

BILL ANALYSIS

Senate Research Center

S.B. 174
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Higher Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Parents and students need to make informed decisions regarding the student's higher education future. Currently, there is no easily accessible, comprehensive list of information about a higher education institution to help parents and students make informed decisions regarding which institution of higher education is the best for their needs.

Policy makers need to make informed decisions regarding funding for higher education institutions. Currently, there is no easily accessible, comprehensive list of information about a higher education institution to help policymakers make decisions regarding higher education.

S.B. 174 amends current law relating to accountability of institutions of higher education, including educator preparation programs, and online institution resumes for public institutions of higher education.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board for Educator Certification (SBEC) in SECTION 1 (Section 21.041, Education Code) of this bill.

Rulemaking authority previously granted to SBEC is modified in SECTION 1 (Section 21.041, Education Code) and SECTION 2 (Sections 21.045 and 21.0451, Education Code) of this bill.

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board is modified in SECTION 3 (Sections 51A.052, 51A.102, 51A.103, 51A.152, and 51A.153, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

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

(c) Requires the State Board for Educator Certification (SBEC) to 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) Authorizes SBEC to 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. Prohibits a fee imposed under this subsection from exceeding the amount necessary, as determined by SBEC, 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. Amends Subchapter B, Chapter 21, Education Code, by amending Section 21.045 and adding Sections 21.0451 and 21.0452, as follows:

Sec. 21.045. ACCOUNTABILITY SYSTEM FOR EDUCATOR PREPARATION PROGRAMS. (a) Requires SBEC to 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) (relating to the board being required to propose rules prescribing comprehensive examinations for each class of certificate issued by the board);

(2) performance based on the appraisal system for beginning teachers adopted by SBEC;

(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 SBEC 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. Makes nonsubstantive changes.

(b) Requires that the annual report, at a minimum, 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, that includes, among other things, any other information required by federal law. Makes a nonsubstantive change.

(c) Authorizes SBEC to propose rules establishing minimum standards for approval or renewal of approval of educator preparation programs or certification fields authorized to be offered by an educator preparation program.

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

(1) are required to provide for the assignment of certain accreditation statuses.

(2) are authorized to provide for the Texas Education Agency (TEA) to take any necessary action, including one or more of the following actions:

(A) requiring the program to obtain technical assistance approved by TEA or SBEC;

(B) requiring the program to obtain professional services under contract with another person;

(C) appointing a monitor to participate in and report to SBEC 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 SBEC or TEA is required to provide the opportunity for a hearing before the effective date of the closure; and

(3) are required to provide for TEA 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 SBEC or TEA is

required to provide the opportunity for a hearing before the effective date of the closure.

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

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

(d) Requires that 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) be paid by the sponsor of the educator preparation program. Deletes existing text requiring the executive director of SBEC (executive director) to appoint an oversight team of educators to make recommendations and provide assistance to educator preparation programs that do not meet accreditation standards. Deletes existing text requiring the executive director, if, after one year, an educator preparation program has not fulfilled the recommendations of the oversight team, to appoint a person to administer and manage the operations of the program. Deletes existing text requiring SBEC, if the program does not improve after two years, to revoke the approval of the program to prepare educators for state certification.

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

(b) Requires SBEC to make available at least certain information regarding each educator preparation program.

(c) Requires SBEC, for purposes of Subsection (b)(7) (relating to results of exit surveys given to program participants on completion of the program), to 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) Requires SBEC, for purposes of Subsections (b)(7) and (8) (relating to the results of surveys given to school principals), to develop surveys for distribution to program participants and school principals.

(e) Authorizes SBEC to 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). Requires that the designation or ranking received by each program, if SBEC develops procedures under this subsection, be included in the information made available under this section.

(f) Requires SBEC, in addition to other information required to be made available under this section, to provide information identifying employment opportunities for teachers in the various regions of this state. Requires SBEC to specifically identify each region of this state in which a shortage of qualified teachers exists.

(g) Authorizes SBEC to require any person to provide information to SBEC for purposes of this section.

SECTION 3. Amends Subtitle A, Title 3, Education Code, by adding Chapter 51A, as follows:

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

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 51A.001. DEFINITIONS. Defines "coordinating board," "general academic teaching institution," "institution of higher education," "medical and dental unit," "public state college," and "public technical institute."

Sec. 51A.002. POWERS AND DUTIES OF COORDINATING BOARD RELATING TO INSTITUTION RESUMES; GENERAL REQUIREMENTS FOR INSTITUTION RESUMES. (a) Requires the Texas Higher Education Coordinating Board (THECB), in consultation with each institution of higher education (institution) to which this chapter applies, to develop and maintain online resumes for each of those institutions.

(b) Requires THECB to request from each institution to which this chapter applies any information THECB considers necessary for THECB to include information or calculate data required to be included in the institution's resume; establish for each institution to which this chapter applies a list of representative in-state and out-of-state peer institutions and maintain that list on THECB's Internet website; ensure that each institution's online resumes meet certain guidelines; and 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) Authorizes THECB to modify, as THECB 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) Provides that THECB is not required to include in the resume any category of information that is unavailable to THECB.

Sec. 51A.003. DUTIES OF INSTITUTIONS OF HIGHER EDUCATION RELATING TO INSTITUTION RESUMES. Requires each institution to which this chapter applies to submit to THECB any information requested by THECB, as necessary, for THECB to include information or calculate data required to be included in the institution's resumes, and ensure that the institution's Internet website homepage includes, in a prominent place, an accessible link to the institution's online resumes maintained on THECB's Internet website.

[Reserves Sections 51A.004-51A.050 for expansion.]

SUBCHAPTER B. ONLINE INSTITUTION RESUMES FOR FOUR-YEAR GENERAL
ACADEMIC TEACHING INSTITUTIONS

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

Sec. 51A.052. INSTITUTION RESUME FOR LEGISLATORS AND OTHER POLICYMAKERS. (a) Requires THECB to maintain for each institution to which this subchapter applies an online resume that is designed for use by legislators and other interested policymakers.

(b) Requires that the resume required by this section identify the institutional grouping to which the institution is assigned under THECB's higher education accountability system, and the institution's in-state and out-of-state peer institutions.

(c) Requires that, 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 be listed in the form of the average of that information for those institutions unless otherwise prescribed by THECB rule.

(d) Requires that the resume include certain information under the headings "ENROLLMENT," "COSTS," "STUDENT SUCCESS," and "FUNDING," 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.

Sec. 51A.053. INSTITUTION RESUME FOR PROSPECTIVE STUDENTS, PARENTS, AND MEMBERS OF THE PUBLIC. (a) Requires THECB to 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. Provides that a resume required for an institution under this section is not required to include information that THECB considers to be substantially duplicative of information reported and available to the public through the Voluntary System of Accountability Program.

(b) Requires that the resume identify the institutional grouping to which the institution is assigned under THECB's higher education accountability system; and the institution's in-state peer institutions.

(c) Requires that the resume, except as otherwise provided by THECB under Subsection (a), include certain information under the headings "ENROLLMENT," "DEGREES AWARDED," "COSTS," "FINANCIAL AID," "ADMISSIONS," "INSTRUCTION," "BACCALAUREATE SUCCESS," AND "FIRST-TIME LICENSURE OR CERTIFICATION EXAMINATION PASS RATES," relating to the most recent state fiscal year for which the information is available.

[Reserves Sections 51A.054-51A.100 for expansion.]

SUBCHAPTER C. INSTITUTION RESUMES FOR LOWER-DIVISION INSTITUTIONS

Sec. 51A.101. APPLICABILITY OF SUBCHAPTER. Provides that this subchapter applies only to the following institutions: public junior colleges, public technical institutes, and public state colleges.

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

(b) Requires that the resume identify the institutional grouping to which the institution is assigned under THECB's higher education accountability system, and the institution's in-state peer institutions.

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

(d) Requires that the resume include the following information under the headings "ENROLLMENT," "COSTS," "STUDENT SUCCESS," and "FUNDING," 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.

Sec. 51A.103. INSTITUTION RESUME FOR PROSPECTIVE STUDENTS, PARENTS, AND OTHER MEMBERS OF THE PUBLIC. (a) Requires THECB to 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) Requires that the resume identify the institutional grouping to which the institution is assigned under THECB's higher education accountability system, and the institution's in-state peer institutions.

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

(d) Requires that the resume include certain information under the headings "ENROLLMENT," "DEGREES AND CERTIFICATES AWARDED," "COSTS," "FINANCIAL AID," and "STUDENT SUCCESS," relating to the most recent state fiscal year for which the information is available.

[Reserves Sections 51A.104-51A.150 for expansion.]

SUBCHAPTER D. ONLINE INSTITUTION RESUMES FOR MEDICAL AND DENTAL UNITS

Sec. 51A. 151. APPLICABILITY OF SUBCHAPTER. Provides that this subchapter applies only to medical and dental units.

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

(b) Requires that the resume identify the institutional grouping to which the institution is assigned under THECB's higher education accountability system, and the institution's in-state and out-of-state peer institutions.

(c) Requires that, 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 be listed in the form of the average of that information for those institutions unless otherwise prescribed by THECB rule.

(d) Requires that the resume include certain information under the headings "ENROLLMENT," "COSTS," "STUDENT SUCCESS," and "FUNDING," 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.

Sec. 51A.153. INSTITUTION RESUME FOR PROSPECTIVE STUDENTS, PARENTS, AND OTHER MEMBERS OF THE PUBLIC. (a) Requires THECB to 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) Requires that the resume identify the institutional grouping to which the institution is assigned under THECB's higher education accountability system, and the institution's in-state and out-of-state peer institutions.

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

(d) Requires that the resume include certain information under the headings "ENROLLMENT," "COSTS," "FINANCIAL AID," "STUDENT SUCCESS," and "FIRST-TIME LICENSURE OR CERTIFICATION EXAMINATION PASS RATES," relating to the most recent state fiscal year for which the information is available.

SECTION 4. Requires THECB to create the online institution resumes required by Chapter 51A, Education Code, as added by this Act, and provide the resumes on THECB's Internet website not later than February 1, 2010.

SECTION 5. Effective date: upon passage or September 1, 2009.