

By: Zaffirini, Davis

S.B. No. 38

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the inclusion of certain private postsecondary  
3 educational institutions and career schools and colleges in the  
4 higher education accountability system of the Texas Higher  
5 Education Coordinating Board.

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

7 SECTION 1. Section 61.0904, Education Code, is amended to  
8 read as follows:

9 Sec. 61.0904. REVIEW OF INSTITUTIONAL GROUPINGS. (a) At  
10 least once every 10 years, the board shall conduct a review of the  
11 institutional groupings under the board's higher education  
12 accountability system, including a review of the criteria for and  
13 definitions assigned to those groupings.

14 (b) The board shall include within the board's higher  
15 education accountability system any for-profit private  
16 postsecondary educational institutions or for-profit career  
17 schools and colleges in this state that offer degree programs.  
18 Regardless of whether the board is conducting a periodic review of  
19 institutional groupings as required by Subsection (a), the board  
20 shall determine whether to create one or more separate  
21 institutional groupings for entities to which this subsection  
22 applies. In implementing this subsection, the board shall:

23 (1) consult with affected private postsecondary  
24 educational institutions and career schools and colleges regarding

1 the imposition of reporting requirements on those entities; and

2 (2) adopt rules that clearly define the types and  
3 amounts of information to be reported to the board.

4 (c) In advance of each regular session of the legislature,  
5 the board shall report to each standing legislative committee with  
6 primary jurisdiction over higher education regarding any entities  
7 to which Subsection (b) applies that do not participate in the  
8 board's higher education accountability system as provided by that  
9 subsection.

10 SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2011.