

1-1 By: Zaffirini S.B. No. 31  
1-2 (In the Senate - Filed November 8, 2004; January 31, 2005,  
1-3 read first time and referred to Subcommittee on Higher Education;  
1-4 April 19, 2005, reported adversely, with favorable Committee  
1-5 Substitute to Committee on Education; April 25, 2005, reported  
1-6 adversely, with favorable Committee Substitute from Committee on  
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1-8 sent to printer.)

1-9 COMMITTEE SUBSTITUTE FOR S.B. No. 31 By: Zaffirini

1-10 A BILL TO BE ENTITLED  
1-11 AN ACT

1-12 relating to the creation of a work-study student mentorship program  
1-13 at certain institutions of higher education and to certain student  
1-14 financial aid program requirements.

1-15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-16 SECTION 1. Section 56.076, Education Code, is amended to  
1-17 read as follows:

1-18 Sec. 56.076. ELIGIBLE EMPLOYER. An eligible institution  
1-19 may enter into agreements with employers that participate in the  
1-20 work-study program. To be eligible to participate in the  
1-21 work-study program, an employer must:

1-22 (1) provide part-time employment to an eligible  
1-23 student in nonpartisan and nonsectarian activities;

1-24 (2) provide, insofar as is practicable, employment to  
1-25 an eligible student that is related to the student's academic  
1-26 interests;

1-27 (3) use Texas college work-study program positions  
1-28 only to supplement and not to supplant positions normally filled by  
1-29 persons not eligible to participate in the work-study program;

1-30 (4) provide from sources other than federal college  
1-31 work-study program funds a percentage [not less than 30 percent] of  
1-32 an employed student's wages that is equal to the percentage of a  
1-33 student's wages that the employer would be required to provide to  
1-34 the student in that academic year under the [and 100 percent of  
1-35 other employee benefits for the employed student from sources other  
1-36 than] federal college work-study program [funds, if the employer is  
1-37 a nonprofit entity]; and

1-38 (5) provide from sources other than federal college  
1-39 work-study funds [not less than 50 percent of an employed student's  
1-40 wages and] 100 percent of other employee benefits for the employed  
1-41 student [, if the employer is a profit-making entity].

1-42 SECTION 2. Subchapter E, Chapter 56, Education Code, is  
1-43 amended by adding Section 56.079 to read as follows:

1-44 Sec. 56.079. WORK-STUDY STUDENT MENTORSHIP PROGRAM.

1-45 (a) In this section, "general academic teaching institution" has  
1-46 the meaning assigned by Section 61.003.

1-47 (b) A general academic teaching institution may establish a  
1-48 work-study student mentorship program under which students who are  
1-49 enrolled in their junior or senior year at the institution and who  
1-50 meet the eligibility requirements for employment in the Texas  
1-51 college work-study program under Section 56.075 may be employed by  
1-52 the institution under the Texas college work-study program to  
1-53 mentor students who are on academic probation at the institution.

1-54 (c) A general academic teaching institution that has  
1-55 established a work-study student mentorship program under this  
1-56 section may require students who are on academic probation at the  
1-57 institution to be matched with a student mentor employed under the  
1-58 program.

1-59 (d) Not later than November 1 of each year, each general  
1-60 academic teaching institution that has established a work-study  
1-61 student mentorship program under this section shall submit to the  
1-62 Texas Higher Education Coordinating Board a report regarding the  
1-63 progress of the institution's program. The report must include the

2-1 number of students employed by the institution as mentors under the  
 2-2 program in the preceding academic year and information relating to  
 2-3 the costs of the program and the academic progress of the students  
 2-4 receiving mentoring under the program in that year.

2-5 (e) Each general academic teaching institution that has  
 2-6 established a work-study student mentorship program under this  
 2-7 section shall set aside a portion of the institution's Texas  
 2-8 college work-study program funds to pay for the state's  
 2-9 contribution toward the costs of the program.

2-10 (f) Notwithstanding Section 56.076, a general academic  
 2-11 teaching institution that employs a student mentor under the  
 2-12 work-study student mentorship program shall provide from sources  
 2-13 other than federal college work-study funds:

2-14 (1) not less than 10 percent of the employed student's  
 2-15 wages; and

2-16 (2) 100 percent of other employee benefits for the  
 2-17 employed student.

2-18 SECTION 3. Section 56.304, Education Code, is amended by  
 2-19 amending Subsection (e) and adding Subsections (e-1) and (e-2) to  
 2-20 read as follows:

2-21 (e) If a person is initially awarded a TEXAS grant before  
 2-22 the 2005 fall semester, the [A] person's eligibility for a TEXAS  
 2-23 grant ends on the sixth anniversary of the initial award of a TEXAS  
 2-24 grant to the person and the person's enrollment in an eligible  
 2-25 institution, unless the person is provided additional time during  
 2-26 which the person may receive a TEXAS grant under Subsection (e-2)  
 2-27 [this subsection].

2-28 (e-1) If a person is initially awarded a TEXAS grant during  
 2-29 or after the 2005 fall semester, unless the person is provided  
 2-30 additional time during which the person may receive a TEXAS grant  
 2-31 under Subsection (e-2), the person's eligibility for a TEXAS grant  
 2-32 ends on:

2-33 (1) the fifth anniversary of the initial award of a  
 2-34 TEXAS grant to the person, if the person is enrolled in a degree or  
 2-35 certificate program of four years or less; or

2-36 (2) the sixth anniversary of the initial award of a  
 2-37 TEXAS grant to the person, if the person is enrolled in a degree  
 2-38 program of more than four years.

2-39 (e-2) The coordinating board shall adopt rules to provide a  
 2-40 person who is otherwise eligible to receive a TEXAS grant  
 2-41 additional time during which the person may receive a TEXAS grant in  
 2-42 the event of a hardship or other good cause shown that prevents the  
 2-43 person from continuing the person's enrollment during the period  
 2-44 the person would otherwise have been eligible to receive a TEXAS  
 2-45 grant, including a showing of a severe illness or other  
 2-46 debilitating condition or that the person is or was responsible for  
 2-47 the care of a sick, injured, or needy person.

2-48 SECTION 4. Section 56.305, Education Code, is amended by  
 2-49 amending Subsections (e) and (g) and adding Subsection (e-1) to  
 2-50 read as follows:

2-51 (e) For the purpose of this section, a person who is  
 2-52 initially awarded a TEXAS grant before the 2005 fall semester makes  
 2-53 satisfactory academic progress toward an undergraduate degree or  
 2-54 certificate only if:

2-55 (1) in the person's first academic year the person  
 2-56 meets the satisfactory academic progress requirements of the  
 2-57 institution at which the person is enrolled; and

2-58 (2) in a subsequent academic year, the person:  
 2-59 (A) completes at least 75 percent of the semester  
 2-60 credit hours attempted in the student's most recent academic year;  
 2-61 and

2-62 (B) earns an overall grade point average of at  
 2-63 least 2.5 on a four-point scale or the equivalent on coursework  
 2-64 previously attempted at institutions of higher education.

2-65 (e-1) For purposes of this section, a person who is  
 2-66 initially awarded a TEXAS grant during or after the 2005 fall  
 2-67 semester makes satisfactory academic progress toward an  
 2-68 undergraduate degree or certificate only if:

2-69 (1) in the person's first academic year the person

3-1 meets the satisfactory academic progress requirements of the  
 3-2 institution at which the person is enrolled; and

3-3 (2) in a subsequent academic year, the person:

3-4 (A) completed at least 24 semester credit hours  
 3-5 in the student's most recent academic year; and

3-6 (B) has earned an overall grade point average of  
 3-7 at least 2.5 on a four-point scale or the equivalent on coursework  
 3-8 previously attempted at institutions of higher education.

3-9 (g) The coordinating board shall adopt rules to allow a  
 3-10 person who is otherwise eligible to receive a TEXAS grant, in the  
 3-11 event of a hardship or for other good cause shown, including a  
 3-12 showing of a severe illness or other debilitating condition that  
 3-13 may affect the person's academic performance or that the person is  
 3-14 responsible for the care of a sick, injured, or needy person and  
 3-15 that the person's provision of care may affect the person's academic  
 3-16 performance, to receive a TEXAS grant:

3-17 (1) while enrolled in a number of semester credit  
 3-18 hours that is less than the number of semester credit hours required  
 3-19 under Subsection (a)(3); or

3-20 (2) if the student's grade point average or the  
 3-21 student's completion rate or number of semester credit hours  
 3-22 completed, as applicable, falls below the satisfactory academic  
 3-23 progress requirements of Subsection (e) or (e-1).

3-24 SECTION 5. Section 56.462, Education Code, is amended to  
 3-25 read as follows:

3-26 Sec. 56.462. LOAN FORGIVENESS. A student who receives a  
 3-27 Texas B-On-time loan shall be forgiven the amount of the student's  
 3-28 loan if the student is awarded an undergraduate certificate or  
 3-29 degree at an eligible institution with a cumulative grade point  
 3-30 average of at least 3.0 on a four-point scale or the equivalent:

3-31 (1) within:

3-32 (A) four calendar years after the date the  
 3-33 student initially enrolled in the institution or another eligible  
 3-34 institution if:

3-35 (i) the institution is a four-year  
 3-36 institution; and

3-37 (ii) the student is awarded a degree other  
 3-38 than a degree in engineering, architecture, or any other program  
 3-39 determined by the coordinating board to require more than four  
 3-40 years to complete;

3-41 (B) five calendar years after the date the  
 3-42 student initially enrolled in the institution or another eligible  
 3-43 institution if:

3-44 (i) the institution is a four-year  
 3-45 institution; and

3-46 (ii) the student is awarded a degree in  
 3-47 engineering, architecture, or any other program determined by the  
 3-48 coordinating board to require more than four years to complete; or

3-49 (C) two years after the date the student  
 3-50 initially enrolled in the institution or another eligible  
 3-51 institution if the institution is a public junior college or public  
 3-52 technical institute; or

3-53 (2) with a total number of semester credit hours,  
 3-54 including transfer credit hours and excluding hours earned  
 3-55 exclusively by examination, hours earned for a course for which the  
 3-56 student received credit toward the student's high school academic  
 3-57 requirements, and hours earned for developmental coursework that an  
 3-58 institution of higher education required the student to take under  
 3-59 Section 51.3062 or under the former provisions of Section 51.306,  
 3-60 that is not more than six hours more than the minimum number of  
 3-61 semester credit hours required to complete the certificate or  
 3-62 degree.

3-63 SECTION 6. Section 61.225, Education Code, is amended to  
 3-64 read as follows:

3-65 Sec. 61.225. ELIGIBILITY [QUALIFICATIONS] FOR GRANT;  
 3-66 PERSONS AWARDED GRANTS BEFORE 2005-2006 ACADEMIC YEAR. (a) This  
 3-67 section applies only to a person who initially received a tuition  
 3-68 equalization grant before the 2005-2006 academic year.

3-69 (b) To be eligible for a tuition equalization grant, a

4-1 person must:

4-2 (1) be a Texas resident as defined by the coordinating  
4-3 board and meet, at a minimum, the resident requirements defined by  
4-4 law for Texas resident tuition in fully state-supported  
4-5 institutions of higher education;

4-6 (2) be enrolled for at least one-half of a full course  
4-7 load conforming to an individual degree plan in an approved college  
4-8 or university;

4-9 (3) be required to pay more tuition than is required at  
4-10 a public college or university and be charged no less than the  
4-11 regular tuition required of all students enrolled at the  
4-12 institution;

4-13 (4) establish financial need in accordance with  
4-14 procedures and regulations of the coordinating board;

4-15 (5) not be a recipient of any form of athletic  
4-16 scholarship; and

4-17 (6) have complied with other requirements adopted by  
4-18 the coordinating board under this subchapter.

4-19 (c) A grant to a part-time student under this section shall  
4-20 be made on a pro rata basis of a full-time equivalent.

4-21 SECTION 7. Subchapter F, Chapter 61, Education Code, is  
4-22 amended by adding Section 61.2251 to read as follows:

4-23 Sec. 61.2251. ELIGIBILITY FOR GRANT; PERSONS INITIALLY  
4-24 AWARDED GRANTS DURING OR AFTER 2005-2006 ACADEMIC YEAR. (a) This  
4-25 section does not apply to a person who initially received a tuition  
4-26 equalization grant before the 2005-2006 academic year.

4-27 (b) To be eligible for a tuition equalization grant in the  
4-28 first academic year in which the person receives the grant, a person  
4-29 must:

4-30 (1) be a Texas resident as defined by the coordinating  
4-31 board and meet, at a minimum, the resident requirements defined by  
4-32 law for Texas resident tuition in fully state-supported  
4-33 institutions of higher education;

4-34 (2) be enrolled for a full course load conforming to an  
4-35 individual undergraduate degree plan in an approved college or  
4-36 university;

4-37 (3) be required to pay more tuition than is required at  
4-38 a public college or university and be charged no less than the  
4-39 regular tuition required of all students enrolled at the  
4-40 institution;

4-41 (4) establish financial need in accordance with  
4-42 procedures and regulations of the coordinating board;

4-43 (5) not be a recipient of any form of athletic  
4-44 scholarship; and

4-45 (6) have complied with other requirements adopted by  
4-46 the coordinating board under this subchapter.

4-47 (c) After qualifying for a tuition equalization grant under  
4-48 Subsection (b), a person may receive a tuition equalization grant  
4-49 in a subsequent academic year in which the person is enrolled at an  
4-50 approved institution only if the person:

4-51 (1) meets the requirements of Subsection (b);

4-52 (2) completed at least:

4-53 (A) 24 semester credit hours in the person's most  
4-54 recent academic year, if the person is enrolled in an undergraduate  
4-55 degree or certificate program; or

4-56 (B) 18 semester credit hours in the person's most  
4-57 recent academic year, if the person is enrolled in a graduate or  
4-58 professional degree program; and

4-59 (3) has earned an overall grade point average of at  
4-60 least 2.5 on a four-point scale or the equivalent on coursework  
4-61 previously attempted at public or private institutions of higher  
4-62 education.

4-63 (d) Notwithstanding Subsections (b) and (c), a person's  
4-64 eligibility for a tuition equalization grant ends on:

4-65 (1) the fifth anniversary of the initial award of a  
4-66 tuition equalization grant to the person, if the person is enrolled  
4-67 in an undergraduate degree or certificate program of four years or  
4-68 less; or

4-69 (2) the sixth anniversary of the initial award of a

5-1 tuition equalization grant to the person, if the person is enrolled  
5-2 in an undergraduate degree program of more than four years.

5-3 (e) The coordinating board shall adopt rules to allow a  
5-4 person who is otherwise eligible to receive a tuition equalization  
5-5 grant, in the event of a hardship or for other good cause shown, to  
5-6 receive a tuition equalization grant if the person does not:

5-7 (1) complete the semester credit hours required by  
5-8 Subsection (c)(2);

5-9 (2) maintain the grade point average required by  
5-10 Subsection (c)(3); or

5-11 (3) complete the person's certificate or degree  
5-12 program within the period prescribed by Subsection (d).

5-13 SECTION 8. Subsection (c), Section 61.227, Education Code,  
5-14 is amended to read as follows:

5-15 (c) In no event shall a tuition equalization grant paid  
5-16 pursuant to this subchapter in behalf of any student during any one  
5-17 fiscal year exceed an amount equal to 50 percent of the average  
5-18 state appropriation in the biennium preceding the biennium in which  
5-19 the grant is made for a full-time student or the equivalent at  
5-20 public senior colleges and universities, as determined by the  
5-21 board. [~~A grant to a part-time student shall be made on a pro-rata~~  
5-22 ~~basis of a full-time equivalent.~~]

5-23 SECTION 9. (a) The changes in law made by this Act to  
5-24 Sections 56.304 and 56.305, Education Code, apply beginning with  
5-25 the 2005-2006 academic year, but only for TEXAS grants awarded on or  
5-26 after the effective date of this Act. A TEXAS grant awarded before  
5-27 the effective date of this Act is governed by the law in effect  
5-28 immediately before the effective date, and the former law is  
5-29 continued in effect for that purpose.

5-30 (b) The changes in law made by this Act to Section 56.076,  
5-31 Education Code, apply only to an agreement entered into by an  
5-32 institution of higher education and an employer under that section  
5-33 on or after the effective date of this Act.

5-34 (c) The changes in law made by this Act to Section 56.462,  
5-35 Education Code, apply to a student who is awarded an undergraduate  
5-36 certificate or degree on or after the effective date of this Act,  
5-37 without regard to when the student is awarded a Texas B-On-time  
5-38 loan.

5-39 (d) The changes in law made by this Act by amending Section  
5-40 61.225 and Subsection (c), Section 61.227, Education Code, and by  
5-41 adding Section 61.2251, Education Code, apply beginning with  
5-42 tuition equalization grants for the 2005-2006 academic year, but  
5-43 only for tuition equalization grants awarded on or after the  
5-44 effective date of this Act. A tuition equalization grant awarded  
5-45 before the effective date of this Act is governed by the law in  
5-46 effect immediately before the effective date, and the former law is  
5-47 continued in effect for that purpose.

5-48 SECTION 10. This Act takes effect September 1, 2005.

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