

AN ACT

relating to the establishment of state authorization reciprocity agreements for postsecondary distance learning courses.

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

SECTION 1. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.05121 to read as follows:

Sec. 61.05121. STATE AUTHORIZATION RECIPROCITY AGREEMENT.

(a) The board on behalf of the state may enter 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 board shall apply to an appropriate organization for that purpose.

(b) The board shall administer an agreement entered into under this section, including by:

(1) establishing an application and approval process for a degree-granting postsecondary educational institution with its principal campus located in this state to participate under the agreement; and

(2) maintaining a dispute resolution procedure for

1 complaints regarding participating postsecondary educational
2 institutions located in this state.

3 (c) If the board obtains evidence that a public or private
4 postsecondary educational institution established outside this
5 state that is providing courses within this state under a state
6 authorization reciprocity agreement established under this section
7 is in apparent violation of the agreement or of this code or rules
8 adopted under this section, the board shall take appropriate action
9 to terminate the institution's operation within this state.

10 (d) The board shall adopt rules to administer this section.

11 SECTION 2. Section 61.401(2), Education Code, is amended to
12 read as follows:

13 (2) "Coordinating board [~~Board~~]" means the Texas
14 Higher Education Coordinating Board [~~, Texas College and University~~
15 ~~System~~].

16 SECTION 3. Section 61.402, Education Code, is amended to
17 read as follows:

18 Sec. 61.402. REQUISITE APPROVAL. (a) Public institutions
19 of higher education established outside the boundaries of the State
20 of Texas must have the approval of the coordinating board before
21 offering a course or a grouping of courses within the State of
22 Texas.

23 (b) Notwithstanding Subsection (a), a public institution of
24 higher education established outside the boundaries of the State of
25 Texas may offer a course within this state without the approval of
26 the coordinating board if the course is provided in accordance with
27 a state authorization reciprocity agreement established under

1 Section 61.05121.

2 SECTION 4. Section 61.404, Education Code, is amended to
3 read as follows:

4 Sec. 61.404. PROCEDURES IN CASE OF VIOLATION. If the
5 coordinating board obtains evidence that a public institution of
6 higher education established outside the boundaries of the State of
7 Texas is in apparent violation of this subchapter or of rules and
8 regulations adopted pursuant to this subchapter, the coordinating
9 board shall take appropriate action to terminate its operation
10 within the boundaries of the State of Texas regardless of whether
11 the institution participates in a state authorization reciprocity
12 agreement established under Section 61.05121.

13 SECTION 5. Not later than September 1, 2016, the Texas
14 Higher Education Coordinating Board shall develop and submit to the
15 Southern Regional Education Board or other appropriate
16 organization a plan and application for entering into a state
17 authorization reciprocity agreement.

18 SECTION 6. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2015.

S.B. No. 1470

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1470 passed the Senate on April 16, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1470 passed the House on May 12, 2015, by the following vote: Yeas 144, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor