

AN ACT

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

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

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

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

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

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

1 ~~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. Subsections (b) and (d), Section 78.02, and
22 Sections 78.07 and 78.08, 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 of Texas at Brownsville and the Texas
7 Southmost College District shall cooperate to ensure that each
8 institution timely achieves separate accreditation from a
9 recognized accrediting agency before the termination of the
10 existing partnership agreement and shall continue a partnership
11 agreement in effect until August 31, 2015, to the extent necessary
12 to ensure accreditation.

13 (c) The University of Texas at Brownsville and the Texas
14 Southmost College District may extend or renew the existing
15 partnership agreement, agree to its earlier termination, or execute
16 a new agreement as necessary to ensure accreditation.

17 (d) The University of Texas at Brownsville and the Texas
18 Southmost College District shall submit to the legislature a
19 semiannual report on the status of the partnership until each
20 institution achieves separate accreditation and the existing
21 partnership agreement is terminated.

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1909 passed the Senate on May 5, 2011, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1909 passed the House, with amendment, on May 24, 2011, by the following vote: Yeas 144, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor