

BILL ANALYSIS

Senate Research Center

S.B. 1714
By: Zaffirini
Higher Education
4/2/2015
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Higher education students regularly transfer credit hours between two-year and four-year institutions of higher education. Many of these students, after transferring, earn enough credits at the four-year institution to earn an associate's degree at their original two-year institutions. Current state law requires four-year institutions to request authorization to release a student's transcript from any student who transferred from a two-year institution with at least 30 credit hours and who earns a cumulative total of at least 66 credit hours. On receipt of authorization, the four-year institutions must release the student's transcript information to the two-year institution. The two-year institution then must review the transcript and award an associate's degree if the student has earned one.

While this "reverse-transfer" provision established in 2011 successfully has helped students attain associate's degrees, the current procedures require each four-year institution to contact each potential reverse-transfer student for permission to release information and then must release that information to each applicable two-year institution. Then that two-year institution must check for eligibility and subsequently award the student with an associate's degree. The amount of administrative effort required to comply with the provision could be lessened by a more automated process.

The National Student Clearinghouse is, among other things, a data exchange service offering applications that are designed to facilitate compliance with FERPA, The Higher Education Act, and other applicable laws. The Clearinghouse is developing, with the help of institutions like the University of Texas at Austin, a reverse-transfer automated data sharing exchange platform that would greatly increase the efficiency of reverse-transfer degree awards. S.B. 1714 would allow institutions to participate in this platform to satisfy their obligations under existing law.

As proposed, S.B. 1714 amends current law relating to the release of student academic information by a public institution of higher education for certain purposes and the manner in which the information is used.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.9715, as follows:

Sec. 51.9715. RELEASE OF STUDENT ACADEMIC INFORMATION. (a) Authorizes an institution of higher education to require the submission of a signed consent form authorizing the institution to release academic course, grade, and credit information with each:

- (1) application for undergraduate transfer admission to the institution, if the institution is a general academic teaching institution, to be used for the purposes of Section 61.833 (Credit Transfer for Associate Degree); or

(2) request from a student for a release of the student's transcript by the institution.

(b) Authorizes an institution of higher education to release student information in accordance with Subsection (a) through:

(1) the National Student Clearinghouse; or

(2) a similar national electronic data sharing and exchange platform operated by an agent of the institution that meets nationally accepted standards, conventions, and practices.

SECTION 2. Amends Section 61.833, Education Code, by amending Subsections (a), (b), (c), and (d) and adding Subsections (c-1), (e), and (f), as follows:

(a) Defines "reverse transfer data sharing platform."

(b) Provides that Subsection (c), rather than this section, applies to a student enrolled in a general academic teaching institution who:

(1) Makes no change to this subdivision;

(2) and (3) Makes nonsubstantive changes; and

(4) has not submitted a consigned consent form by the method described in Section 51.9715(a).

(c) Requires the institution by e-mail or other reasonable method to request authorization from the student for the institution to release the student's academic course, grade, and credit information, rather than transcript, to each lower-division institution of higher education that the student previously attended or to a reverse transfer data sharing platform for the purpose of determining whether the student has earned the credits required for an associate degree awarded by a lower-division institution of higher education as soon as practicable after a student who is enrolled in a general academic teaching institution has met the criteria established by Subsection (b)(3). Requires the general academic teaching institution to release the student's academic course, grade, and credit information, rather than transcript, to the lower-division institution of higher education or to a reverse transfer data sharing platform on receipt of a student's authorization under this subsection. Makes nonsubstantive changes.

(c-1) Requires the institution by the method described in Section 51.9715(b) to release the student's academic course, grade, and credit information to a lower-division institution of higher education that the student previously attended for the purpose of determining whether the student has earned the credits required for an associate degree awarded by the lower-division institution of higher education after a student who has submitted a consigned consent form by the method described in Section 51.9715(a) completes a semester or term at a general academic teaching institution.

(d) Requires a lower-division institution of higher education to review the information, rather than transcript, and, if the lower-division institution of higher education determines the student has earned the credits required to receive an associate degree awarded by the lower-division institution of higher education, is authorized to award the student the degree after receiving student information, rather than transcript, from a general academic teaching institution under Subsection (c) or Subsection (c-1). Makes nonsubstantive changes.

(e) Provides that nothing in this section affects the ability of a lower-division institution of higher education to determine the course work required to earn an associate degree awarded by that institution.

(f) Requires each lower-division institution of higher education to annually produce a report recording the number of degrees awarded by the institution in the previous academic year under this section. Requires an institution to:

- (1) make the report publicly available; and
- (2) submit the information to a reverse transfer data sharing platform.

SECTION 3. (a) Provides that the changes in law made by this Act apply beginning with the 2015 fall semester.

(b) Requires the institution to request authorization from the student for the institution's release of the student's academic information under Section 61.833(c) (requiring the institution by e-mail or other reasonable method to request authorization from the student for the institution to release the student's transcript to the lower-division institution of higher education that the student previously attended for the purpose of determining whether the student has earned the credits required for an associate degree awarded by the lower-division institution of higher education as soon as practicable after a student who is enrolled in a general academic teaching institution has met the criteria established by Subsection (b)(3)) , Education Code, as amended by this Act, in the manner prescribed by that subsection as it existed immediately before the effective date of this Act for the purpose of administering Section 61.833 (Credit Transfer for Associate Degree), Education Code, as amended by this Act, in regard to a student who transferred to a general academic teaching institution before the institution could obtain a signed consent form from the student under Section 51.9715(a)(1), Education Code, as added by this Act.

SECTION 4. Effective date: upon passage or September 1, 2015.