

By: Shapleigh

S.B. No. 31

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to tuition exemptions granted by public institutions of  
3 higher education to children of certain classroom teachers.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter D, Chapter 54, Education Code, is  
6 amended by adding Section 54.220 to read as follows:

7 Sec. 54.220. CHILDREN OF CLASSROOM TEACHERS. (a) The  
8 governing board of an institution of higher education shall exempt  
9 from the payment of tuition a resident of this state enrolled as an  
10 undergraduate student at the institution who is a child of a person  
11 who at the beginning of the semester or other academic session for  
12 which an exemption is sought holds a National Board Certification,  
13 as defined by the National Board for Professional Teaching  
14 Standards, and has 10 or more years of experience as a classroom  
15 teacher in a critical teaching shortage field in one or more school  
16 districts in this state, not including experience as a teaching  
17 aide or administrator, and:

18 (1) is employed by a school district in this state as a  
19 classroom teacher in a critical teaching shortage field; or

20 (2) has contracted with a school district in this  
21 state to work as a classroom teacher in a critical teaching shortage  
22 field during all or part of that semester or session or, if the  
23 child is enrolled for a summer term or other academic session, has  
24 contracted with a school district in this state to work as a

1 classroom teacher in a critical teaching shortage field during the  
2 next school year.

3 (b) A person is not eligible for an exemption under this  
4 section if the person:

5 (1) has previously received an exemption under this  
6 section for 10 semesters or summer sessions at any institution or  
7 institutions of higher education; or

8 (2) has received a baccalaureate degree.

9 (c) For purposes of Subsection (b), a summer session that is  
10 less than nine weeks in duration is considered one-half of a summer  
11 session.

12 (d) A person attending an institution of higher education  
13 who becomes eligible to receive an exemption from tuition under  
14 Subsection (a) is eligible for a refund of the amount of money that  
15 the person paid to any institution of higher education for tuition  
16 as a resident student in the three-year period preceding the  
17 beginning of the first semester or session for which the person  
18 receives the exemption.

19 (e) To receive a refund under Subsection (d), the person  
20 must apply to the institution from which the refund is sought before  
21 the expiration of one year after the person becomes eligible for the  
22 refund. The institution shall pay the refund from any available  
23 funds of the institution.

24 (f) The Texas Higher Education Coordinating Board shall  
25 adopt:

26 (1) rules governing the granting or denial of an  
27 exemption under this section, including rules relating to the

1 determination of eligibility for an exemption or for a refund of  
2 previously paid tuition; and

3 (2) a uniform application form for an exemption under  
4 this section.

5 (g) In the funding formulas established under Section  
6 61.059 for a biennium, the coordinating board shall take into  
7 account any tuition exempted or any refund of tuition made in the  
8 preceding biennium under this section.

9 (h) In this section:

10 (1) "Child" means a child of any age, including an  
11 adult child. The term includes an adopted child.

12 (2) "Classroom teacher" has the meaning assigned by  
13 Section 5.001(2).

14 (3) "Critical teaching shortage field" means an  
15 instructional field designated by the commissioner of education as  
16 experiencing a critical shortage of teachers.

17 SECTION 2. (a) Except as provided by Subsection (b) of this  
18 section, this Act takes effect beginning with the 2006 fall  
19 semester.

20 (b) The Texas Higher Education Coordinating Board shall  
21 adopt rules and forms relating to the exemption of the children of  
22 classroom teachers under Section 54.220, Education Code, as added  
23 by this Act, not later than January 1, 2006.

24 SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect on the 91st day after the last day of the  
2 legislative session.