

By: West

S.B. No. 530

A BILL TO BE ENTITLED

AN ACT

relating to a fixed tuition rate provided by general academic teaching institutions to certain students for satisfactory academic progress and performance.

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

SECTION 1. Subchapter A, Chapter 54, Education Code, is amended by adding Section 54.011 to read as follows:

Sec. 54.011. FIXED TUITION RATE FOR SATISFACTORY ACADEMIC PROGRESS AND PERFORMANCE. (a) In this section:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "General academic teaching institution" has the meaning assigned by Section 61.003.

(b) Except as otherwise provided by this section, in a semester or other academic term, the governing board of a general academic teaching institution may not charge tuition under Section 54.0513, or under any other law granting the institution discretion to set the tuition rate, at a rate that exceeds the rate the institution charged the student during the first semester or other academic term the student enrolled in the institution if the student:

(1) enrolled in the institution:

(A) as a first-time freshman; or

(B) not later than the first fall semester

1 following the student's graduation from high school;

2 (2) has been continuously enrolled at the institution  
3 since initial enrollment in the institution;

4 (3) is currently and at all times while enrolled at the  
5 institution, has been a resident of this state for purposes of  
6 Subchapter B, Chapter 54, or was otherwise entitled to pay tuition  
7 at the rate provided for residents of this state;

8 (4) is enrolled for a full course load for an  
9 undergraduate student, as determined by the coordinating board, in  
10 a baccalaureate degree program;

11 (5) has completed at least 75 percent of the semester  
12 credit hours previously attempted at the institution; and

13 (6) has earned a cumulative grade point average of at  
14 least 2.5 on a four-point scale or the equivalent on all coursework  
15 previously attempted at the institution.

16 (c) Subsection (b) does not apply to a student enrolled in a  
17 general academic teaching institution:

18 (1) after the fourth anniversary of the date the  
19 student first enrolls in the institution, if on that anniversary  
20 the student is enrolled in a four-year baccalaureate degree  
21 program; or

22 (2) after the end of the standard completion period  
23 established by the institution for the student's degree program, if  
24 the student is enrolled in a baccalaureate degree program other  
25 than a four-year program.

26 (d) Each general academic teaching institution shall notify  
27 each entering undergraduate student of the eligibility

1 requirements for a fixed tuition rate under this section.

2 (e) In consultation with the general academic teaching  
3 institutions, the coordinating board shall adopt any rules the  
4 coordinating board considers appropriate for the administration of  
5 this section, including rules necessary for purposes of Subsection  
6 (f).

7 (f) The coordinating board shall adopt rules requiring a  
8 general academic teaching institution to provide a fixed tuition  
9 rate under this section to a student who satisfies the other  
10 requirements of this section but, solely as a result of a hardship  
11 or other good cause shown as determined by board rule, is unable to  
12 satisfy the requirements of Subsection (b)(2), (4), or (5).

13 (g) This section does not apply to a student who transfers  
14 from one institution of higher education to another.

15 (h) This section does not apply to a student who enters a  
16 general academic teaching institution for the first time before the  
17 2006 fall semester. This subsection expires January 1, 2012.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2005.