

**SUBJECT:** Authorizing an athletics fee at The University of Texas at Brownsville

**COMMITTEE:** Higher Education — favorable, without amendment

**VOTE:** 8 ayes — Morrison, McCall, F. Brown, Aycock, Giddings, D. Howard, Patrick, Rose

0 nays

1 absent — Alonzo

**WITNESSES:** For — Abraham Ponce

Against — None

On — Juliet Garcia, UT-Brownsville; (*Registered, but did not testify:* Daniel Huntley, Hilda Silva, Antonio Zavaleta, UT-Brownsville)

**BACKGROUND:** Education Code, ch. 54 regulates tuition and fees charged by institutions of higher education. Subch. E, sec. 54.501 authorizes fees for various institutions, including fees for laboratories, student services, medical services, recreation and recreational facilities, student center facilities, intercollegiate athletics, student unions, transportation, and other services.

The University of Texas at Brownsville and Texas Southmost College (UTB/TSC) partnership is a consolidated institution housed on one campus in Brownsville. UTB/TSC provides lower-division courses through the community college and upper-level courses through the university, and offers certificates as well as associate, baccalaureate and graduate degrees.

**DIGEST:** HB 1505 would authorize the University of Texas System Board of Regents to impose an intercollegiate athletics fee on students at the University of Texas at Brownsville and Texas Southmost College (UTB/TSC). Students who attended either one of the institutions or both of them would be charged only once. The fee could not exceed \$7 per semester credit hour and could not be increased by more than 10 percent from one academic year to the next unless the increase was approved by

the students and student government. The fee could be imposed in addition to fees the board already may impose.

The bill would authorize the fee starting in the fall 2007 semester.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS  
SAY:**

HB 1505 would allow the board of regents of the University of Texas System to impose an intercollegiate athletics fee at UTB and affirm the students' decision to support the fee to fund expansion of the intercollegiate athletics program. In a campus referendum, more than 20 percent of the student body voted, and more than half of those voting supported the fee. The student body is civilly engaged, supported by the community and wants to enhance the quality of their college-going experience. The programs supported by the fee would help attract new students and offer options for students to remain on campus.

UTB has the second-lowest tuition in the UT System and without adequate state funding, no other funds are available to draw from to expand the athletics program. Athletics is so important to the students that the student services fee committee every year devotes 37 percent of the general student services fee to fund athletics. If HB 1505 were enacted, those funds could be diverted to student services, resulting in increased money for mentorship, counseling services, and scholarship programs for low-income students.

HB 1505 would not impose a burden on low-income students because those whose families earn less than \$25,000 annually would not be charged the fee. Also, the university has instituted other programs to aid students, such as flat-rate tuition for a student taking 15 or more hours and reduced tuition for classes taken at off-peak times.

**OPPONENTS  
SAY:**

HB 1505 would allow the UT board of regents to impose up to an extra \$105 per semester for a student taking 15 hours. Although a majority of the students voting in the campus referendum supported the fee, that does not mean it is good policy. An intercollegiate athletics fee may have merit, but other priorities on campus deserve funds more, including academic and job-creation activities.

The per capita income in this region of Texas is about \$9,000 a year, and instituting this fee could negatively impact a student's decision to go to college. Student fees coupled with rising tuition are increasing the cost of going to college in Texas, in some cases making it unaffordable.

This fee would amount to a tax on students. Almost 80 percent of the students are on financial aid and would have to pay the fee whether or not they participated in or supported intercollegiate athletics. Until the Legislature decides to curb tuition increases, universities should not be allowed to add or increase fees.

OTHER  
OPPONENTS  
SAY:

The bill as written would authorize an athletics fee to be imposed on all students, including distance learning students, who take courses online and almost never are on campus. These students should not be required to pay such a fee if they are not using these facilities.

NOTES:

The author intends to offer a floor amendment to exempt distance learning students from the athletics fee and to authorize the collection of the fee to begin with the fall 2008 semester, rather than in 2007.

According to the fiscal note, the fee would generate \$2.03 million in fiscal year 2008 and \$2.09 million in fiscal year 2009.