

BILL ANALYSIS

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S.B. 1158
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Veteran Affairs & Military Installations
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Veterans have unique requirements when making the transition from military service to being a student. This is particularly true for combat veterans. The United States Department of Veteran Affairs estimates that as many as 50 percent of veterans returning from Afghanistan have some type of disability, ranging from varying degrees of post-traumatic stress disorder and traumatic brain injury to physical wounds including severe burns and loss of limbs. Furthermore, the enactment of the Post-9/11 GI Bill has seen an unprecedented growth in the utilization of veterans programs in Texas.

With such an unprecedented growth of veteran presence on campuses and the increasingly complex needs of those veterans, it is important now more than ever that campuses be truly veteran friendly. However, current supports vary too much from one campus to another and among state agencies, resulting in an inconsistent "new normal" for veterans across the state.

Therefore, S.B. 1158 proposes three policies to better serve veterans throughout the state in regard to meeting their education and workforce needs. It transfers the administration of Hazlewood Act benefits from the Texas Higher Education Coordinating Board to the Texas Veterans Commission, creates veteran college resource counselors modeled after other efficient and effective veteran service programs, and establishes a state award recognizing universities and colleges for veteran education excellence.

As proposed, S.B. 1158 amends current law relating to higher education for veterans and their families.

RULEMAKING AUTHORITY

Rulemaking authority is previously granted to the Texas Higher Education Coordinating Board is modified in SECTION 1 (Section 54.341, Education Code) of this bill.

Rulemaking authority is expressly granted to the Texas Veterans Commission in SECTION 1 (Section 54.341, Education Code) and SECTION 4 (Sections 434.252, 434.253, and 434.306, Government Code) of this bill.

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board is transferred to the Texas Veterans Commission in SECTION 1 (Section 54.341, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 54.341(d), (h), (i), (k), and (n), Education Code, as follows:

(d) Requires the governing board of each institution of higher education granting an exemption under this section to require each applicant claiming the exemption to submit to the institution, in the form and manner prescribed by the Texas Veterans Commission (TVC) for purposes of this section under Section 434.0079(b), Government Code, an application for the exemption and necessary, rather than satisfactory, evidence that the applicant qualifies for the exemption not later than one year after the earlier of the date the institution fulfills certain criteria.

(h) Requires the governing board of each institution of higher education to electronically report to TVC, rather than the Texas Higher Education Coordinating Board (THECB) the information required by Section 434.00791, Government Code, rather than Section 61.0516 (Electronic System to Monitor Tuition Exemptions for Veterans and Dependents), relating to each individual receiving an exemption from fees and charges under Subsection (a) (relating to certain people exempted by the governing board of higher education institutions from certain payments), (a-2) (relating to exemption of payments for spouses of members of the armed forces), or (b) (relating to exemption of payments for children of members of the armed forces).

(i) Authorizes THECB to adopt rules for the administration of this section. Authorizes TVC to adopt rules to provide for the efficient and uniform application of this section.

(k) and (n) Makes a conforming change.

SECTION 2. Amends Subchapter A, Chapter 434, Government Code, by adding Section 434.0079, as follows:

Sec. 434.0079. DUTIES REGARDING CERTAIN TUITION AND FEE EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS. (a) Requires TVC, through its veteran education program, to assist veterans and their family members in claiming and qualifying for exemptions from the payment of tuition and fees at institutions of higher education under Section 54.341 (Veterans and Other Military Personnel; Defendants), Education Code.

(b) Requires TVC to establish the application and necessary evidence requirements for a person to claim an exemption under Section 54.341, Education Code, at an institution of higher education.

(c) Requires TVC to mediate between a veteran or a veteran's family member and an institution of higher education in any issue regarding eligibility for an exemption under Section 54.341, Education Code.

SECTION 3. Transfers Section 61.0516, Education Code, to Subchapter A, Chapter 434, Government Code, redesignates it as Section 434.00791, Government Code, and amends it as follows:

Sec. 434.00791. New heading: ELECTRONIC SYSTEM TO MONITOR TUITION EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS. Redesignates existing Section 61.0516 as Section 434.00791. (a) Defines "institution of higher education" for this section.

(b) Requires TVC to administer, rather than develop, a system to electronically monitor the use of tuition and fee exemptions at institutions of higher education under Section 54.341, Education Code. Makes conforming and nonsubstantive changes.

(c) Requires THECB, not later than January 1, 2014, to provide to TVC a system developed by THECB that meets the requirements of this section. Provides that THECB is responsible for maintaining the system until the date of transfer. Provides that this subsection expires September 1, 2015.

SECTION 4. Amends Chapter 434, Government Code, by adding Subchapters F and G, as follows:

SUBCHAPTER F. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD
NETWORK

Sec. 434.251. DEFINITION. Defines "institution of higher education" in this subchapter.

Sec. 434.252. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD NETWORK. (a) Requires TVC, by rule, to establish an award program under which institutions of higher education are authorized to receive recognition from TVC for excellence in providing education and related services to veterans.

(b) Requires TVC, for purposes of receiving an award under Subsection (a), to evaluate an institution of higher education regarding, as applicable, the existence and quality at the institution of:

(1) an advisory board of students who are veterans to advise the institution's governing board on issues affecting the institution's students who are veterans;

(2) a centralized place for students who are veterans to meet or find assistance and information;

(3) an institution employee who serves as a central point of contact for students who are veterans;

(4) a United States Department of Veterans Affairs work-study program;

(5) admissions and enrollment policies specifically designed for veterans;

(6) new student orientation and courses specifically designed for veterans;

(7) a student organization for veterans;

(8) academic support services specifically for students who are veterans;

(9) mental health and disability services;

(10) a housing policy that applies specifically to veterans;

(11) faculty and staff training on issues affecting students who are veterans;

(12) career services specifically designed for students who are veterans; and

(13) any other criteria considered necessary or appropriate by TVC.

(c) Requires TVC, by rule, to establish a process for TVC to use in evaluating an institution of higher education on the basis of the criteria under Subsection (b). Authorizes TVC to charge a reasonable fee to an institution for TVC's evaluation.

Sec. 434.253. RULEMAKING AUTHORITY. Authorizes TVC to adopt rules as necessary to administer this subchapter.

SUBCHAPTER G. REGIONAL VETERANS EDUCATION COUNSELORS PROGRAM

Sec. 434.301. DEFINITIONS. Defines "commission," "higher education regions," and "institution of higher education" for this subchapter.

Sec. 434.302. REGIONAL VETERANS EDUCATION COUNSELORS. Requires TVC to employ regional veterans education counselors. Requires a regional veterans education counselor to:

- (1) visit the institutions of higher education located in each higher education region served by the veterans education counselor;
- (2) work with those institutions of higher education to create a hospitable and supportive environment for veterans; enhance awareness of and encourage participation in veterans educational programs and TVC programs providing other services to veterans, including employment and claims assistance services; develop programs providing ancillary assistance to veterans based on the unique needs of veterans and their family members; ensure that veterans successfully complete their education; and promote the establishment of a student veterans group on each campus in the higher education region;
- (3) work with local, state, and national veterans groups, including the Veterans of Foreign Wars and the American Legion, to promote educational opportunities and benefits to the veteran population in the higher education region;
- (4) work with local workforce development boards to ensure that the regional veterans education counselors are aware of available nontraditional educational opportunities, including on-the-job training programs and apprenticeships and advise employers in the higher education region of potential opportunities to create on-the-job training programs for veterans;
- (5) work with education services officers at military installations to encourage active duty members of the armed forces of the United States and veterans to use federal and state educational benefits;
- (6) create and manage publicity campaigns in concert with TVC and institutions of higher education in the higher education region to promote the use of education benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C. Section 3301 et seq.), the tuition exemption program for veterans and their family members under Section 54.341, Education Code, and any other education benefit for veterans or their family members under federal or state law;
- (7) support programs to assist students who are combat veterans in readjusting and reintegrating into a noncombat environment;
- (8) maintain statistical information regarding demographics of veterans assisted, application success, program completion rates, dropout rates, and reasons for success or failure, as appropriate; and
- (9) perform other activities, as assigned by TVC, to enhance the educational opportunities of veterans and their family members in the higher education region and throughout this state.

Sec. 434.303. PROGRAM MANAGER. Requires TVC to employ a program manager to administer the regional veterans education counselors program. Requires the program manager to provide leadership, training, support, and overall management of the regional veterans education counselors; using data provided by THECB, produce an annual report on veterans' attendance at institutions of higher education; and perform any other task required by TVC.

Sec. 434.304. ASSIGNMENT OF REGIONAL VETERANS EDUCATION COUNSELORS. Requires TVC to assign regional veterans education counselors throughout this state with at least one counselor assigned responsibility for serving not more than two of the following higher education regions: High Plains Region; Northwest Texas Region; Metroplex Region; Upper East Texas Region; Southeast Texas Region;

Gulf Coast Region; Central Texas Region; South Texas Region; West Texas Region; and Upper Rio Grande Region.

Sec. 434.305. DUTIES OF INSTITUTION OF HIGHER EDUCATION. Requires each institution of higher education to support the work of regional veterans education counselors as provided by this subchapter, including providing access to veteran resource centers or other student meeting areas and providing information, as permitted by law, related to veterans at the institution.

Sec. 434.306. RULEMAKING AUTHORITY. Authorizes TVC to adopt rules to implement this subchapter.

SECTION 5. Provides that Section 9.01(b)(4), Chapter 1049 (S.B. 5), Acts of the 82nd Legislature, Regular Session, 2011, which would repeal Section 54.203(h), Education Code, effective September 1, 2013, is repealed and does not take effect, and Section 54.341(h), Education Code, which was redesignated from Section 54.203(h) (relating to the governing board of each institution of higher education electronically reporting certain information to THECB), Education Code, by Chapter 359 (S.B. 32), Acts of the 82nd Legislature, Regular Session, 2011, remains in effect as amended by this Act.

SECTION 6. Provides that the changes in law made by this Act to Section 54.341, Education Code, apply beginning with tuition and fees for the 2014 fall semester. Provides that tuition and fees for a term or semester before the 2014 fall semester are covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 7. Requires TVC, as soon as practicable after the effective date of this Act, to employ the regional veterans education counselors and a program manager as required by Subchapter G, Chapter 434, Government Code, as added by this Act.

SECTION 8. Effective date: upon passage or the 91st day after the last day of the legislative session.