88R24315 CXP-F

By:  Turner H.B. No. 3486

Substitute the following for H.B. No. 3486:

By:  Kuempel C.S.H.B. No. 3486

A BILL TO BE ENTITLED

AN ACT

relating to higher education curricula, including course enrollment and credit and degree and certificate programs.

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

SECTION 1.  Section 29.908(b), Education Code, is amended to read as follows:

(b)  The program must:

(1)  provide for a course of study that enables a participating student to combine high school courses and college-level courses during grade levels 9 through 12;

(2)  allow a participating student to complete high school and enroll in a program at an institution of higher education that will enable the student to, on or before the fifth anniversary of the date of the student's first day of high school, receive a high school diploma and either:

(A)  an applied associate degree, as defined by Texas Higher Education Coordinating Board rule; or

(B)  an academic associate degree, as defined by Texas Higher Education Coordinating Board rule, with a completed field of study curriculum developed under Section 61.823 that is transferable [~~at least 60 semester credit hours~~] toward a baccalaureate degree at one or more general academic teaching institutions, as defined by Section 61.003;

(3)  include articulation agreements with colleges, universities, and technical schools in this state to provide a participating student access to postsecondary educational and training opportunities at a college, university, or technical school; and

(4)  provide a participating student flexibility in class scheduling and academic mentoring.

SECTION 2.  Section 51.4033, Education Code, is amended to read as follows:

Sec. 51.4033.  REPORT OF NONTRANSFERABLE CREDIT. (a) Not later than May [~~March~~] 1 of each year and in the form prescribed by the coordinating board, each general academic teaching institution shall provide to the coordinating board and the legislature a report describing any courses in the Lower-Division Academic Course Guide Manual or its successor adopted by the coordinating board for which a student who transfers to the institution from another institution of higher education is not granted:

(1)  academic credit at the receiving institution; or

(2)  if the student has declared a major and has not changed majors, academic credit toward the student's major at the receiving institution.

(b)  A report required by this section must indicate:

(1)  the course name and type;

(2)  which institution of higher education provided academic credit for the course; and

(3)  the reason why the receiving institution did not grant academic credit for the course as described by Subsection (a), including whether the institution complied with the dispute resolution process under Section 61.826.

SECTION 3.  Section 51.4034(a), Education Code, is amended to read as follows:

(a)  Not later than May [~~March~~] 1 of each year and in the form prescribed by the coordinating board, each public junior college shall provide to the coordinating board and the legislature a report on courses taken by students who, during the preceding academic year, transferred to a general academic teaching institution or earned an associate degree at the college.

SECTION 4.  Sections 61.003(11) and (12), Education Code, are amended to read as follows:

(11)  "Degree program" means any grouping of subject matter courses which, when satisfactorily completed by a student, will entitle the student [~~him~~] to:

(A)  a degree from a public senior college or university or a medical or dental unit; or

(B)  an academic associate degree, as defined by board rule, or baccalaureate degree from a public junior college.

(12)  "Certificate program" means a grouping of subject-matter courses which, when satisfactorily completed by a student, will entitle the student [~~him~~] to:

(A)  a certificate;

(B)  an [~~,~~] associate degree, other than an academic associate degree, as defined by board rule, from a technical institute or junior college; or

(C)  [~~, or~~] documentary evidence, other than a degree, of completion of a course of study at the postsecondary level.

SECTION 5.  Sections 61.822(b) and (c), Education Code, are amended to read as follows:

(b)  Each institution of higher education shall adopt a core curriculum of no less than 42 semester credit hours, including specific courses comprising the curriculum. The core curriculum shall be consistent with the common course numbering system approved by the board and with the statement, recommendations, and rules issued by the board. An institution may have a core curriculum of other than 42 semester credit hours only if approved by the board. The board by rule may approve a core curriculum of fewer than 42 semester credit hours for an associate degree program if the board determines that the approval would facilitate the award of a degree or transfer of credit consistent with this subchapter.

(c)  If a student successfully completes the [~~42-hour~~] core curriculum at an institution of higher education, that block of courses may be transferred to any other institution of higher education and must be substituted for the receiving institution's core curriculum. A student shall receive academic credit for each of the courses transferred and may not be required to take additional core curriculum courses at the receiving institution unless the board has approved a larger core curriculum at the institution.

SECTION 6.  Section 61.823, Education Code, is amended by adding Subsection (a-1) and amending Subsection (b) to read as follows:

(a-1)  The board by rule may authorize a general academic teaching institution to adopt, for each field of study curriculum developed by the board for which the institution offers a degree program, a set of courses specific to that field of study, not to exceed a total of six semester credit hours or the equivalent, that must be completed as part of the field of study curriculum for that institution. Each general academic teaching institution that adopts a set of courses for a field of study curriculum under this subsection shall post on the institution's Internet website in a manner easily accessible to students the set of courses with the associated course numbers under the common course numbering system.

(b)  If a student successfully completes a field of study curriculum developed by the board, that block of courses may be transferred to a general academic teaching institution and, subject to completion of the set of courses adopted by the institution for that field of study under Subsection (a-1), must be substituted for that institution's lower division requirements for the degree program for the field of study into which the student transfers, and the student shall receive full academic credit toward the degree program for the block of courses transferred.

SECTION 7.  Sections 61.826(c), (d), and (e), Education Code, are amended to read as follows:

(c)  If an institution of higher education proposes to deny the application toward a student's degree requirements of [~~does not accept~~] course credit earned by the [~~a~~] student at another institution of higher education in the other institution's core curriculum or in a field of study curriculum developed by the board under Section 61.823, that institution must:

(1)  [~~shall~~] give written notice to the student and the other institution of that institution's intent to deny [~~that~~] the application [~~transfer~~] of the course credit to the student's degree requirements and the reasons for the proposed denial;

(2)  [~~is denied. The two institutions and the student shall~~] attempt to resolve the application [~~transfer~~] of the course credit to the student's degree requirements with the other institution and the student in accordance with board rules;

(3)  resolve the dispute not later than the 45th day after the date on which the student enrolls in that institution; and

(4)  if [~~. If~~] the [~~transfer~~] dispute is not resolved to the satisfaction of the student or the institution at which the credit was earned, [~~within 45 days after the date the student received written notice of the denial, the institution that denies the transfer of the course credit shall~~] notify the commissioner of higher education of its denial to apply the course credit to the student's degree requirements and the reasons for the denial.

(d)  Not later than the 20th business day after the date the commissioner of higher education receives notice of a dispute concerning the application of course credit to a student's degree requirements under Subsection (c)(4), the [~~The~~] commissioner [~~of higher education~~] or the commissioner's designee shall make the final determination about the [~~a~~] dispute [~~concerning the transfer of course credit~~] and give written notice of the determination to the involved student and institutions. If the commissioner or the commissioner's designee determines that the institution may not deny the application of course credit described by Subsection (c) to the student's degree requirements, the institution shall apply that course credit toward the student's degree requirements. A determination by the commissioner or the commissioner's designee under this subsection is final and may not be appealed.

(e)  The board shall:

(1)  collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the commissioner of higher education or the commissioner's designee; and

(2)  post on the board's Internet website a list of each case that is considered by the commissioner of higher education or the commissioner's designee under this section, including the disposition of the case.

SECTION 8.  Section 61.827(b), Education Code, is amended to read as follows:

(b)  In adopting rules regarding the recommended core curriculum developed under Section 61.822, the board shall appoint a committee to advise the board [~~use the negotiated rulemaking procedures~~] under Section 2001.031 [~~Chapter 2008~~], Government Code.

SECTION 9.  Subchapter S, Chapter 61, Education Code, is amended by adding Section 61.834 to read as follows:

Sec. 61.834.  TEXAS DIRECT ASSOCIATE DEGREE. An institution of higher education shall award a student a "Texas Direct" associate degree and include an appropriate notation on the student's transcript if the student completes a field of study curriculum developed by the board under Section 61.823 and:

(1)  the institution's core curriculum; or

(2)  an abbreviated core curriculum related to a specific approved field of study curriculum transferable to one or more general academic teaching institutions.

SECTION 10.  This Act applies beginning with the 2023-2024 academic year.

SECTION 11.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.