

BILL ANALYSIS

Senate Research Center
83R15355 KSD-D

C.S.S.B. 857
By: Seliger
Higher Education
4/3/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Higher Education Coordinating Board (THECB) has the authority to initiate, consolidate, or eliminate a degree or certificate program if it is in the best interest of the institution, the state, the county in which the institution is located, or when that action offers hope of achieving excellence by a concentration of available resources.

C.S.S.B. 857 transfers THECB's authority to consolidate or eliminate degree or certificate programs at institutions of higher education to each institution's board of regents.

C.S.S.B. 857 amends current law relating to the authority of the Texas Higher Education Coordinating Board regarding the initiation, consolidation, or elimination of a degree or certificate program offered by a public institution of higher education.

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 61.051, Education Code, by amending Subsection (e) and adding Subsection (e-1), as follows:

(e) Requires the Texas Higher Education Coordinating Board (THECB) to order the initiation of a degree or certificate program if THECB determines that action is in the best interest of the institution, the State of Texas, or the county in which the institution is located, or when that action offers hope of achieving excellence by a concentration of available resources. Authorizes THECB to recommend that an institution continue, rather than authorizes an institution to continue, a doctoral program that is inconsistent with the role and mission of the institution if the program was in existence on September 1, 1987, and THECB determines that continuation of the program is warranted. Deletes existing text requiring THECB to order the initiation, consolidation, or elimination of degree or certificate programs where that action is in the best interest of the public institutions themselves or the general requirements of the State of Texas, the counties in which they are located, or when that action offers hope of achieving excellence by a concentration of available resources. Makes nonsubstantive changes.

(e-1) Prohibits THECB from ordering the consolidation or elimination of any degree or certificate program offered by an institution of higher education, but authorizes THECB to make recommendations to the institution's governing board for that action, if THECB determines that action satisfies the criteria prescribed by Subsection (e) for ordering the initiation of a program.

SECTION 2. Effective date: upon passage or September 1, 2013.