

## **BILL ANALYSIS**

C.S.H.B. 2109  
By: Berman  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The requirements of the Early High School Graduation Scholarship Program (scholarship program) as stated prior to 2003 designated if a student completed high school in not more than 36 consecutive months that student was eligible for a scholarship in state tuition credits. But in 2003, the Texas Legislature added a requirement establishing that students who graduate early must graduate with the recommended or advanced high school curriculum in order to receive a scholarship under this scholarship program. This Act passed by the 2003 Legislature failed to address the issue of students currently enrolled in the scholarship program, thereby leaving many students without the scholarship as promised.

CSHB 2109 re-establishes the eligibility for students under the previous scholarship program who lost eligibility when the 2003 Legislature changed the requirements of the Early High School Graduation Scholarship Program.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 10 of this bill.

### **ANALYSIS**

CSHB 2109 defines coordinating board. The purpose of CSHB 2109 is to increase efficiency and provide assistance for tuition or tuition and mandatory fees, as provided, enabling a person to attend a higher education institution in this state. A portion of the savings is dedicated to state credits for tuition or tuition and mandatory fees as applicable. This bill amends the Education Code as to what components are required for a person to be eligible for an award through the Early High School Graduation Scholarship program. This bill states that a person who does not satisfy the curriculum requirements as set forth by this legislation is considered to have satisfied those requirements if it is indicated on that individual's transcript that the curriculum could not be completed due to a reason beyond the person's control or a shortage of qualified teachers.

CSHB 2109 also establishes that an eligible person under the Early High School Graduation Scholarship program is entitled to a state credit which applies toward tuition or tuition and mandatory fees. The amount which applies toward tuition and mandatory fees is designated by this legislation. The substitute states that the coordinating board shall provide a certificate for state credits for tuition or tuition and mandatory fees to an eligible person as soon as practicable after the coordinating board makes confirmation that the student is eligible for an award through the Early High School Graduation Scholarship program.

CSHB 2109 clarifies the application of charges for tuition or tuition and mandatory fees by an eligible person. The institution of higher education is required to report to the coordinating board information as set forth by this bill. Language also clarifies that credits may not be used by an eligible person for enrollment during a summer session immediately following that individual's graduation from high school.

The commissioner of education is required to transfer to the coordinating board an amount sufficient to pay each eligible higher education institution the amount of state credit for tuition or tuition and mandatory fees that is applied by the institution.

The commissioner of education shall distribute money from the foundation school fund in an amount sufficient to pay school districts as designated.

As soon as practicable after this Act takes effect, the Texas Higher Education Coordinating Board shall revise rules adopted under Section 56.209(a), Education Code, as necessary to conform to changes made by this Act to Subchapter K, Chapter 56, Education Code. For that purpose, the coordinating board may adopt the revisions to those rules in the manner provided by law for emergency rules. This section expires September 1, 2006.

#### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

#### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

CSHB 2109 changes the date of 2003 to 2005 throughout the substitute.