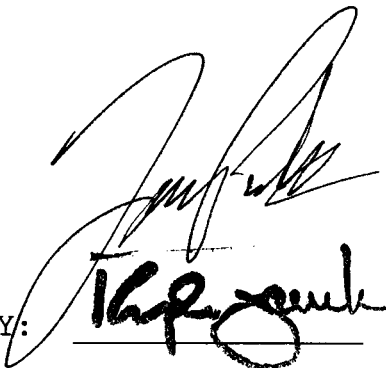
13 SECTION 2. The Texas Higher Education Coordinating Board
14 shall establish the application process required by Section
15 130.0012(i), Education Code, as added by this Act, not later than
16 January 1, 2009.

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.

ADOPTED

MAY 23 2007

Leta Spaw
Secretary of the Senate

BY: 

COMMITTEE AMENDMENT NO. 1

1 Amend House Bill No. 2198 as follows:

2 (1) In SECTION 1 of the bill, Section 130.0012, Education
3 Code, subsection (b) line 19, between "programs" and "and",
4 insert "." and strike "and shall authorize baccalaureate degree
5 programs at an additional public junior college if the
6 coordinating board determines that it is in the best interest of
7 this state for that public junior college to offer those degree
8 program after considering the criteria established by the
9 coordinating board under Subsection (e)"

10 (2) In SECTION 1 of the bill, beginning on page 2, line 12,
11 between "determining" and page 2, line 13 "what", strike
12 "whether a public junior college may offer baccalaureate degree
13 programs and".

14 (3) In SECTION 1 of the bill, beginning on page 4, line 6,
15 strike "(i) The".

16 (4) In SECTION 1 of the bill, beginning on page 4, line 7,
17 strike "coordinating board shall establish an application
18 process to select additional public junior colleges that will be
19 authorized to offer baccalaureate degree programs under this
20 section".

21 (5) Beginning on page 5, line 13, strike SECTION 2
22 entirely, and renumber subsequent sections accordingly.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 14, 2007

TO: Honorable Judith Zaffirini, Chair, Senate Committee on S/C on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2198 by Flores (Relating to authorizing certain public junior colleges to offer baccalaureate degree programs.), **Committee Report 2nd House, As Amended**

No significant fiscal implication to the State is anticipated.

This bill would permit the Higher Education Coordinating Board to authorize up to four new baccalaureate degree programs at the three community college districts currently offering a baccalaureate degree program in applied science and technology (Midland College, Brazosport College and South Texas College).

Local Government Impact

The establishment of additional baccalaureate degree programs at the three community college districts currently authorized to offer such programs would require a considerable commitment of resources on the part of these districts to cover start-up and operating costs. Such costs include, but are not limited to, securing SACS accreditation, upgrading facilities and libraries to accommodate upper division coursework, and costs associated with faculty salary and workload. These local costs would be offset by any state contributions for "start-up" funding.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: JOB, MN, RT, JAW

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 29, 2007

TO: Honorable Judith Zaffirini, Chair, Senate Committee on S/C on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2198** by Flores (Relating to authorizing certain public junior colleges to offer baccalaureate degree programs.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2198, As Engrossed: a negative impact of (\$159,918) through the biennium ending August 31, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$85,984)
2009	(\$73,934)
2010	(\$73,934)
2011	(\$73,934)
2012	(\$73,934)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from GENERAL REVENUE FUND 1
2008	(\$85,984)
2009	(\$73,934)
2010	(\$73,934)
2011	(\$73,934)
2012	(\$73,934)

Fiscal Year	Change in Number of State Employees from FY 2007
2008	1.0
2009	1.0
2010	1.0
2011	1.0
2012	1.0

Fiscal Analysis

The bill would require the state fund the semester credit hours generated by community college baccalaureate degree programs at a greater level than the general revenue funding provided for equivalent semester credit hours generated at four-year institutions.

The All Funds rate used to fund four-year institutions is composed of a mix of state general revenue, and tuition generated by the institutions. The rough split between the two methods of finance is 75 percent for general revenue and 25 percent for general revenue - dedicated (tuition) For example, an All Funds rate of \$60 per semester credit hour could be broken down into \$45 in general revenue and \$15 in tuition.

The bill would require the state provide general revenue for the entirety of the All Funds rate, rather than a portion of the All Funds rate, as is currently the case for four-year institutions.

The bill would also require the Higher Education Coordinating Board to authorize an undetermined number of baccalaureate degree programs at the 3 community college districts currently participating in the B.A. degree pilot program. Currently, statute restricts to five the number of B.A. programs offered at each pilot program district. Since the bill would give the Coordinating Board permission to authorize more than five B.A. programs per district, there could be an undetermined number of B.A. degree programs authorized.

The bill would also require the Coordinating Board to work with "junior college representatives" to study the "feasibility and benefits of increasing the number of public community colleges that offer baccalaureate degree programs.....and the number of baccalaureate degree programs offered by each of those public community colleges."

Based on the above study, the Coordinating Board would be permitted to authorize an undetermined number of community college districts to offer an undetermined number of B.A. degree programs. As is the case for districts with an existing pilot B.A. degree program, the bill would restrict to five the number of B.A. programs offered by each community college district unless "otherwise provided by a Coordinating Board rule."

Since the bill would restrict each of the 50 community college districts to five B.A. degree programs, 247 new B.A. programs could be authorized (250 minus the 3 currently in existence). However, because the bill would also permit the Coordinating Board to authorize an undetermined number of B.A. degree programs in excess of the five program limit, there is no upper limit to the number of B.A. degree programs that may be potentially authorized by the Coordinating Board.

Methodology

The Coordinating Board estimates the need for a Program Director at a cost of \$73,934 and associated start-up cost in fiscal year 2008.

Local Government Impact

The establishment of a new baccalaureate degree program at a community college district would require a considerable commitment of resources on the part of the district to cover start-up and operating costs. Such costs include, but are not limited to, securing SACS accreditation, upgrading facilities and libraries to accommodate upper division coursework, and costs associated with faculty salary and workload. These local costs would be offset by any state contributions for "start-up" funding.

Source Agencies:

LBB Staff: JOB, MN, RT, JAW

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 22, 2007

TO: Honorable Geanie Morrison, Chair, House Committee on Higher Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2198 by Flores (Relating to authorizing certain public junior colleges to offer baccalaureate degree programs.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2198, As Introduced: a negative impact of (\$159,918) through the biennium ending August 31, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$85,984)
2009	(\$73,934)
2010	(\$73,934)
2011	(\$73,934)
2012	(\$73,934)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2007
2008	(\$85,984)	1.0
2009	(\$73,934)	1.0
2010	(\$73,934)	1.0
2011	(\$73,934)	1.0
2012	(\$73,934)	1.0

Fiscal Analysis

The bill would direct the Higher Education Coordinating Board to authorize up to four new baccalaureate degree programs at each of the three community college districts currently participating in the Bachelor of Applied Technology degree pilot program (Brazosport College, Midland College and South Texas College).

The bill would also direct the Higher Education Coordinating Board to authorize new baccalaureate degree programs at additional community college districts if the Coordinating Board considers the potential degree program to be in the best interests of the state. The bill would direct the Coordinating Board to establish a review process for those community college districts seeking to establish and offer new baccalaureate degree programs.

The bill would limit to five the total number of baccalaureate degree programs at any single district. Since there are fifty community college districts in Texas, and three of these districts already offer one baccalaureate degree program, this bill could add up to 247 new baccalaureate degree programs offered at community colleges.

The Higher Education Coordinating Board estimates it will need funding for, and authorization to hire, one additional FTE to administer this expansion of the baccalaureate degree program application process.

The Semester Credit Hours generated by new baccalaureate programs at community colleges would be eligible for roughly the same level of state funding as is provided to 4-year institutions. Based on this, the Higher Education Coordinating Board projects an insignificant state cost for these new baccalaureate degree programs, assuming students would seek a baccalaureate degree from either a 4-year institution or a community college offering a baccalaureate degree program.

However, there is a clear possibility the availability of a baccalaureate degree program at a community college may induce certain students who would otherwise not continue their education to continue working toward a 4-year degree at the community college. The additional state cost would depend on the number of students seeking a 4-year degree at a community college who would not otherwise have sought a 4-year degree elsewhere.

Methodology

The Higher Education Coordinating Board estimates the need for a Program Director at a cost of \$73,934 and associated start-up cost in fiscal year 2008.

Local Government Impact

There are significant local costs to any community college district electing to establish a new baccalaureate degree program. These local costs would be offset by any state contributions for "start-up" funding.

Source Agencies: 781 Higher Education Coordinating Board

LBB Staff: JOB, MN, RT, JAW

