

## **BILL ANALYSIS**

Senate Research Center  
82R30709 E

C.S.H.B. 736  
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Higher Education  
5/21/2011  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In the 81st Legislature, Regular Session, 2009, legislation passed that requires an institution of higher education to publish an online resume on the institution's Internet website. This resume gives prospective students, parents, and lawmakers institution-specific information such as enrollment numbers, retention rates, and graduation rates along with comparable data from the institution's in-state and out-of-state peer institutions.

Given the increasing concern students and parents have regarding the affordability of higher education, C.S.H.B. 736 aims to add information that prospective students and their families need in order to make the most informed decisions as they approach postsecondary education.

C.S.H.B. 736 amends current law relating to required online information regarding public institutions of higher education.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 51.9745, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.9745, as follows:

Sec. 51.9745. INTERNET ACCESS TO FACULTY INFORMATION. (a) Requires each general academic teaching institution, as defined by Section 61.003, to make available to the public on the institution's Internet website the following information for the institution:

- (1) the student/faculty ratio;
- (2) the percentage of all full-time equivalent faculty members with teaching responsibility who are tenured or tenure track;
- (3) the percentage of semester credit hours taken by students classified as freshmen or sophomores that are taught by tenured and tenure track faculty members;
- (4) the number of faculty members in each of certain faculty ranks, including a breakdown for each rank showing the numbers of faculty members by race, ethnicity, and gender, including professor, associate professor, assistant professor, instructor, nontenured or nontenure track, and teaching assistant;
- (5) average faculty salaries by rank;
- (6) the amount of money appropriated by the legislature per full-time equivalent faculty member and full-time equivalent student;

(7) the total revenue the institution spent per full-time equivalent faculty member and full-time equivalent student;

(8) the amount of federal and private research expenditures per tenured or tenure track full-time equivalent faculty member;

(9) the number and percentage of faculty members holding extramural research grants;

(10) the number and names of awards to faculty members from nationally recognized entities, including those identified by The Center for Measuring University Performance; and

(11) the number of endowed professorships or chairs.

(b) Requires each institution to which this section applies to update the information required by Subsection (a) for the preceding academic or fiscal year, as applicable, not later than December 31 of each year.

(c) Provides that the administrator designated under Section 51.974 (Internet Access to Course Information) by an institution to which this section applies is responsible for ensuring implementation of this section. Authorizes the administrator to assign duties under this section to one or more administrative employees.

(d) Authorizes the Texas Higher Education Coordinating Board (THECB) to adopt rules necessary to administer this section, including rules to ensure the consistency of information made available under this section.

SECTION 2. Amends Section 51A.002, Education Code, by amending Subsection (b) and adding Subsection (e), as follows:

(b) Requires THECB to perform certain actions, including ensure that each of an institution of higher education's online resumes is available to the public on the THECB Internet website, in a one-page format if possible, and is accessible through a link that appears on the first frame of the THECB Internet website home page in a font that is larger than the font of the majority of the text on the home page, rather than in a prominent place on the THECB Internet website home page.

(e) Requires that the data relating to student loans, grants, or scholarships included by THECB on an institution's resume under this subchapter be the same as that published in regard to the institution by the United States Department of Education on its "College Navigator" website, or a successor or related website maintained by the United States Department of Education.

SECTION 3. Amends Section 51A.003, Education Code, to require each institution of higher education to which this chapter applies to perform certain actions, including ensure that the first frame of the institution's Internet website home page includes, in a font that is larger than the font of the majority of the text on the home page, rather than in a prominent place, an accessible link to the institution's online resumes maintained on THECB's Internet website.

SECTION 4. Amends Subchapter A, Chapter 51A, Education Code, by adding Section 51A.004, as follows:

Sec. 51A.004. LINK TO FEDERAL STUDENT FINANCIAL AID INFORMATION. Authorizes an institution to satisfy a requirement of this chapter relating to student loan, grant, or scholarship information by linking the online resume of the institution to that information as it appears on the website known as "College Navigator," or a successor or

related website, maintained by the National Center for Education Statistics of the U.S. Department of Education.

SECTION 5. Amends Section 51A.052, Education Code, by amending Subsection (d) and adding Subsection (e), as follows:

(d) Requires that the resume include the following information relating to the institution for the most recent state fiscal year for which the information is available and compare that information to the same information for the state fiscal year preceding the most recent state fiscal year for which the information is available and the state fiscal year preceding the most recent state fiscal year for which the information is available by five years:

(1) under the heading "ENROLLMENT":

(A) the total number of students enrolled in the institution during the fall semester that ended in the fiscal year covered by the resume; and

(B) the percentage of undergraduate students enrolled in the institution for the first time during the fall semester that ended in the fiscal year covered by the resume who are transfer students;

(2) under the heading "COSTS":

(A) the average annual total academic costs for a resident undergraduate student enrolled in 30 semester credit hours at the institution, and at the institution's in-state and out-of-state peer institutions;

(B) the percentage of undergraduate students receiving student loans at the institution, and at the institution's in-state and out-of-state peer institutions;

(C) the average annual amount of an undergraduate student's student loans at the institution, and at the institution's in-state and out-of-state peer institutions;

(D) the percentage of undergraduate students receiving federal or state grants at the institution, and at the institution's in-state and out-of-state peer institutions; and

(E) the average annual amount of federal and state grants received by an undergraduate student at the institution, and at the institution's in-state and out-of-state peer institutions;

(3) under the heading "STUDENT SUCCESS":

(A) the retention rate of first-time, full-time, degree-seeking entering undergraduate students enrolled in the institution after one academic year and after two academic years, and enrolled in the institution's in-state peer institutions after two academic years;

(B) the percentage of undergraduate students requiring developmental education who, after six years from entering the institution, graduated from or are still enrolled in the institution, and the institution's in-state peer institutions;

(C) the four-year, five-year, and six-year graduation rates of full-time bachelor's degree-seeking students at the institution, and at the institution's in-state and out-of-state peer institutions; and

(D) the average number of fall and spring semesters of enrollment attempted by a student to obtain a bachelor's degree at the institution, and at the institution's in-state peer institutions; and

(4) under the heading "FUNDING":

(A) the total amount of money appropriated by the legislature to the institution, including money appropriated for faculty and staff health coverage and retirement benefits, for that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total amount of money appropriated by the legislature represents;

(B) the total amount of federal funds from all federal sources, including grants and research funds, received by the institution in that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total amount of federal funds represents;

(C) the total academic costs charged to students by the institution in that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total academic costs represent; and

(D) the total amount of money from any source available to the institution in that state fiscal year.

Makes nonsubstantive changes.

(e) Requires that the resume, in addition to the information required by Subsection (d)(2), include under the heading "COSTS" the average annual amount and percentage by which the total academic costs charged to a resident undergraduate student enrolled in 30 semester credit hours have increased in each of the five most recent state fiscal years for which the information is available at the institution, and at the institution's in-state and out-of-state peer institutions.

SECTION 6. Amends Section 51A.053, Education Code, by amending Subsection (c) and adding Subsection (d), as follows:

(c) Requires that the resume, except as otherwise provided by THECB under Subsection (a), include the following information relating to the most recent state fiscal year for which the information is available:

(1) under the heading "ENROLLMENT":

(A) the total number of students enrolled in the institution during the fall semester that ended in the fiscal year covered by the resume;

(B) the percentage of undergraduate students enrolled in the institution for the first time during the fall semester that ended in the fiscal year covered by the resume who are transfer students; and

(C) a clearly identifiable link to the information described by Paragraph (A) disaggregated by student ethnicity;

(2) under the heading "DEGREES AWARDED":

(A) the number of bachelor's degrees, number of master's degrees, number of doctoral degrees, and number of professional degrees awarded by the institution; and

- (B) a clearly identifiable link to the information described by Paragraph (A) disaggregated by student ethnicity;

(3) under the heading "COSTS":

(A) the average annual total academic costs for a resident undergraduate student enrolled in 30 semester credit hours at the institution;

(B) clearly identifiable links to information regarding the rate or rates of tuition per semester credit hour charged by the institution, and any mandatory fees, as defined by THECB, imposed by the institution, rather than the rate or rates of tuition per semester credit hour charged by the institution, any mandatory fees, as defined by THECB, imposed by the institution, and the amount and percentage by which the institution has increased tuition for a degree program or course level during the state fiscal year covered by the resume;

(C) the average cost of on-campus room and board per student; and

(D) the average cost to a resident undergraduate student enrolled in 30 semester credit hours for total academic costs and on-campus room and board, excluding the cost of books, supplies, transportation, or other expenses;

(4) under the heading "FINANCIAL AID":

(A) the percentage of undergraduate students enrolled in the institution who receive need-based grants or scholarships;

(B) the percentage of undergraduate students enrolled in the institution who receive need-based grants, scholarships, loans, or work-study funds;

(C) the percentage of undergraduate students enrolled in the institution who receive student loans;

(D) the average amount of an undergraduate student's need-based grant and scholarship package;

(E) the average amount of an undergraduate student's need-based grant, scholarship, loan, and work-study package; and

(F) the average amount of an undergraduate student's student loans;

(5)-(6) Makes no changes to these subdivisions;

(7) under the heading "BACCALAUREATE SUCCESS":

(A) four-year, five-year, and six-year graduation rates for full-time bachelor's degree-seeking students at the institution, and links to that information disaggregated by student ethnicity;

(B) the average number of fall and spring semesters of enrollment attempted by a student to obtain a bachelor's degree; and

(C) the retention rate of first-time, full-time, degree-seeking entering undergraduate students enrolled in the institution after one academic year and after two academic years;

(8) Makes no changes to this subdivision; and

(9) under the heading "FUNDING":

(A) the total amount of money appropriated by the legislature to the institution, including money appropriated for faculty and staff health coverage and retirement benefits, for that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total amount of money appropriated by the legislature represents;

(B) the total amount of federal funds from all federal sources, including grants and research funds, received by the institution in that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total amount of federal funds represents;

(C) the total academic costs charged to students by the institution in that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total academic costs represent; and

(D) the total amount of money from any source available to the institution in that state fiscal year.

Makes nonsubstantive changes.

(d) Requires that the resume, in addition to the information required by Subsection (c)(3), include under the heading "COSTS" the average annual amount and percentage by which the total academic costs charged to a resident undergraduate student enrolled in 30 semester credit hours have increased in each of the five most recent state fiscal years for which the information is available at the institution, and at the institution's in-state peer institutions.

SECTION 7. Amends Section 51A.102, Education Code, by amending Subsection (d) and adding Subsection (e), as follows:

(d) Requires that the resume include the following information relating to the institution for the most recent state fiscal year for which the information is available and compare that information to the same information for the state fiscal year preceding the most recent state fiscal year for which the information is available and the state fiscal year preceding the most recent state fiscal year for which the information is available by five years:

(1) under the heading "ENROLLMENT":

(A) the total number of students enrolled in the institution for course credit during the fall semester that ended in the fiscal year covered by the resume;

(B) the percentage of students enrolled in the institution who are enrolled in one or more developmental education courses; and

(C) the percentage of students enrolled in the institution who are enrolled in one or more dual credit courses;

(2) under the heading "COSTS":

(A) the average annual total academic costs, which for a junior college must include those costs for an in-district and an out-of-district student, for a student enrolled in 30 semester credit hours toward a two-year degree or certificate at the institution, and at the institution's in-state peer institutions;

(B) the percentage of students receiving student loans at the institution, and at the institution's in-state peer institutions;

(C) the average annual amount of student loans received by a student at the institution, and at the institution's in-state peer institutions;

(D) the percentage of students receiving federal or state grants at the institution, and at the institution's in-state peer institutions; and

(E) the average annual amount of federal and state grants received by a student at the institution, and at the institution's in-state peer institutions;

(3) Makes no changes to this subdivision; and

(4) under the heading "FUNDING":

(A) the total amount of money appropriated by the legislature to the institution, rather than the total amount of money appropriated by the legislature to the institution for that state fiscal year, including money appropriated for faculty and staff health coverage and retirement benefits, for that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total amount of money appropriated by the legislature represents;

(B) the total amount of money from any source available to the institution in that state fiscal year;

(C) the total amount of federal funds from all federal sources, including grants and research funds, received by the institution in that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total amount of federal funds represents;

(D) the total academic costs charged to students by the institution in that state fiscal year and the corresponding percentage of the institution's operating budget for that state fiscal year that the total academic costs represent; and

(E) the tax rate per \$100 valuation of taxable property imposed by the junior college district, if the institution is a public junior college.

(e) Requires that the resume, in addition to the information required by Subsection (d)(2), include under the heading "COSTS" the average annual amount and percentage by which the total academic costs charged to a student enrolled in 30 semester credit hours toward a two-year degree or certificate have increased in each of the five most recent state fiscal years for which the information is available at the institution, and at the institution's in-state peer institutions.

SECTION 8. Provides that Section 51.9745, Education Code, as added by this Act, applies beginning with the 2012 fall semester.

SECTION 9. Requires THECB and public institutions of higher education to comply with the changes made by this Act to Chapter 51A, Education Code, as soon as practicable following the effective date of this Act, but not later than February 1, 2012.

SECTION 10. Effective date: upon passage or September 1, 2011.