

BILL ANALYSIS

Senate Research Center
855R2867 MM-D

S.B. 331
By: West
Higher Education
2/17/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires a private or independent college or university to be accredited by the Southern Association of Colleges and Schools to participate in the tuition equalization grant program. Interested parties note that, in some instances, a private or independent college or university may lose its accreditation and contend that if the college or university is on track to restore its accreditation it should be granted temporary approval to continue participating in the grant program. S.B. 331 seeks to clarify accreditation language and extend the number of possible renewals granted from once to twice.

S.B. 331 amends the Education Code to clarify the authorization of the Texas Higher Education Coordinating Board to temporarily approve for participation in the tuition equalization grant program a private or independent institution of higher education that previously qualified as an approved institution but no longer holds the same accreditation as public institutions of higher education. The bill requires such an institution, in order to qualify, to be accredited by an accreditor recognized by the coordinating board; to be actively working toward the same accreditation as public institutions of higher education; to be participating in the federal financial aid program; and to be a "part B institution" as defined by federal law. The bill extends the authorization of the coordinating board to grant temporary approval for a period of two years with one renewal to authorizing two renewals.

As proposed, S.B. 331 amends current law relating to the temporary approval of a private or independent college or university to continue to participate in the tuition equalization grant program.

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 Section 61.222, Education Code, as follows:

Sec. 61.222. APPROVED INSTITUTIONS. (a) Requires the Texas Higher Education Coordinating Board (THECB) to approve, for purposes of this subchapter (General Provisions) only, a private or independent college or university that is a private or independent institution of higher education (IHE), or is located within this state and meets the same program standards and accreditation as an IHE, as determined by THECB, rather than requiring THECB to approve only those private or independent colleges or universities that are private or independent IHEs as defined by Section 61.003 or are located within this state and meet the same program standards and accreditation as public IHEs as determined by THECB.

(b) Authorizes THECB to temporarily approve a private or independent college or university that previously qualified for approval as a private or independent IHE under Subsection (a)(1) but no longer holds the accreditation described by Section 61.003(15)(C) (relating to the definition of "private or independent institution of higher education" including accreditation by certain entities) if the college or

university is accredited by an accreditor recognized by THECB or actively working toward the accreditation described by Section 61.003(15)(C). Deletes existing text authorizing THECB to temporarily approve a private or independent IHE as defined by Section 61.003 that previously qualified under Subsection (a) but no longer holds the same accreditation as public IHEs and requiring the IHE, to qualify under this subsection, to be actively working toward the same accreditation as public IHEs.

(c) Authorizes THECB to grant temporary approval for a period of two years and to renew the approval twice, rather than once.

SECTION 2. Effective date: upon passage or September 1, 2017.