

By: Creighton

S.B. No. 1490

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of the Texas Higher Education
3 Coordinating Board to issue a certificate of authority or
4 certificate of authorization regarding professional degrees.

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

6 SECTION 1. Section 61.303(c), Education Code, is amended as
7 follows:

8 (c) The board may ~~issue~~ approve the issuance of a
9 certificate of authorization to grant degrees to an exempt
10 institution or person ~~a certificate of authorization to grant~~
11 ~~degrees~~. The board may adopt rules regarding a process to allow an
12 exempt institution or person to apply ~~for~~ and receive approval for a
13 certificate of authorization under this section. The board shall
14 not issue a certificate of authorization to any institution
15 offering a professional degree or representing its credits earned
16 in this state are applicable toward a professional degree except to
17 the extent allowed for an authorized institution operating under a
18 State Authorization Reciprocity Agreement (SARA). In this
19 subsection, "professional degree" includes Doctor of Medicine
20 (M.D.), Doctor of Osteopathy (D.O.), Doctor of Dental Surgery
21 (D.D.S.), Doctor of Veterinary Medicine (D.V.M.), Juris Doctor
22 (J.D.), and Bachelor of Laws (LL.B).

23 SECTION 2. Section 61.306, Education Code, is amended by
24 adding Subsection (d) to read as follows:

1 (d) The board may not issue a certificate of authority for a
2 private postsecondary institution to grant a professional degree as
3 defined in Sec. 61.306(c), or to represent that credits earned in
4 this state are applicable toward a professional degree unless the
5 Board determines that all of the following conditions have been
6 met:

7 (1) the capacity and ability of similar professional
8 degree programs at institutions of higher education and private or
9 independent institutions of higher education, as those terms are
10 defined in Sec. 61.003, are insufficient to meet the current market
11 needs for the state;

12 (2) the institution seeking the certificate of
13 authority has the necessary faculty and other resources to ensure
14 student success;

15 (3) sufficient placements are available to students
16 for required field-based experience, such as clinicals or
17 clerkships, in the proposed professional degree; and

18 (4) the institution seeking the certificate of
19 authority is subject to, and will meet, the same standard for
20 approval and all academic criteria applicable to similar
21 professional degree programs at institutions of higher education
22 and private or independent institutions of higher education, as
23 those terms are defined in Sec. 61.003.

24 SECTION 3. This Act takes effect September 1, 2021.