

By: Watson  
(Raney)

S.B. No. 1470

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the establishment of state authorization reciprocity  
3 agreements for postsecondary distance learning courses.

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

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

7 Sec. 61.05121. STATE AUTHORIZATION RECIPROCITY AGREEMENT.

8 (a) The board on behalf of the state may enter into a state  
9 authorization reciprocity agreement among states, districts, and  
10 territories regarding the delivery of postsecondary distance  
11 education that establishes comparable standards for the provision  
12 of distance education by public or private degree-granting  
13 postsecondary educational institutions in each of the states,  
14 districts, or territories covered by the agreement to students of  
15 the other states, districts, or territories covered under the  
16 agreement. The board shall apply to an appropriate organization  
17 for that purpose.

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

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

24 (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.