

House Bill 2937
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.0091 to read as follows:

Sec. 28.0091. MEDICAL DUAL CREDIT PILOT PROGRAM. (a) The agency shall develop and implement a pilot program under which a licensed hospital may offer dual credit courses to high school students enrolled in a school district in partnership with the district.

(b) The agency shall select up to three licensed hospitals to participate in the pilot program. Each hospital selected must be accredited by The Joint Commission and:

(1) have been issued:

(A) a certificate of approval to offer a program of instruction by the Texas Workforce Commission under Subchapter C, Chapter 132; or

(B) a certificate of authority to award a degree for a program of study by the Texas Higher Education Coordinating Board under Subchapter G, Chapter 61; or

(2) be accredited to offer a degree program by a recognized accrediting agency, as that term is defined by Section 61.003.

(c) A licensed hospital selected under Subsection (b):

(1) may offer under the pilot program only dual credit courses

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SECTION 1. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0764 to read as follows:

Sec. 61.0764. MEDICAL DUAL CREDIT PILOT PROGRAM. (a) The board shall develop and implement a pilot program under which a licensed hospital may offer dual credit courses to high school students enrolled in a school district in partnership with the district.

(b) The board shall select one licensed hospital located in a county that borders the United Mexican States and that has a population of at least 700,000 and not more than 800,000 to participate in the pilot program. The hospital must be accredited by The Joint Commission and:

(1) have been issued:

(A) a certificate of approval to offer a program of instruction by the Texas Workforce Commission under Subchapter C, Chapter 132; or

(B) a certificate of authority to award a degree for a program of study by the board under Subchapter G of this chapter;

(2) be accredited to offer a degree program by the appropriate recognized regional accrediting agency; or

(3) must:

(A) have entered into a partnership with an institution of higher education to offer dual credit courses under the pilot program; and

(B) be seeking authorization to offer a program of instruction or study as described by Subdivision (1) or accreditation to offer a degree program as described by Subdivision (2).

[FA1(1)]

(c) The licensed hospital selected under Subsection (b):

(1) may offer under the pilot program only dual credit courses

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that are in the curriculum of the hospital's authorized program of instruction or study or accredited degree program, as applicable; and

(2) subject to Subdivision (1) and Subsection (d), shall determine the content of each dual credit course offered under the pilot program.

(d) A licensed hospital selected under Subsection (b) must design the dual credit courses offered under the pilot program to enable students to earn a variety of certifications, certificates, and degrees. The available certifications, certificates, and degrees must be selected based on:

(1) the needs of the hospital;

(2) the terms of the hospital's agreements with partnering school districts to provide the dual credit courses under the pilot program; and

(3) the goal of preparing students for employment in the health care field.

(e) A student enrolled in a dual credit course offered under the pilot program is entitled to the benefits of the Foundation School Program for the time spent by the student on that course, in accordance with rules adopted by the commissioner.

(f) A student may not be charged for tuition, fees, or required textbooks or other instructional materials for a dual credit course offered under the pilot program. The school district in which the student is enrolled is responsible for the cost of the student's tuition, fees, or required textbooks or other instructional materials for that course to the extent that those

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that are in the curriculum of the hospital's program of instruction or study or degree program described by Subsection (b)(1), (2), or (3), as applicable; and

(2) subject to Subdivision (1) and Subsection (d), shall determine the content of each dual credit course offered under the pilot program with the goal of ensuring that the course is transferable for course credit applied toward a certificate or degree at an institution of higher education. [FA1(2)]

(d) The licensed hospital selected under Subsection (b) must design the dual credit courses offered under the pilot program to enable students to earn a variety of certifications, certificates, and degrees, including at least one certification or certificate while the student is in high school. The available certifications, certificates, and degrees must be selected based on:

(1) the needs of the hospital;

(2) the terms of the hospital's agreements with partnering school districts to provide the dual credit courses under the pilot program; and

(3) the goal of preparing students for employment in the health care field. [FA1(3)]

(e) A student enrolled in a dual credit course offered under the pilot program is entitled to the benefits of the Foundation School Program for the time spent by the student on that course, in accordance with rules adopted by the commissioner of education.

(f) A student may not be charged for tuition, fees, or required textbooks or other instructional materials for a dual credit course offered under the pilot program. The school district in which the student is enrolled is responsible for the cost of the student's tuition, fees, or required textbooks or other instructional materials for that course to the extent that those

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amounts are not waived by the licensed hospital offering the course.

(g) The commissioner may adopt rules as necessary to implement this section.

SECTION 2. This Act applies beginning with the 2017-2018 school year.

No equivalent provision.

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amounts are not waived by the licensed hospital. [FA1(4)]

(g) The board may adopt rules as necessary to implement this section.

SECTION 2. Section 61.0764, Education Code, as added by this Act, applies beginning with the 2017-2018 school year.

SECTION __. Section 61.0512(a), Education Code, is amended to read as follows:

(a) A new degree or certificate program may be added at an institution of higher education only with specific prior approval of the board. A degree or certificate program offered at an off-campus academic or research site is considered a new degree or certificate program if not previously offered at the off-campus academic or research site. A new degree or certificate program is considered approved if the board has not completed a review under this section and acted to approve or disapprove the proposed program before the first anniversary of the date on which an institution of higher education submits a completed application for approval to the board. The board may not summarily disapprove a program without completing the review required by this section. The board shall specify by rule the elements that constitute a completed application and shall make an administrative determination of the completeness of the application not later than the fifth business day after receiving the application. A request for additional information in support of an application that has been determined administratively complete does not toll the period within which the application is considered approved under this section. [FA2]

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No equivalent provision.

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SECTION __. Section 61.0572(d), Education Code, is amended to read as follows:

(d) The board may review purchases of improved real property added to an institution's educational and general buildings and facilities inventory to determine whether the property meets the standards adopted by the board for cost, efficiency, space need, and space use, but subject to Section 61.0584 the purchase of the improved real property is not contingent on board review or approval. Standards must be adopted by the board using the negotiated rulemaking procedures under Chapter 2008, Government Code. If the property does not meet those standards, the board shall notify the governor, the lieutenant governor, the speaker of the house of representatives, the governing board of the applicable institution, and the Legislative Budget Board. This subsection does not impair the board's authority to collect data relating to the improved real property that is added each year to the educational and general buildings and facilities inventory of institutions of higher education. [FA2]

CONFERENCE

No equivalent provision.

SECTION __. Section 61.058(b), Education Code, is amended to read as follows:

(b) The board may review all construction, repair, or rehabilitation of buildings and facilities at institutions of higher education to determine whether the construction, rehabilitation, or repair meets the standards adopted by board rule for cost, efficiency, space need, and space use, but subject to Section 61.0584 the construction, rehabilitation, or repair is not contingent on board review or approval. Standards must be adopted by the board using the negotiated rulemaking procedures under Chapter 2008, Government Code. If the construction, rehabilitation, or repair does not meet those

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standards, the board shall notify the governor, the lieutenant governor, the speaker of the house of representatives, the governing boards of the applicable institutions, and the Legislative Budget Board. This subsection does not impair the board's authority to collect data relating to the construction, repair, or rehabilitation of buildings and facilities occurring each year at institutions of higher education. [FA2]

No equivalent provision.

SECTION __. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0584 to read as follows:

Sec. 61.0584. OFF-CAMPUS ACADEMIC OR RESEARCH SITE. (a) This section does not apply to buildings and facilities that are located on an off-campus academic or research site, that are to be used exclusively for auxiliary enterprises, and that will not require appropriations from the legislature for operation, maintenance, or repair.

(b) Based on criteria established under Subsection (d), the board shall review and shall approve or disapprove an action taken by the governing board of an institution of higher education or university system, through purchase, lease, or otherwise, to:

(1) acquire improved or unimproved real property for use at a new or existing off-campus academic or research site; or

(2) acquire or construct a building or facility for use at a site described by Subdivision (1).

(c) The board, using the negotiated rulemaking procedures under Chapter 2008, Government Code, shall develop a procedure for each institution of higher education or university system to use to identify, for purposes of the board review required by this section, the scope and character of projects that are proposed for:

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- (1) an off-campus academic or research site, including projects relating to:
- (A) a multi-institution teaching center (MITC);
 - (B) a medical school;
 - (C) a branch campus;
 - (D) a satellite campus; and
 - (E) a health science center; and
- (2) any other location that is separate from the main campus of an institution and that is to be used for academic or research purposes.
- (d) Using the negotiated rulemaking procedures under Chapter 2008, Government Code, the board shall establish criteria for reviewing and for approving or disapproving an action taken by the governing board of an institution of higher education or university system as described by Subsection (b). Criteria adopted under this subsection must prioritize the academic and research needs of institutions of higher education while preventing unnecessary duplication in program offerings, faculties, and physical plants.
- (e) Information related to the board's findings and determinations under this section is not subject to the required disclosure under Chapter 552, Government Code.
- (f) The board may conduct a closed meeting pursuant to Section 551.072, Government Code, to deliberate the approval or disapproval of any action subject to that section and taken by the governing board of an institution of higher education or university system as described by Subsection (b). As necessary and appropriate, the board may hold its closed meeting as an emergency meeting under Section 551.045, Government Code.
- (g) The board shall report its findings and determinations under this section to the governor, the lieutenant governor, the

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speaker of the house of representatives, the Legislative Budget Board, and the governing boards of the applicable institutions of higher education or university systems. [FA2]

No equivalent provision.

SECTION __. The changes in law made by this Act in amending Chapter 61, Education Code, apply only to a proposal for acquisition or construction made on or after the effective date of this Act. A proposal for acquisition or construction made before the effective date of this Act is governed by the law in effect on the date the proposal was made, and the former law is continued in effect for that purpose. [FA2]

SECTION 3. 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, 2017.

SECTION 3. Same as House version.