

BILL ANALYSIS

Senate Research Center
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S.B. 2084
By: Ogden
Finance
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently the Toward Excellence, Access, and Success (TEXAS) grant program only requires completion of the recommended high school curriculum to fulfill the academic requirements.

As proposed, S.B. 2084 amends the current eligibility requirements of the TEXAS grant program to include additional academic performance measures.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 2 (Section 56.3041, Education Code) and SECTION 4 (Section 56.312, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 56.301(2), Education Code, to redefine "eligible institution."

SECTION 2. Amends Subchapter M, Chapter 56, Education Code, by amending Section 56.3041 and adding Section 56.3042, as follows:

Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM HIGH SCHOOL ON OR AFTER JUNE 1, 2010. (a) Requires a person graduating from high school on or after June 1, 2010, to be eligible initially for a Toward Excellence, Access, and Success (TEXAS) grant, to meet certain requirements.

(a-1) Provides that Subsection (a)(2)(A) (relating to being a graduate of a public or accredited private high school in Texas who completed certain requirements) applies to at least:

(1) 25 percent of the students who receive a TEXAS grant under this section and who graduate from high school on or after June 1, 2010, but before June 1, 2011;

(2) 50 percent of the students who receive a TEXAS grant under this section and who graduate from high school on or after June 1, 2011, but before June 1, 2012;

(3) 75 percent of the students who receive a TEXAS grant under this section and who graduate from high school on or after June 1, 2012, but before June 1, 2013; and

(4) all students who graduate from high school on or after June 1, 2013.

(a-2) Provides that Subsection (a-1) and this subsection expire January 1, 2014.

(b) Provides that a person is not eligible to receive a TEXAS grant if the person has been convicted of a felony or an offense under Chapter 481 (Texas Controlled Substances Act), Health and Safety Code, or under the law of another jurisdiction involving a controlled substance as defined by Chapter 481, Health and Safety

Code, unless the person has met the other applicable eligibility requirements under this subchapter and has met certain conditions.

(c) Provides that a person is not eligible to receive a TEXAS grant if the person has been granted a baccalaureate degree.

(d) Prohibits a person from receiving a TEXAS grant for more than 150 semester credit hours or the equivalent.

(e) Provides that except as provided under rules adopted under Subsection (f), a person's eligibility for a TEXAS grant ends on the fifth anniversary of the initial award of a TEXAS grant to the person if the person is enrolled in a degree or certificate program of four years or less, or the sixth anniversary of the initial award of a TEXAS grant to the person if the person is enrolled in a degree or certificate program of more than four years.

(f) Requires the Texas Higher Education Coordinating Board (THECB) to adopt rules to provide a person who is otherwise eligible to receive a TEXAS grant additional time during which the person may receive a TEXAS grant in the event of a hardship or other good cause shown that prevents the person from continuing the person's enrollment during the period the person would otherwise have been eligible to receive a TEXAS grant, including a showing of severe illness or other debilitating condition experienced by the person, or responsibility of the person for the care of a sick, injured, or needy person.

(g) Requires THECB to adopt rules to allow a person who is otherwise eligible to receive a TEXAS grant in the event of a hardship or for other good cause shown, including a showing of a severe illness or other debilitating condition that may affect the person's academic performance or that the person is responsible for the care of a sick, injured, or needy person and that the person's provision of care may affect the person's academic performance, to receive a TEXAS grant while enrolled in a number of semester credit hours that is less than the number required by Subsection (a)(5) (relating to eligibility of an undergraduate, entering or continuing, for the TEXAS grant). Prohibits THECB from allowing a person to receive a TEXAS grant while enrolled in fewer than 150 semester credit hours or the equivalent.

Sec. 56.3042. New heading: INITIAL ELIGIBILITY OF PERSON ON TRACK TO MEET MERIT REQUIREMENTS. (a) Provides that if at the time an eligible institution awards TEXAS grants to initial recipients for an academic year an applicant has not completed high school or the applicant's final high school transcript is not yet available to the institution, the student is considered to have satisfied the eligibility requirements of Sections 56.304(a)(2)(A) (relating to requiring a person be a graduate of a public or accredited private high school in Texas who graduated not earlier than the 1998-1999 school year and meets certain academic criteria) or 56.3041(a)(2)(A) if the student's available high school transcript indicates that at the time the transcript was prepared the student was on schedule to graduate from high school and to meet the eligibility requirements, rather than complete the recommended or advanced high school curriculum or its equivalent, as applicable to the student, in time to be eligible for a TEXAS grant for the academic year.

(b) Authorizes THECB or the eligible institution to require the student to forgo or repay the amount of an initial TEXAS grant awarded to the student as described by Subsection (a) if the student fails to meet the eligibility requirements of Section 54.3041(a)(2)(A), rather than complete the recommended or advanced high school curriculum or its equivalent, after the issuance of the available high school transcript.

(c) Authorizes a person who is required to forgo or repay the amount of an initial TEXAS grant under Subsection (b) to become eligible to receive an initial TEXAS grant under Section 56.304 (Initial Eligibility for Grant) or 56.3041 by satisfying the associate degree requirement prescribed by Section 56.304(a)(2)(B) (relating to requiring a person, to be

eligible for a TEXAS grant, to have received an associate degree from a public or private institution of higher education) or 56.3041(a)(2)(B) (relating to requiring a person graduating from high school on a certain date, to be eligible for a TEXAS grant, to have received an associate degree from a public or private institution of higher education), and other applicable requirements of the, rather than that, section applicable to the person at the time the person reapplies for the grant.

(d) Authorizes a person who receives an initial TEXAS grant under Subsection (a) and is not required to forgo or repay the amount of the grant under Subsection (b) to become eligible to receive a subsequent TEXAS grant under Section 56.305 (Continuing Eligibility and Academic Performance Requirements) only by satisfying the associate degree requirement prescribed by Section 56.304(a)(2)(B) or 56.3041(a)(2)(B), as applicable to the person, in addition to the requirements of Section 56.305 at the time the person applies for the subsequent grant.

SECTION 3. Amends Section 56.307, Education Code, by adding Subsection (m), to provide that a person who graduated from high school on or after June 1, 2010, and completed the advanced high school program established under Section 28.025 (High School Diploma and Certificate; Academic Achievement Record) or its equivalent is eligible to receive an additional \$1,000 during the first academic year in which the person receives a TEXAS grant.

SECTION 4. Amends Subchapter M, Chapter 56, Education Code, by adding Section 56.312, as follows:

Sec. 56.312. APPLICATION OF MERIT CRITERIA. Requires THECB by rule to adopt policies to ensure that applying the eligibility requirements of Section 56.3041(a)(2)(A) does not disproportionately affect a particular category of students.

SECTION 5. (a) Provides that Sections 1 through 4 of this Act take effect only if not later than September 1, 2009, a total of at least \$91 million is appropriated by the legislature to the Texas Education Opportunity Grant Program under Subchapter P (Texas Educational Opportunity Grant Program), Chapter 56 (Student Financial Assistance), Education Code, for use in the 2009-2010 academic year and not later than September 1, 2009, a sufficient amount of money is appropriated by the legislature for the TEXAS grant program under Subchapter M, Chapter 56, Education Code, for use in the 2009-2010 academic school year to award grants to at least the same number of students who were awarded TEXAS grants for the 2007-2008 academic year.

(b) Requires THECB, not later than September 10, 2009, to certify whether the amounts described by Subsection (a) of this section were appropriated as provided by that subsection.

SECTION. 6. (a) Effective date, except as provided by Section 5 of this Act, Sections 1 through 4: January 1, 2010.

(b) Effective date, this section and Section 5 of this Act: September 1, 2009.