

BILL ANALYSIS

C.S.S.B. 2118
By: Seliger
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties suggest that additional efforts are needed to address the ongoing workforce shortages in Texas in certain fields, including nursing, applied science, and applied technology. C.S.S.B. 2118 seeks to advance one such effort by providing for the authorization for certain public junior colleges to offer baccalaureate degree programs in those fields.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 2118 amends the Education Code to replace the requirement that the Texas Higher Education Coordinating Board authorize public junior colleges to offer baccalaureate degree programs in the fields of applied science and applied technology under provisions relating to baccalaureate degree programs at public junior colleges with a general authorization for the coordinating board to authorize baccalaureate degree programs as provided by those provisions, as amended by the bill. The bill specifically authorizes the coordinating board to authorize baccalaureate degree programs at one or more public junior colleges that offer a degree program in the field of applied science, applied technology, or nursing and have demonstrated a workforce need. The bill clarifies that the requirement for the coordinating board to authorize baccalaureate degree programs at each public junior college that previously participated in a pilot project to offer baccalaureate degree programs applies to baccalaureate degree programs in the fields of applied science and applied technology and pilot projects to offer those degree programs. The bill decreases the limit on the number of baccalaureate degree programs a public junior college may offer at any time from not more than five to not more than three, with the exception of each public junior college offering a baccalaureate degree program in the fields of applied science and applied technology that previously participated in a pilot project to offer those degree programs.

C.S.S.B. 2118 changes the determination the coordinating board makes with regard to public junior college baccalaureate degree programs from a determination of what such programs are to be offered to a determination of whether a public junior college may offer such programs and what degree programs may be offered. The bill requires the coordinating board, in making the determination, to apply the same criteria and standards the coordinating board uses to approve baccalaureate degree programs at general academic teaching institutions and medical and dental units. The bill expands the factors the coordinating board is required to consider in making the

determination to include consideration of whether an associate degree program offered by the junior college in the same field has been successful. The bill clarifies that the coordinating board's consideration of the need for the degree programs in the region served by the junior college is a consideration of the workforce need for the programs and that the coordinating board's consideration of the junior college's ability to support the program is a consideration of its ability to support the program with student enrollment.

C.S.S.B. 2118 authorizes a public junior college to offer a baccalaureate degree program only if its junior college district had a taxable property valuation amount of not less than \$6 billion in the preceding year and received a positive assessment of the overall financial health of the district as reported by the coordinating board. The bill requires a public junior college, before it may be authorized to offer a baccalaureate degree program, to submit a report to the coordinating board that includes a long-term financial plan for receiving accreditation from a specified commission; a long-term plan for faculty recruitment that meets certain criteria; detailed information on the manner of program and course delivery; and detailed information regarding existing articulation agreements and dual enrollment agreements indicating that at least three articulation agreements have been established with general academic teaching institutions or medical and dental units, or the reasons why no articulation agreements have been established, and that, with the agreement of the applicable general academic teaching institution or medical and dental unit, established articulation agreements are at capacity. The bill prohibits the coordinating board from authorizing a public junior college to offer a baccalaureate degree in a field if articulation agreements with general academic teaching institutions or medical and dental units are sufficient to meet the needs of that field.

C.S.S.B. 2118 requires the coordinating board, in determining whether a public junior college may offer a baccalaureate degree program in nursing, to require a public junior college to provide evidence to the coordinating board and the Texas Board of Nursing that the public junior college has secured adequate long-term clinical space, to obtain a letter from each clinical site provided indicating that the clinical site has not refused a similar request from a general academic teaching institution or medical and dental unit, and to establish that the corresponding associate degree program offered by the public junior college has been successful as indicated by job placement rates and licensing exam scores. The bill requires a baccalaureate degree program offered by a public junior college in the field of nursing to be a bachelor of science degree program, meet the standards and criteria the Texas Board of Nursing uses to approve pre-licensure degree programs at general academic teaching institutions and medical and dental units regardless of whether the program is a pre-licensure or post-licensure program, and be accredited by a national nursing accrediting body recognized by the U.S. Department of Education.

C.S.S.B. 2118 adds a temporary provision set to expire January 1, 2023, requiring a public junior college offering a baccalaureate degree program in the field of nursing to demonstrate to the coordinating board that it will maintain or exceed the enrollment available to nursing students enrolled in an associate degree program at the public junior college in the 2016-2017 academic year and to continue to maintain or exceed that level of enrollment in the corresponding associate degree program until the 2021-2022 academic year. The bill includes medical and dental units among the entities with which a public junior college that offers a baccalaureate degree program may enter into the required articulation agreement.

C.S.S.B. 2118 authorizes a baccalaureate degree program at a public junior college to be funded solely by the public junior college's proportionate share of state appropriations, local funds, and private sources without requiring the legislature to appropriate state funds to support such a degree program. The bill requires the coordinating board to weigh contact hours attributable to students enrolled in a junior-level or senior-level course offered under such a degree program used to determine a public junior college's proportionate share of state appropriations in the same manner as a lower division course in a corresponding field. The bill prohibits a public junior college from charging a student enrolled in a baccalaureate degree program tuition and fees in an

amount that exceeds the amount of tuition and fees charged by the junior college to a similarly situated student who is enrolled in an associate degree program in a corresponding field.

C.S.S.B. 2118 removes the requirement that each public junior college offering a baccalaureate degree program prepare a biennial report on the operation and effectiveness of the junior college's baccalaureate degree programs and deliver a copy of the report to the coordinating board and instead requires each public junior college offering a baccalaureate degree program each biennium to conduct a review of each baccalaureate degree program offered and prepare a report on the operation, quality, and effectiveness of those programs, a copy of which is to be delivered to the coordinating board.

C.S.S.B. 2118 repeals the heading to Section 130.0012, Education Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 2118 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Chapter 130, Education Code, is amended.

SECTION 2. Section 130.0012(l), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.301, Education Code, and amended.

SECTION 3. Section 130.0012(a), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.302, Education Code, and amended.

SECTION 4. Section 130.0012(b), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.303, Education Code, and amended to read as follows:

Sec. 130.303. AUTHORIZATION FOR CERTAIN BACCALAUREATE DEGREE PROGRAMS. (a) [~~(b)~~] The coordinating board shall authorize baccalaureate degree programs in the fields of applied science and applied technology at each public junior college that previously participated in a pilot project to offer those baccalaureate degree programs.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as engrossed version.

SECTION 2. Same as engrossed version.

SECTION 3. Same as engrossed version.

SECTION 4. Section 130.0012(b), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.303, Education Code, and amended to read as follows:

Sec. 130.303. AUTHORIZATION FOR CERTAIN BACCALAUREATE DEGREE PROGRAMS. (a) [~~(b)~~] The coordinating board shall authorize baccalaureate degree programs in the fields of applied science and applied technology at each public junior college that previously participated in a pilot project to offer those baccalaureate degree programs.

(b) The coordinating board may authorize baccalaureate degree programs at one or more public junior colleges that offer a degree program in the field of applied science, including a degree program in the field of applied science with an emphasis in early childhood education, applied technology, or nursing and have demonstrated a workforce need.

SECTION 5. Sections 130.0012(b-1), (b-2), and (b-3), Education Code, are transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.304, Education Code, and amended.

SECTION 6. Section 130.0012(c), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.305, Education Code, and amended.

SECTION 7. Section 130.0012(d), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.306, Education Code, and amended.

SECTION 8. Section 130.0012(e), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.307, Education Code, and amended.

SECTION 9. Subchapter L, Chapter 130, Education Code, as added by this Act, is amended.

SECTION 10. Sections 130.0012(f) and (j), Education Code, are transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.309, Education Code, and amended.

SECTION 11. Section 130.0012(g), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.310, Education Code, and amended.

SECTION 12. Section 130.0012(h), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added

(b) The coordinating board may authorize baccalaureate degree programs at one or more public junior colleges that offer a degree program in the field of applied science, applied technology, or nursing and have demonstrated a workforce need.

SECTION 5. Same as engrossed version.

SECTION 6. Same as engrossed version.

SECTION 7. Same as engrossed version.

SECTION 8. Same as engrossed version.

SECTION 9. Same as engrossed version.

SECTION 10. Same as engrossed version.

SECTION 11. Same as engrossed version.

SECTION 12. Same as engrossed version.

by this Act, redesignated as Section 130.311, Education Code, and amended.

SECTION 13. Section 130.0012(k), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.312, Education Code, and amended.

SECTION 14. The heading to Section 130.0012, Education Code, is repealed.

SECTION 15. 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 13. Same as engrossed version.

SECTION 14. Same as engrossed version.

SECTION 15. Same as engrossed version.