

By: Branch

H.B. No. 2760

A BILL TO BE ENTITLED

AN ACT

relating to partnerships between the Texas State Technical College System and public junior colleges.

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

SECTION 1. Chapter 135, Education Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PARTNERSHIPS BETWEEN TEXAS STATE TECHNICAL COLLEGE SYSTEM AND PUBLIC JUNIOR COLLEGES

Sec. 135.101. DEFINITION. In this subchapter, "public junior college" has the meaning assigned by Section 61.003.

Sec. 135.102. PARTNERSHIP AGREEMENTS. (a) With the approval of the coordinating board, the board and a public junior college may 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 this state. The agreement does not abrogate the powers and duties of the boards with regard to the governance of their respective institutions.

(b) A partnership agreement under this subchapter must:

(1) 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;

(2) provide that program offerings receive approval

1 from the coordinating board;

2 (3) provide for the distribution of responsibilities
3 regarding specific program offerings and resulting awards;

4 (4) provide for the distribution of tuition, fees, and
5 state funds associated with formula funding regarding program
6 offerings; and

7 (5) comply with applicable rules of the coordinating
8 board relating to contractual agreements.

9 (c) A partnership agreement between the system and a public
10 junior college under this subchapter is considered to be in
11 compliance with Sections 135.04(b) and (c).

12 Sec. 135.103. JOINT USE OF PERSONNEL. The governing boards
13 of the participating institutions may fill by joint appointment any
14 administrative, faculty, or support position necessary for the
15 operation of the institutions.

16 Sec. 135.104. SUPPORT SERVICES. The governing boards of
17 the participating institutions may assign the management and
18 operation of selected services, including maintenance of buildings
19 and grounds, operation of auxiliary enterprises, and operation of a
20 jointly supported library, to one of the institutions in order to
21 achieve cost-effectiveness.

22 Sec. 135.105. FACILITIES. (a) The participating
23 institutions may, under the terms of the partnership agreement,
24 make provisions for adequate physical facilities for use by the
25 institutions.

26 (b) The participating institutions may individually or
27 collectively lease, purchase, finance, construct, or rehabilitate

1 physical facilities under this section appropriate to partnership
2 needs. The owning or financing of facilities under this section
3 promotes the public purpose of supporting higher education and
4 further promotes the public purpose of developing and diversifying
5 the economy of this state and eliminating unemployment and
6 underemployment in this state under the authority granted by
7 Section 52-a, Article III, Texas Constitution.

8 (c) A participating institution of higher education may
9 lease facilities from or to another participating institution for
10 administrative and instructional purposes.

11 (d) Participating institutions may solicit, accept, and
12 administer, on terms and conditions acceptable to the participating
13 institutions, gifts, grants, or donations of any kind and from any
14 source for facilities and equipment.

15 (e) A facility used for the purposes of a partnership
16 agreement under this subchapter is not considered a facility used
17 to operate an extension program under Section 135.06.

18 Sec. 135.106. STATE FUNDING. The system is entitled to
19 receive state appropriations on the same formula basis as if the
20 system did not enter into a partnership agreement under this
21 subchapter, and any other participating institution of higher
22 education is entitled to state appropriations on the same formula
23 basis as other similar institutions of higher education.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2013.