

By: Zaffirini S.B. No. 30
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April 12, 2005, reported adversely, with favorable Committee
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COMMITTEE SUBSTITUTE FOR S.B. No. 30 By: Zaffirini

A BILL TO BE ENTITLED
AN ACT

relating to a pilot project to award incentives to students
contracting to graduate in a timely manner from public institutions
of higher education.

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

SECTION 1. Subchapter C, Chapter 61, Education Code, is
amended by adding Section 61.070 to read as follows:

Sec. 61.070. PILOT PROJECT TO AWARD INCENTIVES TO STUDENTS
CONTRACTING TO GRADUATE IN A TIMELY MANNER. (a) The board shall
establish a pilot project under which each institution of higher
education participating in the project awards incentives to
students who contract to graduate from the institution in a timely
manner and fulfill all other terms of the contract. The board shall
select institutions of higher education to participate in the pilot
project from among institutions that apply to participate in the
manner prescribed by board rule. An institution of higher
education may apply to participate on behalf of a specific degree
program, department, college, or school of the institution.

(b) On written request of an undergraduate student, the
governing board of an institution of higher education participating
in the pilot project shall enter into a contract with the student to
award the student an incentive authorized under board rule if the
student satisfies the requirement of timely graduation and other
requirements established by the institution under the contract. A
student is not required to enter into a contract under this section.

(c) A student may not request an institution of higher
education to enter into a contract under this section after the end
of the student's first academic year at the institution. Each
institution participating in the pilot project that offers an
undergraduate degree program shall notify each entering
undergraduate student of the provisions of this section not later
than the sixth week of the student's first semester or term.

(d) Each contract under this section:

(1) must require a student entering into the contract
to:

(A) earn at least 30 required or elective credit
hours each academic year;

(B) maintain good academic standing as
prescribed in the contract;

(C) in consultation with the student's academic
advisor, declare a major not later than the end of the student's
first academic year at the institution, in the case of a student
enrolled in a general academic teaching institution; and

(D) earn, as prescribed by the institution in the
contract, additional credit hours during one or more regular
semesters or summer sessions if the student's degree program
requires more than 120 credit hours for a bachelor's degree or more
than 60 credit hours for an associate degree; and

(2) may require a student entering into the contract
to enroll in any specified courses or types of courses prescribed by
the contract at the times required by the contract.

(e) In addition to the provisions required or authorized
under Subsection (d), the institution of higher education offering

a contract under this section or the board may provide for any other reasonable provision to be included in a contract under this section.

(f) A student who has entered into and satisfies the requirements of a contract under this section and who submits an application that is approved as described by Subsection (i) is entitled to an incentive under this section.

(g) If a contract under this section includes the provision described by Subsection (d)(2), the contract must require the institution of higher education to select one of the following actions to take if a course required for the student's degree program is unavailable to the student at the appropriate time as specified by the institution in the contract:

(1) permanently waive the student's required enrollment in that course;

(2) allow the student at that time to satisfy the course requirement by selecting for the student and substituting:

(A) a different course that the student is eligible to take and that is available to the student; or

(B) an independent study assignment; or

(3) provide for the payment of the student's tuition and required fees for the course at the time the student is first able to enroll in the course at the institution.

(h) An institution of higher education required to select an option under Subsection (g) may select an option under Subsection (g)(1) or (2) only if the institution determines that such a selection will not negatively affect the quality of the student's degree program or result in the institution's noncompliance with applicable accreditation standards.

(i) A student who enters into a contract under this section must apply for an incentive under Subsection (f) in the manner provided by the governing board of the institution of higher education awarding the incentive. The governing board shall require an applicant for an incentive to submit satisfactory evidence that the applicant is entitled to the incentive.

(j) An institution of higher education may not contract under this section with a student who transfers to the institution from another public or private institution of higher education. A student's transfer from one institution of higher education to another voids a contract entered into by the student under this section with the prior institution.

(k) This section does not apply to a student seeking a certificate at a public junior college.

(l) In consultation with institutions of higher education, the board shall adopt rules consistent with this section as necessary to implement this section, including rules establishing the manner in which an institution of higher education must apply to participate in the pilot project, rules concerning the types of incentives that an institution may award under this section, and rules allowing an otherwise qualified student to receive an incentive under this section if the student is unable to satisfy a requirement for the incentive solely as a result of a hardship or other good cause. In adopting rules concerning the types of incentives that may be awarded, the board shall authorize incentives such as free membership in an institution's alumni organization or free tickets to one or more athletic events.

(m) Not later than December 31, 2007, and not later than December 31 of each year after 2007, the board shall submit a report to the legislature on the level of participation in the pilot project under this section and on the effectiveness of project contracts in encouraging students to graduate from institutions of higher education in a timely manner.

(n) A student may not enter into a contract under this section after the end of the 2009-2010 academic year. This section expires August 31, 2014.

SECTION 2. 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

3-1 Act takes effect September 1, 2005.

3-2 * * * * *