

BILL ANALYSIS

Senate Research Center

C.S.H.B. 767
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Finance
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Committee Report (Substituted)

DIGEST

Section 54.211, Education Code, permits youths in the Department of Protective and Regulatory Services (department) foster care to obtain free tuition at state-operated colleges, universities, and vocational schools when they become 18 years of age or older.

Seventy-three youths utilized the tuition waiver in academic year 1993-94, at a cost of \$50,878 to taxpayers. This number grew to 168 in academic year 1994-95, at a cost of \$102,308 to taxpayers. The figure for academic year 1995-96 is 217 youths. The tuition waiver program has provided an incentive for many children in foster care to complete high school and enter college.

Currently, state law requires that former foster care youths must be 18 or older to utilize the college tuition waiver. The department estimates that this age stipulation affects about 25 youths per year who graduate high school before their 18th birthday and are ready to attend college. The department estimates that about 20 children stay in the department conservatorship while waiting to reach age 18 to take advantage of the college tuition waiver. Meanwhile, the state continues to pay for the foster care of these children.

H.B. 767 would extend the tuition waiver to a student who enrolls in an institution of higher learning within a certain time period and who is under department conservatorship on or after the day the student graduates from high school or receives a high school equivalency degree, or who is under such conservatorship on or after the day of the student's 14th birthday, if the student was also eligible for adoption on or after that day.

PURPOSE

As proposed, H.B. 767 extends an exemption from tuition and fees at a public institution of higher education to certain students in foster or other residential care.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 54.211, Education Code, to provide that a student is exempt from the payment of tuition and fees authorized in this chapter if the student was in foster care or other residential care under the conservatorship of the Department of Protective and Regulatory Services on or after the day of the student's 14th birthday, under certain conditions, or the day the student graduated from high school or received the equivalent of a high school diploma; and enrolls in an institution of higher education as an undergraduate student not later than the third anniversary of the date the student was discharged from the foster or other residential care, the date the student graduated from high school, or the date the student received the equivalent of a high school diploma, whichever is earliest, or the student's 21st birthday.

SECTION 2. Provides that this Act applies beginning with the 1997 fall semester.

SECTION 3. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 54.211, Education Code, to provide an exemption of tuition and fees to a student if the student was in foster care or other residential care under the conservatorship of the Department of Regulatory Services on or after the day of the student's 14th birthday, if the student was also eligible for adoption on or after that day and the student enrolls in an institution of higher education as an undergraduate student not later than a certain anniversary or the student's 21st birthday.