

By: Raney

H.B. No. 3367

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of state authorization reciprocity agreements for postsecondary distance learning courses.

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

SECTION 1. Section 61.401(2), Education Code, is amended to read as follows:

(2) "Coordinating board [~~Board~~]" means the Texas Higher Education Coordinating Board [~~, Texas College and University System~~].

SECTION 2. Section 61.402, Education Code, is amended to read as follows:

Sec. 61.402. REQUISITE APPROVAL. (a) Public institutions of higher education established outside the boundaries of the State of Texas must have the approval of the coordinating board before offering a course or a grouping of courses within the State of Texas.

(b) Notwithstanding Subsection (a), a public institution of higher education may offer a course within this state without the approval of the coordinating board if the course is provided in accordance with a state authorization reciprocity agreement established under Section 61.406.

SECTION 3. Section 61.404, Education Code, is amended to read as follows:

Sec. 61.404. PROCEDURES IN CASE OF VIOLATION. If the

1 coordinating board obtains evidence that a public institution of
2 higher education established outside the boundaries of the State of
3 Texas is in apparent violation of this subchapter or of rules and
4 regulations adopted pursuant to this subchapter, the coordinating
5 board shall take appropriate action to terminate its operation
6 within the boundaries of the State of Texas regardless of whether
7 the institution participates in a state authorization reciprocity
8 agreement established under Section 61.406.

9 SECTION 4. Subchapter H, Chapter 61, Education Code, is
10 amended by adding Section 61.406 to read as follows:

11 Sec. 61.406. STATE AUTHORIZATION RECIPROCITY AGREEMENT.

12 (a) The coordinating board on behalf of the state may enter into a
13 state authorization reciprocity agreement among states, districts,
14 and territories regarding the delivery of postsecondary distance
15 education that establishes comparable standards for the provision
16 of distance education by degree-granting postsecondary educational
17 institutions in each of the states, districts, or territories
18 covered by the agreement to students of the other states,
19 districts, or territories covered under the agreement. The board
20 shall apply to an appropriate regional organization for that
21 purpose.

22 (b) The coordinating board shall administer an agreement
23 entered into under this section, including by establishing:

24 (1) an application and approval process for a
25 degree-granting postsecondary educational institution with its
26 principal campus located in this state to participate under the
27 agreement; and

1 (2) a dispute resolution procedure for complaints
2 regarding participating postsecondary educational institutions
3 located in this state.

4 SECTION 5. Not later than September 1, 2016, the Texas
5 Higher Education Coordinating Board shall develop and submit to the
6 Southern Regional Education Board or other appropriate regional
7 organization a plan and application for entering into a state
8 authorization reciprocity agreement.

9 SECTION 6. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2015.