

Rider Comparison Packet

Conference Committee on Senate Bill 1

2010-11 General Appropriations Bill

Article III - Agencies of Higher Education

ARTICLE III - AGENCIES OF EDUCATION
30M Higher Education Employees Group Insurance Contributions
DIFFERENCES ONLY

Senate

House

5. Specification of Appropriations. The amount of the appropriation made for Strategy C.1.29, Public Community/Junior Colleges, shall be allocated to each college in accordance with a report, specifying the exact amounts for each college, to be provided by the Legislative Budget Board to the Employees Retirement System.

6. Appropriations Transfers.

- a. Funds appropriated above to institutions other than those belonging to The University of Texas System or the Texas A&M University System, may be transferred from one appropriation item to another at the discretion of the chief administrative officer of the Employees Retirement System for the purpose of applying appropriations in excess of actual General Revenue group insurance premium costs at any of the higher education institutions named above to appropriation shortfalls for General Revenue group insurance premiums at any of the higher education institutions named above. Reallocation dollars provided by the group of institutions submitting annual Accounting Policy Statement 011 (Benefits Proportional by Fund) reports to the Comptroller shall be first apportioned among the same group of institutions, and any remaining funds may be applied to appropriation shortfalls among other institutions of higher education. Funds appropriated above to components of The University of Texas System and the Texas A&M University System may be transferred from one component to another component within the same system at the discretion of the chief administrative officer of each system for the same purposes stated above.
- b. The Employees Retirement System, The University of Texas System, and the Texas A&M University System shall file a report with the Legislative Budget Board, the Governor and the Comptroller by December 1 of each year, detailing any such transfers.

5. Specification of Appropriations. The amount of the appropriation made for Strategy C.1.29, Public Community/Junior Colleges, shall be allocated to each college in accordance with a report, specifying the exact amounts for each college, to be provided by the Legislative Budget Board to the Employees Retirement System. The methodology used to allocate the funds appropriated for Strategy C.1.29, Public Community/Junior Colleges, shall exclude the salaries of community colleges staff working outside the State of Texas.

6. Appropriations Transfers.

- a. Funds appropriated above to institutions other than those belonging to The University of Texas System or the Texas A&M University System, may be transferred from one appropriation item to another at the discretion of the chief administrative officer of the Employees Retirement System for the purpose of applying appropriations in excess of actual General Revenue group insurance premium costs at any of the higher education institutions named above to appropriation shortfalls for General Revenue group insurance premiums at any of the higher education institutions named above. Reallocation dollars provided by the group of institutions submitting annual Accounting Policy Statement 011 (Benefits Proportional by Fund) reports to the Comptroller shall be first apportioned among the same group of institutions, and any remaining funds may be applied to appropriation shortfalls among other institutions of higher education. Funds appropriated above to components of The University of Texas System and the Texas A&M University System may be transferred from one component to another component within the same system at the discretion of the chief administrative officer of each system for the same purposes stated above.
- b. The Employees Retirement System, The University of Texas System, and the Texas A&M University System shall file a report with the Legislative Budget Board, the Governor and the Comptroller by December 1 of each year, detailing any such transfers.

ARTICLE III - AGENCIES OF EDUCATION
30M Higher Education Employees Group Insurance Contributions
DIFFERENCES ONLY
(Continued)

Senate

- c. Out of the funds appropriated above in Strategy A.1.11, The University of Texas Medical Branch at Galveston, \$1,793,503 in fiscal year 2010 and \$1,915,461 in fiscal year 2011 is for the purpose of paying General Revenue group insurance premiums for employees participating in the Employees Retirement System Group Benefit Program for managed health and mental care associated with the Texas Youth Commission and the Texas Department of Criminal Justice. Out of the funds appropriated above in Strategy C.1.22, Texas Tech University Health Sciences Center, \$4,156,342 in fiscal year 2010 and \$4,438,974 in fiscal year 2011 is for the purpose of paying General Revenue group insurance premiums for employees paid from managed health care contracts associated with the Texas Department of Criminal Justice. Except for the transfer authority provided above in Subsection a, these amounts are sum certain.
- d. Included in the funds appropriated above in Strategy B.1.17, Texas Forest Service, \$500,000 in fiscal year 2010 and \$500,000 in fiscal year 2011 is for the purpose of paying group health insurance premiums for employees paid with direct appropriations to the Texas Forest Service from the Insurance Companies Maintenance Tax and Insurance Department Fees method of finance. Except for the transfer authority provided above in Subsection a, these amounts are sum certain.

House

- c. Out of the funds appropriated above in Strategy A.1.11, The University of Texas Medical Branch at Galveston, \$1,793,503 in fiscal year 2010 and \$1,915,461 in fiscal year 2011 is for the purpose of paying General Revenue group insurance premiums for employees participating in the Employees Retirement System Group Benefit Program for managed health and mental care associated with the Texas Youth Commission and the Texas Department of Criminal Justice. Out of the funds appropriated above in Strategy C.1.22, Texas Tech University Health Sciences Center, \$4,156,342 in fiscal year 2010 and \$4,438,974 in fiscal year 2011 is for the purpose of paying General Revenue group insurance premiums for employees paid from managed health care contracts associated with the Texas Department of Criminal Justice. Except for the transfer authority provided above in Subsection a, these amounts are sum certain.

7. **Unexpended Balances, Higher Education Group Insurance Contributions.** Any unexpended balances remaining as of August 31, 2010 for individual institutions of higher education receiving General Revenue group insurance contributions in this appropriation are hereby appropriated for the same purposes in fiscal year 2011.

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY

Senate

House

3. Commissioner's Salary. The Coordinating Board is hereby authorized to utilize \$77,851 per year from General Revenue funds appropriated to Goal H, in 2010 and 2011 and any earned funds for the purpose of funding the salary of the Commissioner of Higher Education at a rate not to exceed \$181,500 per year in 2010 and 2011.

8. Baylor College of Medicine. From funds appropriated by this Act for the Baylor College of Medicine, the Coordinating Board shall allocate an amount per student enrolled in the college equal to the cost of medical education in the established public medical schools cited in Subchapter D, Chapter 61, Education Code. The cost of medical education per student at public medical schools as determined by the Coordinating Board shall include General Revenue appropriations for instruction and operations, infrastructure, and staff benefits allocated to undergraduate medical education.

12. Family Practice, Rural, Public Health, and Oncology Rotations. Funds appropriated above for Family Practice Residency Programs, include up to \$363,000 in 2010 and \$363,000 in 2011 for one-month rural rotations, one-month public health rotations, or one-month oncology rotations for family practice residents in accordance with the provision of Education Code § 51.918.

3. Commissioner's Salary. The Coordinating Board is hereby authorized to utilize \$77,851 per year from General Revenue funds appropriated to Goal H, in 2010 and 2011 and any earned funds for the purpose of funding the salary of the Commissioner of Higher Education at a rate not to exceed \$180,000 per year in 2010 and 2011.

8. Baylor College of Medicine.

- a. From funds appropriated by this Act for the Baylor College of Medicine, the Coordinating Board shall allocate an amount per student enrolled in the college equal to the cost of medical education in the established public medical schools cited in Subchapter D, Chapter 61, Education Code. The cost of medical education per student at public medical schools as determined by the Coordinating Board shall include General Revenue appropriations for instruction and operations, infrastructure, and staff benefits allocated to undergraduate medical education.
- b. Appropriations made by this Act for Baylor College of Medicine are considered to be appropriations for any legal successor to Baylor College of Medicine and may be expended only for the purposes for which appropriated. Any details, limits, or restrictions applicable to those appropriations are applicable to that legal successor.

12. Family Practice, Rural and Public Health Rotations. Funds appropriated above for Family Practice Residency Programs, include up to \$363,000 in 2010 and \$363,000 in 2011 for one month rural rotations for family practice residents in accordance with the provision of Education Code § 51.918.

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

House

29. Cancer Registry. Not later than December 1, 2009, the Texas Higher Education Coordinating Board shall collect from each health-related institution, including Baylor College of Medicine, and each general academic institution that conducts cancer-related research a total amount of \$875,000 in fiscal year 2010 and \$1,000,000 in fiscal year 2011. The Coordinating Board shall develop a methodology that assesses a proportional share of the cost for each institution. The Coordinating Board shall enter into an interagency cooperation agreement with the Texas Department of State Health Services to transfer the funds to the Department for the purposes of enhancing the infrastructure of the state cancer registry and to fund a position to monitor contract compliance and quality assurance of the cancer registry.

30. Student Financial Aid Programs. The amounts appropriated above in Strategy B.1.9, Student Financial Aid Programs, shall be expended by the Higher Education Coordinating Board to provide student financial aid through the following programs: Texas B-On-Time, College Work Study, TEXAS Grant, Tuition Equalization Grant Program, and Texas Education Opportunity Grant Program.

- a. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than \$7,500,000 each year shall be allocated to the College Work Study Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the College Work-Study Program as of August 31, 2009, estimated to be \$1,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§56.071-56.079 for the same purposes for use during the biennium beginning September 1, 2009.
- b. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than \$7,475,547 in fiscal year 2010 and \$7,575,546 in fiscal year 2011

29. Student Financial Aid Programs. The amounts appropriated above in Strategy B.1.9, Student Financial Aid Programs, shall be expended by the Higher Education Coordinating Board to provide student financial aid through the following programs: Texas B-On-Time, College Work Study, TEXAS Grant, Tuition Equalization Grant Program, and Texas Education Opportunity Grant Program.

- a. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than \$7,500,000 each year shall be allocated to the College Work Study Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the College Work-Study Program as of August 31, 2009, estimated to be \$1,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§56.071-56.079 for the same purposes for use during the biennium beginning September 1, 2009.
- b. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than \$19,450,000 in fiscal year 2010 and \$19,550,000 in fiscal year 2011

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

shall be allocated to the Texas Education Opportunity Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the Texas Education Opportunity Grant Program as of August 31, 2009, estimated to be \$1,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§56.401-56.407 for the same purposes for use during the biennium beginning September 1, 2009.

- c. Out of funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than \$105,874,655, each year shall be allocated to the Tuition Equalization Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the Tuition Equalization Grant Program as of August 31, 2009, estimated to be \$200,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§61.221-61.230 for the same purposes for use during the biennium beginning September 1, 2009.
- d. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, the Higher Education Coordinating Board shall allocate not less than \$262,549,338 in fiscal year 2010 and \$251,733,614 in fiscal year 2011 to the TEXAS Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the TEXAS Grant program as of August 31, 2009, estimated to be \$500,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§ 56.301-56.311 for the same purposes for use during the biennium beginning September 1, 2009.
- e. Out of funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, the Higher Education Coordinating Board shall allocate an amount not less than \$27,816,987 in General Revenue in fiscal year 2010 and \$27,816,987 in fiscal year 2011 and \$30,000,000 in General Revenue-Dedicated B-On-Time Set Asides Fund No. 5103 in each year of the biennium to the B-On-Time Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. The funds provided

House

shall be allocated to the Texas Education Opportunity Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the Texas Education Opportunity Grant Program as of August 31, 2009, estimated to be \$1,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§56.401-56.407 for the same purposes for use during the biennium beginning September 1, 2009.

- c. Out of funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount not less than \$105,874,655, each year shall be allocated to the Tuition Equalization Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the Tuition Equalization Grant Program as of August 31, 2009, estimated to be \$200,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§61.221-61.230 for the same purposes for use during the biennium beginning September 1, 2009.
- d. Out of the funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, the Higher Education Coordinating Board shall allocate not less than \$331,591,871 in fiscal year 2010 and \$320,776,148 in fiscal year 2011 to the TEXAS Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the TEXAS Grant program as of August 31, 2009, estimated to be \$500,000 (and included above in Method of Financing), are appropriated in accordance with Education Code §§ 56.301-56.311 for the same purposes for use during the biennium beginning September 1, 2009.
- e. Out of funds appropriated above in Strategy B.1.9, Student Financial Aid Programs, the Higher Education Coordinating Board shall allocate an amount not less than \$18,500,000 in General Revenue and \$20,000,112 in General Revenue-Dedicated B-On-Time Set Asides Fund No. 5103 in each year of the biennium to the B-On-Time Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. The funds provided to the B-On-Time Program are appropriated in accordance with Education Code §§ 56.451-56.465 to provide eligible Texas students

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

to the B-On-Time Program are appropriated in accordance with Education Code §§ 56.451-56.465 to provide eligible Texas students forgivable no-interest loans to attend colleges and universities in Texas. All balances in the General Revenue-Dedicated Texas B-On-Time Student Loan Account as of August 31, 2009, estimated to be \$28,000,000 (and included above in Method of Financing), and all Texas B-on-Time Student Loan Account receipts received during the biennium are hereby appropriated to the Coordinating Board for the biennium ending August 31, 2011 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

- f. Any amounts received by the Coordinating Board as donations under Texas Education Code §56.310 during the biennium beginning September 1, 2009 are hereby appropriated for the purpose of awarding TEXAS Grants during the biennium beginning September 1, 2009.
- g. Any amounts transferred to the Coordinating Board by the Comptroller in accordance with Texas Property Code §72.1016(e), which provides that five percent of the money collected from stored valued cards presumed to be abandoned are to be used as grants under Subchapter M, Education Code, are hereby appropriated (estimated to be \$18,194 per year and included above in the Method of Financing) for the biennium beginning September 1, 2009 for the purpose of awarding TEXAS Grants during the biennium beginning September 1, 2009.

House

forgivable no-interest loans to attend colleges and universities in Texas. All balances in the General Revenue-Dedicated Texas B-On-Time Student Loan Account as of August 31, 2009, estimated to be \$28,000,000 (and included above in Method of Financing), and all Texas B-On-Time Student Loan Account receipts received during the biennium are hereby appropriated to the Coordinating Board for the biennium ending August 31, 2011 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

- f. Any amounts received by the Coordinating Board as donations under Texas Education Code §56.310 during the biennium beginning September 1, 2009 are hereby appropriated for the purpose of awarding TEXAS Grants during the biennium beginning September 1, 2009.
- g. Any amounts transferred to the Coordinating Board by the Comptroller in accordance with Texas Property Code §72.1016(e), which provides that five percent of the money collected from stored valued cards presumed to be abandoned are to be used as grants under Subchapter M, Education Code, are hereby appropriated (estimated to be \$18,194 per year and included above in the Method of Financing) for the biennium beginning September 1, 2009 for the purpose of awarding TEXAS Grants during the biennium beginning September 1, 2009.
- h. Notwithstanding any other provisions of this Act, out of money appropriated above in Strategy B.1.9, Student Financial Aid Programs, an amount equal to any amount of general revenue-dedicated greater than the \$20,000,112 that is appropriated to the B-On-Time Program, shall be subtracted from the \$18,500,000 of general revenue that is appropriated to the B-On-Time Program and shall be allocated to the Higher Education Coordinating Board for academic-based financial assistance to postsecondary, undergraduate students from middle-income families. It is the intent of the legislature that the Higher Education Coordinating Board develop uniform standards by which to award that academic-based financial assistance to students from middle-income families. The Higher Education

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

36. Professional Nursing Shortage Reduction Program. The funds appropriated under Strategy D.1.12 for the Professional Nursing Shortage Reduction Program (§ 61.9621-61.9628, Education Code) are trusted to the Texas Higher Education Coordinating Board to achieve the following outcomes: 1) increasing the number of graduates from professional nursing programs, 2) increasing the percentage of students in professional nursing programs that graduate within a reasonable time as determined by the board, and 3) increasing the number of graduates from master's and doctoral programs in nursing that join the faculty of a professional nursing program. Funds shall only be used to: 1) create additional nurse faculty positions, 2) provide temporary salary supplements for professional nursing faculty, 3) engage qualified preceptors to expand faculty capacity and 4) provide stipends to graduate nursing students enrolled in nurse educator certificate and degree programs and PhD nursing programs. "Professional nursing program" has the meaning assigned by § 61.9621, Education Code. The funds appropriated shall be distributed in an equitable manner to institutions based on increases in numbers of nursing students graduating. The Coordinating Board shall apply a weight of 1.5 for increased graduates in nursing educator programs identified with a Classification of Instructional Program code of 51.1608 and 51.1699.6. Out of funds appropriated above in Strategy D.1.12, the Coordinating Board shall allocate up to 50 percent in each year of the biennium to community colleges. If the board 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.

An institution is eligible to receive funds appropriated for fiscal year 2010 only if it commits for fiscal year 2010 to spend funds on its professional nursing program at least equal to the funds spent in fiscal year 2009 and for funds appropriated for fiscal year 2011 only if it commits for Fiscal Year 2011 to spend funds equal at least to the funds spent in fiscal year 2010. Funds received under Strategy D.1.12. shall not be included in these calculations.

Five percent of the funds appropriated under Strategy D.1.12. are appropriated for

House

Coordinating Board may allocate additional money from the strategy to the program.

35. Professional Nursing Shortage Reduction Program. The funds appropriated under Strategy D.1.12 for the Professional Nursing Shortage Reduction Program (§ 61.9621-61.9628, Education Code) are trusted to the Texas Higher Education Coordinating Board (THECB) to achieve the following outcomes: 1) increasing the number of graduates from professional nursing programs, 2) increasing the percentage of students in professional nursing programs that graduate within a reasonable time as determined by the board, and 3) increasing the number of graduates from master's and doctoral programs in nursing that join the faculty of a professional nursing program. Funds shall only be used to: 1) create additional nurse faculty positions, 2) provide temporary salary supplements for professional nursing faculty, 3) engage qualified preceptors to expand faculty capacity and 4) provide stipends to graduate nursing students enrolled in nurse educator certificate and degree programs and PhD nursing programs. "Professional nursing program" has the meaning assigned by § 61.9621, Education Code. After allocating up to \$7.35 million each year consistent with subsections (a) and (b), the balance of appropriations in strategy D.1.12 each fiscal year shall be allocated consistent with subsection (c) and (d) below.

The THECB shall allocate the funds as follows: (a) The THECB may use up to \$617,500 each year from the funds appropriated under Strategy D.1.12. for administrative expenses as authorized by § 61.9628, Education Code.

(b) The funds appropriated shall be distributed in an equitable manner to institutions, including institutions graduating their first nursing class, based on increases in numbers of nursing students graduating. The Coordinating Board shall apply a weight of 1.5 for increased graduates in nursing educator programs identified with a Classification of Instructional Program code of 51.1608 and 51.1699.6. Out of funds appropriated above in Strategy D.1.12, the Coordinating Board shall allocate up to 50 percent in each year of the biennium to community colleges. If the board is unable to allocate the balance of the funds up to \$7.35 million in fiscal year 2010, to general academic and health-related institutions, it may allocate

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

administrative expenses as authorized by § 61.9628, Education Code.

The board shall have the authority to transfer funds from Strategy D.1.9, Professional Nursing Aid, to Strategy D.1.12, Professional Nursing Shortage Reduction Program, for the purposes set out in this rider.

Any funds not expended in fiscal year 2010 may be expended in fiscal year 2011.

The board shall distribute awards to qualifying institutions within 60 days of the start of the fiscal year or by November 1.

House

any unused funds to community colleges.

An institution is eligible to receive funds appropriated for fiscal year 2010 only if it commits for fiscal year 2010 to spend funds on its professional nursing program at least equal to the funds spent in fiscal year 2009 and for funds appropriated for fiscal year 2011 only if it commits for fiscal year 2011 to spend funds equal at least to the funds spent in fiscal year 2010. Funds received under Strategy D.1.12. shall not be included in these calculations.

The board shall have the authority to transfer funds from Strategy D.1.9, Professional Nursing Financial Aid, to Strategy D.1.12, Professional Nursing Shortage Reduction Program, for the purposes set out in this rider.

Any funds not expended under Subsection (a) in fiscal year 2010 may be expended in fiscal year 2011.

The board shall distribute awards to qualifying institutions within 60 days of the start of the fiscal year or by November 1.

(c) The Coordinating Board is hereby directed to distribute at the beginning of the respective fiscal year \$8,014,800 in fiscal year 2010 and \$12,503,088 in fiscal year 2011 to institutions with nursing programs based on the following criteria: (1) programs with a graduation rate of 70% or above as reflected in the March 2009 Coordinating Board survey of graduation rates; (2) in fiscal year 2010 the institutions increase new enrollees by 12% over data reported in the March 2009 survey; (3) the institutions increase the number of new enrollees by an additional 6% in fiscal year 2011; and (4) the amount is based on \$10,000 per year for each additional nursing student in a program leading to initial licensure as a registered nurse.

The funds shall be expended by the institutions only for purposes to expand the number of nursing students enrolled in fiscal year 2010 and again in fiscal year 2011. An institution shall use the funds received under this Nursing Shortage Initiative only for expenses related to the nursing programs at the respective institution. An institution is limited to expending an amount

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

House

equal to what it generates based on the actual increase in entry level nursing enrollment in initial licensure programs at the institution. To the extent that the institution does not meet the enrollment targets which are the basis of this appropriation, these funds will return to the State Treasury at the end of the 2010-11 biennium.

(d) With the remaining appropriation in strategy D.1.12 after implementing subsections (a), (b), and (c), the THECB may use five percent for administrative expenses related to the allocation of funds as follows. Public and private institutions of higher education as defined in Education Code § 61.003 with nursing graduation rates below 70% according to the March 2009 Coordinating Board survey, hospital based diploma programs or new programs whose graduation rates which have not been determined by the THECB can submit applications to increase the number of nursing graduates from programs leading to initial licensure as registered nurses. The funds shall be expended only for purposes to expand the number of entry level nurses graduating by fiscal year 2013. Institutions shall receive \$20,000 for each graduate. The THECB may use the committee established under Education Code § 61.96231(d) to review proposals and make recommendations. Any funds not expended under Subsection (d) in fiscal year 2010 may be expended in fiscal year 2011.

THECB shall enter a memorandum of understanding (MOU) with respective institutions to increase the number of nursing graduates. The MOU would indicate the number of nursing graduates for initial licensure the institution would produce; the number of payments and the time frame for allocation of funds to the institution; identify benchmarks an institution must meet to receive payments; and the consequences of failing to meet the benchmarks.

48. Higher Education Performance Incentive Initiative. Amounts appropriated above in Strategy B.1.12, Higher Education Performance Incentive Initiative, shall be used for an incentive program for the improvement in teaching and educational excellence at Texas public general academic teaching institutions. These funds may also be used to provide scholarships for undergraduate students who have graduated with a grade point average in the top 10 percent of the student's high school graduating class from an accredited Texas High School.

46. Top Ten Percent Scholarships. Amounts appropriated above in Strategy B.1.12, Top Ten Percent Scholarships, shall be used to provide scholarships for undergraduate students who have graduated with a grade point average in the top 10 percent of the student's high school graduating class from an accredited Texas High School.

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

House

- 50. Enrollment Growth Funding for General Academic Institutions.** Funds appropriated above in Strategy E.1.3, General Academic Institution Enrollment Growth, are to be used only to assist public general academic institutions which experience dramatic rates of growth in weighted semester credit hours during the 2010-2011 biennium. Funds appropriated under this section shall be allocated according to a formula developed by the Texas Higher Education Coordinating Board based on the following criteria:

For fiscal year 2010, funding shall be provided for growth in weighted semester credit hours at institutions which experience an increase in total weighted semester credit hours greater than 3 percent between Fall 2008 and Fall 2009 semesters. For fiscal year 2011, funding shall be provided for growth in weighted semester credit hours at institutions which experience an increase in total weighted semester credit hours greater than 6 percent between Fall 2008 and Fall 2010 semesters.

- 51. Alternative Teacher Certification.** The Texas Higher Education Coordinating Board shall allocate the funds appropriated in Strategy, E.1.5, Alternative Teacher Certification, only if an institution is able to demonstrate to the satisfaction of the Texas Higher Education Coordinating Board it significantly reduced the cost of tuition for coursework in Alternative Teacher Certification in comparison to the institution's average tuition.

- 52. Statistical Analysis of Predictors of College Success.** The Texas Higher Education Coordinating Board shall provide data to the Legislative Budget Board as requested sufficient to conduct a statistical study of the predictors of success in higher education. These student-level, cohort data shall include longitudinal measurements of: success in first-college-level-course; persistence and transfer; college-level grade point average; degree completion and time to degree; federal financial aid calculations; amounts of

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

House

financial support via federal, state, or other aid/remissions; parental education level; scores on national college entrance examinations; attainment of college readiness standards (in high school or through developmental education); part-time/full-time status; student demographics; and other relevant factors and information as determined to be necessary by the Legislative Budget Board.

With the assistance of the Texas Education Agency as required, these data shall also include: scores on state assessment examinations; highest level of high school mathematics class successfully completed; high school graduation plan; high school class rank; size of high school graduation class; other demographic data collected in secondary education; and dual credit or college credit completed while in high school.

The Texas Higher Education Coordinating Board shall assist the Legislative Budget Board in the analysis and interpretation of these data. Data shall be made available to the Legislative Budget Board as soon as is practical following the conclusion of each academic year. These data shall be provided in compliance with all relevant privacy laws.

53. College Textbook Cost Review. Out of funds appropriated above, The Texas Higher Education Coordinating Board shall complete a report detailing the cost of college textbooks to Texas students and noting any discrepancies between the initial retail price provided by the publisher prior to the text's selection for use in a core curriculum course and the final retail price applicable to Texas students. At a minimum the report should contain:

- (1) trends in college textbook pricing, including a minimum five year history;
- (2) average college textbook prices in Texas, including a minimum five year history;
- (3) textbook cost details by public college and university;

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

House

- (4) descriptions of activities by the Higher Education Coordinating Board and institutions of higher education to reduce the costs of textbooks to students; and
- (5) recommendations to further reduce the cost of textbooks to Texas higher education students.

The report should be submitted to the Legislative Budget Board and the Governor prior to January 1, 2011.

- 53. Performance Review.** Out of funds appropriated above, the Higher Education Coordinating Board, will conduct a performance review of the activities of the Higher Education Coordinating Board, General Academic Institutions and other state supported entities undertake to increase higher education awareness and understanding among the public in general and elementary, secondary, and higher education students with the aim of increasing college attendance, persistence and graduation.

The report shall be delivered to the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board and the Governor by November 1 of each year.

- 56. Texas State Technical College "Returned Value" Funding Methodology.** The Texas Higher Education Coordinating Board shall report to the 82nd Legislature on the feasibility of a funding model based on a "returned value" to be used in calculating the formula funding appropriation for Texas State Technical Colleges. The study shall be conducted in consultation with the Office of the Comptroller, Texas Workforce Commission, and Texas State Technical College System.

- 54. Texas State Technical College "Return Value" Funding Study.** Out of funds appropriated above, the Higher Education Coordinating Board shall report to the 82nd Legislature on the feasibility of a funding model based on "returned value" to be used in calculating the formula funding appropriation for the Texas State Technical Colleges. The study shall be conducted in consultation with the Office of the Comptroller, the Texas Workforce Commission, and the Texas State Technical College System.

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

House

- 54. Developmental Education.** Out of funds appropriated above in Strategy E.1.1, Developmental Education Program, \$2,500,000 in general revenue for fiscal year 2010 and \$2,500,000 in general revenue for fiscal year 2011 shall be used for the purpose establishing a pilot program for developmental education. Any balances remaining as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.
- 55. Matrix Cost Study.** Out of the funds appropriated above, the Higher Education Coordinating Board shall conduct a cost study to validate the relative weights contained in the matrix in Section 29 (1) of the Special Provisions Relating Only to Institutions of Higher Education and report the results of the study to the Legislative Budget Board and the Governor's Office no later than September 1, 2010. The study should provide an "all funds" analysis of the Health Related Institutions' costs. All costs should be based on data in each institution's Annual Financial Report.

- 55. Performance of Developmental Education Interventions.** In a manner and frequency prescribed by the Texas Higher Education Coordinating Board, institutions of higher education shall report by semester credit or contact hour per student, expenditures by revenue source to provide developmental education interventions including: course-based, non-course-based, alternative-entry/exit, and other intensive developmental education activities. Institutions shall analyze the fiscal and instructional impacts on student outcomes for each intervention. The institutions shall prepare a report to the Board no later than June 1, 2010.

The Board, in conjunction with the Legislative Budget Board and institutions of higher education, shall use existing performance measures and data to assist in the evaluation of student outcomes for these interventions, including but not limited to, student success in first-college-level-course by subject, persistence, transfer, and degree or certificate completion.

The Board shall analyze and compare all institution reports and recommend formulas to allocate state appropriations based on the most effective and efficient combination of

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

House

developmental education interventions. The Board shall obtain approval for the distribution formula from the Legislative Budget Board and the Governor before January 1, 2011.

56. Tuition Report. Of the amount appropriated in Strategy B.1.9, Student Financial Aid Programs, for the state fiscal biennium beginning September 1, 2009, to the Texas Higher Education Coordinating Board, the coordinating board shall use an appropriate and reasonable amount for each year of the biennium to conduct a study and submit a report on the financial impact of tuition and fees on students enrolled at Texas public institutions of higher education and on the families of those students. The coordinating board shall submit the report to the governor, the lieutenant governor, and each member of the legislature not later than January 1, 2011.

57. New Campus Funding for Community Colleges. Out of the amounts appropriated above in Strategy E.14., New Campus Funding, the Higher Education Coordinating Board shall set aside the following amounts:

- 1) \$271,302 in fiscal year 2010 and \$271,302 in fiscal 2011 to fund contact hours generated from the Northeast Lakeview campus at Alamo Community College.
- 2) \$148,337 in fiscal year 2010 and \$148,337 in fiscal 2011 to fund contact hours generated from the Round Rock campus at Austin Community College.
- 3) \$85,190 in fiscal year 2010 and \$85,190 in fiscal 2011 to fund contact hours generated at four new campuses at Dallas Community College.
- 4) \$945,749 in fiscal year 2010 and \$945,749 in fiscal 2011 to fund contact hours generated at four new campuses at Houston Community College.
- 5) \$299,422 in fiscal year 2010 and \$299,422 in fiscal 2011 to fund contact hours

ARTICLE III - AGENCIES OF EDUCATION
781 Higher Education Coordinating Board
DIFFERENCES ONLY
(Continued)

Senate

House

generated at the Trinity River campus at Tarrant Community College.

Any amount remaining of the first year 2010 set aside may, with the approval of the Texas Higher Education Coordinating Board, be used for the same purpose in fiscal year 2011.

**ARTICLE III - AGENCIES OF EDUCATION
780 Higher Education Fund
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
720 The University of Texas System Administration
DIFFERENCES ONLY

Senate

House

- 4. Appropriation for System Office Operation.** General Revenue funds appropriated above in Strategy A.1.1, System Office Operations in the amount of \$1,218,606 per year are contingent upon The University of Texas System Administration decreasing the amount of Available University Funds being used by for system office operations by the same amount in fiscal years 2010 and 2011.

ARTICLE III - AGENCIES OF EDUCATION
799 Available University Fund
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
714 The University of Texas at Arlington
DIFFERENCES ONLY

Senate

House

5. **Texas Competitive Knowledge Fund.** Contingent upon attaining a three-year average of \$50,000,000 in research expenditures as reported in the Accountability System maintained by the Texas Higher Education Coordinating Board, \$5,000,000 in General Revenue of the funds appropriated above shall be considered funding for the Texas Competitive Knowledge Fund.

6. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for the University of Texas at Arlington.

ARTICLE III - AGENCIES OF EDUCATION
721 The University of Texas at Austin
DIFFERENCES ONLY

Senate

House

3. Public Policy Clinics. Out of the funds appropriated above, up to \$218,750 in each year of the biennium shall be used for public policy clinics in the Department of Government. The clinics shall be focused on public policy issues salient to the State of Texas and to be offered as graduate-level seminars to help maximize the partnership with the Tomas Rivera Center, the Center for Migration and Border Studies and other academic institutions. These funds shall be used to pay research fellowships, surveys, and other expenses associated with the clinics.

6. Hold Harmless Funding. The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for The University of Texas at Austin.

3. Public Policy Clinics. Out of the funds appropriated above, up to \$218,750 in each year of the biennium shall be used for the Irma Lerma Rangel Public Policy Clinics in the Department of Government. The clinics shall be focused on public policy issues salient to the State of Texas and to be offered as graduate-level seminars to help maximize the partnership with the Tomas Rivera Center, the Center for Migration and Border Studies and other academic institutions. These funds shall be used to pay for the Irma Lerma Rangel Research Fellowships in Law and Public Policy, surveys, and other expenses associated with the clinics.

ARTICLE III - AGENCIES OF EDUCATION
738 The University of Texas at Dallas
DIFFERENCES ONLY

Senate

House

3. **Texas Competitive Knowledge Fund.** Contingent upon attaining a three-year average of \$50,000,000 in research expenditures as reported in the Accountability System maintained by the Texas Higher Education Coordinating Board, \$5,000,000 in General Revenue of the funds appropriated above shall be considered funding for the Texas Competitive Knowledge Fund.

ARTICLE III - AGENCIES OF EDUCATION
724 The University of Texas at El Paso
DIFFERENCES ONLY

Senate

House

4. **Texas Competitive Knowledge Fund.** Contingent upon attaining a three-year average of \$50,000,000 in research expenditures as reported in the Accountability System maintained by the Texas Higher Education Coordinating Board, \$5,000,000 in General Revenue of the funds appropriated above shall be considered funding for the Texas Competitive Knowledge Fund.

ARTICLE III - AGENCIES OF EDUCATION
736 The University of Texas - Pan American
DIFFERENCES ONLY

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
747 The University of Texas at Brownsville
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
742 The University of Texas of the Permian Basin
DIFFERENCES ONLY

Senate

House

2. **Definition of Allowable Expenses for Public Leadership Institute.** Appropriated funds for the John Ben Shepperd Public Leadership Institute may be used to pay for costs associated with the Institute's education programs for public secondary and university-level students. Allowable costs include, but are not limited to, registration fees, group or air transportation, lodging, meals, training costs, and related expenses.

ARTICLE III - AGENCIES OF EDUCATION
743 The University of Texas at San Antonio
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
710 Texas A&M University System Administrative and General Offices
DIFFERENCES ONLY

Senate

House

3. Texas State Rifle Association License Plates. The funds provided to Texas A&M University System are appropriated in accordance with Transportation Code §504.631 to supplement existing and future scholarship programs supported by the Texas State Rifle Association and to support the 4-H Shooting Sports Program for youth. All balances in the General Revenue-Dedicated Texas State Rifle Association License Plates. Account No. 5130 as of August 31, 2009, estimated to be \$38,000 (and included above in the Method of Financing), and all receipts received during the biennium beginning September 1, 2009 (estimated to be \$12,000 per year), are hereby appropriated to the Texas A&M University System for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose

4. Tuition Revenue Bond Retirement. Out of funds appropriated above in Strategy B.1.1., \$0 in fiscal year 2010 and \$3,487,382 in fiscal year 2011 is contingent upon Texas A&M - San Antonio reaching the threshold limitation required by Section 55.1751 (e) Education Code, which authorized \$40 million in tuition revenue bonds for Texas A&M University - San Antonio.

5. Tuition Revenue Bond Retirement. Out of funds appropriated above in Strategy B.1.1., \$0 in fiscal year 2010 and \$2,179,614 in fiscal year 2011 is contingent upon Texas A&M - Central Texas reaching the threshold limitation required by Section 55.1751 (d) Education Code, which authorized \$25 million in tuition revenue bonds for Texas A&M University - Central Texas.

3. Texas State Rifle Association License Plates. The funds provided to Texas A&M University System are appropriated in accordance with Transportation Code §504.631 to supplement existing and future scholarship programs supported by the Texas State Rifle Association and to support the 4-H Shooting Sports Program for youth. All balances in the General Revenue-Dedicated Texas State Rifle Association License Plates Account No. 5130 as of August 31, 2009, estimated to be \$38,000 (and included above in the Method of Financing), and all receipts received during the biennium beginning September 1, 2009, are hereby appropriated to the Texas A&M University System for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

ARTICLE III - AGENCIES OF EDUCATION
710 Texas A&M University System Administrative and General Offices
DIFFERENCES ONLY
(Continued)

Senate

House

- 6. Appropriation for System Office Operation.** General Revenue funds appropriated above in Strategy A.1.1, System Office Operations in the amount of \$1,471,465 per year are contingent upon the Texas A&M University System Administrative and General Offices decreasing the amount of Available University Funds being used by for system office operations by the same amount in fiscal years 2010 and 2011.

**ARTICLE III - AGENCIES OF EDUCATION
711 Texas A&M University
DIFFERENCES ONLY**

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
718 Texas A&M University at Galveston
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
715 Prairie View A&M University
DIFFERENCES ONLY

Senate

House

4. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Prairie View A&M University.

ARTICLE III - AGENCIES OF EDUCATION
713 Tarleton State University
DIFFERENCES ONLY

Senate

House

5. **Transition Funding - Texas A&M University - Central Texas.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.1. System Center - Central Texas, for Texas A&M University-Central Texas will be phased out as formula funding increases until the institution reaches 6,000 full-time student equivalents.

**ARTICLE III - AGENCIES OF EDUCATION
760 Texas A&M University - Corpus Christi
DIFFERENCES ONLY**

Senate

House

- 3. Engineering Program.** Funds appropriated above in Strategy C.1.3, Engineering Program in the amount of \$2,000,000 per year shall be used to support an engineering program.

ARTICLE III - AGENCIES OF EDUCATION
732 Texas A&M University - Kingsville
DIFFERENCES ONLY

Senate

House

3. **Red Grapefruit (Texas Citrus Industry) License Plates.** The funds provided to Texas A&M University Kingsville are appropriated in accordance with Transportation Code §504.626 to provide to provide financial assistance to graduate students in the College of Agriculture and Human Sciences. All balances in the General Revenue-Dedicated Red Grapefruit (Texas Citrus Industry) License Plates Account No. 5056 as of August 31, 2009, estimated to be \$20,000 (and included above in the Method of Financing), and all receipts received during the biennium beginning September 1, 2009 (estimated to be \$3,000 per year), are hereby appropriated to Texas A&M University Kingsville for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

3. **Texas A&M Kingsville Graduate Assistance Agriculture and Human Services Account No. 5056.** The funds provided to Texas A&M University Kingsville are appropriated in accordance with Transportation Code §504.626 to provide financial assistance to graduate students in the College of Agriculture and Human Sciences. All balances in the General Revenue-Dedicated Texas A&M Kingsville Graduate Assistance Agriculture and Human Services Account No. 5056 as of August 31, 2009, estimated to be \$20,000 (and included above in the Method of Financing), and all receipts received during the biennium beginning September 1, 2009, are hereby appropriated to Texas A&M University Kingsville for the biennium beginning September 1, 2009 for the same purpose. Any balances on hand at the end of fiscal year 2010 may be carried over to the fiscal year 2011 and any such funds are appropriated for fiscal year 2011 for the same purpose.

5. **Transition Funding-Texas A&M University-San Antonio.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.2. System Center-San Antonio, for Texas A&M University-San Antonio will be phased out as formula funding increases until the institution reaches 6,000 full-time student equivalents.

ARTICLE III - AGENCIES OF EDUCATION
757 West Texas A&M University
DIFFERENCES ONLY

Senate

House

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.8, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for West Texas A&M University.

ARTICLE III - AGENCIES OF EDUCATION
764 Texas A&M University - Texarkana
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
783 University of Houston System Administration
DIFFERENCES ONLY

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
735 Midwestern State University
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
769 University of North Texas System Administration
DIFFERENCES ONLY

Senate

House

6. Tuition Revenue Bond Retirement. Out of funds appropriated above in Strategy B.1.1., \$2,109,608 fiscal year 2010 and \$2,109,608 in fiscal year 2011 is contingent upon the University of North Texas - Dallas Campus reaching the threshold limitation required by Section 55.1751 (e) Education Code, which authorized \$25 million in tuition revenue bonds for University of North Texas - Dallas Campus.

7. Transition Funding - University of North Texas-Dallas. It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.1. UNT System Center at Dallas, for the University of North Texas-Dallas will be phased out as formula funding increases until the institution reaches 6,000 full-time student equivalents.

ARTICLE III - AGENCIES OF EDUCATION
752 University of North Texas
DIFFERENCES ONLY

Senate

House

4. **University of North Texas Pharmacy Feasibility Study.** Out of funds appropriated above, the University of North Texas is authorized to expend an amount not to exceed \$200,000 in fiscal year 2010 and \$200,000 in fiscal year 2011 for the purpose of conducting a feasibility study and curriculum and facility planning for a Pharmacy school to include existing pre-pharmacy studies at the University of North Texas as well as new pre-pharmacy studies as the University of North Texas at Dallas and Doctor of Pharmacy courses offered through the University of North Texas and the University of North Texas Dallas.

ARTICLE III - AGENCIES OF EDUCATION
755 Stephen F. Austin State University
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
717 Texas Southern University
DIFFERENCES ONLY

Senate

House

- 5. Tuition Revenue Bond Retirement.** Out of funds appropriated above in Strategy B.1.2., \$1,313,800 in fiscal year 2011 is contingent upon Texas Southern University receiving approval from the Higher Education Coordinating Board to operate a branch campus and shall only be spent for bonds authorized by Education Code Section 55.17591 (a)(2).

- 6. Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas Southern University.

ARTICLE III - AGENCIES OF EDUCATION
768 Texas Tech University System Administration
DIFFERENCES ONLY

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
733 Texas Tech University
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
731 Texas Woman's University
DIFFERENCES ONLY

Senate

House

3. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.6, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas Woman's University.

**ARTICLE III - AGENCIES OF EDUCATION
758 Texas State University System
DIFFERENCES ONLY**

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
787 Lamar State College - Orange
DIFFERENCES ONLY**

Senate

House

2. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.6, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Lamar State College - Orange.

**ARTICLE III - AGENCIES OF EDUCATION
788 Lamar State College - Port Arthur
DIFFERENCES ONLY**

Senate

House

2. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.6, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Lamar State College - Port Arthur.

**ARTICLE III - AGENCIES OF EDUCATION
753 Sam Houston State University
DIFFERENCES ONLY**

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
754 Texas State University - San Marcos
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
756 Sul Ross State University
DIFFERENCES ONLY

Senate

House

2. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.7, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used Sul Ross University.

ARTICLE III - AGENCIES OF EDUCATION
741 Sul Ross State University Rio Grande College
DIFFERENCES ONLY

Senate

House

2. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.6, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Sul Ross State University - Rio Grande College.

ARTICLE III - AGENCIES OF EDUCATION
729 The University of Texas Southwestern Medical Center at Dallas
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
723 The University of Texas Medical Branch at Galveston
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
744 The University of Texas Health Science Center at Houston
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
745 The University of Texas Health Science Center at San Antonio
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
506 The University of Texas M.D. Anderson Cancer Center
DIFFERENCES ONLY

Senate

House

- 8. Umbilical Cord Blood Bank Funding.** Out of funds appropriated above in E.1.3, Umbilical Cord Blood Bank, The University of Texas M.D. Anderson Cancer Center shall transfer \$4,000,000 and use \$1,000,000 in General Revenue for the biennium for research and an unrelated donor umbilical cord blood bank, as follows:
- a. The University of Texas M.D. Anderson Cancer Center shall enter into a contract with a public cord blood bank in Texas for \$4,000,000 for the gathering and retention of umbilical cord blood from live births at its unrelated cord blood bank for the primary purpose of making the umbilical cord blood available for transplant purposes. The blood bank must be accredited by the American Association of Blood Banks and the International Organization of Standardization. Any unexpended balances of these funds remaining as of August 31, 2010, are appropriated to The University of Texas M.D. Anderson Cancer Center for fiscal year 2011 for the same purposes.
 - b. The University of Texas M.D. Anderson Cancer Center shall use \$1,000,000 for the primary purpose of research leading to new cures derived by the usage of stem cells from umbilical cord blood. Such funds shall be used only for research from stem cells obtained from umbilical cord blood from a live birth. Any unexpended balances of these funds remaining as of August 31, 2010, are appropriated to The University of Texas M.D. Anderson Cancer Center for fiscal year 2011 for the same purposes.

ARTICLE III - AGENCIES OF EDUCATION
785 The University of Texas Health Science Center at Tyler
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
709 Texas A&M University System Health Science Center
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
763 University of North Texas Health Science Center at Fort Worth
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
739 Texas Tech University Health Sciences Center
DIFFERENCES ONLY

Senate

House

2. **South Texas/Border Region Health Professional Education.** Out of the amounts appropriated above to Texas Tech University Health Sciences Center in Strategy D.1.1, South Texas Professional Education, is the amount of \$906,228 for the fiscal year ending August 31, 2008 and \$906,228 for the fiscal year ending August 31, 2009 for use by the Regional Academic Health Center in El Paso for infrastructure support, faculty salaries, maintenance and operation, and library resources.
- a. Any unexpended balances remaining in the appropriations identified in this section as of August 31, 2010, are appropriated to Texas Tech University Health Sciences Center for their original purposes and shall be used with funds appropriated by this section for the fiscal year ending August 31, 2011.
 - b. A report by the Texas Tech University Health Sciences Center shall be filed with the Legislative Budget Board and the Governor on or before December 1, 2010, concerning the use of the funds appropriated by this section and the extent to which the purposes specified by this section have been achieved.

ARTICLE III - AGENCIES OF EDUCATION
704 Public Community/Junior Colleges
DIFFERENCES ONLY

Senate

House

18. Appropriations to Galveston College. Galveston College shall use the funds appropriated in this bill pattern to create a detailed plan, approved by the district's Governing Board, describing in detail the steps the district will take to increase its generation of contact hours. The plan shall also detail the administrative controls by which the district internally certifies the contact hours it reports to the Texas Higher Education Coordinating Board. This plan shall be submitted to the Governor, Lieutenant Governor, Speaker of the House and Legislative Budget Board by no later than December 1st of 2009.

22. Contingency Formula Funding. In addition to the amounts appropriated above, \$55,000,000 in General Revenue is hereby appropriated in each year of the 2010-11 biennium to the community college formula. This appropriation is contingent on the inclusion of the following:

A) A section in the Article IX "Benefits Paid Proportional by Fund" rider of this Act defining General Revenue proportionality for community colleges as the percent share of each community college district's total salaries paid by each district's total unrestricted General Revenue contributions; and

B) The appropriation for Higher Education Employee Insurance for community colleges remaining within the amount necessary using the definition of proportionality outlined in Article IX "Benefits Paid Proportional by Fund".

These additional appropriations shall be allocated among the districts using the same methodology used to apportion the state's direct generic formula contributions to community colleges.

22. Performance of Developmental Education Interventions. In a manner and frequency prescribed by the Texas Higher Education Coordinating Board, institutions of higher education shall report by semester credit or contact hour per student, expenditures by revenue source to provide developmental education interventions including: course-based, non-course-based,

ARTICLE III - AGENCIES OF EDUCATION
704 Public Community/Junior Colleges
DIFFERENCES ONLY
(Continued)

Senate

House

alternative-entry/exit, and other intensive developmental education activities. Institutions shall analyze the fiscal and instructional impacts on student outcomes for each intervention. The institutions shall prepare a report to the Board no later than June 1, 2010.

The Board, in conjunction with the Legislative Budget Board and institutions of higher education, shall use existing performance measures and data to assist in the evaluation of student outcomes for these interventions, including but not limited to, student success in first-college-level-course by subject, persistence, transfer, and degree or certificate completion.

The Board shall analyze and compare all institution reports and recommend formulas to allocate state appropriations based on the most effective and efficient combination of developmental education interventions. The Board shall obtain approval for the distribution formula from the Legislative Budget Board and the Governor before January 1, 2011.

- 23. Performance Reporting on Retention, Completion and Transferability.** In collaboration with the Texas Higher Education Coordinating Board, the Legislative Budget Board shall use the funds appropriated in this Act to be in a position to recommend to the 82nd Legislature a comprehensive performance reporting methodology that measures each community college district's progress in achieving state goals on retention, completion and transferability.

- 24. Texas Revolution.** Out of the funds appropriated above for Strategy F.1.1., Star of the Republic Museum, \$50,000 in General Revenue funds in each year of the 2010-11 biennium may be used for the purpose of supporting a web-based tool on the Texas Revolution.

ARTICLE III - AGENCIES OF EDUCATION
719 Texas State Technical College System Administration
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
71B Texas State Technical College - Harlingen
DIFFERENCES ONLY

Senate

House

2. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.3, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas State Technical College - Harlingen.

ARTICLE III - AGENCIES OF EDUCATION
71C Texas State Technical College - West Texas
DIFFERENCES ONLY

Senate

House

- 2. Hold Harmless Funding.** The funds appropriated above in Strategy A.1.3, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas State Technical College - West Texas.

ARTICLE III - AGENCIES OF EDUCATION
71E Texas State Technical College - Marshall
DIFFERENCES ONLY

Senate

House

2. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.3, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas State Technical College - Marshall.

ARTICLE III - AGENCIES OF EDUCATION
71D Texas State Technical College - Waco
DIFFERENCES ONLY

Senate

House

2. **Hold Harmless Funding.** The funds appropriated above in Strategy A.1.3, Hold Harmless, are intended for the 2010-11 biennium only and it is the intent of the Legislature that this funding not be continued into the 2012-13 biennium. The purpose of this appropriation is to mitigate any unforeseen funding concerns related to changes in the formula funding parameters used for Texas State Technical College - Waco.

**ARTICLE III - AGENCIES OF EDUCATION
S21 Special Provisions- TSTCs
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
556 Texas AgriLife Research
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
555 Texas AgriLife Extension Service
DIFFERENCES ONLY

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
712 Texas Engineering Experiment Station
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
727 Texas Transportation Institute
DIFFERENCES ONLY

Senate

House

**ARTICLE III - AGENCIES OF EDUCATION
716 Texas Engineering Extension Service
DIFFERENCES ONLY**

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
576 Texas Forest Service
DIFFERENCES ONLY

Senate

House

ARTICLE III - AGENCIES OF EDUCATION
S03 Special Provisions Relating Only to State Agencies of Higher Education
DIFFERENCES ONLY

Senate

House

Sec. 22. Unsponsored Charity Care Reporting Requirement. The public health-related institutions listed in Sec. 22, 1. Financially Indigent, shall use the appropriations in this Act to include in their biennial legislative appropriations request information including the actual amount of uncompensated charity care provided through each institution's respective physician practice plan, and if applicable, hospital or clinic using the definition of unsponsored charity care set forth in the following subsections.

1. **Financially Indigent.** Unsponsored charity care shall include unreimbursed services to the financially indigent. Financially indigent shall mean uninsured or underinsured patients accepted for care with no obligation or a discounted obligation to pay for services rendered based on a teaching hospital's or clinic's formal eligibility system which may include: (a) income levels and means testing or other criteria for determining a patient's inability to pay; or (b) other criteria for determining a patient's inability to pay that are consistent with the hospital's or clinic's mission and established policy. The federal poverty level shall serve as an index for the threshold below which patients receiving care at The University of Texas Southwestern Medical Center at Dallas, The University of Texas Medical Branch at Galveston, The University of Texas Health Science Center at Houston, The University of Texas Health Science Center at San Antonio, The University of Texas M.D. Anderson Cancer Center, The University of Texas Health Science Center at Tyler, Texas A&M University System Health Science Center, The Texas Tech University Health Sciences Center, and The University of North Texas Health Science Center are deemed financially indigent. Financially indigent services include both noncovered services and contractual allowances for patients eligible for the Medicaid program and for the Children with Special Health Care Needs program, services provided under county indigent care contracts (Sec. 23), and services provided under other state or local government programs with eligibility indexed to the federal poverty level.
2. **Medically Indigent.** Unsponsored charity care shall include unreimbursed services to the medically indigent. Medically indigent shall mean patients who are responsible for their living expenses, but whose medical and hospital bills, after payment by third-party payers, where applicable, exceed: (a) a specified percentage of the patient's annual gross income (i.e., catastrophic medical expenses) in accordance with a teaching hospital or clinic's formal eligibility system in such instances where payment would require liquidation of assets critical to living or

Sec. 22. Uncompensated Care Reporting Requirement. The public health-related institutions shall use the appropriations in this Act to include in their biennial legislative appropriations request information including the actual amount of uncompensated care provided through each institution's respective physician practice plan, and if applicable, hospital or clinic using the uncompensated care reporting requirement established by the Health and Human Services Commission.

Uncompensated care includes the unreimbursed costs for the uninsured (those with no source of third party insurance) and the underinsured (those with insurance who after contractual adjustment and third party payments have a responsibility to pay for an amount they are unable to pay). Uncompensated care also includes the unreimbursed cost from governmental sponsored health programs. To calculate uncompensated care, charges will be converted to costs by application of a standard, auditable ratio of cost to charge and providers will recognize appropriate patient specific funding and lump sum funding available to offset costs. Any amounts received by the Physician Practice Plan from Upper Payment Limit shall be counted as payments received for uncompensated care.

ARTICLE III - AGENCIES OF EDUCATION
S03 Special Provisions Relating Only to State Agencies of Higher Education
DIFFERENCES ONLY
(Continued)

Senate

House

earning a living; or (b) the criteria for determining a patient's inability to pay as established by the public health-related institutions listed in Sec. 22, 1. Financially Indigent.

3. **Charity Care Determination.** The determination that a patient is financially or medically indigent shall occur within 120 days of the patient's discharge from the hospital or clinic setting or within 120 days of the third party payor settlement.
4. **Contractual Adjustments.** The contractual adjustments to commercial contracts, managed care contracts, and Medicare for the public health-related institutions listed in Sec. 22, 1. Financially Indigent, shall not be counted as unsponsored charity care.
5. **Bad Debt.** Bad debts shall not be counted as unsponsored charity costs. Bad debts shall include the uncollected billed charges for services rendered to patients who do not qualify under the definition of unsponsored charity care.
6. **Patient Income Eligibility Guidelines.** The University of Texas Medical Branch at Galveston, The University of Texas M.D. Anderson Cancer Center, and The University of Texas Health Science Center at Tyler shall use the federal poverty level indexed at an agreed-upon level as the guideline for determining indigent patient status, and those institutions' eligibility guidelines regarding copayment by patients deemed financially or medically indigent shall be the same.

The University of Texas Southwestern Medical Center at Dallas, The University of Texas Health Science Center at Houston, The University of Texas Health Science Center at San Antonio, Texas A&M University System Health Science Center, the Texas Tech University Health Sciences Center, and The University of North Texas Health Science Center may use as a basis for reporting indigent care statistical samples derived from indigent care determinations made by their affiliated teaching hospitals and designed to estimate the amounts of charity care provided using the definitions established by The University of Texas hospitals noted above.

7. **Physician Practice Plan Upper Payment Limit.** Any amounts received by the Physician Practice Plan from Upper Payment Limit shall be counted as payments received for unsponsored charity

ARTICLE III - AGENCIES OF EDUCATION
S03 Special Provisions Relating Only to State Agencies of Higher Education
DIFFERENCES ONLY
(Continued)

Senate

House

care.

Sec. 50. Report Concerning Designated Tuition.

- (a) Not later than January 1, 2010, the governing board of each public institution of higher education that charges students designated tuition under § 54.0513, Education Code, shall use the appropriations in the Act to report to the legislature, for the 2008-2009 and 2009-2010 academic years:
- (1) the amount the institution has collected in designated tuition;
 - (2) the purposes for which the institution spent the money derived from designated tuition and the amount of that money spent for each of those purposes; and
 - (3) the amount set aside from designated tuition for resident undergraduate and graduate student assistance under §§ 56.011 and 56.012, Education Code and how these amounts are allocated under the following categories:
 - (a) grants
 - (b) scholarships,
 - (c) work-study programs,
 - (d) students loans,
 - (e) and student loan repayment assistance.
- (b) In addition to the information reported under Subsection (a), not later than January 1, 2010, the governing board of each institution of higher education shall report to the legislature the total academic cost for resident undergraduates enrolled for 15 semester credit hours. The information reported shall be derived from actual fee bills for the 2008 fall semester and the 2007 spring and fall semesters and must reflect the actual charges, before any adjustments or discounts are applied for waivers, exemptions, or other discounts, in the following categories:

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- (1) the amount the institution has collected in designated tuition;
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 - (3) the amount set aside from designated tuition for resident undergraduate and graduate student assistance under §§ 56.011 and 56.012, Education Code.
- (b) In addition to the information reported under Subsection (a), not later than January 1, 2010, the governing board of each institution of higher education shall report to the legislature the total academic cost for resident undergraduates enrolled for 15 semester credit hours. The information reported shall be derived from actual fee bills for the 2008 fall semester and the 2007 spring and fall semesters and must reflect the actual charges, before any adjustments or discounts are applied for waivers, exemptions, or other discounts, in the following categories:
- (1) statutory tuition;
 - (2) designated tuition;
 - (3) mandatory fees; and
 - (4) average college and course fees, which must include all academic related fees and charges not reported under (1), (2), or (3), such as fees for laboratories, field trips, multimedia, equipment replacement, and instructional technology, but should not include charges for

ARTICLE III - AGENCIES OF EDUCATION
S03 Special Provisions Relating Only to State Agencies of Higher Education
DIFFERENCES ONLY
(Continued)

Senate

House

- (1) statutory tuition;
 - (2) designated tuition;
 - (3) mandatory fees; and
 - (4) average college and course fees, which must include all academic related fees and charges not reported under (1), (2), or (3), such as fees for laboratories, field trips, multimedia, equipment replacement, and instructional technology, but should not include charges for voluntary services ("optional fees").
- (c) Reports required by this section shall be delivered to the Lieutenant Governor, the Speaker of the House, the chair of the Senate Finance Committee, the chair of the House Appropriations Committee, and the members of the Legislative Oversight Committee on Higher Education.

voluntary services ("optional fees").

- (c) Reports required by this section shall be delivered to the Lieutenant Governor, the Speaker of the House, the chair of the Senate Finance Committee, the chair of the House Appropriations Committee, and the members of the Legislative Oversight Committee on Higher Education.

Sec. 53. Appropriations for the Texas Competitive Knowledge Fund. The amounts listed below for informational purposes are appropriated out of the General Revenue fund elsewhere in this Act in each affected institution's "Texas Competitive Knowledge" strategy and shall be expended to support faculty for the purpose of instructional excellence and research. Any unexpended balances as of August 31, 2010 elsewhere in this Act, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

Sec. 53. Appropriations for the Texas Competitive Knowledge Fund. The amounts listed below for informational purposes are appropriated out of the General Revenue fund elsewhere in this Act in each affected institution's "Texas Competitive Knowledge" strategy and shall be expended to support faculty for the purpose of instructional excellence and research. Any unexpended balances as of August 31, 2010 elsewhere in this Act, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

	<u>2010</u>	<u>2011</u>
The University of Texas at Austin	\$21,731,345	\$21,731,345
Texas A&M University	\$22,254,811	\$22,254,811
University of Houston	\$4,045,629	\$4,045,629
Texas Tech University	\$2,572,022	\$2,572,022
Total	\$50,603,808	\$50,603,808

	2010	2011
The University of Texas at Austin	\$19,694,386	\$19,694,386
Texas A&M University	\$20,263,732	\$20,263,732
University of Houston	\$4,099,810	\$4,099,810
Texas Tech University	\$2,545,879	\$2,545,877
Total	\$46,603,807	\$46,603,805

ARTICLE III - AGENCIES OF EDUCATION
S03 Special Provisions Relating Only to State Agencies of Higher Education
DIFFERENCES ONLY
(Continued)

Senate

House

Sec. 54. Special Item Study. The Higher Education Coordinating Board and the Legislative Budget Board shall use the appropriations in this Act to study each item under the Special Item Support Goal in preparation for the 82nd Legislative session. The study shall include but not be limited to determining:

- a.) if the special item is for "start up funding" and if so, for how long should it be continued,
- b.) does the institution get formula funding for the item and should the item be reduced by an equal amount and,
- c.) does the item still serve its original purpose and if so, how long should it continue.

It is the intent of the Legislature that items identified as "start up funding" only be funded for six years after the inception of the program.

Sec. 55. Community College Transfer Student Reporting Requirement. All General Academic Institutions shall use their respective Education and General funds appropriated in this Act to develop and submit an annual report to the Texas Higher Education Coordinating Board (THECB) that details the institution's goals to increase the number, success, and persistence of community college transfer students as measured by THECB. The report shall assess each institution's existing academic and technical transfer pathways, identify each institution's barriers to transfer, and define emerging issues. The report shall detail institution actions to serve current and future transfer students through local and regional articulation agreements with faculty collaboration, community college program enhancements, student outreach and advising, website information development, targeted financial aid, university student success programs, and degree program alignment.

The THECB shall provide performance data by institution (application rates, admission rates, financial aid awarded, time-to-degree, and baccalaureate graduation rates) of transfer and native students by program completion at community colleges and universities during the preceding fiscal year. The THECB shall conduct a comparative analysis of the institutional reports and the performance data. The THECB shall submit an annual report to the Legislature that evaluates actions to increase the number,

ARTICLE III - AGENCIES OF EDUCATION
S03 Special Provisions Relating Only to State Agencies of Higher Education
DIFFERENCES ONLY
(Continued)

Senate

House

success, and persistence of community college transfer students and make recommendations to meet state goals.

The report shall be delivered to the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board and the Governor by November 1 of each year.

Sec. 56. Academic Reporting Requirement for Museums. Each institution that receives General Revenue appropriations in this Act for a museum shall use the appropriations elsewhere in this Act to provide the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board and the Governor a report outlining the museum's relevance to the academic program at the institution. It is the intent of the Legislature that General Revenue funding for museums that are not relevant to the academic program at the institution be discontinued after the 2010-11 biennium.

Sec. 57. Mexican American Studies Program or Other Course Work. It is the intent of the legislature that the governing board of each general academic institution located in one or more counties with a substantial and growing Mexican American population may establish a Mexican American studies program or other course work in Mexican American studies at the institution. For that purpose, the governing board of an institution described by this section may use a portion of the available general revenue funds otherwise appropriated to the institution by this Act for the purpose of evaluating the demand for and feasibility of establishing a Mexican American studies program or other course work in Mexican American studies in connection with establishing and operating such a program of other course work at the institution.