

BILL ANALYSIS

Senate Research Center
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S.B. 1734
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Veteran Affairs & Military Installations
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Texas is home to an array of defense installations, defense dependent communities, and defense industries. The Texas National Guard, Texas State Guard, and military reservists are routinely called to active duty to support contingency operations in combat zones. Since September 11, 2001, over 21,600 members of the various Texas National Guard, Texas State Guard, and military reservists have been called up to active military duty; of those called to active military duty, over 5,200 members are currently deployed to Iraq or Afghanistan.

These service members may be called to active duty in a combat theater of operations outside of the United States in support of a worldwide contingency operation for up to 18 months. In order to fulfill their military commitment, the service members have to withdraw from institutions of higher education.

Often upon completion of their military deployment and upon returning to institutions of higher learning, the service members have to reapply to an institution of higher education. In addition, these service members may lose their academic status and/or course credit, may be charged a fee for readmission, and may lose any financial assistance previously provided to them prior to withdrawal.

As proposed, S.B. 1734 adds Section 51.9242, Education Code, to require readmission without a reapplication requirement or readmission fee for a student who was forced to withdraw because of a call to active military duty. Additionally, the bill requires the school to honor any financial assistance commitments and to allow the student to retain the same academic status.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to an institution of higher education in SECTION 1 (Section 51.9242, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.9242, as follows:

Sec. 51.9242. READMISSION OF STUDENT WHO WITHDRAWS TO PERFORM ACTIVE MILITARY SERVICE. (a) Provides that this section applies only to a student who withdraws from an institution of higher education to perform active military service as a member of the armed forces of the United States or the Texas National Guard.

(b) Requires the institution of higher education from which the student withdrew, for any academic term that begins after the date a student described by Subsection (a) is released from active military service but not later than the first anniversary of that date, to readmit the student, without requiring reapplication or charging a fee for readmission, if the student is otherwise eligible to register for classes at the institution. Requires the institution to provide certain services to the student upon readmission of the student under this subsection.

(c) Authorizes an institution of higher education to adopt rules requiring reasonable proof from a student of the fact and duration of the student's military service.

(b) Makes application of this Act prospective to the first semester or other academic term that begins after the effective date of this Act.

SECTION 2. Effective date: September 1, 2005.