

By: Zaffirini, et al.  
(Branch)

S.B. No. 38

Substitute the following for S.B. No. 38:

By: Branch

C.S.S.B. No. 38

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the inclusion of private postsecondary educational  
3 institutions and private career schools and colleges in the higher  
4 education accountability system of the Texas Higher Education  
5 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 private postsecondary  
16 educational institutions or private career schools and colleges in  
17 this state that offer degree programs. Regardless of whether the  
18 board is conducting a periodic review of institutional groupings as  
19 required by Subsection (a), the board shall determine whether to  
20 create one or more separate institutional groupings for entities to  
21 which this subsection applies. In implementing this subsection,  
22 the board shall:

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

1 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.