

## **BILL ANALYSIS**

Senate Research Center  
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C.S.S.B. 215  
By: Birdwell; Nichols  
Higher Education  
3/28/2013  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The purpose of the bill is to enact the recommendations of the Sunset Advisory Commission on the Texas Higher Education Coordinating Board (THECB). THECB plans for statewide higher education needs, aggregates statewide data, coordinates distribution of higher education resources, and serves as a central administrator for certain grant and student financial aid programs.

THECB is subject to the Sunset Act and will be abolished on September 1, 2013, unless continued by the legislature. The Sunset review found that the agency continues to be needed, but THECB could improve its engagement with stakeholders and the statute could be streamlined and simplified to more clearly convey THECB's duties.

Despite THECB's extensive efforts to obtain stakeholder feedback, it receives little direct stakeholder and public input. Together with THECB's isolated approach to decision making, stakeholders lack clear means to provide direct feedback or offer varying perspectives related to major decisions before THECB. THECB's structure also fails to ensure higher education experience to aid in navigating the complexities of, and to independently direct, state higher education policy.

Additions to the THECB's statutory duties, including planning functions, regulatory approvals, reporting requirements, and programs, weigh THECB down to the point that its core functions as a higher education coordinating entity have been obscured. In addition, statutory language for two of the THECB's key functions, long-range planning and academic program approval, is outdated, unclear, and confusing.

Despite a significant volume of funds allocated, or appropriated based on data, THECB does not sufficiently or consistently monitor institutions' use of funding, or reporting of data, to ensure appropriate use and accuracy.

The B-On-Time Loan Program is particularly ill-suited to two-year institutions, whose students often do not meet the program's eligibility requirements, such as being full-time.

C.S.S.B. 215 requires one-third of the members of THECB to have experience in higher education governance or administration, from both universities and community and technical colleges; requires THECB to provide opportunities for public comment at each board meeting, especially before making decisions on controversial issues; requires advisory committees to report their recommendations directly to THECB; streamlines THECB's powers and duties to reflect a modern higher education coordinating entity; clarifies THECB's academic program approval authority in one section of law; consolidates THECB's long-range planning requirements; requires THECB to establish a risk-based, agency-wide compliance monitoring function to audit funds allocated by, and data reported to, THECB; removes two-year institutions from eligibility in the B-On-Time Loan Program; eliminates from statute 20 unfunded and unnecessary programs and four unnecessary reporting requirements; continues THECB for 12 years.

C.S.S.B. 215 amends current law relating to the continuation and functions of the Texas Higher Education Coordinating Board.

## **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 2 (Section 51.406, Education Code), SECTION 12 (Section 61.026, Education Code), SECTION 13 (Section 61.035, Education Code), SECTION 15 (Section 61.0512, Education Code), SECTION 23 (Section 61.07761, Education Code), SECTION 28, and SECTION 30 of this bill.

Rulemaking authority previously granted to the commissioner of education and the commissioner of higher education is modified in SECTION 26 (Section 42.0421, Human Resources Code) of this bill.

## **SECTION BY SECTION ANALYSIS**

SECTION 1. Transfers Section 61.0511, Education Code, to Subchapter G, Chapter 51, Education Code, and redesignates it as Section 51.359, Education Code, as follows:

Sec. 51.359. ROLE AND MISSION STATEMENT. Redesignates existing Section 61.0511 as Section 51.359. Makes no further changes to this section.

SECTION 2. Amends Section 51.406, Education Code, by adding Subsection (d), as follows:

(d) Requires the Texas Higher Education Coordinating Board (THECB), at least every five years, to reevaluate its rules and policies to ensure the continuing need for the data requests THECB imposes on university systems or institutions of higher education, or private or independent institutions of higher education. Requires THECB to consult with those entities in identifying unnecessary requests or ways to streamline those requests. Requires THECB to eliminate data requests identified as unnecessary from its rules and policies. Provides that, in this subsection "private or independent institution of higher education" has the meaning assigned by Section 61.003 (Definitions).

SECTION 3. Amends Sections 56.451(2) and (3), Education Code, to redefine "eligible institution" and "general academic teaching institution."

SECTION 4. Amends Section 56.452(b), Education Code, to provide that the purpose of this subchapter is to provide no-interest loans to eligible students to enable those students to earn baccalaureate degrees at public and private or independent institutions of higher education in this state, rather than enable those students to attend all public and private or independent institutions of higher education in this state.

SECTION 5. Amends Section 56.455, Education Code, to require a person, to be eligible initially for a Texas B-On-time loan, to meet one of several academic requirements, including to have received an associate degree from an institution of higher education or private or independent institution of higher education, rather than an eligible institution, not earlier than May 1, 2005, and to be enrolled for a full course load for an undergraduate student, as determined by THECB, in a baccalaureate degree program, rather than an undergraduate degree or certificate program, at an eligible institution.

SECTION 6. Amends Section 56.456(a), Education Code, as follows:

(a) Authorizes a person, after initially qualifying for a Texas B-On-time loan, to continue to receive a Texas B-On-time loan for each semester of term in which the person is enrolled at an eligible institution only if the person is enrolled for a full course load for an undergraduate student, as determined by the coordinating board, in a baccalaureate, rather than an undergraduate, degree program, rather than degree or certificate program, at an eligible institution and to have completed at least 75 percent of the semester credit hours attempted by the person in the most recent academic year and has a cumulative grade point average of at least 2.5 on a four-point scale or the equivalent on all coursework previously attempted at institutions of higher education or private or independent

institutions of higher education, if the person is enrolled in any academic year after the person's first academic year. Makes a conforming change.

SECTION 7. Amends Sections 56.459(a) and (b), Education Code, as follows:

(a) Deletes existing text to provide that the amount of a Texas B-On-time loan for a semester or term for a student enrolled full-time at an eligible institution other than an institution covered by Subsection (b), (c) (relating to a Texas B-On-time loan for a semester or term at public technical institute), (d) (relating to Texas B-On-time loan for a semester or term at public junior colleges) is an amount determined by THECB as the average statewide amount of tuition and required fees that a resident student enrolled full-time in a baccalaureate degree program, rather than an undergraduate degree program, would be charged for that semester or term at general academic teaching institutions.

(b) Provides that the amount of a Texas B-On-time loan for a student enrolled full-time at a private or independent institution of higher education is an amount determined by THECB as the average statewide amount of tuition and required fees that a resident student enrolled full-time in a baccalaureate degree program, rather than an undergraduate degree program, would be charged for that semester or term at general academic teaching institutions.

SECTION 8. Amends Sections 56.461 and 56.462, Education Code, as follows:

56.461. LOAN PAYMENT DEFERRED. Provides that the repayment of a Texas-B-On-time loan received by a student under this subchapter is deferred as long as the student remains continuously enrolled in a baccalaureate degree program, rather than an undergraduate degree program, at an eligible institution.

56.462. LOAN FORGIVENESS. Requires that a student who receives a Texas B-On-time loan be forgiven the amount of the student's loan if the student is awarded a baccalaureate degree, rather than an undergraduate degree, at an eligible institution with a cumulative grade point average of at least 3.0 on a four-point scale or the equivalent within four calendar years after the date the student initially enrolled in an institution of higher education or private or independent institution of higher education or five calendar years after the date the student initially enrolled in an institution of higher education or private or independent institution of higher education.. Deletes existing text to require a student who receives a Texas B-On-time loan to be forgiven the amount of the student's loan if the student is awarded an undergraduate certificate or degree at an eligible institution with a cumulative grade point average of at least 3.0 on a four-point scale or the equivalent within four calendar years after the date the student initially enrolled in the institution or another eligible institution if the institution is a four-year institution, five calendar years after the date the student initially enrolled in the institution or another eligible institution if the institution is a four-year institution, and two years after the date the student initially enrolled in the institution or another eligible institution if the institution is a public junior college or public technical institute. Makes nonsubstantive changes.

SECTION 9. Amends Section 61.0211, Education Code, to provide that unless continued in existence as provided by Chapter 325 (Sunset Law), Government Code, THECB is abolished and this chapter expires September 1, 2025, rather than September 1, 2013.

SECTION 10. Amends Section 61.022(a), Education Code, as follows:

(a) Requires that one-third of the members to possess experience in the field of higher education governance or administration so that THECB includes experience from both general academic teaching institutions and public junior colleges or public technical institutes. Authorizes the governor, in making an appointment under this section, to consider appointing a person with experience in higher education governance or administration from a private or independent institution of higher education.

SECTION 11. Amends Section 61.025(d), Education Code, to require THECB to develop and implement policies that provide the public with a reasonable opportunity to appear before THECB and to speak on any issue under the jurisdiction of THECB, including a policy to specifically provide, as an item on THECB's agenda at each meeting, an opportunity for public comment before THECB makes a decision on any agenda item.

SECTION 12. Amends Section 61.026, Education Code, as follows:

Sec. 61.026. COMMITTEES AND ADVISORY COMMITTEES. (a) Creates this subsection from existing text. Authorizes the chair to appoint committees from THECB's membership as the chair or THECB considers necessary. Makes nonsubstantive changes.

(b) Authorizes THECB to appoint advisory committees from outside its membership as THECB considers necessary. Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, applies to an advisory committee appointed by the chair or THECB. Requires THECB to adopt rules, in compliance with Chapter 2110, Government Code, regarding an advisory committee that primarily functions to advise THECB, including rules governing an advisory committee's purpose, tasks, reporting requirements, and abolishment date. Prohibits a THECB member from serving on a THECB advisory committee. Makes a nonsubstantive change.

(c) Authorizes THECB to adopt rules under this section regarding an advisory committee's size and quorum requirements; qualifications for membership, including experience requirements and geographic representation; appointment procedures; terms of service; and compliance with the requirements for open meetings under Chapter 551 (Open Meetings), Government Code.

(d) Requires each advisory committee to report its recommendations directly to THECB.

SECTION 13. Amends Subchapter B, Chapter 61, Education Code, by adding Section 61.035, as follows:

Sec. 61.035. COMPLIANCE MONITORING. (a) Requires THECB to establish an agency-wide, risk-based compliance monitoring function for funds allocated by THECB to institutions of higher education, private or independent institutions of higher education, and other entities, including student financial assistance funds, academic support grants, and any other grants, to ensure that those funds are distributed in accordance with applicable law and THECB rule and data reported by institutions of higher education to THECB and used by THECB for funding or policymaking decisions, including data used for formula funding allocations, to ensure the data is reported accurately.

(b) Provides that for purposes of this section, student financial assistance includes grants, scholarships, loans, and work-study.

(c) Requires THECB to develop written policies and procedures to guide its risk-based approach to compliance monitoring. Requires THECB, after considering potential risks and THECB resources, to review a reasonable portion of the total funds allocated by THECB and of data reported to THECB. Requires THECB to use various levels of monitoring, according to risk, ranging from checking reported data for errors and inconsistencies to conducting comprehensive audits, including site visits.

(d) Requires THECB, in developing THECB's risk-based approach under Subsection (c), to consider the following factors relating to an institution of higher education or private or independent institution of higher education:

(1) the amount of student financial assistance or grant funds allocated to the institution by THECB;

- (2) whether the institution is required to obtain and submit an independent audit;
- (3) the institution's internal controls;
- (4) the length of time since the institution's last desk review or site visit;
- (5) past misuse of funds or misreported data by the institution;
- (6) in regard to data verification, whether the data reported to THECB by the institution is used for determining funding allocations; and
- (7) other factors as considered appropriate by THECB.

(e) Requires THECB to train compliance monitoring staff to ensure that the staff has the ability to monitor both funds compliance and data reporting accuracy. Requires program staff in other THECB divisions who conduct limited monitoring and contract administration to coordinate with the compliance monitoring function to identify risks and avoid duplication.

(f) Authorizes THECB, if THECB determines through its compliance monitoring function that funds awarded by THECB to an institution of higher education or private or independent institution of higher education have been misused or misallocated by the institution, to require the institution to refund the amount of the misallocation to THECB for remittance to the state treasury or directly to the treasury, as appropriate, to the credit of the appropriate account.

(g) Provides that, if THECB determines through its compliance monitoring function that an institution of higher education has included errors in the institution's data reported for formula funding, THECB:

- (1) for a public junior college, is authorized to adjust the appropriations made to the college for a fiscal year as necessary to account for the corrected data; and

- (2) for a general academic teaching institution, a medical and dental unit, or a public technical institute, is required to calculate a revised appropriation amount for the applicable fiscal year based on the corrected data and report that revised amount to the governor and Legislative Budget Board (LBB) for consideration as the basis for budget execution or other appropriate action, and to the comptroller.

(h) Authorizes THECB, in conducting the compliance monitoring function under this section, to partner with internal audit offices at institutions of higher education and private or independent institutions of higher education, as institutional resources allow, to examine the institutions' use of funds allocated by, and data reported to, THECB. Requires an internal auditor at an institution, to avoid duplication of effort and assist THECB in identifying risk, to notify THECB of any audits conducted by the auditor involving funds administered by THECB or data reported to THECB. Authorizes THECB by rule to determine the timing and format of the notification required by this subsection.

(i) Authorizes THECB to seek technical assistance from the state auditor in establishing the compliance monitoring function under this section. Authorizes the state auditor to periodically audit THECB's compliance monitoring function as the state auditor considers appropriate.

SECTION 14. Amends Section 61.051, Education Code, by amending Subsections (a), (a-1), (a-2), and (a-3), and adding Subsection (a-5), as follows:

(a) Provides that THECB represents the highest authority in the state in matters of public higher education and is charged with the duty to take an active part in promoting quality education throughout the state by providing a statewide perspective to ensure the efficient and effective use of higher education resources and to eliminate unnecessary duplication; developing and evaluating progress toward a long-range master plan for higher education and providing analysis and recommendations to link state spending for higher education with the goals of the long-range master plan; collecting and making accessible data on higher education in the state and aggregating and analyzing that data to support policy recommendations; making recommendations to improve the efficiency and effectiveness of transitions, including between high school and postsecondary education, between institutions of higher education for transfer purposes, and between postsecondary education and the workforce; and administering programs and trusteed funds for financial aid and other grants as necessary to achieve the state's long-range goals and as directed by the legislature. Deletes existing text requiring THECB to be responsible for assuring that there is no discrimination in the distribution of programs and resources throughout the state on the basis of race, national origin, or sex. Makes nonsubstantive changes.

(a-1) Requires THECB to develop a long-range, rather than five-year, master plan for higher education in this state. Requires the plan to establish long-term, measurable goals and provide strategies for implementing those goals; assess the higher education needs of each region of the state; and provide for regular evaluation and revision of the plan, as THECB considers necessary, to ensure the relevance of goals and strategies. Deletes existing text requiring the five-year plan to take into account the resources of private or independent institutions of higher education in this state.

(a-2) Requires THECB to establish methods for obtaining input from stakeholders and the general public when developing or revising, rather than periodically review and revise, the long-range, rather than five-year, master plan developed under Subsection (a-1). Deletes existing text requiring THECB, as a specific element of its review, to identify and analyze the degree to which the plan reflects the continuing higher education needs of this state, as well as any policy changes necessary to improve overall implementation of the plan and the fiscal impact of those changes. Deletes existing text requiring THECB to establish procedures for monitoring THECB's implementation of the plan, including an analysis of the degree to which its current activities support implementation of the plan and any change in THECB rules or practices necessary to improve implementation of the plan. Deletes existing text requiring THECB to identify additional strategies necessary to achieve the goals of the plan, emphasizing implementation by institutions of higher education and specific recommendations for the different regions of the state. Deletes existing text requiring THECB to notify each institution of higher education of all strategies for implementing the plan.

(a-3) Requires THECB, not later than December 1 of each even-numbered year, to prepare and deliver a report to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committees of the senate and house of representatives with primary jurisdiction over higher education. Requires THECB, in the report, rather than the biennial report, to assess the state's progress in meeting the goals established, rather than stated, in the long-range master plan developed under Subsection (a-1) and recommend legislative action, including statutory or funding changes, to assist the state in meeting those goals. Requires the report to include updates on implementation strategies provided for in the long-range master plan, rather than the analyses performed in connection with THECB's periodic review, under Subsection (a-1), rather than Subsection (a-2). Deletes existing text requiring THECB to inform the legislature on matters pertaining to higher education, including the state's activities in the Board of Control for Southern Regional Education, and are required to report to the legislature not later than January 1 of each odd-numbered year on the state of higher education in Texas. Makes a nonsubstantive change.

(a-5) Requires THECB, in conjunction with development of the long-range master plan under Subsection (a-1), to evaluate the role and mission of each general academic

teaching institution, other than a public state college, to ensure that the roles and missions of the institutions collectively contribute to the state's goals identified in the master plan.

SECTION 15. Amends Section 61.0512, Education Code, as follows:

Sec. 61.0512. New heading: BOARD APPROVAL OF ACADEMIC PROGRAMS. (a) Authorizes a new degree or certificate program to be added at an institution of higher education only with specific prior approval of THECB.

(b) Creates this subsection from existing text. Requires the institution, at the time the institution of higher education begins preliminary planning for a new degree program, to secure preliminary approval from THECB to carry out that planning. Deletes existing text requiring a college or university, at the time a public senior college or university begins preliminary planning for a new degree program or a new organizational unit to administer a new degree program, to notify THECB. Deletes existing text prohibiting THECB, in the implementation of this subsection, from requiring additional reports from the institutions.

(c) Requires THECB to review each degree or certificate program offered by an institution of higher education at the time the institution begins preliminary planning for a new program to ensure that the program is needed by the state and the local community and does not unnecessarily duplicate programs offered by other institutions of higher education or private or independent institutions of higher education; has adequate financing from legislative appropriation, funds allocated by THECB, or funds from other sources; has necessary faculty and other resources to ensure student success; and meets academic standards specified by law or prescribed by THECB rule, including rules adopted by THECB for purposes of this section, or workforce standards established by the Texas Workforce Investment Council.

(d) Authorizes THECB to review the number of degrees or certificates awarded through a degree or certificate program every four years or more frequently, at THECB's discretion.

(e) Requires THECB to review each degree or certificate program offered by an institution of higher education at least every 10 years after a new program is established using the criteria prescribed by Subsection (c).

(f) Authorizes THECB, based on the THECB's reviews under Subsections (d) and (e), to order the consolidation or elimination of a degree or certificate program at an institution of higher education.

(g) Authorizes THECB to require an institution of higher education to report to THECB any administrative or organizational change affecting a degree or certificate program, including the establishment of a new department or school or the transfer of a program between schools or departments.

(h) Authorizes an institution of higher education to offer off-campus courses for credit within the state or distance learning courses only with specific prior approval of THECB. Requires an institution to certify to THECB that a course offered for credit outside the state meets THECB's academic criteria. Requires an institution to include the certification in submitting any other reports required by THECB.

SECTION 16. Amends the heading to Section 61.055, Education Code, to read as follows:

Sec. 61.055. PARTNERSHIPS OR AFFILIATIONS.

SECTION 17. Amends Section 61.055(a), Education Code, as follows:

(a) Requires THECB to encourage cooperative programs and agreements among institutions of higher education, including programs and agreements relating to degree offerings, research activities, and library and computer sharing. Deletes existing text prohibiting a new department, school, or degree or certificate program approved by THECB or its predecessor, the Texas Commission on Higher Education, except as otherwise provided by law, from being initiated by any institution of higher education until THECB has made a written finding that the department, school, or degree or certificate program is adequately financed by legislative appropriation, by funds allocated by THECB, or by funds from other sources.

SECTION 18. Transfers Section 61.051(1), Education Code, to Subchapter C, Chapter 61, Education Code, redesignates it as Section 61.0571, Education Code, and amends it as follows:

Sec. 61.0571. BOARD ASSISTANCE TO INSTITUTIONS. Redesignates existing Section 61.051(1) as Section 61.0571. (a) Requires THECB to advise and offer technical assistance on the request of any institution of higher education or system administration.

SECTION 19. Transfers Section 61.051(n), Education Code, to Section 61.0571, Education Code, as added by this Act, and redesignates it as Section 61.0571(b), Education Code, as follows:

(b) Redesignates existing Section 61.051(n) as Section 61.0571(b). Makes no further change to this subsection.

SECTION 20. Transfers Section 61.051(a-4), Education Code, to Subchapter C, Chapter 61, Education Code, redesignates it as Section 61.0661, Education Code, and amends it as follows:

Sec. 61.0661. New heading: OPPORTUNITIES FOR GRADUATE MEDICAL EDUCATION. Redesignates existing Section 61.051(a-4) as Section 61.0661. (a) Requires THECB to conduct, rather than include in the five-year master plan developed under Subsection (a-1) (relating to requiring THECB to develop a five-year plan for higher education in this state), an assessment of the adequacy of opportunities for graduates of medical schools in this state to enter graduate medical education in this state.

(b) Requires THECB, not later than December 1 of each even-numbered year, to report the results of the assessment to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committees of the senate and house of representatives with primary jurisdiction over higher education.

SECTION 21. Transfers Section 61.051(h), Education Code, to Subchapter C, Chapter 61, Education Code, redesignates it as Section 61.0662, Education Code, and amends it, as follows:

Sec. 61.0662. New heading: INFORMATION ON RESEARCH CONDUCTED BY INSTITUTIONS. Redesignates existing Section 61.051(h) as Section 61.0662. (a) Requires THECB to maintain an inventory of all institutional and programmatic research activities being conducted by the various institutions of higher education, whether state-financed or not. Deletes existing text requiring THECB to make continuing studies of the needs of the state for research and designate the institutions of higher education to perform research as needed.

(b) Creates this subsection from existing text. Makes a nonsubstantive change.

(c) Creates this subsection from existing text. Requires that all reports required by this section, rather than subsection, be made subject to the limitations imposed by security regulations governing defense contracts for research.

SECTION 22. Amends Subchapter C, Chapter 61, Education Code, by adding Section 61.069, as follows:



Sec. 61.069. BOARD ROLE IN ESTABLISHING BEST PRACTICES. (a) Authorizes THECB to administer or oversee a program to identify best practices only in cases where funding or other restrictions prevent entities other than THECB from administering the program.

(b) Authorizes THECB to initiate a new pilot project only if other entities, including nonprofit organizations and institutions of higher education, are not engaging in similar projects or if the initiative cannot be performed by another entity.

(c) Authorizes THECB to use its position as a statewide coordinator to assist with matching nonprofit organizations or grant-funding entities with institutions of higher education and private or independent institutions of higher education to implement proven programs and best practices.

(d) Authorizes THECB to compile best practices and strategies resulting from its review of external studies for use in providing technical assistance to institutions of higher education and as the basis for THECB's statewide policy recommendations.

SECTION 23. Amends Subchapter C, Chapter 61, Education Code, by adding Section 61.07761, as follows:

Sec. 61.07761. FINANCIAL AID ALLOCATION. (a) Requires THECB by rule to establish allocation methodologies for each financial aid program for which THECB administers the allocation of funds to institutions of higher education and private or independent institutions of higher education and develop procedures to verify the accuracy of the application of those allocation methodologies by THECB staff.

(b) Requires THECB to consult with affected stakeholders before adopting rules under this section.

SECTION 24. Amends the heading to Section 61.822, Education Code, to read as follows:

Sec. 61.822. TRANSFER OF CREDITS; CORE CURRICULUM.

SECTION 25. Amends Section 61.822, Education Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires THECB to develop and implement policies to promote the transferability of lower division course credit among institutions of higher education.

(a-1) Creates this subsection from existing text. Makes no further changes to this subsection.

SECTION 26. Amends Section 42.0421(f), Human Resources Code, as added by Chapter 82 (S.B. 265), Acts of the 82nd Legislature, Regular Session, 2011, as follows:

(f) Requires that the training required by this section be appropriately targeted and relevant to the age of the children who will receive care from the individual receiving training and is required to be provided by a person who fulfills certain qualifications, including a person who is an instructor at a public or private secondary school; an institution of higher education, as defined by Section 61.003, rather than at a private institution of higher education as defined by Section 61.801 (Definitions), Education Code; or a private college or university accredited by a recognized accrediting agency who teaches early childhood development or another relevant course, as determined by rules adopted by the commissioner of education and the commissioner of higher education. Makes nonsubstantive changes.

SECTION 27. Repealers: Chapters 143 (Advanced Technology Program), 144 (Research Assessment Program), 147 (The Texas-Mexico Educational Development Program), 148 (The Texas-International Educational Development Program), and 152 (High Priority Program Fund), Education Code.

Repealers: Subchapters J (Engineering Excellence Fund), M (Engineering and Science Recruitment Fund), Q (Medical and Health Care Professions Recruitment Fund), and X (Technology Workforce Development), Chapter 51, Education Code.

Repealers: Subchapters K (Repayment of Certain Physical Therapist Education Loans), P (Texas Academy of Foreign Languages and Culture), Q (Texas Partnership and Scholarship Program), U (Early Childhood Child-Care Worker Student Loan Repayment Program), and W (Roberta High Memorial Pharmacy Residency Program), Chapter 61, Education Code.

Repealers: Sections 51.916 (Grants for Teaching and Education Research), 52.17(f) (relating to THECB filing semiannually a report on the performance of loans and funds), 52.56 (Annual Report), 56.456(d) (relating to a person who qualifies for and receives a Texas B-On-time loan), and 56.459(c) (relating to the amount of a Texas B-On-time loan for a student at public technical institutes) and (d) (relating to the amount of a Texas B-On-time loan for a student at public junior colleges), Education Code.

Repealers: Sections 61.051(b) (relating to requiring THECB to define institutes, colleges, and universities), (c) (relating to THECB developing and publishing criteria for classifications of institutions), (d) (relating to THECB developing the role and mission for each institution), (e) (relating to THECB reviewing the role and mission statements of institutions), (f) (relating to THECB encouraging and developing new certificate programs in institutions), (g) (relating to THECB developing and promulgating a basic core of general academic courses), (i) (relating to THECB developing and revising long-range statewide plans to provide information and guidance for institutions), (j) (relating to off-campus courses for credit at institutions without prior approval), (k) (relating to THECB establishing and maintaining a management information system), (m) (relating to THECB publishing and distributing materials on matters of interest to persons choosing an institution to enroll in), (o) (relating to THECB encouraging cooperative programs and agreements among institutions), (p) (relating to THECB administering funds and programs as directed), and (q) (relating to THECB developing a statewide telecommunications network among institutions), Education Code.

Repealers: Sections 61.059(i) (relating to THECB making continuing studies of the financial needs of institutions) and (i-1) (relating to THECB making and submitting findings and recommendations for institutions of the five-year plan), 61.0591 (Incentive and Special Initiative Funding), 61.0631 (Teacher Training Programs for Teachers of Disadvantaged Students), 61.066 (Studies and Recommendations; Reports), 61.0761(d) (relating to the commissioner of education and THECB submitting a report describing progress in implementing the college readiness and success strategic action plan), 61.078 (Public Senior College or University Cooperative Education Program), 61.088 (Higher Education Enrollment Assistance Program), 61.660 (Tuition Assistance for Vocational Nursing Students Agreeing to Practice in Long-Term Care Facilities), and 62.096(c) (relating to THECB, providing the comptroller with verified information relating to the amounts of restricted research funds expended by eligible institutions), Education Code.

SECTION 28. (a) Provides that the change in law made by this Act in amending Subchapter Q, Chapter 56, Education Code, applies beginning with Texas B-On-time loans awarded for the 2014-2015 academic year.

(b) Authorizes a student, notwithstanding Subsection (a) of this section, who first receives a Texas B-On-time loan for a semester or other academic term before the 2014 fall semester to continue to receive Texas B-On-time loans under Subchapter Q, Chapter 56, Education Code, as that subchapter existed immediately before the effective date of this Act, as long as the student remains eligible for a Texas B-On-time loan under the

former law, and entitles the student to obtain forgiveness of the loans as permitted by Section 56.462, Education Code, as that section existed immediately before the effective date of this Act. Requires THECB to adopt rules to administer this subsection and to notify each student who receives a Texas B-On-time loan in the 2013-2014 academic year of the provisions of this subsection.

SECTION 29. Provides that the change in law made by Section 61.022(a), Education Code, as amended by this Act, regarding the qualifications of members of THECB does not affect the entitlement of a member serving on THECB immediately before the effective date of this Act to continue to serve as a member of THECB for the remainder of the member's term. Requires the governor, as the terms of THECB members expire, to appoint or reappoint a member who has the required experience until the composition of THECB meets the requirements under Section 61.022(a), Education Code, as amended by this Act.

SECTION 30. Requires THECB to adopt rules as required by Section 61.07761, Education Code, as added by this Act, as soon as practicable after this Act takes effect. Authorizes THECB, for that purpose, to adopt the initial rules in the manner provided by the law for emergency rules.

SECTION 31. Effective date: September 1, 2013.