

By: Shapleigh

S.B. No. 79

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
18 this 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 September 1, 2005.