

BILL ANALYSIS

S.B. 1798
By: Zaffirini
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law authorizes tuition and fee exemptions for certain educational aides enrolled in higher education courses for teacher certification. However, there is disagreement between institutions of higher education and the Texas Higher Education Coordinating Board (THECB) regarding exemption applications. First, an exemption application must be initiated by the educational aide's employing school district, which then forwards it to the institution of higher education at which the aide is enrolled. Subsequently, the institution of higher education completes a portion of the form and then forwards it to THECB. In turn, THECB must then determine eligibility and advise the institution of higher education and school district about eligibility. The institution of higher education must then respond to THECB with a recommended award amount before THECB can offer reimbursement.

As proposed, the bill requires the institution of higher education at which an educational aide seeking an exemption is enrolled to certify the person's eligibility. This bill also requires the institution to make the determination of eligibility and give notice of its determination to the applicant and to the school district employing the applicant as an educational aide.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends the Education Code by requiring the institution of higher education at which a person seeking an exemption under this section is enrolled to certify the person's eligibility to receive the exemption, rather than the Texas Higher Education Coordinating Board (THECB) to certify a person's eligibility to receive an exemption under this section. The bill requires the institution, as soon as practicable after receiving an application for certification, to make the determination of eligibility and give notice of its determination to the applicant and to the school district employing the applicant as an educational aide, rather than the institution of higher education at which the applicant is enrolled and the school district employing the person as an education aide. The bill makes conforming changes and makes application of the changes in law made by this bill prospective.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2009.