

By: Shapleigh

S.B. No. 1573

A BILL TO BE ENTITLED

AN ACT

relating to the affordability of enrollment in public institutions of higher education and the availability of certain financial and academic information to students enrolled in those institutions.

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

SECTION 1. (a) This Act may be cited as the "21st Century College Success Act."

(b) This state's master plan for higher education, "Closing the Gaps," calls for an additional 630,000 students to participate in higher education in this state by 2015. Student participation in higher education has been proven to correspond to higher levels of income, lower levels of unemployment and poverty, and higher levels of civic participation. Yet at the same time that this state needs more of the state's students to participate in higher education, institutions of higher education are being priced out of reach for many residents of this state. Since tuition deregulation began in the 2003 fall semester, the total amount paid by students for education at public institutions of higher education has increased by 40 percent statewide, and institutions have increased designated tuition charged to their students per academic year by \$266,313,285. As a result, many students are forced to postpone higher education, take time off of school, or obtain high-cost student loans. In order to achieve the goals established by "Closing the Gaps," this state's leaders must provide financial

1 relief for students enrolled at public institutions of higher
2 education and assist those students in graduating quickly and
3 joining the workforce.

4 SECTION 2. Subchapter Z, Chapter 51, Education Code, is
5 amended by adding Section 51.970 to read as follows:

6 Sec. 51.970. STUDENT INTERNET ACCESS TO FINANCIAL AND
7 ACADEMIC INFORMATION. In accordance with guidelines adopted by the
8 Texas Higher Education Coordinating Board and to the extent the
9 institution has legally authorized access to relevant information,
10 each institution of higher education shall provide a method by
11 which each student enrolled in the institution may access, through
12 the institution's Internet website:

13 (1) the student's current financial status, including:

14 (A) any amount of tuition or fees the student
15 owes;

16 (B) any grant, loan, or other financial aid
17 available specifically to the student, including the applicable
18 amounts of aid; and

19 (C) any amount of money the student owes on a
20 student financial aid loan the student received through the
21 institution's financial aid office; and

22 (2) the student's current academic status, including:

23 (A) a list of the courses in which the student is
24 currently enrolled;

25 (B) a list of the courses that the student has
26 completed at the institution or at another institution for which
27 the institution will grant the student course credit, and the grade

1 assigned for each course; and

2 (C) information concerning the required and
3 elective courses, including the number of semester credit hours,
4 that the student must complete for the student's degree plan.

5 SECTION 3. Subchapter A, Chapter 54, Education Code, is
6 amended by adding Sections 54.016 and 54.017 to read as follows:

7 Sec. 54.016. LIMITATION ON INCREASE IN TOTAL AMOUNT OF
8 TUITION AND COMPULSORY FEES. (a) In this section, "compulsory fee"
9 has the meaning assigned by Section 54.503.

10 (b) The total amount of tuition and compulsory fees charged
11 by an institution of higher education to a student may not exceed
12 the total amount of tuition and compulsory fees that the
13 institution would have charged to a similarly situated student in
14 the preceding academic year by more than five percent. For purposes
15 of this subsection, students are similarly situated if they share
16 the same residency status, degree program, course load, course
17 level, tuition exemption status, and other circumstances affecting
18 the tuition and compulsory fees charged to the student. This
19 subsection does not ensure that the total amount of tuition and
20 compulsory fees charged to an individual student will not increase
21 by more than five percent if the increase is based on a change in the
22 student's residency status, degree program, course load, course
23 level, tuition exemption status, or other circumstance affecting
24 the tuition and compulsory fees charged to the student.

25 (c) If as a result of a required statutory increase in
26 tuition or a compulsory fee an institution of higher education
27 would charge more in tuition and compulsory fees for an academic

1 period than permitted under this section because the institution
2 does not have sufficient time before the beginning of the academic
3 period to adjust its tuition and compulsory fee charges:

4 (1) tuition for which rates are prescribed under
5 Section 54.051 or another provision prescribing tuition rates shall
6 be charged at those required rates; and

7 (2) the amount designated as tuition under Section
8 54.0513 or another provision authorizing an institution to
9 establish tuition rates, and the amount of a compulsory fee that is
10 not prescribed by law, must each be reduced by the same percentage
11 as necessary to comply with this section, except that the
12 institution is not required to reduce a fee in an amount that is
13 approved by a majority vote of the institution's students
14 participating in a general student election held for that purpose.

15 (d) The Texas Higher Education Coordinating Board may adopt
16 rules as necessary to administer this section.

17 (e) Notwithstanding Subsection (b), for the 2007-2008
18 academic year, the 2008-2009 academic year, and the 2009-2010
19 academic year, the total amount of tuition and compulsory fees
20 charged by an institution of higher education to a student may not
21 exceed the total amount of tuition and compulsory fees that the
22 institution would have charged to a similarly situated student in
23 the 2006-2007 academic year. For purposes of this subsection,
24 students are similarly situated if they share the same residency
25 status, degree program, course load, course level, tuition
26 exemption status, and other circumstances affecting the tuition
27 and compulsory fees charged to the student. This subsection does

1 not ensure that the total amount of tuition and compulsory fees
2 charged to an individual student in an academic year in which
3 tuition and fee increases are restricted under this subsection will
4 not exceed the total amount of tuition and compulsory fees charged
5 to the student in a prior academic year if the increase is based on a
6 change in the student's residency status, degree program, course
7 load, course level, or tuition exemption status or other
8 circumstances affecting the tuition and compulsory fees charged to
9 the student. This subsection expires September 1, 2010.

10 Sec. 54.017. NOTICE OF INCREASE IN AMOUNT OF COMPULSORY
11 FEE. (a) In this section, "compulsory fee" has the meaning
12 assigned by Section 54.503.

13 (b) An institution of higher education that proposes to
14 increase the amount of a compulsory fee must, not later than the
15 60th day before the date the fee increase will take effect, provide
16 written notice of the proposed increase:

17 (1) in a newspaper of general circulation in the
18 county in which the institution is located; and

19 (2) to the state representative and state senator who
20 represent the legislative districts in which the institution is
21 located.

22 (c) Notice provided under Subsection (b) must:

23 (1) clearly identify the compulsory fee for which the
24 increase in amount is proposed;

25 (2) state the current amount of the fee and the amount
26 of the proposed increase; and

27 (3) state the semester or other term in which the

1 amount of the fee was most recently increased, if applicable.

2 SECTION 4. Section 61.051(a-3), Education Code, is amended
3 to read as follows:

4 (a-3) The board shall inform the legislature on matters
5 pertaining to higher education, including the state's activities in
6 the Board of Control for Southern Regional Education, and shall
7 report to the legislature not later than January 1 of each
8 odd-numbered year on the state of higher education in Texas. In the
9 biennial report, the board shall assess the state's progress in
10 meeting the goals stated in the plan developed under Subsection
11 (a-1) and shall recommend legislative action to assist the state in
12 meeting those goals, including recommendations concerning the
13 amount of money that would be necessary for funding specific
14 financial aid programs in order to meet relevant goals. The report
15 must include the analyses performed in connection with the board's
16 periodic review under Subsection (a-2).

17 SECTION 5. The Texas Higher Education Coordinating Board
18 shall study methods, including funding methods, for expanding the
19 number and type of work-study opportunities at public institutions
20 of higher education in order to provide financially needy students
21 with the employment opportunities necessary to support the
22 students' attendance at those institutions. Not later than
23 December 1, 2008, the coordinating board shall submit the results
24 of the study, including the board's recommendations, to the
25 governing board of each public institution of higher education and
26 to the chair of each legislative standing committee or subcommittee
27 with jurisdiction over higher education. This section expires

1 January 1, 2009.

2 SECTION 6. (a) Not later than January 1, 2008, the Texas
3 Higher Education Coordinating Board shall adopt guidelines as
4 required by Section 51.970, Education Code, as added by this Act.
5 Not later than August 1, 2008, each public institution of higher
6 education shall provide a method by which the institution's
7 students may access financial and academic information as required
8 by that section.

9 (b) Section 54.016, Education Code, as added by this Act,
10 does not affect tuition or compulsory fees charged under Chapter
11 54, Education Code, for a term or semester before the 2007-2008
12 academic year.

13 (c) Section 54.017, Education Code, as added by this Act,
14 applies only to an increase in the amount of a compulsory fee that
15 is proposed to take effect on or after January 1, 2008.

16 SECTION 7. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2007.