(D) at a minimum, is equipped with:

(i) seats that are certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 207, 49 C.F.R. Section 571.207;

(ii) a steering wheel used to maneuver the vehicle;

(iii) a propulsion unit located in front of or behind the enclosed occupant compartment;

(iv) a seat belt for each vehicle occupant certified by the manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 209, 49 C.F.R. Section 571.209;

(v) a windshield and one or more windshield wipers certified by the manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 205, 49 C.F.R. Section 571.205, and Federal Motor Vehicle Safety Standard No. 104, 49 C.F.R. Section 571.104; and

(vi) a vehicle structure certified by the vehicle manufacturer to meet the requirements of Federal Motor Vehicle Safety Standard No. 216, 49 C.F.R. Section 571.216; and

(E) is produced by its manufacturer in a minimum quantity of 300 in any calendar year.

SECTION 4. Section 521.085, Transportation Code, is amended to read as follows:

Sec. 521.085. TYPE OF VEHICLE AUTHORIZED. (a) Unless prohibited by Chapter 522, and except as provided by Subsection (b), the license holder may operate any vehicle of the type for which that class of license is issued and any lesser type of vehicle other than a motorcycle or moped.

(b) Subsection (a) does not prohibit a license holder from operating a lesser type of vehicle that is a motorcycle described by Section 521.001(a)(6-a).

SECTION 5. Subdivision (1), Section 661.001, Transportation Code, is amended to read as follows:

(1) "Motorcycle" means a motor vehicle designed to propel itself with not more than three wheels in contact with the ground, and having a saddle for the use of the rider. The term does not include a tractor or a three-wheeled vehicle equipped with a cab or occupant compartment, seat, and seat belt and designed to contain the operator in the cab or occupant compartment.

SECTION 6. Section 680.013, Transportation Code, is amended to read as follows:

Sec. 680.013. USE OF PREFERENTIAL LANE BY MOTORCYCLE. A motorcycle, including a motorcycle described by Section 521.001(a)(6-a), may be operated in a preferential lane that is not closed to all vehicular traffic.

SECTION 7. This Act takes effect September 1, 2009.

Passed the Senate on April 9, 2009: Yeas 31, Nays 0; the Senate concurred in House amendment on May 29, 2009: Yeas 30, Nays 0; passed the House, with amendment, on May 27, 2009: Yeas 148, Nays 0, one present not voting.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 723

S.B. No. 174

AN ACT

relating to accountability of institutions of higher education, including educator preparation programs, and online institution resumes for public institutions of higher education.

Be it enacted by the Legislature of the State of Texas:

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SECTION 1. Section 21.041, Education Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) The board shall propose a rule adopting a fee for the issuance and maintenance of an educator certificate that, when combined with any fees imposed under Subsection (d), is adequate to cover the cost of administration of this subchapter.

(d) The board may propose a rule adopting a fee for the approval or renewal of approval of an educator preparation program, or for the addition of a certificate or field of certification to the scope of a program’s approval. A fee imposed under this subsection may not exceed the amount necessary, as determined by the board, to provide for the administrative cost of approving, renewing the approval of, and appropriately ensuring the accountability of educator preparation programs under this subchapter.

SECTION 2. Subchapter B, Chapter 21, Education Code, is amended by amending Section 21.045 and adding Sections 21.0451 and 21.0452 to read as follows:

Sec. 21.045. ACCOUNTABILITY SYSTEM FOR EDUCATOR PREPARATION PROGRAMS. (a) The board shall propose rules establishing standards to govern the approval and continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to sex and ethnicity:

1. results of the certification examinations prescribed under Section 21.048(a); and
2. performance based on the appraisal system for beginning teachers adopted by the board;
3. achievement, including improvement in achievement, of students taught by beginning teachers for the first three years following certification, to the extent practicable; and
4. compliance with board requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to beginning teachers during their first year in the classroom.

(b) Each educator preparation program shall submit data elements as required by the board for an annual performance report to ensure access and equity. At a minimum, the annual report must contain the performance data from Subsection (a), other than the data required for purposes of Subsection (a)(3), and the following information, disaggregated by sex and ethnicity:

1. the number of candidates who apply;
2. the number of candidates admitted;
3. the number of candidates retained;
4. the number of candidates completing the program;
5. the number of candidates employed in the profession after completing the program;
6. the number of candidates retained in the profession; and
7. any other information required by federal law.

(c) The board shall propose rules establishing performance standards for the Accountability System for Educator Preparation for accrediting educator preparation programs. At a minimum, performance standards must be based on Subsection (a). The board may propose rules establishing minimum standards for approval or renewal of approval of:

1. educator preparation programs; or
2. certification fields authorized to be offered by an educator preparation program.

Sec. 21.0451. SANCTIONS UNDER ACCOUNTABILITY SYSTEM FOR EDUCATOR PREPARATION PROGRAMS. (a) The board shall propose rules for the sanction of educator preparation programs that do not meet accountability standards and shall annually review the accreditation status of each educator preparation program. The rules:

1. shall provide for the assignment of the following accreditation statuses:
   (A) not rated;
   (B) accredited;
   (C) accredited-warned.
(D) accredited-probation; and
(E) not accredited-revoked;
(2) may provide for the agency to take any necessary action, including one or more of the following actions:
(A) requiring the program to obtain technical assistance approved by the agency or board;
(B) requiring the program to obtain professional services under contract with another person;
(C) appointing a monitor to participate in and report to the board on the activities of the program; and
(D) if a program has been rated as accredited-probation under the Accountability System for Educator Preparation for a period of at least one year, revoking the approval of the program and ordering the program to be closed, provided that the board or agency must provide the opportunity for a hearing before the effective date of the closure; and
(3) shall provide for the agency to revoke the approval of the program and order the program to be closed if the program has been rated as accredited-probation under the Accountability System for Educator Preparation for three consecutive years, provided that the board or agency must provide the opportunity for a hearing before the effective date of the closure.

(b) Any action authorized or required to be taken against an educator preparation program under Subsection (a) may also be taken with regard to a particular field of certification authorized to be offered by an educator preparation program.

(c) A permissive revocation under Subsection (a)(2) or required revocation under Subsection (a)(3) must be effective for a period of at least two years. After two years, the program may seek renewed approval to prepare educators for state certification.

(d) The costs of technical assistance required under Subsection (a)(2)(A) or the costs associated with the appointment of a monitor under Subsection (a)(2)(C) shall be paid by the sponsor of the educator preparation program. The executive director of the board shall appoint an oversight team of educators to make recommendations and provide assistance to educator preparation programs that do not meet accreditation standards. If, after one year, an educator preparation program has not fulfilled the recommendations of the oversight team, the executive director shall appoint a person to administer and manage the operations of the program. If the program does not improve after two years, the board shall revoke the approval of the program to prepare educators for state certification.

Sec. 21.0452. CONSUMER INFORMATION REGARDING EDUCATOR PREPARATION PROGRAMS. (a) To assist persons interested in obtaining teaching certification in selecting an educator preparation program and assist school districts in making staffing decisions, the board shall make information regarding educator programs in this state available to the public through the board’s Internet website.

(b) The board shall make available at least the following information regarding each educator preparation program:
(1) the information specified in Sections 21.045(a) and (b);
(2) in addition to any other appropriate information indicating the quality of persons admitted to the program, the average academic qualifications possessed by persons admitted to the program, including:
(A) average overall grade point average and average grade point average in specific subject areas; and
(B) average scores on the Scholastic Assessment Test (SAT), the American College Test (ACT), or the Graduate Record Examination (GRE), as applicable;
(3) the degree to which persons who complete the program are successful in obtaining teaching positions;
(4) the extent to which the program prepares teachers, including general education teachers and special education teachers, to effectively teach:
(A) students with disabilities; and
(B) students of limited English proficiency, as defined by Section 29.052;
(5) the activities offered by the program that are designed to prepare teachers to:
(A) integrate technology effectively into curricula and instruction, including activities consistent with the principles of universal design for learning; and
(B) use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement;
(6) the perseverance of beginning teachers in the profession, as determined on the basis of the number of beginning teachers who maintain status as active contributing members in the Teacher Retirement System of Texas for at least three years after certification in comparison to similar programs;
(7) the results of exit surveys given to program participants on completion of the program that involve evaluation of the program’s effectiveness in preparing participants to succeed in the classroom; and
(8) the results of surveys given to school principals that involve evaluation of the program’s effectiveness in preparing participants to succeed in the classroom, based on experience with employed program participants.
(c) For purposes of Subsection (b)(7), the board shall require an educator preparation program to distribute an exit survey that a program participant must complete before the participant is eligible to receive a certificate under this subchapter.
(d) For purposes of Subsections (b)(7) and (8), the board shall develop surveys for distribution to program participants and school principals.
(e) The board may develop procedures under which each educator preparation program receives a designation or ranking based on the information required to be made available under Subsection (b). If the board develops procedures under this subsection, the designation or ranking received by each program must be included in the information made available under this section.
(f) In addition to other information required to be made available under this section, the board shall provide information identifying employment opportunities for teachers in the various regions of this state. The board shall specifically identify each region of this state in which a shortage of qualified teachers exists.
(g) The board may require any person to provide information to the board for purposes of this section.

SECTION 3. Subtitle A, Title 3, Education Code, is amended by adding Chapter 51A to read as follows:

CHAPTER 51A. ONLINE INSTITUTION RESUMES FOR INSTITUTIONS OF HIGHER EDUCATION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 51A.001. DEFINITIONS. In this chapter:
(1) “Coordinating board” means the Texas Higher Education Coordinating Board.
(2) “General academic teaching institution,” “institution of higher education,” “medical and dental unit,” “public state college,” and “public technical institute” have the meanings assigned by Section 61.003.

Sec. 51A.002. POWERS AND DUTIES OF COORDINATING BOARD RELATING TO INSTITUTION RESUMES; GENERAL REQUIREMENTS FOR INSTITUTION RESUMES. (a) The coordinating board, in consultation with each institution of higher education to which this chapter applies, shall develop and maintain online resumes for each of those institutions.
(b) The coordinating board shall:
(1) request from each institution of higher education to which this chapter applies any information the coordinating board considers necessary for the coordinating board to include information or calculate data required to be included in the institution's resume;

(2) establish for each institution of higher education to which this chapter applies a list of representative in-state and out-of-state peer institutions and maintain that list on the coordinating board’s Internet website;

(3) ensure that each of an institution of higher education’s online resumes:

(A) is available to the public on the coordinating board’s Internet website, in a one-page format if possible, and is accessible through a link that appears in a prominent place on the coordinating board’s Internet website home page;

(B) uses enhanced, user-friendly search capabilities to ensure that the information required to be included in the resume is easily accessible to the persons for whom the resume is designed; and

(C) includes a clearly identifiable link to information on the coordinating board’s Internet website regarding the coordinating board’s higher education accountability system; and

(4) ensure that the information provided in each resume is accurate and up to date and includes the most recent data available for out-of-state peer institutions.

(c) The coordinating board may modify, as the coordinating board considers necessary, national data regarding an institution’s out-of-state peer institutions to ensure uniformity in the comparison of that data to data regarding the institution for which the resume is created and the institution’s in-state peer institutions in a resume under this chapter.

(d) The coordinating board is not required to include in the resume any category of information that is unavailable to the coordinating board.

Sec. 51A.003. DUTIES OF INSTITUTIONS OF HIGHER EDUCATION RELATING TO INSTITUTION RESUMES. Each institution of higher education to which this chapter applies shall:

(1) submit to the coordinating board any information requested by the coordinating board as necessary for the coordinating board to include information or calculate data required to be included in the institution’s resumes; and

(2) ensure that the institution’s Internet website home page includes, in a prominent place, an accessible link to the institution’s online resumes maintained on the coordinating board’s Internet website.

Subchapter B. Online Institution Resumes for Four-Year General Academic Teaching Institutions

Sec. 51A.051. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to general academic teaching institutions, other than public state colleges.

Sec. 51A.052. INSTITUTION RESUME FOR LEGISLATORS AND OTHER POLICY MAKERS. (a) The coordinating board shall maintain for each institution to which this subchapter applies an online resume that is designed for use by legislators and other interested policy makers.

(b) The resume required by this section must identify:

(1) the institutional grouping to which the institution is assigned under the coordinating board’s higher education accountability system; and

(2) the institution’s in-state and out-of-state peer institutions.

(c) For purposes of this section, information required to be included in the resume regarding the institution’s in-state or out-of-state peer institutions must be listed in the form of the average of that information for those institutions unless otherwise prescribed by coordinating board rule.
(d) The resume must include the following information relating to the institution for the most recent state fiscal year for which the information is available and compare that information to the same information for the state fiscal year preceding the most recent state fiscal year for which the information is available and the state fiscal year preceding the most recent state fiscal year for which the information is available by five years:

(1) under the heading “ENROLLMENT,” the total number of students enrolled in the institution during the fall semester that ended in the fiscal year covered by the resume;

(2) under the heading “COSTS,” the average annual total academic costs for a resident undergraduate student enrolled in 30 semester credit hours:

   (A) at the institution; and

   (B) at the institution’s in-state and out-of-state peer institutions;

(3) under the heading “STUDENT SUCCESS”:

   (A) the retention rate of first-time, full-time, degree-seeking entering undergraduate students:

      (i) enrolled in the institution after one academic year and after two academic years; and

      (ii) enrolled in the institution’s in-state peer institutions after two academic years;

   (B) the percentage of undergraduate students requiring developmental education who, after six years from entering the institution, graduated from or are still enrolled in:

      (i) the institution; and

      (ii) the institution’s in-state peer institutions;

   (C) the four-year and six-year graduation rates of full-time degree-seeking students:

      (i) at the institution; and

      (ii) at the institution’s in-state and out-of-state peer institutions; and

   (D) the average number of fall and spring semesters of enrollment attempted by a student to obtain a bachelor’s degree:

      (i) at the institution; and

      (ii) at the institution’s in-state peer institutions; and

(4) under the heading “FUNDING”:

   (A) the total amount of money appropriated by the legislature to the institution, including money appropriated for faculty and staff health coverage and retirement benefits; and

   (B) the total amount of money from any source available to the institution in that state fiscal year.

Sec. 51A.053. INSTITUTION RESUME FOR PROSPECTIVE STUDENTS, PARENTS, AND MEMBERS OF THE PUBLIC. (a) The coordinating board shall maintain for each institution to which this subchapter applies an online resume that is designed for use by prospective students of the institution, their parents, and other interested members of the public. A resume required for an institution under this section is not required to include information that the coordinating board considers to be substantially duplicative of information reported and available to the public through the Voluntary System of Accountability Program.

(b) The resume must identify:

(1) the institutional grouping to which the institution is assigned under the coordinating board’s higher education accountability system; and

(2) the institution’s in-state peer institutions.

(c) Except as otherwise provided by the coordinating board under Subsection (a), the resume must include the following information relating to the most recent state fiscal year for which the information is available:

(1) under the heading “ENROLLMENT”:
(A) the total number of students enrolled in the institution during the fall semester that ended in the fiscal year covered by the resume; and

(B) a clearly identifiable link to the information described by Paragraph (A) disaggregated by student ethnicity;

(2) under the heading “DEGREES AWARDED”:

(A) the number of bachelor's degrees, number of master's degrees, number of doctoral degrees, and number of professional degrees awarded by the institution; and

(B) a clearly identifiable link to the information described by Paragraph (A) disaggregated by student ethnicity;

(3) under the heading “COSTS”:

(A) the average annual total academic costs for a resident undergraduate student enrolled in 30 semester credit hours at the institution;

(B) clearly identifiable links to information regarding:

   (i) the rate or rates of tuition per semester credit hour charged by the institution;

   (ii) any mandatory fees, as defined by the coordinating board, imposed by the institution; and

   (iii) the amount and percentage by which the institution has increased tuition for a degree program or course level during the state fiscal year covered by the resume;

(C) the average cost of on-campus room and board per student; and

(D) the average cost to a resident undergraduate student enrolled in 30 semester credit hours for total academic costs and on-campus room and board, excluding the cost of books, supplies, transportation, or other expenses;

(5) under the heading “FINANCIAL AID”:

(A) the percentage of undergraduate students enrolled in the institution who receive need-based grants or scholarships;

(B) the percentage of undergraduate students enrolled in the institution who receive need-based grants, scholarships, loans, or work-study funds;

(C) the average amount of an undergraduate student's need-based grant and scholarship package; and

(D) the average amount of an undergraduate student's need-based grant, scholarship, loan, and work-study package;

(5) under the heading “ADMISSIONS”:

(A) the middle 50 percent test score range of first-time undergraduate students at the institution whose Scholastic Assessment Test (SAT) scores were in the 25th to 75th percentile of students' scores at that institution;

(B) the middle 50 percent test score range of first-time undergraduate students at the institution whose American College Test (ACT) scores were in the 25th to 75th percentile of students' scores at that institution; and

(C) the percentage of the students who applied for first-time undergraduate admission to the institution who were offered admission to the institution;

(6) under the heading “INSTRUCTION”:

(A) the student/faculty ratio at the institution;

(B) the percentage of organized undergraduate classes offered by the institution in which fewer than 20 students are enrolled;

(C) the percentage of organized undergraduate classes offered by the institution in which more than 50 students are enrolled; and

(D) the percentage of teaching faculty members of the institution who are tenured or tenure-track;

(7) under the heading “BACCALAUREATE SUCCESS”:

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(A) four-year, five-year, and six-year graduation rates for full-time bachelor's degree-seeking students at the institution, and links to that information disaggregated by student ethnicity; and

(B) the average number of fall and spring semesters of enrollment attempted by a student to obtain a bachelor's degree; and

(8) under the heading "FIRST-TIME LICENSURE OR CERTIFICATION EXAMINATION PASS RATES," the first-time licensure or certification examination pass rates in the fields of education, law, pharmacy, nursing, and engineering of students enrolled in the institution or who have graduated from the institution.

[Sections 51A.054–51A.100 reserved for expansion]

SUBCHAPTER C. INSTITUTION RESUMES
FOR LOWER-DIVISION INSTITUTIONS

Sec. 51A.101. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to the following institutions of higher education:

(1) public junior colleges;
(2) public technical institutes; and
(3) public state colleges.

Sec. 51A.102. INSTITUTION RESUME FOR LEGISLATORS AND OTHER POLICY MAKERS. (a) The coordinating board shall maintain for each institution to which this subchapter applies an online resume for the institution designed for use by legislators and other interested policy makers.

(b) The resume must identify:

1. the institutional grouping to which the institution is assigned under the coordinating board's higher education accountability system; and
2. the institution's in-state peer institutions.

(c) For purposes of this section, information required to be included in the resume regarding the institution's in-state peer institutions must be listed in the form of the average of that information for those institutions unless otherwise prescribed by coordinating board rule.

(d) The resume must include the following information relating to the institution for the most recent state fiscal year for which the information is available and compare that information to the same information for the state fiscal year preceding the most recent state fiscal year for which the information is available by five years:

1. under the heading "ENROLLMENT," the total number of students enrolled in the institution for course credit during the fall semester that ended in the fiscal year covered by the resume;
2. under the heading "COSTS," the average annual total academic costs, which for a junior college must include those costs for an in-district and an out-of-district student, for a student enrolled in 30 semester credit hours toward a two-year degree or certificate:
   (A) at the institution; and
   (B) at the institution's in-state peer institutions;
3. under the heading "STUDENT SUCCESS":
   (A) the retention rate of first-time, full-time, credential-seeking entering undergraduate students:
      (i) enrolled in the institution after two academic years; and
      (ii) enrolled in the institution's in-state peer institutions after two academic years;
   (B) the percentage of undergraduate students requiring developmental education who, after three years from entering the institution, graduated from or are still enrolled in:
      (i) the institution; and
(ii) the institution’s in-state peer institutions;

(C) the three-year, four-year, and six-year graduation rates of full-time credential-seeking students:
   (i) at the institution; and
   (ii) at the institution’s in-state peer institutions;

(D) the percentage of students who transferred to a general academic teaching institution or equivalent institution of higher education, as determined using the accountability system definition of a transfer student:
   (i) from the institution; and
   (ii) from the institution’s in-state peer institutions; and

(E) the percentage of graduates from the preceding academic year who, as of the fall semester that ended in the fiscal year covered by the resume, were either employed or enrolled in a general academic teaching institution or equivalent institution of higher education for:
   (i) the institution; and
   (ii) the institution’s in-state peer institutions; and

(4) under the heading “FUNDING”:
   (A) the total amount of money appropriated by the legislature to the institution for that state fiscal year, including money appropriated for faculty and staff health coverage and retirement benefits;
   (B) the total amount of money from any source available to the institution in that state fiscal year; and
   (C) the tax rate per $100 valuation of taxable property imposed by the junior college district, if the institution is a public junior college.

Sec. 51A.103. INSTITUTION RESUME FOR PROSPECTIVE STUDENTS, PARENTS, AND OTHER MEMBERS OF THE PUBLIC. (a) The coordinating board shall maintain for each institution to which this subchapter applies an online resume that is designed for use by prospective students of the institution, their parents, and other interested members of the public.

(b) The resume must identify:
   (1) the institutional grouping to which the institution is assigned under the coordinating board’s higher education accountability system; and
   (2) the institution’s in-state peer institutions.

(c) For purposes of this section, information required to be included in the resume regarding the institution’s in-state peer institutions must be listed in the form of the average of that information for those institutions unless otherwise prescribed by coordinating board rule.

(d) The resume must include the following information relating to the most recent state fiscal year for which the information is available:
   (1) under the heading “ENROLLMENT”:
      (A) the total number of students enrolled during the fall semester that ended in the fiscal year covered by the resume:
         (i) at the institution; and
         (ii) at the institution’s in-state peer institutions; and
      (B) a clearly identifiable link to information described by Paragraph (A) disaggregated by student ethnicity;
   (2) under the heading “DEGREES AND CERTIFICATES AWARDED”:
      (A) the number of degrees or certificates awarded for each level, type, or other category of degree or certificate specified by the coordinating board for purposes of this paragraph:
         (i) by the institution; and
         (ii) the institution’s in-state peer institutions; and
(ii) by the institution's in-state peer institutions; and

(B) a clearly identifiable link to the information described by Paragraph (A) disaggregated by student ethnicity;

(3) under the heading “COSTS,” the average annual total academic costs, which for a junior college must include those costs for an in-district and out-of-district student, for a student enrolled in 30 semester credit hours toward a two-year degree:

(A) at the institution; and

(B) at the institution’s in-state peer institutions;

(4) under the heading “FINANCIAL AID”:

(A) the percentage of students who receive need-based grants or scholarships:

(i) at the institution; and

(ii) at the institution’s in-state peer institutions;

(B) the percentage of students who receive need-based grants, scholarships, loans, or work-study funds:

(i) at the institution; and

(ii) at the institution’s in-state peer institutions;

(C) the average amount of a student’s need-based grant and scholarship package:

(i) at the institution; and

(ii) at the institution’s in-state peer institutions; and

(D) the average amount of a student’s need-based grant, scholarship, loan, and work-study package:

(i) at the institution; and

(ii) at the institution’s in-state peer institutions;

(5) under the heading “STUDENT SUCCESS”:

(A) the retention rate of first-time, full-time, credential-seeking entering undergraduate students:

(i) enrolled in the institution after two academic years; and

(ii) enrolled in the institution’s in-state peer institutions after two academic years;

(B) the percentage of students requiring developmental education who, after three years from entering the institution, have graduated from or are still enrolled in:

(i) the institution; and

(ii) the institution’s in-state peer institutions;

(C) the three-year, four-year, and six-year graduation rates of full-time degree-seeking students:

(i) at the institution; and

(ii) at the institution’s in-state peer institutions;

(D) the percentage of students who transferred to a general academic teaching institution or equivalent institution of higher education, as determined using the accountability system definition of a transfer student:

(i) from the institution; and

(ii) from the institution’s in-state peer institutions; and

(E) the percentage of graduates from the preceding academic year who, as of the fall semester that ended in the fiscal year covered by the resume, were either employed or enrolled in a general academic teaching institution or equivalent institution of higher education for:

(i) the institution; and

(ii) the institution’s in-state peer institutions.

[Sections 51A.104–51A.150 reserved for expansion]
Sec. 51A.151. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to medical and dental units.

Sec. 51A.152. INSTITUTION RESUME FOR LEGISLATORS AND OTHER POLICY MAKERS. (a) The coordinating board shall maintain for each institution to which this subchapter applies an online resume designed for use by legislators and other interested policy makers.

(b) The resume must identify:

(1) the institutional grouping to which the institution is assigned under the coordinating board's higher education accountability system; and

(2) the institution's in-state and out-of-state peer institutions.

(c) For purposes of this section, information required to be included in the resume regarding the institution's in-state or out-of-state peer institutions must be listed in the form of the average of that information for those institutions unless otherwise prescribed by coordinating board rule.

(d) The resume must include the following information relating to the institution for the most recent state fiscal year for which the information is available and compare that information to the same information for the state fiscal year preceding the most recent state fiscal year for which the information is available and the state fiscal year preceding the most recent state fiscal year for which the information is available by five years:

(1) under the heading "ENROLLMENT":

(A) the total number of students enrolled in the institution during the fall semester that ended in the fiscal year covered by the resume;

(B) if applicable, the total number of students enrolled in the institution's medical school during that fall semester; and

(C) if applicable, the total number of physicians certified by the institution annually on September 1 as training in residency programs accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association;

(2) under the heading "COSTS," the average annual total academic costs, including those costs identified by type of degree program if required by coordinating board rule, for a resident, full-time undergraduate student and for a resident, full-time graduate student:

(A) at the institution; and

(B) at the institution's in-state and out-of-state peer institutions;

(3) under the heading "STUDENT SUCCESS":

(A) if applicable, the percentage of medical school students who pass Part 1 or Part 2 of any examination administered or accepted for a medical license under Subtitle B, Title 3, Occupations Code:

(i) at the institution; and

(ii) at the institution's in-state and out-of-state peer institutions;

(B) if applicable, the percentage of medical school students who are practicing primary care in this state:

(i) after graduating from the institution; and

(ii) after graduating from the institution's in-state peer institutions;

(C) the number of nursing degrees or allied health degrees awarded for each level:

(i) by the institution; and

(ii) by the institution's in-state and out-of-state peer institutions; and

(D) the estimated total amount of the institution's research expenditures for the most recent state fiscal year available; and
(4) under the heading “FUNDING”:

(A) the total amount of money appropriated by the legislature to the institution, including money appropriated for faculty and staff health coverage and retirement benefits, for that state fiscal year; and

(B) the total amount of money from any source available to the institution for that state fiscal year.

Sec. 51A.153. INSTITUTION RESUME FOR PROSPECTIVE STUDENTS, PARENTS, AND OTHER MEMBERS OF THE PUBLIC. (a) The coordinating board shall maintain for each institution to which this subchapter applies an online resume that is designed for use by prospective students of the institution, their parents, and other interested members of the public.

(b) The resume must identify:

(1) the institutional grouping to which the institution is assigned under the coordinating board’s higher education accountability system; and

(2) the institution’s in-state and out-of-state peer institutions.

(c) For purposes of this section, information required to be included in the resume regarding the institution’s in-state peer institutions must be listed in the form of the average of that information for those institutions; unless otherwise prescribed by coordinating board rules.

(d) The resume must include the following information relating to the most recent state fiscal year for which the information is available:

(1) under the heading “ENROLLMENT,” with clearly identifiable links to the information disaggregated by student ethnicity:

(A) the total number of students enrolled in the institution during the fall semester that ended in the fiscal year covered by the resume;

(B) if applicable, the total number of students enrolled in the institution’s medical school during that fall semester; and

(C) if applicable, the total number of physicians certified by the institution annually on September 1 as training in residency programs accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association at the institution on the most recent September 1 for which the information is available;

(2) under the heading “COSTS”:

(A) the average annual total academic costs, including those costs identified by type of degree program if required by coordinating board rule, for a resident, full-time student at the institution;

(B) clearly identifiable links to information regarding:

(i) the tuition per academic year charged by the institution under Section 54.051;

(ii) any mandatory fees, as defined by the coordinating board, imposed by the institution; and

(iii) the amount and percentage by which the institution has increased tuition for a degree program or course level during the five state fiscal years preceding the state fiscal year covered by the resume; and

(C) the average cost to a resident undergraduate student enrolled in 30 semester credit hours for tuition and fees;

(3) under the heading “FINANCIAL AID”:

(A) the percentage of graduate students enrolled in the institution who receive need-based grants or scholarships;

(B) the percentage of graduate students enrolled in the institution who receive need-based grants, scholarships, loans, or work-study funds;

(C) the average amount of a graduate student’s need-based grant and scholarship package; and
(D) the average amount of a graduate student’s need-based grant, scholarship, loan, and work-study package;

(4) under the heading “STUDENT SUCCESS”:

(A) if applicable, the percentage of medical school students who pass Part 1 or Part 2 of any examination administered or accepted for a medical license under Subtitle B, Title 3, Occupations Code:

(i) at the institution; and

(ii) at the institution’s in-state peer institutions;

(B) if applicable, the percentage of medical school students who are practicing primary care in this state:

(i) after graduating from the institution; and

(ii) after graduating from the institution’s in-state peer institutions;

(C) the number of nursing degrees or allied health degrees awarded for each level:

(i) by the institution; and

(ii) by the institution’s in-state peer institutions; and

(D) the estimated total amount of the institution’s research expenditures; and

(5) under the heading “FIRST-TIME LICENSURE OR CERTIFICATION EXAMINATION PASS RATES,” the first-time licensure or certification examination pass rates in applicable fields of students who are enrolled in or have graduated from:

(A) the institution; and

(B) the institution’s in-state peer institutions.

SECTION 4. The Texas Higher Education Coordinating Board shall create the online institution resumes required by Chapter 51A, Education Code, as added by this Act, and provide the resumes on the board’s Internet website not later than February 1, 2010.

SECTION 5. 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, 2009.

Passed the Senate on April 23, 2009: Yeas 30, Nays 0; the Senate concurred in House amendment on May 29, 2009: Yeas 30, Nays 0; passed the House, with amendment, on May 27, 2009: Yeas 147, Nays 1, one present not voting.

Approved June 19, 2009.


CHAPTER 724

S.B. No. 203

AN ACT

relating to health care-associated infections and preventable adverse events in certain health care facilities.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsections (a), (b), and (c), Section 98.103, Health and Safety Code, as added by Chapter 959 (S.B. 288), Acts of the 80th Legislature, Regular Session, 2007, are amended to read as follows:

(a) A health care facility, other than a pediatric and adolescent hospital, shall report to the department the incidence of surgical site infections, including the causative pathogen if the infection is laboratory-confirmed, occurring in the following procedures:

(1) colon surgeries;

(2) hip arthroplasties;