

1-1 By: Watson S.B. No. 1470
1-2 (In the Senate - Filed March 12, 2015; March 19, 2015, read
1-3 first time and referred to Committee on Higher Education;
1-4 April 13, 2015, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 13, 2015,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Seliger	X		
1-10	West	X		
1-11	Bettencourt	X		
1-12	Burton	X		
1-13	Menéndez	X		
1-14	Perry	X		
1-15	Watson	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1470 By: West

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the establishment of state authorization reciprocity
1-20 agreements for postsecondary distance learning courses.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter C, Chapter 61, Education Code, is
1-23 amended by adding Section 61.05121 to read as follows:

1-24 Sec. 61.05121. STATE AUTHORIZATION RECIPROCITY AGREEMENT.

1-25 (a) The board on behalf of the state may enter into a state
1-26 authorization reciprocity agreement among states, districts, and
1-27 territories regarding the delivery of postsecondary distance
1-28 education that establishes comparable standards for the provision
1-29 of distance education by public or private degree-granting
1-30 postsecondary educational institutions in each of the states,
1-31 districts, or territories covered by the agreement to students of
1-32 the other states, districts, or territories covered under the
1-33 agreement. The board shall apply to an appropriate organization
1-34 for that purpose.

1-35 (b) The board shall administer an agreement entered into
1-36 under this section, including by:

1-37 (1) establishing an application and approval process
1-38 for a degree-granting postsecondary educational institution with
1-39 its principal campus located in this state to participate under the
1-40 agreement; and

1-41 (2) maintaining a dispute resolution procedure for
1-42 complaints regarding participating postsecondary educational
1-43 institutions located in this state.

1-44 (c) If the board obtains evidence that a public or private
1-45 postsecondary educational institution established outside this
1-46 state that is providing courses within this state under a state
1-47 authorization reciprocity agreement established under this section
1-48 is in apparent violation of the agreement or of this code or rules
1-49 adopted under this section, the board shall take appropriate action
1-50 to terminate the institution's operation within this state.

1-51 (d) The board shall adopt rules to administer this section.

1-52 SECTION 2. Section 61.401(2), Education Code, is amended to
1-53 read as follows:

1-54 (2) "Coordinating board [~~Board~~]" means the Texas
1-55 Higher Education Coordinating Board [~~, Texas College and University~~
1-56 ~~System~~].

1-57 SECTION 3. Section 61.402, Education Code, is amended to
1-58 read as follows:

1-59 Sec. 61.402. REQUISITE APPROVAL. (a) Public institutions
1-60 of higher education established outside the boundaries of the State

2-1 of Texas must have the approval of the coordinating board before
2-2 offering a course or a grouping of courses within the State of
2-3 Texas.

2-4 (b) Notwithstanding Subsection (a), a public institution of
2-5 higher education established outside the boundaries of the State of
2-6 Texas may offer a course within this state without the approval of
2-7 the coordinating board if the course is provided in accordance with
2-8 a state authorization reciprocity agreement established under
2-9 Section 61.05121.

2-10 SECTION 4. Section 61.404, Education Code, is amended to
2-11 read as follows:

2-12 Sec. 61.404. PROCEDURES IN CASE OF VIOLATION. If the
2-13 coordinating board obtains evidence that a public institution of
2-14 higher education established outside the boundaries of the State of
2-15 Texas is in apparent violation of this subchapter or of rules and
2-16 regulations adopted pursuant to this subchapter, the coordinating
2-17 board shall take appropriate action to terminate its operation
2-18 within the boundaries of the State of Texas regardless of whether
2-19 the institution participates in a state authorization reciprocity
2-20 agreement established under Section 61.05121.

2-21 SECTION 5. Not later than September 1, 2016, the Texas
2-22 Higher Education Coordinating Board shall develop and submit to the
2-23 Southern Regional Education Board or other appropriate
2-24 organization a plan and application for entering into a state
2-25 authorization reciprocity agreement.

2-26 SECTION 6. This Act takes effect immediately if it receives
2-27 a vote of two-thirds of all the members elected to each house, as
2-28 provided by Section 39, Article III, Texas Constitution. If this
2-29 Act does not receive the vote necessary for immediate effect, this
2-30 Act takes effect September 1, 2015.

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