

AN ACT

relating to course credit for certain students at a public institution of higher education.

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

SECTION 1. Subchapter F, Chapter 51, Education Code, is amended by adding Section 51.3042 to read as follows:

Sec. 51.3042. AWARD OF COURSE CREDIT FOR MILITARY SERVICE.

(a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) An institution of higher education shall award to an undergraduate student who is admitted to the institution, including a student who is readmitted under Section 51.9242, course credit for all physical education courses required by the institution for an undergraduate degree and for additional semester credit hours, not to exceed 12, that may be applied to satisfy any elective course requirements for the student's degree program for courses outside the student's major or minor if the student:

(1) graduated from a public or private high school accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense; and

(2) is an honorably discharged former member of the armed forces of the United States who:

(A) completed at least two years of service in

1 the armed forces; or

2 (B) was discharged because of a disability.

3 (c) This section does not prohibit an institution of higher
4 education from awarding additional course credit for a student's
5 military service as the institution considers appropriate.

6 (d) An institution of higher education may adopt rules
7 requiring reasonable proof from a student of the fact and duration
8 of the student's military service and of the student's military
9 discharge status.

10 SECTION 2. Subchapter Z, Chapter 51, Education Code, is
11 amended by adding Section 51.9112 to read as follows:

12 Sec. 51.9112. RESERVE OFFICERS' TRAINING CORPS (ROTC)
13 PROGRAM: FEES AND COURSE CREDIT. (a) The Texas Higher Education
14 Coordinating Board, in consultation with institutions of higher
15 education, shall determine a standard fee for a course offered
16 through a Reserve Officers' Training Corps (ROTC) program that
17 takes into account the average statewide cost per student to an
18 institution of higher education in providing the program, not
19 including any reimbursement or other amounts the institution
20 receives from the applicable military service or other source for
21 offering the course. Except as provided by Subsection (b), the
22 governing board of each institution of higher education may not
23 charge a student enrolled in an ROTC course any amount for the
24 course in excess of the fee as determined by the coordinating board
25 under this subsection.

26 (b) If the governing board of an institution of higher
27 education offers course credit toward a student's degree for a

1 course in which the student enrolls for the purposes of an ROTC
2 program, the governing board may charge the student tuition for
3 that course as otherwise provided by Chapter 54 after subtracting
4 any reimbursement or other amount the institution receives from the
5 applicable military service or other source for offering the
6 course.

7 (c) To the extent it will not adversely affect the
8 accreditation status of an institution of higher education with the
9 appropriate accrediting agency, the governing board of the
10 institution shall count courses in which a student enrolls for the
11 purposes of an ROTC program, including courses for which the
12 student does not receive course credit toward the student's degree,
13 in determining whether the student is enrolled as a full-time
14 student.

15 SECTION 3. Section 51.3042, Education Code, as added by
16 this Act, applies to a student attending an institution of higher
17 education, without regard to whether the student was admitted to
18 the institution before the effective date of this Act.

19 SECTION 4. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 269 was passed by the House on May 12, 2009, by the following vote: Yeas 141, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 269 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 269 on May 31, 2009, by the following vote: Yeas 139, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.B. No. 269

I certify that H.B. No. 269 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 269 on May 31, 2009, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor