

BILL ANALYSIS

S.B. 45
By: Zaffirini
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interdisciplinary and interinstitutional graduate training programs are uniquely designed to provide students seeking a doctoral degree exposure to a wide range of faculty, courses, and experiences that equip them to succeed in cutting edge research. In turn, success in research has a significant positive impact on the ability to attract technology companies and others that advance the economic wellbeing of the region. Federal funding for such training programs is an important component in advancing the status, visibility, and success of Texas. For example, the Keck Center within the Gulf Coast Consortia—a group of six Houston-area institutions of higher learning—has secured federal funds that support more than 70 graduate students in training programs within these six organizations, an exceptionally notable accomplishment. Student/trainee access to courses across the institutions is a critical component of these training programs. Until recently, an informal arrangement between institutions allowed students to take advantage of complementary expertise at sister institutions.

This informal exchange of courses has been interrupted by the introduction of formal requirements for accreditation by the Southern Association of Colleges and Schools (SACS). Courses available to students at other institutions must now be covered by a formal agreement to ensure the accreditation of the institution offering a course. These formal agreements, in turn, run up against state law that requires state institutions, such as the University of Houston, The University of Texas Health Science Center at Houston, and The University of Texas Medical Branch, to charge tuition. This requirement can only be waived by legislation per Section 54.5035(d), Education Code, and Attorney General Opinion No. DM-421. Agreements that require tuition to be tracked (a process that differs among institutions) for each graduate student who takes a course at another institution are highly complex, involving significant staff time and effort in already overstressed systems. The commitment to these very important interdisciplinary, interinstitutional graduate training programs would be highly eroded by this requirement to charge tuition.

As proposed, S.B. 45 grants authority to institutions of higher education to waive tuition for graduate students enrolled in courses connected with interdisciplinary and interinstitutional graduate training programs.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 54, Education Code, by adding Section 54.224, as follows:

Sec. 54.224. DEFINITIONS. (a) Defines "interinstitutional academic program" and "private or independent institution of higher education."

(b) Authorizes the governing board of an institution of higher education, notwithstanding any other provision of this chapter, to exempt from the payment of tuition and required fees authorized by this chapter a student who is taking a course, including an interdisciplinary course, at the institution under an

interinstitutional academic program agreement but who is enrolled primarily at another institution of higher education or at a private or independent institution of higher education that is a party to the agreement and to which the student is responsible for the payment of tuition and fees.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2009.