

BILL ANALYSIS

H.B. 2760
By: Branch
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that current law authorizes partnerships between community or junior colleges and other institutions of higher education but does not include a public technical institute such as the Texas State Technical College (TSTC) System within the scope of that authority. Although the TSTC system has engaged in successful and mutually beneficial partnerships with other institutions of higher education, the process requires special legislation and can be cumbersome.

Today, industry representatives and statewide officials are calling for improved coordination between independent school districts and institutions of higher education in regards to technical education. Partnerships offer a cost-effective, efficient way to deliver technical education in underserved areas of the state, with each institution bringing the best of its expertise and program offerings to the area to be served. H.B. 2760 seeks to clarify the TSTC system's ability to partner with public junior colleges while maintaining the Texas Higher Education Coordinating Board's authority to approve all partnerships.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2760 amends the Education Code to authorize the board of regents of the Texas State Technical College System and a public junior college, with the approval of the Texas Higher Education Coordinating Board, to enter into a partnership agreement designed to coordinate the management and operations of the institutions and to enhance the delivery of technical education programs across Texas. The bill establishes that the agreement does not abrogate the powers and duties of the boards with regard to the governance of their respective institutions.

H.B. 2760 requires the partnership agreement to provide that the participating institutions, in conjunction with the local community, identify and offer courses that will meet the educational and workforce development goals for the region; to provide that program offerings receive approval from the coordinating board; to provide for the distribution of responsibilities regarding specific program offerings and resulting awards; to provide for the distribution of tuitions, fees, and state funds associated with formula funding regarding program offerings; and to comply with applicable rules of the coordinating board relating to contractual agreements. The bill establishes that the partnership agreement between the system and a public junior college is considered to be in compliance with statutory provisions relating to coordinating board approval of certain educational programs.

H.B. 2760 authorizes the governing boards of the participating institutions to fill by joint appointment any administrative, faculty, or support position necessary for the operation of the institutions and to assign the management and operation of selected services to one of the

institutions in order to achieve cost-effectiveness. The bill authorizes the participating institutions to, under the terms of the partnership agreement, make provisions for adequate physical facilities for use by the institutions and to individually or collectively lease, purchase, finance, construct, or rehabilitate physical facilities appropriate to partnership needs.

H.B. 2760 authorizes a participating institution of higher education to lease facilities from or to another participating institution for administrative and instructional purposes and authorizes participating institutions to solicit, accept, and administer, on terms and conditions acceptable to the participating institutions, gifts, grants, or donations of any kind and from any source for facilities and equipment. The bill establishes that a facility used for the purpose of the partnership agreement is not considered a facility used to operate a system extension program providing training in the fields of Technical-Vocational Education. The bill entitles the system to receive state appropriations on the same formula basis as if the system did not enter into a partnership agreement and entitles any other participating institution of higher education to state appropriations on the same formula basis as other similar institutions of higher education.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.