

1-1 By: Zaffirini S.B. No. 38
1-2 (In the Senate - Filed November 8, 2010; January 31, 2011,
1-3 read first time and referred to Committee on Higher Education;
1-4 March 17, 2011, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; March 17, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the inclusion of certain private postsecondary
1-9 educational institutions and career schools and colleges in the
1-10 higher education accountability system of the Texas Higher
1-11 Education Coordinating Board.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 61.0904, Education Code, is amended to
1-14 read as follows:

1-15 Sec. 61.0904. HIGHER EDUCATION ACCOUNTABILITY SYSTEM
1-16 [REVIEW OF INSTITUTIONAL GROUPINGS]. (a) At least once every 10
1-17 years, the board shall conduct a review of the institutional
1-18 groupings under the board's higher education accountability
1-19 system, including a review of the criteria for and definitions
1-20 assigned to those groupings.

1-21 (b) The board shall include within the board's higher
1-22 education accountability system any for-profit private
1-23 postsecondary educational institutions or for-profit career
1-24 schools and colleges in this state that offer degree programs.
1-25 Regardless of whether the board is conducting a periodic review of
1-26 institutional groupings as required by Subsection (a), the board
1-27 shall determine whether to create one or more separate
1-28 institutional groupings for entities to which this subsection
1-29 applies. In implementing this subsection, the board shall:

1-30 (1) consult with affected private postsecondary
1-31 educational institutions and career schools and colleges regarding
1-32 the imposition of reporting requirements on those entities; and

1-33 (2) adopt rules that clearly define the types and
1-34 amounts of information to be reported to the board.

1-35 (c) In advance of each regular session of the legislature,
1-36 the board shall report to each standing legislative committee with
1-37 primary jurisdiction over higher education regarding any entities
1-38 to which Subsection (b) applies that do not participate in the
1-39 board's higher education accountability system as provided by that
1-40 subsection.

1-41 SECTION 2. This Act takes effect immediately if it receives
1-42 a vote of two-thirds of all the members elected to each house, as
1-43 provided by Section 39, Article III, Texas Constitution. If this
1-44 Act does not receive the vote necessary for immediate effect, this
1-45 Act takes effect September 1, 2011.

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