

BILL ANALYSIS

S.B. 1470
By: Watson
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to interested parties, public institutions of higher education established outside of Texas must have the approval of the Texas Higher Education Coordinating Board before offering any courses within the state and obtaining that approval is often costly and time-consuming. The parties suggest that a state authorization reciprocity agreement between states and institutions would facilitate the process. S.B. 1470 seeks to provide for the establishment of such an agreement.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

ANALYSIS

S.B. 1470 amends the Education Code to authorize the Texas Higher Education Coordinating Board to enter on behalf of the state into a state authorization reciprocity agreement among states, districts, and territories regarding the delivery of postsecondary distance education that establishes comparable standards for the provision of distance education by public or private degree-granting postsecondary educational institutions in each of the states, districts, or territories covered by the agreement to students of the other states, districts, or territories covered under the agreement. The bill requires the coordinating board to apply to an appropriate organization for that purpose and to administer the agreement, including by establishing an application and approval process for a degree-granting postsecondary educational institution with its principal campus located in Texas to participate under the agreement and by maintaining a dispute resolution procedure for complaints regarding participating postsecondary educational institutions located in Texas. The bill requires the coordinating board, not later than September 1, 2016, to develop and submit a plan and application for entering into the state authorization reciprocity agreement to the Southern Regional Education Board or other appropriate organization.

S.B. 1470 requires the coordinating board, if it obtains evidence that a public or private postsecondary educational institution established outside Texas that is providing courses within Texas under a state authorization reciprocity agreement is in apparent violation of the agreement or of public education law or rules adopted under these bill provisions, to take appropriate action to terminate the institution's operation within Texas. The bill requires the coordinating board to adopt rules to administer the bill's provisions concerning a state authorization reciprocity agreement.

S.B. 1470 clarifies that, with regard to the requirement that the coordinating board take appropriate action to terminate the operation within the boundaries of Texas of a public institution of higher education established outside the boundaries of Texas for certain apparent violations, the requirement stands regardless of whether the institution participates in a state authorization reciprocity agreement. The bill authorizes a public institution of higher education established outside the boundaries of Texas to offer a course within Texas without the approval of the coordinating board if the course is provided in accordance with a state authorization reciprocity agreement.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.