

SUBJECT: Revising UT-Brownsville and Texas Southmost College relationship

COMMITTEE: Higher Education — committee substitute recommended

VOTE: 7 ayes — Branch, Castro, Alonzo, Bonnen, Brown, Lewis, Patrick

0 nays

2 absent — D. Howard, Johnson

SENATE VOTE: On final passage, May 5 — 31-0

WITNESSES: No public hearing

BACKGROUND: In 1991, the 72nd Legislature authorized the creation of the University of Texas at Brownsville and a partnership with Texas Southmost College. Texas Southmost College teaches lower-division, occupational, and technical courses not offered at the university. The UT System and the Texas Southmost College District entered into a partnership under a shared governance model and have operated as a consolidated institution housed on one campus in Brownsville. UTB/TSC offers a range of certificates and degrees. Currently, TSC owns the land and the university leases facilities from TSC.

In November 2010, the UT Board of Regents and the TSC board of trustees officially decided to end the 20-year-old UTB/TSC partnership in favor of independent operation and governance.

DIGEST: CSSB 1909 would authorize the University of Texas at Brownsville (UTB) and the Texas Southmost College District to terminate the partnership agreement authorized under current law. The bill would authorize the university to enter into any agreement with the Texas Southmost College District to facilitate higher education advancement and opportunity in the district's service area and the transition of students from Texas Southmost College to the university. An agreement could cover any matter related to those purposes, including facilitating the transfer of course credit and aligning courses between the university and the college.

The University of Texas System board of regents would be authorized to prescribe courses at the university leading to customary degrees offered at leading American universities and could award bachelor's, master's, and doctoral degrees and their equivalents. The bill would delete language allowing the board to authorize UT-Brownsville to offer any upper level or graduate course authorized by the Texas Higher Education Coordinating Board. The bill would stipulate that a department, school, or degree program could not be instituted without prior approval of the coordinating board.

CSSB 1909 would authorize the University of Texas System board of regents and the TSC district board of trustees to contract with each other for the use of facilities. The negotiated contract would have to provide for reasonable compensation. Subject to the agreement of the parties, the facilities could include facilities on land committed by the Texas Southmost College District's board of trustees on the Texas Southmost College campus.

The bill would officially establish the college district formerly known as the Southmost Union Junior College District as the Texas Southmost College District. It would not affect the authority of the university and the college district to continue in partnership or to establish a new partnership. The institutions would be required to cooperate to ensure that each one timely achieved separate accreditation before the termination of the existing partnership agreement. They would continue the partnership agreement until August 31, 2015, to the extent necessary to ensure accreditation.

The university and the college district would be authorized to extend or renew the existing agreement, agree to its earlier termination, or execute a new agreement as necessary to ensure accreditation.

The bill would require the university and the college district to submit to the Legislature a semiannual report on the status of the partnership until each institution achieved separate accreditation and the existing partnership agreement was terminated.

The bill would repeal language limiting the scope of the university; determining lower-division admission concurrent with the determination of the board of trustees; and formula funding specific to upper-level general teaching institutions for upper-division semester credit hours.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

**SUPPORTERS
SAY:**

CSSB 1909 represents the negotiated decisions of the stakeholders to terminate the UTB/TSC partnership. The bill would be permissive but would allow the institutions to move forward with their decision. If at some point the institutions decided to continue the partnership or establish a new one, they would have the authority to do so. The current authority of the TSC district to offer lower-division, occupational, or technical courses would not be affected.

The bill would accommodate the best interests of both institutions, as well as the students. The Legislature authorized junior colleges and universities to enter into partnerships with one another to enhance student learning opportunities. The partnership of UTB/TSC has created unprecedented economic and educational opportunities for Brownville, but over time, largely due to student growth, the focus of the institutions has changed. After extensive negotiations, all parties concluded that it was in everyone's best interest to unwind the partnership and work toward being stand-alone, autonomous institutions.

It is imperative that each institution be allowed to adequately serve its students. The community needs and deserves a community college and a university. TSC was established in 1926 as a community college and would continue that mission under the provisions of the bill. Having a stand-alone community college would allow for lower tuition rates and the addition of vocational, technical, and job training courses.

The bill would enhance the university's presence in the community by allowing it to move toward being a four-year, stand-alone university. It would authorize the university to operate like other institutions in the University of Texas System, including being able to manage admissions policies within the normal administration of the university.

The institutions have shared buildings, students, faculty, staff, police and security, maintenance, and administration. Some of these shared responsibilities would continue. The institutions would have to tackle issues involving accreditation, division of services, and restructuring the faculty. Both UTB and TSC are committed to continuing a symbiotic

relationship because of their mutual stake in the success of the students and the future of the community.

CSSB 1909 would require the board of regents of the University of Texas System to negotiate and contract with the Texas Southmost College District board of trustees for reasonable compensation to TSC for the use of facilities to ensure that TSC's financial interests were protected. The bill would authorize articulation agreements between the institutions to facilitate the transfer of course credit and course alignment, which would be necessary to provide a seamless transition for the students.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The companion bill, HB 3689 by Oliveira, passed the House on May 5 and was reported favorably, as substituted, by the Senate Higher Education Committee on May 19 and recommended for the Local and Uncontested Calendar.

The House committee substitute differs from the Senate-passed version of the bill by requiring UT-Brownsville and the TSC district to submit to the Legislature a semiannual report on the status of the partnership until each institution achieved separate accreditation and the existing partnership agreement was terminated.