

BILL ANALYSIS

Senate Research Center

S.B. 25
By: West
Higher Education
6/20/2019
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

One of the key strategies outlined in the 60X30TX plan is streamlined and coordinated transfer pathways between two-year colleges and four-year universities. In practice, semester credit hours are often stranded at the point of transfer, resulting in frustration for students, and waste of taxpayer dollars estimated to be \$58 million annually.

S.B. 25 requires related definitions, the report of nontransferable credit, creation of an option for students to be considered for admissions into degree programs at other HEIs if they are not admitted to a degree program at their preferred institution, that students file a degree plan at 30 hours and those enrolled in dual credit to file at 15 hours, negotiated rulemaking related to administration and compliance, that HEIs develop course sequences for degree programs and certificates and report them to the Texas Higher Education Coordinating Board for posting, opportunity for articulation agreements and what's included in them, clarification of "core curriculum" with general core and discipline core designations, the inclusion of "fields of study" and meta-majors, options for release of student academic information, and a study on transfer admission guarantee. (Original Author's/Sponsor's Statement of Intent)

S.B. 25 amends current law relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board (THECB) in SECTION 4 (Section 51.9685, Education Code) and SECTION 5 (Section 51.96852, Education Code) of this bill.

Rulemaking authority previously granted to THECB is modified in SECTION 4 (Section 51.9685, Education Code) and SECTION 10 (Section 61.827, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter H, Chapter 51, Education Code, by adding Sections 51.400, 51.4033, and 51.4034, as follows:

Sec. 51.400. DEFINITIONS. Defines "coordinating board" as the Texas Higher Education Coordinating Board (THECB) and defines "general academic teaching institution," "institution of higher education," and "public junior college" for purposes of this subchapter (Guidelines For Academic and Other Reports by Institutions of Higher Education).

Sec. 51.4033. REPORT OF NONTRANSFERABLE CREDIT. (a) Requires each general academic teaching institution, not later than March 1 of each year and in the form prescribed by THECB, to provide to THECB and the legislature a report describing any courses in the Lower-Division Academic Course Guide Manual or its successor adopted by THECB for which a student who transfers to the institution from another institution of higher education is not granted:

(1) academic credit at the receiving institution; or

(2) if the student has declared a major and has not changed majors, academic credit toward the student's major at the receiving institution.

(b) Requires a report required by this section to indicate the course name and type, which institution of higher education provided academic credit for the course, and the reason why the receiving institution did not grant academic credit for the course as described by Subsection (a).

Sec. 51.4034. REPORT OF COURSES TAKEN AT JUNIOR COLLEGES. (a) Requires each public junior college, not later than March 1 of each year and in the form prescribed by THECB, to provide to THECB and the legislature a report on courses taken by students who, during the preceding academic year, transferred to a general academic teaching institution or earned an associate degree at the college.

(b) Requires a report required by this section to include the total number of:

(1) courses attempted and completed at the college, including the total number of semester credit hours for those courses, disaggregated by whether the course is in:

(A) the Workforce Education Course Manual or its successor adopted by THECB; or

(B) the Lower-Division Academic Course Guide Manual or its successor adopted by THECB;

(2) courses attempted and completed at the college that are not in the recommended core curriculum developed by THECB under Section 61.822 (Transfer of Credits; Core Curriculum); and

(3) dual credit courses, including courses for joint high school and junior college credit under Section 130.008 (Courses For Joint High School and Junior College Credit), attempted and completed at the college.

SECTION 2. Amends Section 51.762, Education Code, by adding Subsection (j) to require THECB, in adopting a form under this section (Common Admission Application Forms), to ensure that an applicant may indicate on the form the applicant's consent to an institution of higher education to which the applicant submits an application for admission to a particular degree program using the form to, if the institution denies the applicant admission to that degree program, provide the applicant's application to other institutions of higher education that offer the degree program.

SECTION 3. Amends Section 51.9685(a)(2), Education Code, to provide that "institution of higher education" has the meaning assigned by Section 61.003 (Definitions), rather than to provide that "institution of higher education and "public junior college" have the meanings assigned by Section 61.003.

SECTION 4. Amends Section 51.9685, Education Code, by amending Subsections (b), (c), and (g) and adding Subsection (c-2), as follows:

(b) Requires each student enrolled in an associate or bachelor's degree program at an institution of higher education, except as otherwise provided by Subsection (c), to file a degree plan with the institution after the 12th class day but before the end of the semester or term immediately following the semester or term in which the student earned a cumulative total of 30 or more semester credit hours for coursework successfully completed by the student, including transfer courses, international baccalaureate courses, dual credit courses, and any other course for which the institution the student attends has awarded the student college course credit, including course credit awarded by examination, rather than requiring each student enrolled in an associate or bachelor's

degree program at an institution of higher education, except as otherwise provided by Subsection (c), to file a degree plan with the institution not later than the end of the second regular semester or term immediately following the semester or term in which the student earned a cumulative total of 45 or more semester credit hours for coursework successfully completed by the student, including transfer courses, international baccalaureate courses, dual credit courses, and any other course for which the institution the student attends has awarded the student college course credit, including course credit awarded by examination.

(c) Requires a student to whom Subsection (b) applies who begins the student's first semester or term at an institution of higher education with 30 or more semester credit hours of course credit for courses described by Subsection (b) to file a degree plan with the institution after the 12th class day but before the end of that semester or term, rather than requiring a student to whom this section (Required Filing of Degree Plan) applies who begins the student's first semester or term at an institution of higher education with 45 or more semester credit hours of course credit for courses described by Subsection (b) to file a degree plan with the institution not later than the end of the student's second regular semester or term at the institution.

(c-2) Requires a student enrolled in a dual credit course at an institution of higher education and to whom Subsection (b) does not apply to file a degree plan with the institution not later than:

(1) the end of the second regular semester or term immediately following the semester or term in which the student earned a cumulative total of 15 or more semester credit hours of course credit for dual credit courses successfully completed by the student; or

(2) if the student begins the student's first semester or term at the institution with 15 or more semester credit hours of course credit for dual credit courses successfully completed by the student, the end of the student's second regular semester or term at the institution.

(g) Requires, rather than authorizes, THECB, in consultation with institutions of higher education, to adopt rules as necessary for the administration of this section, including rules to ensure compliance with this section. Requires THECB, in adopting those rules, to use the negotiated rulemaking procedures under Chapter 2008 (Negotiated Rulemaking), Government Code.

SECTION 5. Amends Subchapter Z, Chapter 51, Education Code, by adding Sections 51.96852 and 51.96853, as follows:

Sec. 51.96852. RECOMMENDED COURSE SEQUENCES. (a) Defines "coordinating board" and "institution of higher education" for purposes of this section.

(b) Requires each institution of higher education to develop at least one recommended course sequence for each undergraduate certificate or degree program offered by the institution. Requires each recommended course sequence to:

(1) identify all required lower-division courses for the applicable certificate or degree program;

(2) include for each course, if applicable:

(A) the course number or course equivalent under the common course numbering system approved by THECB under Section 61.832; and

(B) the course equivalent in the Lower-Division Academic Course Guide Manual or its successor adopted by THECB;

(3) be designed to enable a full-time student to obtain a certificate or degree, as applicable, within:

(A) for a 60-hour degree or certificate program, two years; or

(B) for a 120-hour degree program, four years; and

(4) include a specific sequence in which courses should be completed to ensure completion of the applicable program within the time frame described by Subdivision (3).

(c) Requires each institution of higher education to include the recommended course sequences developed under this section in the institution's course catalog and on the institution's Internet website and submit the recommended course sequences developed under this section to THECB as provided by THECB rule.

(d) Requires THECB, in consultation with institutions of higher education, to adopt rules as necessary for the administration of this section. Requires THECB, in adopting those rules, to use the negotiated rulemaking procedures under Chapter 2008, Government Code.

Sec. 51.96853. TRANSFER OF CREDIT FROM LOWER-DIVISION INSTITUTIONS OF HIGHER EDUCATION; ARTICULATION AGREEMENTS. (a) Defines "articulation agreement," "general academic teaching institution" and "lower-division institution of higher education" for purposes of this section.

(b) Authorizes each general academic teaching institution to enter into an articulation agreement with a lower-division institution of higher education for a certificate or degree program for which students transferring from the lower-division institution to the general academic teaching institution receive transfer credit.

(c) Authorizes an articulation agreement entered into under Subsection (b) on or after September 1, 2019, to use field of study curricula developed by THECB under Section 61.823 (Field of Study Curriculum).

(d) Authorizes a general academic teaching institution to extend an existing articulation agreement entered into under Subsection (b) to another lower-division institution of higher education with respect to the transfer of courses from that lower-division institution of higher education to the general academic teaching institution, on request by that lower-division institution of higher education.

(e) Authorizes an articulation agreement established under this section to enable a transfer student to receive up to 60 semester credit hours for courses completed at the lower-division institution of higher education.

(f) Provides that a general academic teaching institution's participation in an articulation agreement under this section does not affect the institution's admissions policies.

SECTION 6. Amends Section 51.9715,(b), Education Code, by adding Subsection (a-1) and amending Subsection (b), as follows:

(a-1) Authorizes an institution of higher education, or a school district that offers international baccalaureate courses, dual credit courses, or any other course for which an institution of higher education may award students enrolled at the district college course credit, including course credit awarded by examination, to release student information to

an institution of higher education for purposes of transferring course credit to that institution or enabling the awarding of course credit by that institution, in accordance with federal law regarding the confidentiality of student information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information.

(b) Authorizes an institution of higher education or school district to release student information in accordance with Subsection (a) (relating to authorizing an institution of higher education to request consent to release certain student information) or (a-1), as applicable, rather than authorizing an institution of higher education to release student information in accordance with Subsection (a), through:

(1) the National Student Clearinghouse; or

(2) a similar electronic data sharing and exchange platform operated by an agent of the institution or district that meets nationally accepted standards, conventions, and practices, rather than 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 7. Amends Section 61.059(p), Education Code, as follows:

(p) Prohibits THECB, in its instruction and operations formula applicable to an institution of higher education, from including any semester credit hours earned for dual course credit by a high school student for high school and college credit at the institution unless those credit hours are earned through any of the following:

(1) makes no changes to this subdivision;

(2) a course offered by the institution providing course credit in a field of study curriculum developed by THECB under Section 61.823 or a program of study curriculum established by THECB under Section 61.8235;

(3) creates this subdivision from existing text and redesignates existing Subdivision (3) as Subdivision (4); or

(4) makes no further changes to this subdivision.

SECTION 8. Amends Section 61.821(1), Education Code, by adding Subdivision (4) to define "meta major."

SECTION 9. Amends Subchapter S, Chapter 61, Education Code, by adding Section 61.8221, as follows:

Sec. 61.8221. STUDY AND REPORT ON CORE CURRICULUM. (a) Requires THECB to conduct a study and make recommendations to the legislature regarding the feasibility of implementing statewide meta majors for institutions of higher education. Requires THECB to consider meta majors in certain academic disciplines.

(b) Requires THECB to establish an advisory committee to assist THECB in completing THECB's duties under this section and provide THECB with subject matter expertise and analysis. Provides that the advisory committee consists of the following members appointed by THECB in equal numbers:

(1) representatives of public junior colleges designated by the applicable college to represent the college on the advisory committee; and

(2) representatives of general academic teaching institutions designated by the applicable institution to represent the institution on the advisory committee.

(c) Requires a majority of members appointed to the advisory committee under Subsection (b)(2) to be representatives of a general academic teaching institution at which at least 25 percent of students enrolled at the institution for the 2018 fall semester were classified as transfer students.

(d) Requires THECB, in appointing members to the advisory committee under Subsection (b) to ensure the greatest extent practicable that the membership of the advisory committee is balanced with respect to:

(1) institutional representation, including:

(A) the regions of the state;

(B) the mission type of the general academic teaching institution or public junior college;

(C) university system affiliation, as applicable;

(D) student enrollment; and

(E) institutional groupings under THECB's higher education accountability system;

(2) representation of faculty and administrators at general academic teaching institutions or public junior colleges;

(3) representation of academic disciplines; and

(4) any other factors THECB determines relevant.

(e) Requires the advisory committee to study and make recommendations to THECB regarding the effectiveness of the requirements regarding the transfer of course credit between institutions of higher education for courses in the core curriculum under Section 61.822 in supporting more efficient undergraduate transfer between institutions of higher education. Requires the study and recommendations to include an analysis of:

(1) the efficacy of dividing the recommended core curriculum for each meta major into a general academic core curriculum and an academic discipline core curriculum and, if determined to be efficacious, the recommended number of semester credit hours for each component of the recommended core curriculum for each meta major;

(2) methods to ensure that courses completed in the general academic core curriculum and academic discipline core curriculum transfer between institutions of higher education for course credit applied toward a student's major at the receiving institution; and

(3) the potential inclusion of courses in the field of study curricula adopted by THECB under Section 61.823 in the recommended core curriculum adopted by THECB under Section 61.822.

(f) Requires the advisory committee, each quarter ending before November 1, 2020, to submit to the chairs of the standing legislative committees with primary jurisdiction over higher education a report on the advisory committee's progress on the study and recommendations required under Subsection (e).

(g) Requires THECB, not later than November 1, 2020, to submit to the lieutenant governor, the speaker of the house of representatives, and the standing legislative

committees with primary jurisdiction over higher education a report on the results of the study conducted under Subsection (a) and any recommendations for legislative or other action.

(h) Provides that this section expires September 1, 2021.

SECTION 10. Amends Section 61.827, Education Code, as follows:

Sec. 61.827. RULES. (a) Creates this subsection from existing text and makes no further changes.

(b) Requires THECB, in adopting rules regarding the recommended core curriculum developed under Section 61.822, to use the negotiated rulemaking procedures under Chapter 2008 (Negotiated Rulemaking), Government Code.

SECTION 11. Amends Section 130.0104(c), Education Code, as follows:

(c) Requires a student enrolled in a multidisciplinary studies associate degree program established under this section (Multidisciplinary Studies Associate Degree Program), in complying with the requirements regarding the filing of a degree plan under Section 51.9685, to meet with an academic advisor to complete a certain degree plan that fits certain requirements, rather than requiring a student, notwithstanding Section 51.9685, before the beginning of the regular semester or term immediately following the semester or term in which the student successfully completes a cumulative total of 30 or more semester credit hours for coursework in a multidisciplinary studies associate degree program established under this section, to meet with an academic advisor to complete a certain degree plan, as defined by Section 51.9685(a)(1) (relating to the definition of "degree plan").

SECTION 12. Repealer: Section 51.9685(c-1) (relating to requiring a student enrolled in a certain program at a public junior college to file a degree plan with the college), Education Code.

SECTION 13. (a) Provides that, except as provided by Subsection (b) of this section, this Act applies beginning with the 2019–2020 academic year.

(b) Provides that Sections 51.96852 and 51.96853, Education Code, as added by this Act, apply beginning with the 2021–2022 academic year.

SECTION 14. Requires each public institution of higher education required to submit a report under Section 51.4033 or 51.4034, Education Code, as added by this Act, to submit the first report not later than March 1, 2021.

SECTION 15. Effective date: upon passage or September 1, 2019.