

By: Lozano

H.B. No. 3610

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas Higher Education Innovation Accelerator for public institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 3, Education Code, is amended by adding Chapter 60 to read as follows:

CHAPTER 60. TEXAS HIGHER EDUCATION INNOVATION ACCELERATOR

Sec. 60.001. DEFINITIONS. In this chapter:

(1) "Accelerator" means the Texas Higher Education Innovation Accelerator established under this chapter.

(2) "Board," "governing board," and "institution of higher education" have the meanings assigned by Section 61.003.

(3) "Commissioner" means the commissioner of higher education.

(4) "Participating institution" means an institution of higher education whose governing board has approved an innovation plan for the institution under Section 60.005.

Sec. 60.002. PURPOSE. The Texas Higher Education Innovation Accelerator is established to support and accelerate innovation in educational delivery at institutions of higher education and to advance state educational and workforce goals.

Sec. 60.003. ELIGIBILITY. The commissioner, in consultation with institutions of higher education, established

1 institutional collaboratives, and state and national subject  
2 matter experts, shall establish eligibility criteria for an  
3 institution of higher education's participation in the  
4 accelerator. The criteria must include demonstrated success, as  
5 determined by the commissioner, in:

6 (1) providing high-quality, high-value educational  
7 opportunities to all students, particularly low-income and  
8 historically underserved student populations; and

9 (2) advancing state and institutional goals related to  
10 educational access, persistence, and attainment and labor market  
11 outcomes.

12 Sec. 60.004. NOTIFICATION AND INVITATION TO PARTICIPATE.

13 (a) The commissioner shall:

14 (1) notify the governing board and chief executive  
15 officer of each institution of higher education regarding the  
16 accelerator's implementation process; and

17 (2) invite eligible institutions to participate in the  
18 accelerator.

19 (b) The commissioner shall develop, in consultation with  
20 institutions of higher education, and post on the board's Internet  
21 website:

22 (1) a description of the accelerator;

23 (2) the eligibility criteria for participation in the  
24 accelerator established under Section 60.003; and

25 (3) a comprehensive list of state requirements from  
26 which a participating institution may not be exempted under Section  
27 60.006.

1       Sec. 60.005. INNOVATION PLAN. (a) To participate in the  
2 accelerator, an eligible institution shall:

3           (1) submit a letter of intent to participate to the  
4 commissioner; and

5           (2) develop and submit an innovation plan to the  
6 institution's governing board as provided by this section.

7       (b) An innovation plan must:

8           (1) summarize the proposed educational programs to be  
9 offered under the accelerator, including:

10           (A) each program's design, delivery methods, and  
11 implementation plan; and

12           (B) the anticipated number and demographics of  
13 students to be served by each program;

14           (2) describe in detail the modifications to  
15 traditional program structures necessary to implement the proposed  
16 educational programs, such as changes to institutional calendars,  
17 course schedules or structures, faculty workload, credit hours, or  
18 other program requirements;

19           (3) identify how the proposed educational programs  
20 align with specific state and institutional goals;

21           (4) include, to the extent practical, data regarding  
22 educational programs offered at other institutions of higher  
23 education that are similar to each proposed educational program,  
24 including:

25           (A) student enrollment and demographics;

26           (B) student academic success, including the  
27 average time for a student enrolled in the program to complete a

1 certificate or degree; and

2 (C) career placement data;

3 (5) provide for the assessment of student academic  
4 success and ongoing program evaluation and improvement;

5 (6) commit the institution to participation in regular  
6 meetings of the participating institutions and to the research and  
7 evaluation efforts of the accelerator;

8 (7) include a plan for operations, staffing,  
9 oversight, and sources of funding for the innovation plan; and

10 (8) identify any state requirements that inhibit the  
11 goals of the innovation plan and from which the institution should  
12 be exempted on adoption of the plan, subject to Section 60.006.

13 (c) An innovation plan may include one or more departments  
14 or certificate or degree programs.

15 (d) If an eligible institution's governing board approves  
16 an innovation plan developed under this section, the institution  
17 shall:

18 (1) submit a copy of the plan to the commissioner; and

19 (2) post the plan on the institution's Internet  
20 website.

21 (e) An eligible institution may implement one or more  
22 innovation plans that comply with this section.

23 Sec. 60.006. PERMISSIBLE EXEMPTIONS. (a) On approval of an  
24 innovation plan by the institution's governing board, a  
25 participating institution is exempt from the state requirements  
26 identified in the plan or identified by the commissioner as needing  
27 to be exempted for proper implementation of the plan.

1        (b) A participating institution's exemption under  
2 Subsection (a) applies to any subsequent amendment or redesignation  
3 of the exempted state requirement, unless the subsequent amendment  
4 or redesignation specifically applies to participating  
5 institutions or an educational program offered under this chapter.

6        (c) A participating institution may not receive an  
7 exemption under this section from:

8            (1) a federal requirement or any requirements  
9 necessary to maintain accreditation;

10          (2) a state requirement that would have the effect of  
11 limiting or abrogating the authority of the institution's governing  
12 board; or

13          (3) the requirement for the board's approval for a new  
14 certificate or degree program under Section [61.0512](#).

15        Sec. 60.007. DUTIES OF COMMISSIONER. (a) The commissioner  
16 shall:

17            (1) maintain and post on the board's Internet website a  
18 list of state requirements from which participating institutions  
19 are exempt under this chapter;

20            (2) ensure that each participating institution  
21 provides transparent and accurate reporting on the institution's  
22 progress with the innovation plan;

23            (3) provide technical assistance to participating  
24 institutions on request; and

25            (4) hold meetings of all participating institutions at  
26 times established by board rule to facilitate cross-institutional  
27 collaboration and publicity about innovative educational programs

1 developed by the institutions.

2 (b) The commissioner shall annually prepare and submit to  
3 the legislature and the governing board of each participating  
4 institution a report on the accelerator. The report must include:

5 (1) an evaluation of the progress made by  
6 participating institutions related to the development and  
7 implementation of the institutions' respective innovation plans;

8 (2) a list of federal and accreditation requirements  
9 that impede innovation in postsecondary educational delivery; and

10 (3) any recommendations for legislative or other  
11 action.

12 Sec. 60.008. DUTIES OF PARTICIPATING INSTITUTIONS. A  
13 participating institution shall:

14 (1) track the progress and success of the  
15 institution's innovation plan in accordance with the assessment and  
16 success measures detailed in the plan; and

17 (2) participate in regular meetings of the  
18 participating institutions and the research and evaluation efforts  
19 of the accelerator.

20 Sec. 60.009. EVALUATION OF INNOVATION PLAN. (a) A  
21 participating institution may partner or contract with one or more  
22 private organizations, including a nonprofit organization, to  
23 evaluate the institution's innovation plan and the results of the  
24 plan's implementation.

25 (b) Any results of an evaluation of a participating  
26 institution's innovation plan must be provided to each  
27 participating institution and to the commissioner and posted on the

1 institution's Internet website.

2 Sec. 60.010. TERM. The term of an institution of higher  
3 education's participation in the accelerator may not be less than  
4 four years, and the term of an innovation plan may not be less than  
5 three years or more than five years.

6 Sec. 60.011. AMENDMENT, RESCISSION, OR RENEWAL OF  
7 INNOVATION PLAN. (a) An innovation plan may be amended by the  
8 chief academic officer of a participating institution with prior  
9 notification to the commissioner and the institution's governing  
10 board.

11 (b) An innovation plan may be rescinded or renewed subject  
12 to approval of the participating institution's governing board.

13 (c) The commissioner may recommend to a participating  
14 institution's governing board that the governing board:

15 (1) renew the innovation plan due to the institution's  
16 performance; or

17 (2) rescind its approval of the innovation plan if the  
18 institution does not, as determined by the commissioner:

19 (A) demonstrate satisfactory progress on  
20 intended outcomes;

21 (B) maintain eligibility requirements; and

22 (C) participate in good faith and contribute to  
23 meetings of the participating institutions and the research and  
24 evaluation efforts of the accelerator.

25 Sec. 60.012. TERMINATION BY COMMISSIONER. (a) The  
26 commissioner may remove a participating institution from the  
27 accelerator if the institution fails to meet eligibility

1 requirements, as determined by the commissioner, for at least two  
2 consecutive years.

3       **(b)** Except as provided by Subsection (c), if a participating  
4 institution is removed from the accelerator under this section, the  
5 institution shall modify its educational programs as necessary to  
6 comply with previously exempted state requirements not later than  
7 the first class day of the next academic term following the  
8 institution's removal.

9       **(c)** The commissioner may exempt a participating institution  
10 removed from the accelerator under this section from state  
11 requirements as necessary to minimize disruption for students  
12 enrolled in the educational programs offered under the  
13 institution's innovation plan.

14       SECTION 2. (a) Not later than the 30th day after the  
15 effective date of this Act, the commissioner of higher education  
16 shall notify the governing board and chief executive officer of  
17 each public institution of higher education regarding the  
18 implementation process for the Texas Higher Education Innovation  
19 Accelerator established under Chapter 60, Education Code, as added  
20 by this Act, as required by Section 60.004(a) of that chapter.

21       (b) Not later than January 1, 2018, the commissioner of  
22 higher education shall:

23               (1) invite eligible public institutions of higher  
24 education to participate in the Texas Higher Education Innovation  
25 Accelerator as provided by Section 60.004(a), Education Code, as  
26 added by this Act; and

27               (2) post on the Texas Higher Education Coordinating



1 Board's Internet website the information required under Section  
2 60.004(b), Education Code, as added by this Act.

3 SECTION 3. This Act applies beginning with the 2018-2019  
4 academic year.

5 SECTION 4. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2017.