

**House Bill 1000**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. AMENDMENT TO EDUCATION CODE. Subtitle C, Title 3, Education Code, is amended by adding Chapter 79 to read as follows:

CHAPTER 79. UNIVERSITY TO BE ESTABLISHED IN SOUTH TEXAS

Sec. 79.01. DEFINITIONS. In this chapter:

(1) "Board" means the Board of Regents of The University of Texas System.

(2) "University" means the university established under this chapter.

Sec. 79.02. ESTABLISHMENT; SCOPE. (a) The university is a general academic teaching institution under the governance, management, and control of the Board of Regents of The University of Texas System.

(b) As necessary to achieve the maximum operating efficiency of the university, the board shall provide for the organization, administration, location, and name of the university and of the colleges, schools, and other institutions and entities of the university, which must include:

(1) an academic campus and other academic operations in Cameron County;

(2) an academic campus and other academic operations in Hidalgo County;

(3) the medical school and other programs authorized for The University of Texas Health Science Center--South Texas under Subchapter N, Chapter 74;

(4) the facilities and operations of the Lower Rio Grande Valley Academic Health Center established under Subchapter L, Chapter 74; and

(5) an academic center in Starr County.

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Sec. 79.02. ESTABLISHMENT; SCOPE. (a) The university is a general academic teaching institution under the governance, management, and control of the Board of Regents of The University of Texas System.

(b) As necessary to achieve the maximum operating efficiency of the university, the board shall provide for the organization, administration, location, and name of the university and of the colleges, schools, and other institutions and entities of the university, which must include:

(1) an academic campus and other academic operations in Cameron County;

(2) an academic campus and other academic operations in Hidalgo County;

(3) the medical school and other programs authorized for The University of Texas Health Science Center--South Texas under Subchapter N, Chapter 74, subject to the provisions of that subchapter regarding the location of certain facilities and programs of the health science center;

(4) the facilities and operations of the Lower Rio Grande Valley Academic Health Center established under Subchapter L, Chapter 74; and

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(c) The board shall equitably allocate the primary facilities and operations of the university among Cameron, Hidalgo, and Starr Counties.

(d) The board shall ensure that the medical and research programs of the medical school component of the university are conducted across the region and have a substantial presence in Hidalgo County and Cameron County. The board shall also ensure the provision of interdisciplinary education across health professions within the university.

(e) The authority of the board under this section to achieve the maximum operating efficiency of the university and to provide for the organization, administration, and location of colleges, schools, and other institutions and entities of the university prevails over other law, including Section 74.611.

(f) The board has all the powers and duties provided by prior law, as that law existed at the time the applicable university or other entity was abolished, in regard to:

(1) The University of Texas at Brownsville, The University of Texas--Pan American, and any other institution, college, school, or entity abolished under the Act authorizing creation of the university; and

(2) any facility, operation, or program that is transferred to the university under that Act.

(g) The board may impose and collect any fee authorized by prior law, as that law existed at the time the applicable university was abolished, for The University of Texas at Brownsville or The University of Texas--Pan American, as determined by the board and subject to the limitations provided by the prior law authorizing the fee. The abolition of The University of Texas at Brownsville and The University of Texas--Pan American does not affect any pledge of revenue from a fee made by or on behalf of either of those universities

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to pay obligations issued in connection with facilities for which the fee was imposed and the obligations were issued.

Sec. 79.03. COURSES AND DEGREES. (a) The board may prescribe courses leading to customary degrees offered at leading American universities and medical schools as applicable and may award those degrees, including:

(1) bachelor's, master's, and doctoral degrees and their equivalents; and

(2) medical school degrees and other health science degrees.

(b) The board shall award degrees in the name of the university.

(c) A department, school, or degree program may not be instituted without the prior approval of the Texas Higher Education Coordinating Board, except that the university may include any department or school or offer any degree program previously approved for The University of Texas--Pan American or The University of Texas at Brownsville or expressly authorized by this chapter or other law.

Sec. 79.04. UNIVERSITY OF THE FIRST CLASS. The board shall make any other rules and regulations for the operation, control, and management of the university as may be necessary for the conduct of the university as a university of the first class.

Sec. 79.05. FACILITIES. The board shall provide for adequate physical facilities for use by the university.

Sec. 79.06. GIFTS AND GRANTS. The board may solicit, accept, and administer, on terms and conditions acceptable to the board, gifts, grants, or donations of any kind and from any source for use by the university.

Sec. 79.07. JOINT APPOINTMENTS. The board may make joint faculty appointments to positions in the university and to positions in other institutions under the governance of the

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board.

Sec. 79.08. PARTICIPATION IN PERMANENT UNIVERSITY FUND. The legislature finds that the university is an institution of higher education "created at a later date" for purposes of Section 18(c), Article VII, Texas Constitution. If the Act enacting this chapter receives a vote of two-thirds of the membership of each house of the legislature, when established the university is entitled to participate in the funding provided by Section 18, Article VII, Texas Constitution, to the same extent as similar component institutions of The University of Texas System.

Sec. 79.09. CENTER FOR BORDER ECONOMIC AND ENTERPRISE DEVELOPMENT. (a) The board shall establish a center for border economic and enterprise development at the university.

(b) The center established under this section may:

(1) develop and manage an economic database concerning the Texas-Mexico border;

(2) perform economic development planning and research;

(3) provide technical assistance to industrial and governmental entities; and

(4) in cooperation with other state agencies, coordinate economic and enterprise development planning activities of state agencies to ensure that the economic needs of the Texas-Mexico border are integrated within a comprehensive state economic development plan.

(c) The center may offer seminars and conduct conferences and other educational programs concerning the Texas-Mexico border economy and economic and enterprise development within this state.

(d) The board may solicit and accept gifts, grants, and donations to aid in the establishment, maintenance, and

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operation of the center.

(e) The center shall cooperate fully with similar programs operated by Texas A&M International University, The University of Texas at El Paso, and other institutions of higher education.

Sec. 79.10. TEXAS ACADEMY OF MATHEMATICS AND SCIENCE. (a) The board shall establish The Texas Academy of Mathematics and Science at the university. The academy serves the following purposes:

(1) to provide academically gifted and highly motivated junior and senior high school students with a challenging university-level curriculum that:

(A) allows students to complete high school graduation requirements, including requirements adopted under Section 28.025 for the advanced high school program, while attending for academic credit a public institution of higher education;

(B) fosters students' knowledge of real-world mathematics and science issues and applications and teaches students to apply critical thinking and problem-solving skills to those issues;

(C) includes the study of English, foreign languages, social studies, mathematics, science, and technology; and

(D) offers students learning opportunities related to mathematics and science through in-depth research and field-based studies;

(2) to provide students with an awareness of mathematics and science careers and professional development opportunities through any appropriate means such as:

(A) seminars;

(B) workshops;

(C) collaboration with postsecondary and university students, including opportunities for summer studies; and

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(D) internships in foreign countries; and  
(3) to provide students with social development activities that enrich the academic curriculum and student life, including, as determined appropriate by the academy, University Interscholastic League activities and other extracurricular activities.

(b) The academy is a coeducational program for selected Texas high school students with an interest in and the potential to excel in mathematics and science studies. The academy shall admit only high school juniors and seniors, except that the academy may admit a student with exceptional abilities who is not yet a high school junior. The board shall set aside adequate space at the new university to operate the academy and implement the purposes of this section. The academy must operate on the same fall and spring semester basis as the university. Full-time students of the academy must enroll for both the fall and spring semesters. Faculty members of the university shall teach all academic classes at the academy. A student of the academy may attend a college course offered by the university and receive college credit for that course.

(c) The university administration has the same powers and duties with respect to the academy that the administration has with respect to the university. The board, in consultation with university administration, shall:

(1) establish an internal management system for the academy and appoint an academy principal, who serves at the will of the board and reports to the vice president for academic affairs;

(2) provide for one or more academy counselors;

(3) establish for the academy a site-based decision-making process similar to the process required by Subchapter F,

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Chapter 11, that provides for the participation of academy faculty, parents of academy students, and other members of the community; and

(4) establish an admissions process for the academy.

(d) The student-teacher ratio in all regular academic classes at the academy may not exceed 30 students for each classroom teacher, except that the student-teacher ratio may exceed that limit:

(1) in a program provided for the purposes prescribed by Subsection (a)(2) or another special enrichment course or in a physical education course;

(2) if the board determines that a class with a higher student-teacher ratio would contribute to the educational development of the students in the class; or

(3) if an academy class is combined with a university class with more than 30 students.

(e) The academy shall provide the university-level curriculum in a manner that is appropriate for the social, psychological, emotional, and physical development of high school juniors and seniors. The administrative and counseling personnel of the academy shall provide continuous support to and supervision of students.

(f) For each student enrolled in the academy, the academy is entitled to allotments from the foundation school fund under Chapter 42 as if the academy were a school district without a tier one local share for purposes of Section 42.253. If in any academic year the amount of the allotments under this subsection exceeds the amount of state funds paid to the academy in the first fiscal year of the academy's operation, the commissioner of education shall set aside from the total amount of funds to which school districts are entitled under Section 42.253(c) an amount equal to the excess amount and

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shall distribute that amount to the academy. After deducting the amount set aside and paid to the academy by the commissioner of education under this subsection, the commissioner of education shall reduce the amount to which each district is entitled under Section 42.253(c) in the manner described by Section 42.253(h). A determination of the commissioner of education under this subsection is final and may not be appealed.

(g) The board may use any available money, enter into contracts, and accept grants, including matching grants, federal grants, and grants from a corporation or other private contributor, in establishing and operating the academy. Money spent by the academy must further the purposes of the academy under Subsection (a).

(h) The liability of this state under Chapters 101 and 104, Civil Practice and Remedies Code, is limited for the academy and employees assigned to the academy and acting on behalf of the academy to the same extent that the liability of a school district and an employee of the school district is limited under Sections 22.0511, 22.0512, and 22.052 of this code and Section 101.051, Civil Practice and Remedies Code. An employee assigned to the academy is entitled to representation by the attorney general in a civil suit based on an action or omission of the employee in the course of the employee's employment, to limits on liability, and to indemnity under Chapters 104 and 108, Civil Practice and Remedies Code.

(i) Except as otherwise provided by this section, the academy is not subject to the provisions of this code or to the rules of the Texas Education Agency regulating public schools.

SECTION 2. CONFORMING AMENDMENT. Section

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shall distribute that amount to the academy. After deducting the amount set aside and paid to the academy by the commissioner of education under this subsection, the commissioner of education shall reduce the amount to which each district is entitled under Section 42.253(c) in the manner described by Section 42.253(h). A determination of the commissioner of education under this subsection is final and may not be appealed.

(g) The board may use any available money, enter into contracts, and accept grants, including matching grants, federal grants, and grants from a corporation or other private contributor, in establishing and operating the academy. Money spent by the academy must further the purposes of the academy under Subsection (a).

(h) The liability of this state under Chapters 101 and 104, Civil Practice and Remedies Code, is limited for the academy and employees assigned to the academy and acting on behalf of the academy to the same extent that the liability of a school district and an employee of the school district is limited under Sections 22.0511, 22.0512, and 22.052 of this code and Section 101.051, Civil Practice and Remedies Code. An employee assigned to the academy is entitled to representation by the attorney general in a civil suit based on an action or omission of the employee in the course of the employee's employment, to limits on liability, and to indemnity under Chapters 104 and 108, Civil Practice and Remedies Code.

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74.751(a), Education Code, is amended to read as follows:

(a) The board of regents of The University of Texas System may operate The University of Texas Health Science Center--South Texas as provided by Section 79.02 [a component institution of The University of Texas System] with its main campus and administrative offices to be determined as described by that section [in Cameron County]. The health science center shall [may] consist of a medical school, as provided by Section 74.752, other health and health-related degree programs, and related programs and facilities as the board considers appropriate.

SECTION 3. THE UNIVERSITY OF TEXAS--PAN AMERICAN AND THE UNIVERSITY OF TEXAS AT BROWNSVILLE ABOLISHED. (a) The University of Texas--Pan American and The University of Texas at Brownsville are abolished on a date the Board of Regents of The University of Texas System determines appropriate to achieve the maximum operating efficiency of the system. The designated date must be entered into the minutes of the board. The board shall take all actions necessary to provide for an orderly windup of the affairs of each university. (b) The board shall provide to the secretary of state written notice of its action under Subsection (a) of this section. Effective on the date the board designates for the abolition of the institutions described by Subsection (a) of this section,

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74.751(a), Education Code, is amended to read as follows:

(a) The board of regents of The University of Texas System may operate The University of Texas Health Science Center--South Texas as provided by Section 79.02 [a component institution of The University of Texas System] with its [main campus and] administrative offices to be located in Hidalgo and Cameron Counties [County]. The health science center shall [may] consist of a medical school, as provided by Section 74.752, other health and health-related degree programs, and related programs and facilities as the board considers appropriate. The educational programs for first-year and second-year students enrolled at the medical school shall be conducted primarily in Hidalgo County, and the educational programs for third-year and fourth-year students enrolled at the medical school shall be conducted primarily in Cameron County.

SECTION 3. Same as House version.

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Chapters 77 and 78, Education Code, are repealed.

(c) The board may not act under Subsection (a) of this section to abolish The University of Texas--Pan American and The University of Texas at Brownsville earlier than the date on which the university created under Chapter 79, Education Code, as added by this Act, begins operation.

SECTION 4. UNIVERSITY CREATED. (a) The university described by Chapter 79, Education Code, as added by this Act, is created within The University of Texas System. As provided by that chapter, the board of regents of the system shall name the university and establish the university as a general academic teaching institution offering the degrees authorized by that chapter.

(b) The university shall begin operating on a date the board of regents determines appropriate to achieve the maximum operating efficiency of the system. The designated date must be entered into the minutes of the board.

(c) In recognition of the abolition of The University of Texas--Pan American and The University of Texas at Brownsville as authorized by this Act, the board of regents shall facilitate the employment at the university created by this Act of as many faculty and staff of the abolished universities as is prudent and practical.

(d) A student admitted to or enrolled at The University of Texas--Pan American or The University of Texas at Brownsville on the date of abolition is entitled to admission to the university created by this Act, and the board shall take actions necessary to facilitate that admission and the appropriate transfer of credits.

(e) Until such time as the university created by this Act

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formally begins operation, the board of regents may provide for The University of Texas--Pan American or The University of Texas at Brownsville to use any facilities under the management and control of The University of Texas System, including facilities developed for the university created by this Act. In addition, the board may lease or purchase facilities owned by Texas Southmost College District or by other owners to the extent the board determines necessary and practical.

(f) This Act does not affect the powers, duties, and obligations of The University of Texas at Brownsville and the Texas Southmost College District under Section 5, Chapter 935 (S.B. 1909), Acts of the 82nd Legislature, Regular Session, 2011. As provided by that law, that university and the district shall continue a partnership agreement in effect until August 31, 2015, to the extent necessary to ensure accreditation.

SECTION 5. ADVISORY GROUP TO BOARD OF REGENTS. (a) To assist the system in designing, organizing, and implementing a medical school to serve the Rio Grande Valley as a component of the new university, the Board of Regents of The University of Texas System shall appoint a temporary advisory group to give the board counsel and recommendations regarding:

- (1) the design and development of the medical school, with the goal of preparing future physicians for medical careers through an innovative model of medical education for the 21st century; and
- (2) the best locations for medical school administration and operations, identifying the best chance for success of the

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medical school and its administrative offices based on resources, costs, assets, infrastructure, long-term fiscal viability, and other objective criteria.

(b) The board shall determine the size and membership of the advisory group, but the group must be composed of nationally recognized experts in the organization and administration of medical schools and other health-related programs and of institutions of higher education.

(c) The advisory group shall solicit input from interested parties, including representatives of business organizations, health care providers, and educators, as determined by the board and the advisory group.

(d) The board shall base its determinations regarding the matters described by Subsections (a)(1) and (2) of this section on the findings and recommendations of the advisory group.

(e) The board shall dissolve the advisory group when the group has reported to the board and the board determines that the purposes of the group under this section have been achieved.

SECTION 6. EFFECTIVE DATE. 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, 2013.

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SECTION 5. Same as House version.

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