

## **BILL ANALYSIS**

Senate Research Center  
81R26955 SJM-F

C.S.S.B. 2084  
By: Ogden  
Finance  
4/29/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently the Toward Excellence, Access, and Success (TEXAS) grant program only requires completion of the recommended high school curriculum to fulfill the academic requirements.

C.S.S.B. 2084 amends current law relating to eligibility for a TEXAS grant and to administration of the TEXAS grant program.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 3 (Section 56.3041, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 56.301(2), Education Code, to redefine "eligible institution."

SECTION 2. Amends Section 56.303, Education Code, by amending Subsection (d) and adding Subsections (e), (f), and (g), as follows:

(d) Requires the Texas Higher Education Coordinating Board (THECB) to annually determine the allocation among eligible institutions of money available for Toward Excellence, Access, and Success (TEXAS) grants and is required to distribute the money accordingly.

(e) Creates this subsection from existing text. Makes no changes to this subsection.

(f) Requires each eligible institution, beginning with TEXAS grants awarded for the 2010-2011 academic year, in determining who should receive an initial TEXAS grant, in addition to giving priority as provided by Subsection (e), to give highest priority to students who meet the eligibility criteria described by Section 56.3041(a)(2)(A). Authorizes an institution, if there is money available in excess of the amount required to award an initial TEXAS grant to all students meeting those criteria, to make awards to other students who meet the eligibility criteria described by Section 56.304(a)(2)(A) (relating to being a graduate of a public or accredited private high school in Texas who completed certain requirements).

(g) Requires each eligible institution, for the 2010-2011, 2011-2012, and 2012-2013 academic years, to give priority under Subsections (e) and (f) in awarding TEXAS grants to the extent required by Section 56.3041(a-1). Provides that this subsection expires June 1, 2013.

SECTION 3. Amends Subchapter M, Chapter 56, Education Code, by amending Section 56.3041 and adding Section 56.3042, as follows:

Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM HIGH SCHOOL ON OR AFTER MAY 1, 2010. (a) Requires a person graduating from high school on or after May 1, 2010, to be eligible initially for a TEXAS grant, to meet certain requirements.

(a-1) Provides that Subsection (a)(2)(A) applies to at least:

(1) 25 percent of the students who receive a TEXAS grant under this section and who graduate from high school on or after May 1, 2010, but before May 1, 2011;

(2) 50 percent of the students who receive a TEXAS grant under this section and who graduate from high school on or after May 1, 2011, but before May 1, 2012;

(3) 75 percent of the students who receive a TEXAS grant under this section and who graduate from high school on or after May 1, 2012, but before May 1, 2013; and

(4) all students who graduate from high school on or after May 1, 2013.

(a-2) Provides that Subsection (a-1) and this subsection expire January 1, 2014.

(b) Provides that a person is not eligible to receive a TEXAS grant if the person has been convicted of a felony or an offense under Chapter 481 (Texas Controlled Substances Act), Health and Safety Code, or under the law of another jurisdiction involving a controlled substance as defined by Chapter 481, Health and Safety Code, unless the person has met the other applicable eligibility requirements under this subchapter and has met certain conditions.

(c) Provides that a person is not eligible to receive a TEXAS grant if the person has been granted a baccalaureate degree.

(d) Prohibits a person from receiving a TEXAS grant for more than 150 semester credit hours or the equivalent.

(e) Provides that except as provided under rules adopted under Subsection (f), a person's eligibility for a TEXAS grant ends on the fifth anniversary of the initial award of a TEXAS grant to the person if the person is enrolled in a degree or certificate program of four years or less, or the sixth anniversary of the initial award of a TEXAS grant to the person if the person is enrolled in a degree or certificate program of more than four years.

(f) Requires THECB to adopt rules to provide a person who is otherwise eligible to receive a TEXAS grant additional time during which the person may receive a TEXAS grant in the event of a hardship or other good cause shown that prevents the person from continuing the person's enrollment during the period the person would otherwise have been eligible to receive a TEXAS grant, including a showing of severe illness or other debilitating condition experienced by the person, or responsibility of the person for the care of a sick, injured, or needy person.

(g) Requires THECB to adopt rules to allow a person who is otherwise eligible to receive a TEXAS grant in the event of a hardship or for other good cause shown, including a showing of a severe illness or other debilitating condition that may affect the person's academic performance or that the person is responsible for the care of a sick, injured, or needy person and that the person's provision of care may affect the person's academic performance, to receive a TEXAS grant while enrolled in a number of semester credit hours that is less than the number required by Subsection (a)(5) (relating to eligibility of an undergraduate, entering or continuing, for the TEXAS grant). Prohibits THECB from allowing a person to receive a TEXAS grant while enrolled in fewer than six semester credit hours or the equivalent.

Sec. 56.3042. New heading: INITIAL ELIGIBILITY OF PERSON ON TRACK TO MEET MERIT REQUIREMENTS. (a) Provides that if at the time an eligible institution awards TEXAS grants to initial recipients for an academic year an applicant has not

completed high school or the applicant's final high school transcript is not yet available to the institution, the student is considered to have satisfied the eligibility requirements of Sections 56.304(a)(2)(A) or 56.3041(a)(2)(A) if the student's available high school transcript indicates that at the time the transcript was prepared the student was on schedule to graduate from high school and to meet the eligibility requirements, rather than complete the recommended or advanced high school curriculum or its equivalent, as applicable to the student, in time to be eligible for a TEXAS grant for the academic year.

(b) Authorizes THECB or the eligible institution to require the student to forgo or repay the amount of an initial TEXAS grant awarded to the student as described by Subsection (a) if the student fails to meet the eligibility requirements of Section 54.3041(a)(2)(A), rather than complete the recommended or advanced high school curriculum or its equivalent, after the issuance of the available high school transcript.

(c) Authorizes a person who is required to forgo or repay the amount of an initial TEXAS grant under Subsection (b) to become eligible to receive an initial TEXAS grant under Section 56.304 (Initial Eligibility for Grant) or 56.3041 by satisfying the associate degree requirement prescribed by Section 56.304(a)(2)(B) (relating to requiring a person, to be eligible for a TEXAS grant, to have received an associate degree from a public or private institution of higher education) or 56.3041(a)(2)(B) (relating to requiring a person graduating from high school on a certain date, to be eligible for a TEXAS grant, to have received an associate degree from a public or private institution of higher education), and other applicable requirements of the, rather than that, section applicable to the person at the time the person reapplies for the grant.

(d) Authorizes a person who receives an initial TEXAS grant under Subsection (a) and is not required to forgo or repay the amount of the grant under Subsection (b) to become eligible to receive a subsequent TEXAS grant under Section 56.305 (Continuing Eligibility and Academic Performance Requirements) only by satisfying the associate degree requirement prescribed by Section 56.304(a)(2)(B) or 56.3041(a)(2)(B), as applicable to the person, in addition to the requirements of Section 56.305 at the time the person applies for the subsequent grant.

SECTION 4. Effective date: January 1, 2010.