

Houston Community College



END OF SESSION REPORT

AUGUST 2007

80TH
TEXAS LEGISLATIVE SESSION

80th Texas Legislative Session

TABLE OF CONTENTS

Introduction	3
Appropriations and Funding Priorities	4
Appropriations (2008-09)	4
Employee Benefits for Community Colleges	5
Teacher Retirement System and Optional Retirement Program	5
HCC New Campus Funding	5
Professional Nursing Shortage Reduction Program	6
Historical Preservation Program	6
Relevant Education Bills Signed Into Law	7
Appropriations Bills	7
HB 1, HB 15	
Human Resources/ Finance & Administration Bills	7
HB 462, HB 735, HB 860, HB 3322, HB 3382, SB 679, SB 1233, SB 1446, SB 1447, SB 1846, SB 1877, SRJ 57	
Governing Board/ Legal Bills	12
HB 2636, HB 3167, HB 3291, SB 1046, SB 1325, SB 1499, SB 1615	
Nursing Bills	14
HB 2426, HB 3443, SB 138, SB 139, SB 141, SB 992	
Student Services Bills	16
HB 85, HB 1250, SB 457, SB 1050, SB 1640	
Tuition & Fees Bills	17
HB 86, HB 125, HB 741, HB 2702, HB 3900, SB 201, SB 309, SB 685, SB 1231	
Other Bills	19
HB 2198, HB 3236, HB 3485, HB 3693, HB 3826, HB 3851, SB 282	
Relevant Bills Failing Passage or Vetoed	22
HB 116, HB 381, HB 396, HB 447, HB 544, HB 956, HB 3152, HB 3828, SB 238, SB 1029, SB 1926	

HOUSTON COMMUNITY COLLEGE
80TH LEGISLATIVE SESSION
FINAL REPORT

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INTRODUCTION

Houston Community College (“HCC”), its governing board, chancellor, executive staff, policy team and other key internal and external supporters, worked closely with the legislature to advance its policy agenda during the 80th Legislative Session. The combined efforts of these supporters helped raise awareness of the issues faced by HCC and community colleges. While not all legislative agenda efforts were successful, HCC did obtain an increase in its base level funding and is eligible for additional funding made available for the purpose of reducing the nursing shortage in Texas.

The 80th Legislative Session adjourned May 28, 2007. The number of bills filed in the House and Senate are 7,535 and 3,454, respectively. The total number of bills passing collectively in the House and Senate are 5,839. The governor signed and vetoed 1,651 and 53 bills, respectively. HCC tracked 266 bills giving priority consideration to (1) *appropriations*, (2) *employee benefits*, (3) *new campus funding*, and (4) *professional nursing shortage reduction*, each addressed in this **80th Texas Legislative Session Final Report** (“Report”).

HCC and all other community colleges faced a surprise line-item veto by Governor Rick Perry on or about June 15, 2007. The veto resulted in a loss of \$154 million to all community colleges, as it applies to employee benefits. Specifically, the impact to HCC is approximately \$12 million for the fiscal year 2009. At this writing, HCC is assessing the overall impact to the institution and further exploring options that seek to have the least impact on students and taxpayers. Moreover, the legislative leadership and numerous legislators are amendable to identifying how to restore the vetoed funds.

Finally, the *Report* provides a synopsis of bills specifically impacting community colleges and that have direct impact on HCC. It identifies and briefly outlines each bill’s purpose, and as appropriate, provides the bill’s effective date of implementation. The *Report’s* findings emerge from a combination of HCC’s direct legislative activities in Austin and from other cited sources.

APPROPRIATIONS AND FUNDING PRIORITIES

HCC urged the 80th Legislature to adopt the Texas Higher Education Coordinating Board (“THECB”) Commissioner’s recommendation of full formula funding and incorporate *The New Community College Compact with Texas* that recognized the urgency in acting to achieve the goals of *Closing the Gaps* and the state’s interest in seeing results from the state’s investment in community colleges. The total full formula recommendation was **\$2.219 billion**. Specifically, for HCC, the requested *base funding*, *innovation* and *outcome* amounts were \$147,882,566, \$6,864,954, and \$8,215,698, respectively.

Assuming HCC received base funding and achieved innovation and outcomes funding incentives, the total anticipated state appropriation for HCC was **\$162,963,218**. What follows are funding allocations for the state of Texas and HCC.

APPROPRIATIONS (2008-09)

STATE OF TEXAS APPROPRIATIONS

- ◆ **\$152.5 billion** from all fund sources, an increase of **\$13.1 billion** or **8.6 %** above the 2006-07 biennium.
- ◆ **\$73.9 billion** from general revenue funds for the fiscal biennium beginning September 1, 2007.
- ◆ General revenue spending would increase by **\$8.3 billion** or **12.6%** compared to the current biennium.

HCC APPROPRIATIONS:

- | | | |
|--|----------------------|--|
| ◆ HCC Academic Education 2008: | \$38,569,345 | |
| ◆ HCC Academic Education 2009: | \$38,569,345 | |
| ◆ HCC Vocational/Technical Education 2008: | \$25,058,088 | |
| ◆ HCC Vocational/Technical Education 2009: | \$25,058,087 | |
| ◆ HCC Totals 2008-09: | \$127,254,865 | (+3.76 % compared to biennium 2006-07) |
| ◆ Biennium 2006-2007 funding: | \$122,466,376 | |

EMPLOYEE BENEFITS FOR COMMUNITY COLLEGES

GENERAL EMPLOYEE BENEFITS:

- ◆ \$153,979,799 million received by community colleges for the 2008 period.ⁱ
- ◆ \$307,959,598 appropriated for the biennium 2008-09 to community colleges.ⁱⁱ
- ◆ *Zero funding* received by community colleges for the 2009 period.ⁱⁱⁱ
- ◆ The group health insurance appropriation is \$124 million less than the 2006-07 appropriations; a 19 % decrease.

HCC EMPLOYEE BENEFITS:

- ◆ HCC Group Insurance FY08: \$10,278,083
- ◆ HCC Group Insurance FY09: \$ 0 (vetoed by governor)
- ◆ The HCC group health insurance appropriation is \$8.9 million less than the 2006-07 appropriations; a 19% decrease.
- ◆ HCC received \$19,214,579 during the biennium 2006-07. As compared to the biennium 2008-09, the resulting effect is a 9% decrease.

TEACHER RETIREMENT SYSTEM & OPTIONAL RETIREMENT PROGRAM

- ◆ Teacher Retirement System: Estimated \$113,029,451 for the state matching contribution for public community college employees.
- ◆ Optional Retirement Program: Estimated \$75,352,967 for the state matching contribution for public community college employees.

HCC NEW CAMPUS FUNDING

HCC received an appropriation, but not an allocation of new campus funding. HCC requested funding for four new facilities for the biennium 2008-09. Specifically, these facilities are *New Alief Campus, Drennan Center, Southeast Workforce Center, Northline Center, and the Public Safety Institute.*

ⁱ Due to the governor's line item veto of June 15, 2007, community colleges received only one half the amount appropriated by the House and the Senate.

ⁱⁱ The House and Senate appropriated this amount for final consideration by Governor Perry.

ⁱⁱⁱ Zero funding for the 2009 period is a direct result of the governor's line item veto to community colleges, as it applies specifically to group insurance benefits.

Through its advocacy efforts, HCC successfully secured an appropriation totaling up to **\$1,288,612**, based on contact hours, for the New *Alief Campus* for the fiscal years 2008 and 2009. However, on or about June 15, 2007, Governor Rick Perry vetoed that section of Strategy E.1.3 that would permit the allocation of these funds.^{iv} The remaining campuses did not receive an appropriation and, correspondingly no allocation for the biennium 2008-09 is available from state funds.^v

PROFESSIONAL NURSING SHORTAGE REDUCTION PROGRAM

HCC supported the appropriation of **\$52 million** for the biennium 2008-09, an amount estimated by THECB and recommended by the *Texas Center for Nursing Workforce Studies* to help increase the capacity of the state's nursing programs that prepare students for initial RN licensure.

THECB *shall allocate up to 40% (originally 30%) in each year of the biennium to community colleges.* The 10% increase results from advocacy efforts by HCC and others. If the THECB is unable to allocate the balance of the funds to general academic and health-related institutions, it may allocate any unused funds to community colleges.

Total Appropriation: \$14,700,000 – \$7,350,000, for the 2008 and 2009 period, respectively.

HISTORICAL PRESERVATION PROGRAM

The Historical Commission shall develop a program to assist schools and community colleges with historical preservation. It is the intent of the Legislature that the commission evaluates and award grants based on merit. Grants awarded by the Historical Commission for the proposing school or community college are contingent upon receipt of a matching amount of funds by the school or community college.

Total Appropriation: Approximately \$25 million.^{vi}

^{iv} Governor Perry indicates: "There are two appropriations associated with enrollment expansion, and only one needed. The remaining item for two-year enrollment growth (Texas Higher Education Coordinating Board, strategy E.1.2., Two-Year Enrollment Growth) is more equitable because it takes into account the whole district, not just an isolated, handpicked campus" (quoting the governor's proclamation of June 15, 2007).

^v HCC was initially successful in getting positive funding consideration for the Public Safety Institute ("PSI"). However, before the conference committee initially convened, it determined that the PSI did not qualify as a "new campus." Thus, funding consideration was not an option.

^{vi} The commission identifies approximately \$3 million available for outreach and other programs. This amount is the likely source of funding available to community colleges and other schools.

RELEVANT EDUCATION BILLS SIGNED INTO LAW

APPROPRIATIONS

HB 1 (CHISUM)

General Appropriations Bill

- ◆ HCC position: Neutral
- ◆ Provides for appropriations of all state funding
- ◆ Provides approximately a \$152.5 billion from all funding sources (state budget)
- ◆ Provides \$127,254,865, base budget for HCC – FY08 at \$63,627,433 and FY09 at \$63,627,432

Status: Effective Date September 1, 2007.

HB 15 (CHISUM)

Relating to making supplemental appropriations and reductions in appropriations.

- ◆ HCC position: Neutral
- ◆ Makes adjustments in appropriations for various state agencies, including adjustments necessary to correct underreporting for group insurance enrollment
- ◆ Reimburses agencies for unexpected expenses such as increased utility costs

Status: Effective Date June 15, 2007.

HUMAN RESOURCES/ FINANCE & ADMINISTRATION

HB 462 (MILLER)

Relating to the authority of certain municipalities to collect an infrastructure fee from certain governmental entities.

- ◆ HCC position: Neutral
- ◆ Authorizes a certain municipality to collect storm water drainage fees from a state agency or public institution of higher education
- ◆ Applies to specific circumstances currently inapplicable to HCC

Status: Effective Date June 15, 2007.

HB 735 (STRAUS)

Relating to the discontinuation of the Telecommunication Infrastructure Fund.

- ◆ HCC position: Neutral
- ◆ Current law imposes an annual assessment on each telecommunications utility and each commercial mobile service provider doing business in Texas to finance the Telecommunications Infrastructure Fund (“fund”)
- ◆ The fund provided grants and loans to purchase equipment and improve the telecommunication infrastructure for programs such as distance learning, library information sharing, and telemedicine or telehealth services
- ◆ In 2003, the legislature determined that it was no longer permissible to award new grant monies, and the governor eliminated the board's oversight function.
- ◆ H.B. 735 repeals the fund and the board, and eliminates the associated assessment on utilities

Status: Effective Date September 1, 2008.

HB 860 (PAXTON)

Relating to management, investment, and expenditure of institutional funds and adoption of the Uniform Prudent Management of Institutional Funds Act.

- ◆ HCC position: Neutral
- ◆ Replaces the Uniform Management of Institutional Funds Act (“UMIFA”) with the Uniform Prudent Management of Institutional Funds Act, adopted by 2006
- ◆ Purpose: Provides modern articulations of the prudence standards for the management and investment of charitable funds and for endowment spending
- ◆ Provides guidance and authority to charitable organizations concerning the management and investment of funds held by those organizations and provides for additional duties for individuals who manage and invest such funds

Status: Effective Date September 1, 2007.

HB 3322 (TRUITT)

Relating to a plan-to-plan transfer of certain assets from the TexaSaver 457 plan administered by the Employee Retirement System of Texas to a 457 plan created by an institution of higher education.

- ◆ HCC position: Neutral
- ◆ The 78th Legislature, Regular Session, 2003, authorized an institution of higher education to create and administer a deferred compensation savings plan under Section 457 of the federal Internal Revenue Code of 1986
- ◆ An Internal Revenue Service limitation on account transfers prohibits active UT System employees from transferring assets from the TexaSaver Program to the UT System's Section 457 plan before severance from employment
- ◆ However, federal law authorizes a plan-to-plan transfer of all plan assets from one eligible governmental plan to another within the same state
- ◆ H.B. 3322 facilitates the plan-to-plan transfer authorized by federal law such that the assets of the TexaSaver Program that belong to UT System employees are transferable to the UT System's Section 457 plan

Status: Effective Date June 15, 2007.

HB 3382 (NAISHTAT)

Relating to providing certain computerized instructional material for blind and visually impaired students at public institutions of higher education.

- ◆ HCC position: Neutral
- ◆ Requires textbook publishers to make electronic copies of textbooks and other assigned written materials promptly available to universities, if requested, for use by visually impaired students
- ◆ Prohibits publishers from charging an entity for the material and subjects publishers who fail to comply with the law to administrative penalties imposed by the THECB
- ◆ Protects against copyright violations; students will purchase textbooks and the university will provide proof of purchase for the actual textbooks from the bookstore
- ◆ Publishers will not have to provide electronic copies of the textbook if copyrights prohibit it, the publication is out of print, or the publication is in a format that cannot be converted into an electronic file

Status: Effective Date June 15, 2007.

SB 679 (WILLIAMS)

Relating to the use of certain surplus revenue in the unemployment compensation fund.

- ◆ HCC position: Neutral
- ◆ The Texas Unemployment Compensation Trust Fund (“fund”) has a statutory limit of 2% of taxable wages for the last four calendar quarters
- ◆ When there is a surplus on this statutory limit, the Texas Workforce Commission (“TWC”) is unable to use these excess funds to pay off any bond obligations or to grant surplus credit to Texas employers
- ◆ S.B. 679 allows TWC to use surplus funds in the fund to pay outstanding bond obligations or to provide surplus credit or a surplus credit rate to eligible employers

Status: Effective Date May 4, 2007.

SB 1233 (ZAFFIRINI)

Relating to the general property deposit paid by a student to a public institution of higher education.

- ◆ HCC position: Neutral
- ◆ Authorizes a general deposit to be applied toward other balances and provides institutions time to identify all amounts owed by a student and to determine whether the student intends to enroll in another semester or summer session

Status: Effective Date June 15, 2007.

SB 1446 (DUNCAN)

Relating to the removal of indirect cost recovery fees from the list of items that must be accounted for as educational and general funds by institutions of higher education.

- ◆ HCC position: Neutral
- ◆ The 78th Legislature (2003) amended the Education Code to prohibit the accounting of indirect cost recovery fees in an appropriations act to reduce the general revenue funds appropriated to a general academic teaching institution of higher education
- ◆ The legislature simultaneously ceased to use indirect cost recovery fees in its General Appropriations Act to reduce general revenue appropriations to such institutions
- ◆ The 79th Legislature (2005) eliminated indirect cost recoveries from the strategies and methods of finance in its General Appropriations Act
- ◆ Current law authorizes these recoveries to be accounted for as educational and general funds
- ◆ S.B. 1446 conforms the definition of educational and general funds conform to the 2003 amendment regarding the accounting of indirect cost recovery fees by deleting the requirement that they be accounted for as educational and general funds

Status: Effective Date June 15, 2007.

SB 1447 (DUNCAN)

Relating to the investment authority of the Teacher Retirement System of Texas.

- ◆ HCC position: Neutral
- ◆ Authorizes Teacher Retirement System to buy and sell certain investments to manage investment risk
- ◆ Authorizes the delegation of investment responsibility to outside investment managers

Status: Effective Date May 15, 2007.

SB 1846 (DUNCAN)

Relating to funding for, and benefits provided under, the Teacher Retirement System of Texas.

- ◆ HCC position: Neutral
- ◆ Provides for a centralized structure for making both funding and benefits decisions, and prohibits the state's contribution rate from dropping below the contribution rate of active members

Status: Effective Date September 1, 2007.

SB 1877 (AVERITT)

Relating to the determination of compensation under the Teacher Retirement System of Texas

- ◆ HCC position: Neutral
- ◆ Current law ambiguously considers all amounts received for awards for student achievement, educator excellence, and mentoring programs to be salary and wages for determining contributions to the Teacher Retirement System ("TRS")
- ◆ SB 1877 adds the relevant parts of amounts received for awards for student achievement, educator excellence, and mentoring programs and all salary amounts designated as health care supplementation to the definition of "salary and wages" required to be reported and deducted for member contributions to the TRS and to credit in benefit computations

Status: Effective Date September 1, 2007.

SJR 57 (WILLIAMS)

Proposing a constitutional amendment providing for the issuance of general obligation bonds to finance educational loans to students and for authority to enter into bond enhancement agreements with respect to such bonds.

- ◆ HCC position: Neutral
- ◆ Currently, the THECB has authorization to issue \$400 million in general obligation bonds to finance educational loans through the College Student Loan Program ("Program")
- ◆ The Program provides low-interest loans to eligible students seeking undergraduate, graduate, or professional education through public and independent institutions of higher education in Texas
- ◆ Projections suggest that by Spring 2009, the current authorized amount will cease to exist
- ◆ S.J.R. 57 proposes a constitutional amendment to increase THECB's bonding authority from \$400 to \$500 million in general obligation bonds to finance educational loans

Status: Adopted.

GOVERNING BOARD/ LEGAL

HB 2636 (SMITHEE)

Relating to the non-substantive revision of statutes relating to the Texas Department of Insurance, the business of insurance, and certain related businesses, to non-substantive additions to and corrections in the codified Insurance Code, and to conforming the provisions of that code that were codified by the 79th Legislature to other Acts of the legislature, including conforming amendments, repeals, and penalties.

- ◆ HCC position: Neutral
- ◆ Existing law requires the Texas Legislative to carry out a complete non-substantive revision of the Texas statutes
- ◆ The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate future expansion of the law; eliminating repealed, invalid, duplicative, and other ineffective provisions; and improving the draftsmanship of law if practicable
- ◆ H.B. 2636 makes non-substantive revisions to certain laws concerning the Insurance Code, including conforming amendments.

Status: Effective Date September 1, 2007.

HB 3167 (SWINFORD)

Relating to non-substantive additions to and corrections in enacted codes, to the non-substantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 79th Legislature to other Acts of that legislature.

- ◆ HCC position: Neutral
- ◆ Pursuant to law, the Texas Legislative Council must carry out a complete non-substantive revision (e.g., reclassifying, rearranging) of the Texas statutes in more logical order
- ◆ H.B. 3167 makes non-substantive revisions to certain laws concerning the Agriculture Code, Business & Commerce Code, Code of Criminal Procedure, Education Code, Election Code, Finance Code, Government Code, Health and Safety Code, Insurance Code, Labor Code, Local Government Code, Occupations Code, Penal Code, Special District Local Laws Code, Tax Code, Transportation Code, and the Water Code

Status: Effective Date September 1, 2007.

HB 3291 (OTTO)

Relating to a prohibition against the governing board of a public institution of higher education entering into certain contracts relating to permanent improvements at the institution.

- ◆ HCC position: Neutral
- ◆ Currently, upon being appointed to the board of regents of a public institution of higher education, the appointee receives training
- ◆ During the training [period] an appointee is made aware that the Texas Higher Education Coordinating Board must approve significant capital expenditures, such as construction of a new building
- ◆ Financial markets offer certain leasing contracts that could make it easier to finance the building of a new structure which involve making lease payments to a third party
- ◆ H.B. 3291 prohibits [the] [execution] [of] such financing contracts without the approval of the Texas Higher Education Coordinating Board

Status: Effective Date June 15, 2007.

SB 1046 (WENTWORTH)

Relating to the provision of notice to institutions of higher education of meetings of Texas Higher Education Coordinating Board and to telephone conference meetings of the board.

- ◆ HCC position: Neutral
- ◆ Currently, there is a requirement that the THECB mail an agenda to the chairman of each governing board and the chief administrative officer of each institution of higher education (institution) at least 30 days before a meeting
- ◆ Current statute authorizes governing boards for institutions to meet by telephone conference call under certain circumstances, but the THECB does not have a similar privileges
- ◆ S.B. 1046 includes the THECB under the same provisions as governing boards of institutions with regard to holding telephone conference calls
- ◆ This bill also decreases the advance notice required for the board meetings from 30 days to seven days

Status: Effective Date September 1, 2007.

SB 1325 (WEST)

Relating to the eligibility of relatives of public college and university board members to receive certain scholarships; providing a criminal penalty.

- ◆ HCC position: Neutral
- ◆ With exceptions, S.B. 1325 prohibits relatives of public college and university board members from receiving certain scholarships from the institution or system whose board the member serves

Status: Effective Date September 1, 2007.

SB 1499 (ZAFFIRINI)

Relating to the meeting notice that a governmental body may post in certain emergency situations.

- ◆ HCC position: Neutral
- ◆ Authorizes a governmental body that [anticipates] [receiving] a large number of persons from [an] area declared [a] disaster to post public meetings at least two hours prior to the meeting's scheduled time
- ◆ Requires notice of such a meeting or giving an addendum to an agenda to members of the news media at least one hour prior to the meeting

Status: Effective Date June 15, 2007.

SB 1615 (AVERITT)

Relating to the collection of delinquent obligations owed to the state.

- ◆ HCC position: Neutral
- ◆ Authorizes the attorney general to authorize a requesting state agency to employ, retain, or contract, subject to approval by the attorney general, and subject to the agency's compliance with applicable guidelines established by the attorney general, one or more persons, to collect the obligation; or if the attorney general determines it to be economical and in the best interest of the state, to contract with one or more persons to collect the obligation

Status: Effective Date September 1, 2007.

NURSING

HB 2426 (TRUITT)

Relating to the continuation and functions of the Board of Nurse Examiners.

- ◆ HCC position: Neutral
- ◆ Renames the board as the Texas Board of Nursing, removes unnecessary complexity and duplication in the board's process for approving nursing education programs, and accommodates changes in the delivery of nursing education
- ◆ Generally, would overhaul the operation and structure of the board to ensure that it operates effectively for the benefit of the nursing field in Texas

Status: Effective Date September 1, 2007.

HB 3443 (HOWARD)

Relating to the creation of the Texas Hospital-Based Nursing Education Partnership Grant Program.

- ◆ HCC position: Support
- ◆ Texas, like most other states, continues to face a registered nurse shortage projected to worsen without legislative intervention
- ◆ C.S.H.B. 3443 establishes a new Texas Hospital-Based Nursing Education Partnership Grant Program to increase the number of nurses in Texas by fostering innovation through partnership models, leveraging existing expertise and infrastructure in both practice and academia, and expanding nursing education

Status: Effective Date June 15, 2007.

SB 138 (NELSON)

Relating to promoting the retention and graduation of students enrolled in professional nursing programs.

- ◆ HCC position: Neutral
- ◆ The current graduation rate from initial nursing programs in Texas is 56%
- ◆ To meet current and future nursing needs in Texas, that graduation rate must improve
- ◆ S.B. 138 directs the THECB to develop rules to promote retention and graduation of nursing students and to recognize programs with a graduation rate of at least 85%

Status: Effective Date September 1, 2007.

SB 139 (NELSON)

Relating to a study on improving the curricula of professional and vocational nursing education programs.

- ◆ HCC position: Neutral
- ◆ Requires the THECB and the Board of Nurse Examiners to study the current nursing curriculum and recommend improvements in order to ensure that Texas nursing programs teach the highest quality nursing curriculum, which addresses the often chaotic circumstances faced by nurse graduates in hospitals

Status: Effective Date June 15, 2007.

SB 141 (NELSON)

Relating to a feasibility study regarding joint health science courses at public institutions of higher education.

- ◆ HCC position: Neutral
- ◆ Bill commissions a study that seeks to remedy an apparent lack of professors for basic health science courses and provide health professionals with a greater understanding of general health science, fostering greater understanding and cooperation between the different health professions
- ◆ Directs the THECB, members of the Health Professions Council, and representatives of certain institutions of higher education to study the feasibility of health professions students taking combined health science classes

Status: Effective Date June 15, 2007.

SB 992 (NELSON)

Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.

- ◆ HCC position: Neutral
- ◆ Texas, along with the rest of the nation, is facing a growing nursing shortage
- ◆ Estimates suggest that Texas registered nurse graduates must increase by 50% between 2006 and 2010 to address the nursing shortage
- ◆ The current dedication of money from the permanent fund for health-related programs to nursing education will expire on August 31, 2007
- ◆ S.B. 992 continues the current dedication of a portion of the tobacco lawsuit settlement funds to support nursing schools

Status: Effective Date June 15, 2007.

STUDENT SERVICES

HB 85 (BRANCH)

Relating to credit card marketing activities at post-secondary educational institutions; providing for civil penalty.

- ◆ HCC position: Neutral
- ◆ Prohibits marketing outside times and locations, if any, that are approved by post-secondary educational institutions' governing boards
- ◆ Requires credit counseling and financial educational materials to be provided during new student orientation at a post-secondary educational institution that has designated a location for a campus credit card marketing activity
- ◆ Ensures that students receive additional credit usage information
- ◆ Provides a civil penalty

Status: Effective Date September 1, 2007.

HB 1250 (HOWARD)

Relating to prohibiting discrimination based on a student's secondary school in awarding certain financial aid for higher education.

- ◆ HCC position: Neutral
- ◆ Amends the eligibility requirements for certain public higher education scholarship and loan programs so that home school graduates are eligible for those scholarships and loans

Status: Effective Date September 1, 2007.

SB 457 (WATSON)

Relating to the eligibility for education benefits of surviving minor children of certain public employees killed in the line of duty.

- ◆ HCC position: Neutral
- ◆ Authorizes education benefits for a child of a public service or law enforcement employee killed in the line of duty, regardless of whether the employee is the custodial or non-custodial parent

Status: Effective Date May 21, 2007.

SB 1050 (ZAFFIRINI)

Relating to the administration of the work-study student mentorship program by the Texas Higher Education Coordinating Board.

- ◆ HCC position: Neutral
- ◆ Requires the THECB to develop a work-study mentorship program under which eligible college students [receive] [authorization] to mentor and counsel other students
- ◆ Provides funding to the program, authorizes students to serve as mentors in GO Centers and in high schools, and authorizes nonprofit organizations to partner with institutions of higher education to pursue the objectives of the program

Status: Effective Date June 15, 2007.

SB 1640 (WILLIAMS)

Relating to the student loan program administered by the Texas Higher Education Coordinating Board; authorizing the issuance of bonds.

- ◆ HCC position: Neutral
- ◆ Currently, THECB has authorization to issue \$400 million in general obligation bonds to finance educational loans through the Hinson-Hazlewood College Student Loan Program (“Program”)
- ◆ There is \$250 million in general obligation bonds remaining and projections suggest that by Spring 2009 this amount will cease to exist
- ◆ S.B. 1640 authorizes the issuance of up to \$500 million in general obligation bonds to finance education loans through the Program

Status: Effective Date Unknown – *signed by the governor.*

TUITION & FEES

HB 86 (BRANCH)

Relating to tuition rebates provided by general academic teaching institutions to students who participate in the Reserve Officers’ Training Corps.

- ◆ HCC position: Neutral
- ◆ Exempts ROTC military science credit hours in determining the hours credited to or attempted by a student for purposes of the program

Status: Effective Date September 1, 2007.

HB 125 (DELISI)

Relating to tuition and fee exemptions for the children of certain military personnel.

- ◆ HCC position: Neutral
- ◆ Extends the exemption from tuition and fees to the children of members of the armed forces of the United States or of the Texas National Guard or the Texas Air National Guard who became totally disabled as a result of a service-related injury

Status: Effective Date June 15, 2007.

HB 741 (KING)

Relating to an exemption from tuition and fees at public institutions of higher education for children of certain volunteer peace officers.

- ◆ HCC position: Neutral
- ◆ Expands eligibility for the exemption of tuition and fees at public institutions of higher education to the dependents of volunteer law enforcement officers (peace officers) killed or disabled in the line of duty

Status: Effective Date May 25, 2007.

HB 2702 (TRUITT)

Relating to the exemption from tuition and fees at a public institution of higher education for adopted students.

- ◆ HCC position: Neutral
- ◆ Clarifies existing law relating to when tuition exemption is permissible
- ◆ Eliminates the loophole that allowed a person who adopts internationally to use the exemption

Status: Effective Date June 13, 2007.

HB 3900 (MORRISON)

Relating to the Texas Tomorrow Fund II prepaid tuition unit undergraduate education program.

- ◆ HCC position: Neutral
- ◆ Create the Texas Tomorrow Fund II
- ◆ Allows families to lock in today's rates for tuition and fees for their children's future higher education needs
- ◆ Investment in Fund II requires purchasing "units," each worth 1% of one year's tuition and fees
- ◆ Universities rewarded for making judicious decisions regarding tuition and fees

Status: Effective Date June 15, 2007.

SB 201 (NELSON)

Relating to tuition exemptions at public institutions of higher education for certain professional nursing program preceptors and their children.

- ◆ HCC position: Neutral
- ◆ Currently, nurse preceptors and their children have certain exemptions from tuition during the semester the nurse works as a preceptor
- ◆ Preceptors often sign contracts to work after the payment of tuition for the semester
- ◆ Allows nurse preceptors and their children to use tuition exemptions within two semesters of the preceptor's service

Status: Effective Date June 15, 2007.

SB 309 (VAN DE PUTTE)

Relating to the requirement that a career school or college adopt a refund policy for students called to active military service.

- ◆ HCC position: Neutral
- ◆ Requires career schools and colleges to refund tuition and fees to a student who withdraws from the institution due to being called to active military service
- ◆ Authorizes the student to choose to take an incomplete and re-enroll at no additional cost within 12 months of finishing military service
- ◆ Authorizes a student to receive an appropriate final grade or credit if an instructor determines that the student has completed a substantial portion of the course

Status: Effective Date September 1, 2007.

SB 685 (VAN DE PUTTE)

Relating to an exemption from tuition and mandatory fees for certain members of the Texas National Guard.

- ◆ HCC position: Neutral
- ◆ Currently the Texas National Guard Tuition Assistance Program provides an exemption from the payment of tuition to an institution of higher education
- ◆ S.B. 685 exempts mandatory fees, in addition to tuition, for members of the Texas Military Forces attending institutions of higher education for up to 12 credit hours per semester through TAP

Status: Effective Date June 15, 2007.

SB 1231 (ZAFFIRINI)

Relating to the manner of payment of higher education tuition and fees and to the repayment of emergency student loans.

- ◆ HCC position: Neutral
- ◆ Current law does not provide a refund process for academic terms that are shorter than regular academic semesters or sessions.
- ◆ S.B. 1231 sets forth the procedure, timeline, and amount of refunds issued by an institution for tuition and fees and applies these requirements to shorter academic terms

Status: Effective Date June 15, 2007.

OTHER

HB 2198 (FLORES)

Relating to authorizing certain public junior colleges to offer baccalaureate degree programs.

- ◆ HCC position: Neutral
- ◆ H.B. 1544, 78th Legislature, Regular Session, 2003, created a pilot project to allow selected public junior colleges to offer limited baccalaureate degrees in applied science and technology, providing the opportunity to examine the effectiveness and feasibility of a permanent program
- ◆ South Texas College, Brazosport College, and Midland College invested substantial resources to meet the Southern Association of Colleges and Schools accreditation standards and are now accredited Level II baccalaureate degree-granting institutions
- ◆ The three pilot institutions made long-term financial investments including an expansion of library resources and the hiring of doctorate-level faculty to teach the requisite courses
- ◆ All three colleges provided reports and assessments regarding this program as required by the THECB
- ◆ H.B. 2198 removes the pilot status of these programs and makes the granting of baccalaureate degrees in applied science and technology at these schools permanent
- ◆ Authorizes the THECB to authorize additional public junior colleges, if they meet all the stated prerequisites, to participate in the baccalaureate degree program

Status: Effective Date June 15, 2007.

HB 3236 (COOK)

Relating to the service areas of the Blinn County College District and the Austin Community College District.

- ◆ HCC position: Neutral
- ◆ Currently, the district lines of Blinn Junior College and Austin Community College are drawn so that students in certain school districts may be divided among different community colleges
- ◆ H.B. 3236 changes the district lines of Blinn Junior College and Austin Community College to remedy these overlaps

Status: Effective Date June 15, 2007.

HB 3485 (KING)

Relating to career and technology education.

- ◆ HCC position: Neutral
- ◆ Promotes a career and technical curriculum to fulfill high school and postsecondary education requirements by creating a new review panel for career and technical educational curriculum under the Texas Education Agency

Status: Effective Date June 15, 2007.

HB 3693 (STRAUS, ANCHIA, CRABB, KING, PHIL, OLIVEIRA)

Relating to energy demand, energy load, energy efficiency incentives, energy programs, and energy performance measures.

- ◆ HCC position: Neutral
- ◆ The Utilities Code requires certain activities by electric utilities to achieve energy efficiency and conservation in Texas
- ◆ C.S.H.B. 3693 proposes energy efficiency mechanisms intended to provide near-term reductions in consumption and demand that should protect the reserve margin and avoid crises during the peak
- ◆ The bill enhances existing energy efficiency programs, enables more customer demand management, updates building energy codes, and requires state agencies to purchase more efficient equipment and appliances

Status: Effective Date September 1, 2007.

HB 3826 (MORRISON)

Relating to high school curriculum requirements for admission to public institutions of higher education.

- ◆ HCC position: Neutral
- ◆ The state's current higher education plan, Closing the Gaps by 2015, calls for the recommended high school program to be the default curriculum in Texas high schools
- ◆ This plan also calls for the recommended high school program to be a minimum requirement for admission to general academic teaching institutions in this state
- ◆ Requires the recommended high school program for admissions if that program was available to a student in high school
- ◆ Amends automatic admission requirements under various sections of the Education Code and clarifies the eligibility of students for automatic admission
- ◆ Creates a uniform admissions code for all institutions of higher education

Status: Effective Date June 15, 2007.

HB 3851 (MORRISON)

Relating to the admission of high school and community college transfer students to institutions of higher education.

- ◆ HCC position: Neutral
- ◆ Requires the THECB to adopt rules establishing a standard method for computing a student's high school grade point average
- ◆ Requires the annual report that each general academic teaching institution submits to THECB include the high school grade point average [and] the demographic breakdown describing the composition of the institution's entering class of students
- ◆ Requires each institution to adopt a written policy to promote the admission of undergraduate transfer students to the institution

Status: Effective Date June 15, 2007.

SB 282 (GALLEGOS)

Relating to notice regarding the availability of programs under which a student may earn college credit in public schools.

- ◆ HCC position: Neutral
- ◆ Requires school districts to notify parents whose children are in high school about the availability of programs under which a student may earn college credit

Status: Effective Date June 15, 2007.

RELEVANT BILLS FAILING PASSAGE OR VETOED

HB 116 (BROWN)

Relating to state funding and tuition charged for courses provided during off-peak hours at certain public institutions of higher education.

- ◆ HCC position: Neutral
- ◆ Provides that an institution of higher education may not permit an undergraduate student to drop more than three courses at that institution if the student was able to drop the course without receiving a grade or incurring an academic penalty, and if the student's transcript indicates or will indicate that the student was enrolled in the course

Status: Failed Passage.

HB 381 (ALLEN)

Relating to the use of public junior colleges to provide training to state agency employees.

- ◆ HCC position: Supported and testified for the bill.
- ◆ Sought to require state agencies to use state institutions of higher education to train and educate their employees, if the state institution of higher education is able to provide the training and education programs at a comparable quality, lower cost, and in the same geographical area as the agencies' employees

Status: Failed Passage.

HB 396 (COOK)

Relating to the development of a standard method of computing a student's high school grade point average.

- ◆ HCC position: Neutral
- ◆ Would require school districts to adopt a GPA formula that gives weight to a dual credit course that it gives a comparable AP, IB, or honors course; and
- ◆ Would require the use of this formula when determining class rank and eligibility for top 10% automatic college admission
- ◆ Effectively, the result would help make high school GPA calculations fairer for high school students

Status: Failed Passage.

HB 447 (CALLEGARI)

Relating to contracts by governmental entities for construction projects and related professional services and to public works performance and payment bonds.

- ◆ HCC position: Neutral
- ◆ Sought to consolidate alternate project delivery processes for most governmental entities into a single chapter of the Government Code and expand the types of entities that may use these procedures and the types of projects for which these procedures are used
- ◆ Sought to prohibit reverse auctions for certain contracts where bonds are necessary
- ◆ Sought to clarify bidding procedures and contract requirements and redefine a "public works contract"
- ◆ Would give school districts authority to use competitive bidding and competitive sealed proposals for services other than construction services and require governmental entities to consider historically underutilized businesses when awarding contracts
- ◆ Sought to clarify that counties can use alternative bidding procedures for counties that issue certificates of obligation to pay for construction projects

Status: Vetoed by the governor.

HB 544 (STRAMA)

Relating to reduced tuition and fees for certain junior college district students who reside outside of the district.

- ◆ HCC position: Neutral
- ◆ Eliminates existing language in the statute to allow public junior colleges and community colleges to reduce tuition for all out-of-district students who live in the service area and can demonstrate financial need, provided they meet certain other criteria

HB 956 (HOCHBERG)

Relating to measures to increase the affordability of textbooks used for courses at public institutions of higher education; providing a penalty.

- ◆ HCC position: Supported
- ◆ HCC testified for the bill
- ◆ Bill makes it a goal of the state to help college students purchase required textbooks and course materials at the lowest possible cost consistent with educational quality by facilitating competitive markets for college textbooks

Status: Failed Passage.

HB 3152 (HARPER-BROWN)

Relating to driver training and safety courses for commercial driver's license recipients.

- ◆ HCC position: Supported
- ◆ Existing law allows a person to drive legally an 18-wheeler without actually knowing how to drive an 18-wheeler
- ◆ Texas Department of Public Safety, state regulations do not require a person to take the state issued road test in an 18-wheeler, only in a vehicle with air brakes and the capacity to carry more than 26,000 pounds
- ◆ H.B. 3152 removes ambiguity within training requirements by establishing a five-week training program for commercial drivers to ensure that Texas puts safe and effective commercial vehicle drivers on our highways

Status: Failed Passage.

HB 3828 (MORRISON)

Relating to performance incentive funding for institutions of higher education.

- ◆ HCC position: Neutral
- ◆ Would fund a performance incentive program
- ◆ Encourages higher education institutions to focus on reaching the goals the legislature finds most important and encourages an increase in graduation rates by rewarding those institutions that graduate more students while maintaining the highest level of quality
- ◆ Would provide additional rewards for graduates in critical fields such as engineering, computer science, math, physical science, allied health, nursing, and teacher certification in math and science, as well as for graduating high-risk students
- ◆ Provides a points system approach for funding

Status: Failed Passage.

SB 238 (SHAPIRO)

Relating to authorizing certain community colleges to offer a baccalaureate degree program in interior design.

- ◆ HCC position: Supported
- ◆ HCC sought to amend the bill to include HCC
- ◆ Bill would permit THECB to establish a pilot project to examine the feasibility and effectiveness of authorizing public junior colleges to offer baccalaureate degree programs
- ◆ Bill would permit only one public junior college to offer a baccalaureate degree in interior design; thus, HCC sought inclusion for itself^{vii}

Status: Failed Passage.

SB 1029 (SHAPIRO)

^{vii} HCC worked this bill seeking to include its interior design program in the bill. The bill, as originally drafted, sought to permit only El Centro College in Dallas, a two year institution, to offer the baccalaureate degree in interior design.

Relating to performance incentive funding for institutions of higher education.

- ◆ HCC position: Neutral
- ◆ Would fund a performance incentive program
- ◆ Encourages higher education institutions to focus on reaching the goals the legislature finds most important and encourages an increase in graduation rates by rewarding those institutions that graduate more students while maintaining the highest level of quality
- ◆ Would provide additional rewards for graduates in critical fields such as engineering, computer science, math, physical science, allied health, nursing, and teacher certification in math and science, as well as for graduating high-risk students.
- ◆ Provides a points system approach for funding

Status: Failed Passage.

SB 1926 (GALLEGOS)

Relating to the governing board of certain independent school districts and certain junior college districts.

- ◆ HCC position: Neutral
- ◆ Applies to a member of the governing board of a junior college district and trustees of ISD located in a county with a population of more than 3.3 million
- ◆ Would require that a member of the governing board of a junior college district serve a staggered term of four years
- ◆ Provides that a member of the governing board of a junior college district who becomes a candidate in any general, special, or primary election for a state, federal, or municipal office must resign as a member of the board
- ◆ Likewise, bill has a resign to run provision for ISD trustees

Status: Failed Passage.

**THIS CONCLUDES THE HCC END OF SESSION REPORT
FOR THE 80th LEGISLATIVE SESSION**

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