

## **TACRAO Legislative Issues Committee Members**

Samantha Taylor, Chair—Tarrant County College  
Brenda Martinez—Texas Tech University  
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The 2023-2024 TACRAO Legislative Issues Committee monitored state and federal news, THECB activity, Texas government sites, and Supreme Court activities to compile updates pertaining to higher education in Texas and provided updates to the TACRAO membership throughout the year, including a session at the TACRAO Summer Meeting in July 2024.

This year the Texas legislature was not in session, but there were special sessions at the end of 2023. October 9 – November 7, 2023, Texas held its third special legislative session. The governor called for a fourth session, held November 7 – December 5, 2023. While education topics were discussed, no education legislation was produced by either special session.

Title IX regulations were a hot topic this year. Final Title IX regulations were released April 19, 2024, and became effective August 1, 2024. The state of Texas indicated that they would not comply

- April 29, 2024, Texas Attorney General Ken Paxton sued the Biden Administration over these changes to title IX. On the same day, Governor Abbott wrote a letter to President Biden, condemning the Title IX changes.
- May 8, 2024, Governor Greg Abbott sent a letter to Texas' public university systems and community colleges directing them to not comply with President Biden's recent revision of Title IX and to refrain from implementing any new system-wide policy related to this revision. The letter went out to Texas A&M University System, Texas Southern University, Texas State University System, Texas Tech University System, Texas Women's University System, University of Houston System, University of North Texas System, and University of Texas System, as well as Texas' community colleges.
- May 14, 2024 – Texas Attorney General Ken Paxton filed an amended complaint along with a motion for a stay of agency action and a preliminary injunction in his lawsuit against the Biden Administration over the new Title IX regulations.
- August 14, 2024 – A Texas judge has expanded the ruling in Paxton's lawsuit and enjoined any future agency action by the DOE that rewrites Title IX to include "sexual orientation or gender identity" within the statute's anti-discrimination provisions.
- As of the date of this report, the DOE is enjoined from enforcing the new Title IX rules in 26 US states due to court orders: Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wyoming.

Texas SB 17 was another hot topic this year. SB 17, which went into effect January 2024, had impacts to all public institutions in Texas this year and we expect this will need continued monitoring in the future. Institutions across the state vary widely in their interpretations and application of the law. In May 2024, leaders from all 7 university systems in Texas wrote to Texas Senator Brandon Creighton, the author of SB 17, to describe the work their institutions have done to ensure compliance with SB 17, after he indicated that institutions could lose their funding or face

legal consequences if they weren't following the law, which went into effect in January. The responses to questions indicated that the systems have closed multicultural offices, fired or reassigned DEI staff, and stopped requiring diversity statements in consideration for positions. Schools have eliminated required DEI training for students, faculty, and staff. Those who still allow access to DEI material have made DEI training optional and completely voluntary.

Concerns from institutions are related to grant writing and accreditation.

- Federal grant applications include diversity-related questions and they are unsure how to respond and remain in compliance with SB 17.
- Many accreditation agencies have DEI standards that institutions need to uphold to continue their accreditation. The Southern Association of Colleges and Schools (SACS) does not have a DEI standard, but other agencies that provide accreditation for programs do have them and it will be challenging to be compliant with these requirements alongside SB 17.

The committee also monitored THECB news throughout the year. Major events included the ApplyTexas rollout, changes to administrative code which impacts dual enrollment students, the formation of a Healthcare Workforce Taskforce, and the Direct Admissions Initiative. Governor Abbott also made appointments to THECB. Several grants and awards were announced throughout the year.

#### THECB ApplyTexas rollout - Key Changes

- Application Cutover: The new ApplyTexas launched June 10, 2024.
- Payment System: In the new ApplyTexas system, payment will not be accepted within ApplyTexas, and students will be prompted to pay institutions directly.
- Field Changes: Due to improvements to the application, there will be some small changes to fields in data submission.
- Operating Costs: The THECB will be taking over the operating costs shared by all public institutions required to use ApplyTexas. This means some institutions may no longer be required to pay a portion of the annual cost of the ApplyTexas system.
- Transcript Requests: ApplyTexas allows applicants from Texas high schools to request and send transcripts to institutions through the Texas Records Exchange (TReX).

Detailed information about all changes is included in memos, webinars, and other resources posted to the THECB website, on the Redesigned ApplyTexas page. Functional and IT users can also sign up to receive emails about these and future changes. THECB continues to announce changes and improvements regularly.

May 16, 2024 – Changes made to the administrative code that impact Dual Enrollment students went into effect.

- 19 Tex. Admin. Code §4.85(a)(2) Dual Credit Requirements - Eligible Courses, indicates a dual credit course offered by an institution must be in the approved undergraduate course inventory of the institution.  
Source: [https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p\\_dir=&p\\_rl oc=&p\\_tloc=&p\\_ploc=&pg=1&p\\_tac=&ti=19&pt=1&ch=4&rl=85](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rl oc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=19&pt=1&ch=4&rl=85)
- 19 Tex. Admin. Code §4.54 Exemption - PSAT and PLAN scores have been removed from this section for student eligibility to enroll in Dual Credit courses.

Source:[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p\\_dir=&p\\_rl oc=&p\\_tloc=&p\\_ploc=&pg=1&p\\_tac=&ti=19&pt=1&ch=4&rl=54](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rl oc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=19&pt=1&ch=4&rl=54)

October 1, 2024 - THECB Healthcare Workforce Task Force released their first report.

Recommendations include:

- Coordinate state healthcare workforce planning more effectively by creating the Statewide Health Professions Workforce Coordinating Council (HPWCC).
- Expand the number of pharmacy technicians in Texas.
- Create a start-up fund for sponsors of apprenticeship programs.
- Improve the alignment of curriculum for credentials between high school and university programs.
- Expand the availability of instructional materials for health professions related courses and career and technical education (CTE) programs.
- Study the feasibility of community colleges to offer 4-year programs for health professionals in specific circumstances.
- Streamline the nursing school application process by including nursing school programs in the Texas Medical & Dental Schools Application Services.
- Create a Gold Ribbon Panel on the Future of Nursing.
- Improve the alignment of the nursing profession career pathway.
- Create a clear career pathway for certain allied health professionals into the nursing profession.
- Create a program evaluation unit to research and identify the most effective innovations in education and training of health care professionals.
- Continue investment in scholarship and loan repayment programs.

Link to the full report: [https://gov.texas.gov/uploads/files/press/2024.10.01\\_-\\_Healthcare\\_Workforce\\_Report\\_FINAL\\_v4\\_.pdf](https://gov.texas.gov/uploads/files/press/2024.10.01_-_Healthcare_Workforce_Report_FINAL_v4_.pdf)

October 11, 2024 - THECB launches new Direct Admissions initiative to provide Texas students with a tool designed to streamline the college application process.

My Texas Future is an online resource that matches students' academic information with the admissions requirements of Texas colleges to show them which schools will accept them. 31 universities currently participate in Direct Admissions:

Angelo State University, Lamar University, Midwestern State University, Prairie View A&M University, Sam Houston State University, Stephen F. Austin State University, Sul Ross State University, Tarleton State University, Texas A&M University-College Station, Texas A&M University-Commerce, Texas A&M University-Corpus Christi, Texas A&M University-International, Texas A&M University-Kingsville, Texas A&M University-San Antonio, Texas A&M University-Texarkana, Texas Southern University, Texas State University, Texas Tech University, Texas Women's University, The University of Texas at Austin, The University of Texas at Dallas, The University of Texas at El Paso, The University of Texas Rio Grande Valley, The University of Texas Permian Basin, The University of Texas at San Antonio, University of Houston, University of Houston-Clear Lake, University of Houston-Downtown, University of Houston-Victoria, University of North Texas, and West Texas A&M University.

<https://www.mytexasfuture.org/middle-high-school/direct-admissions/>

The committee also monitored activity from the DOE and the progress of the launch of the Simplified FAFSA over the course of the year. Financial Aid delays caused students seeking aid to delay or change their choice of college or university.

The DOE released a FAFSA College Support Strategy to provide additional personnel, funding, resources, and technology to help schools process student records as quickly and accurately as possible. This plan included deploying financial aid experts to lower resourced colleges to provide support and training, allocated \$50 million in federal funding to be provided to non-profit groups specialized in financial aid support and services; and, released test ISIRs to help schools prepare their systems for the new data. The DOE also significantly reduced verification requirements, suspended new routine program reviews through June 2024, and allowed flexibility of deadline dates for certain institutions who need to recertify eligibility for student aid programs.

Many universities moved their May 1<sup>st</sup> decision deadlines to May 15<sup>th</sup> to allow students more time.

On July 16, 2024, Samantha Taylor presented legislative updates at the TACRAO Summer Meeting on behalf of the Legislative Issues Committee. Topics at both the state and federal levels included:

- New Title IX regulations and response from the state of Texas
- Institutional responses to Texas SB 17
- THECB news
- Changes to the Texas Administrative Code, effective May 16, 2024
- Simplified FAFSA rollout and impacts on institutions' enrollments and budgets
- Consolidated Appropriations Act of 2024
- Federal regulation changes on financial responsibility and administrative capability, which has impacts on issuing and withholding official college transcripts
- FLSA changes and Texas' lawsuit/injunction in response to the changes
- SCOTUS decision to overturn the Chevron Doctrine and possible impacts of this decision upon Higher Education

Respectfully submitted October 28, 2024, by the TACRAO Legislative Issues Committee

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