

BILL ANALYSIS

Senate Research Center
88R12322 CXP-F

S.B. 1987
By: Sparks
Subcommittee on Higher Education
4/12/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Accreditors hold the purse-strings to all Title IV federal funding for colleges and universities. Their core function is to ensure that public dollars spent on education are not wasted at poor-quality institutions. Until 2019, almost all colleges in Texas were forced to use one accreditor: the Southern Association of Colleges and Schools (SACS). However, in 2019, the United States Department of Education amended their federal rule that previously required all institutions of higher education to use the regional accreditor assigned to them. Now, colleges and universities can be accredited by any nationally recognized accreditor.

A handful of places in the Texas code still require institutions of higher education to be accredited by SACS. This can be remedied by ensuring that all institutions have a clear path to switch to accreditors who have a track record of good quality assurance.

S.B. 1987 removes the statutory requirement for institutions of higher education to be accredited by SACS by removing explicit mention of the Southern Association of Colleges and Schools and replacing it with "any accreditor recognized by the United States Department of Education." S.B. 1987 realigns Texas's statutes with federal rules and makes it clear to all institutions of higher education that they are free to change accreditors.

As proposed, S.B. 1987 amends current law relating to the accreditation of certain postsecondary educational institutions in this state or of certain programs offered by those institutions.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 61.003(13) and (15), Education Code, to redefine "recognized accrediting agency" and "private or independent institution of higher education."

SECTION 2. Amends Section 61.0515(a), Education Code, as follows:

(a) Prohibits a student from being required by a general academic teaching institution to complete more than the minimum number of semester credit hours required for the degree by the institution's recognized accrediting agency, rather than by the Southern Association of Colleges and Schools or its successor, to earn a baccalaureate degree, unless the institution determines that there is a compelling academic reason for requiring completion of additional semester credit hours for the degree.

SECTION 3. Amends Section 61.05151(a), Education Code, to make a conforming change.

SECTION 4. Amends Section 61.8235(f), Education Code, to make a conforming change.

SECTION 5. Amends Section 107.151(c), Education Code, as follows:

(c) Authorizes a university to operate as a general academic teaching institution only after the Texas Higher Education Coordinating Board (THECB) certifies that the university is accredited by a recognized accrediting agency, as defined by Section 61.003 (Definitions), rather than by the Commission of Colleges of the Southern Association of Colleges and Schools, and has been approved by THECB to offer one or more degree programs, Notwithstanding any other provision of Subchapter G (Texas Woman's University at Dallas).

SECTION 6. Amends Section 107.201(c), Education Code, to make a conforming change.

SECTION 7. Amends Section 130.301, Education Code, by adding Subdivision (3), to define "recognized accrediting agency."

SECTION 8. Amends Section 130.305, Education Code, as follows:

Sec. 130.305. ACCREDITATION. Requires a public junior college offering a baccalaureate degree program under Subchapter L (Baccalaureate Degree Programs) to meet all applicable accreditation requirements of a recognized accrediting agency, rather than of the Commission on Colleges of the Southern Association of Colleges and Schools.

SECTION 9. Amends Section 130.307(c), Education Code, to make a conforming change.

SECTION 10. Effective date: September 1, 2023.