

By: Oliveira

H.B. No. 3689

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to The University of Texas at Brownsville, including its  
3 partnership agreement with the Texas Southmost College District.

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

5 SECTION 1. Section 78.02(c), Education Code, is amended to  
6 read as follows:

7 (c) The university may enter into any [~~a partnership~~]  
8 agreement with the Texas Southmost [~~Union Junior~~] College District  
9 to facilitate higher education advancement and opportunity in the  
10 district's service area and the transition of students from Texas  
11 Southmost College to [~~in the manner authorized by Subchapter N,~~  
12 ~~Chapter 51, to offer a lower-division, occupational, or technical~~  
13 ~~course that is not offered at~~] the university. An agreement may  
14 cover any matter related to those purposes, including the  
15 facilitation of the transfer of course credit and the alignment of  
16 courses between the university and the college.

17 SECTION 2. Section 78.03, Education Code, is amended by  
18 amending Subsection (a) and adding Subsection (a-1) to read as  
19 follows:

20 (a) The board may prescribe courses at the university  
21 leading to customary degrees offered at leading American  
22 universities and may award those degrees, including bachelor's,  
23 master's, and doctoral degrees and their equivalents [~~authorize the~~  
24 ~~university to offer any upper-level or graduate course which is~~

1 ~~authorized by the Texas Higher Education Coordinating Board].~~

2 (a-1) A department, school, or degree program may not be  
3 instituted without the prior approval of the Texas Higher Education  
4 Coordinating Board.

5 SECTION 3. Section 78.04, Education Code, is amended to  
6 read as follows:

7 Sec. 78.04. FACILITIES. (a) The board shall make  
8 provisions for adequate physical facilities for use by the  
9 university. Subject to the agreement of the parties as provided by  
10 Subsection (b), the facilities may include facilities[7] on land  
11 committed by the board of trustees of the Texas Southmost [Union  
12 Junior] College District on the district's Texas Southmost College  
13 campus. The provision of facilities is[7] subject to the normal  
14 requirements of the board and the Texas Higher Education  
15 Coordinating Board.

16 (b) The board and the board of trustees of the Texas  
17 Southmost College District may contract with each other for the use  
18 of facilities. The terms of the contract shall be negotiated  
19 between the parties and must provide for reasonable compensation  
20 for the use of facilities.

21 SECTION 4. Sections 78.02(b) and (d), 78.07, and 78.08,  
22 Education Code, are repealed.

23 SECTION 5. (a) The University of Texas at Brownsville and  
24 the Texas Southmost College District, formerly referred to as the  
25 Southmost Union Junior College District, are free-standing,  
26 independent institutions that have operated in close association  
27 under a partnership agreement authorized by Section 78.02,

1 Education Code. It is the intent of this Act to facilitate the  
2 independent operation of the university and the college district in  
3 the absence of such a partnership, but this Act does not affect the  
4 authority of the university and the college district to continue in  
5 partnership or to establish a new partnership at a future date.

6 (b) The university and the college district shall cooperate  
7 to ensure that each institution timely achieves separate  
8 accreditation from a recognized accrediting agency before the  
9 termination of the existing partnership agreement and shall  
10 continue a partnership agreement in effect until August 31, 2015,  
11 to the extent necessary to ensure accreditation.

12 (c) The university and the college district may extend or  
13 renew the existing agreement, agree to its earlier termination, or  
14 execute a new agreement as necessary to ensure accreditation.

15 SECTION 6. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2011.