

By: Branch

H.B. No. 2907

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for and procedures governing tuition equalization grants.

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

SECTION 1. Sections 61.221 and 61.224, Education Code, are amended to read as follows:

Sec. 61.221. TUITION EQUALIZATION GRANTS AUTHORIZED. In order to provide the maximum possible utilization of existing educational resources and facilities within this state, both public and private, the coordinating board is authorized to provide tuition equalization grants to Texas residents enrolled in any approved private Texas college or university, based on student financial need, but not to exceed a grant amount of more than that specified in the appropriation by the legislature or as provided by Section 61.227.

Sec. 61.224. APPLICATION OF GENERAL APPROPRIATIONS ACT RIDERS. Those riders in the General Appropriations Act that apply to expenditure of state funds at state-supported colleges and universities shall also apply to expenditure of state funds at any college or university attended by a ~~[which any]~~ student receiving aid under this subchapter ~~[may attend]~~.

SECTION 2. Section 61.225(b), Education Code, is amended to read as follows:

(b) To be eligible for a tuition equalization grant, a

1 person must:

2 (1) be a Texas resident as defined under Subchapter B,  
3 Chapter 54, [by the coordinating board] and meet, at a minimum, the  
4 resident requirements defined by law for Texas resident tuition in  
5 fully state-supported institutions of higher education;

6 (2) be enrolled for at least one-half of a full course  
7 load conforming to an individual degree plan in an approved college  
8 or university;

9 (3) be required to pay more tuition than is required at  
10 a public college or university and be charged no less than the  
11 regular tuition required of all students enrolled at the  
12 institution;

13 (4) establish financial need in accordance with  
14 procedures and regulations of the coordinating board;

15 (5) not be a recipient of any form of athletic  
16 scholarship while receiving the tuition equalization grant; and

17 (6) have complied with other requirements adopted by  
18 the coordinating board under this subchapter.

19 SECTION 3. Sections 61.2251(b), (c), and (e), Education  
20 Code, as added by Chapter 1230 (H.B. 1172), Acts of the 79th  
21 Legislature, Regular Session, 2005, are amended to read as follows:

22 (b) To be eligible for a tuition equalization grant in the  
23 first academic year in which the person receives the grant, a person  
24 must:

25 (1) be a Texas resident as defined under Subchapter B,  
26 Chapter 54, [by the coordinating board] and meet, at a minimum, the  
27 resident requirements defined by law for Texas resident tuition in

1 fully state-supported institutions of higher education;

2 (2) be enrolled in at least three-fourths of a full  
3 course load conforming to an individual degree plan in an approved  
4 college or university;

5 (3) be required to pay more tuition than is required at  
6 a public college or university and be charged no less than the  
7 regular tuition required of all students enrolled at the  
8 institution;

9 (4) establish financial need in accordance with  
10 procedures and regulations of the coordinating board;

11 (5) not be a recipient of any form of athletic  
12 scholarship while receiving a tuition equalization grant;

13 (6) make satisfactory academic progress toward a  
14 degree or certificate as determined by the institution at which the  
15 person is enrolled; and

16 (7) have complied with other requirements adopted by  
17 the coordinating board under this subchapter.

18 (c) After qualifying for a tuition equalization grant under  
19 Subsection (b), a person may receive a tuition equalization grant  
20 in a subsequent academic year in which the person is enrolled at an  
21 approved institution only if the person:

22 (1) meets the requirements of Subsection (b),  
23 including, as of the end of the full academic year in which the  
24 person initially receives a tuition equalization grant, making  
25 satisfactory academic progress toward a degree or certificate as  
26 determined by the institution at which the person is enrolled;

27 (2) as of the end of each subsequent academic year in

1 which the person receives a tuition equalization grant, has  
2 completed at least:

3 (A) 24 semester credit hours in the person's most  
4 recent full academic year, if the person is enrolled in an  
5 undergraduate degree or certificate program; or

6 (B) 18 semester credit hours in the person's most  
7 recent full academic year, if the person is enrolled in a graduate  
8 or professional degree program; ~~and~~

9 (3) has earned an overall grade point average of at  
10 least 2.5 on a four-point scale or the equivalent on coursework  
11 previously attempted at public or private institutions of higher  
12 education; and

13 (4) has completed at least 75 percent of the semester  
14 credit hours attempted in the person's most recent full academic  
15 year.

16 (e) The coordinating board shall adopt rules to allow a  
17 person who is otherwise eligible to receive a tuition equalization  
18 grant, in the event of a hardship or for other good cause shown, to  
19 receive a tuition equalization grant if the person does not:

20 (1) make satisfactory academic progress as required  
21 under Subsection (b)(6) or (c)(1);

22 (2) complete the semester credit hours required by  
23 Subsection (c)(2) or (4);

24 (3) maintain the grade point average required by  
25 Subsection (c)(3); or

26 (4) complete the person's certificate or degree  
27 program within the period prescribed by Subsection (d).

1 SECTION 4. Section 61.2251, Education Code, as added by  
2 Chapter 1181 (S.B. 1227), Acts of the 79th Legislature, Regular  
3 Session, 2005, is redesignated as Section 61.2252, Education Code,  
4 to read as follows:

5 Sec. 61.2252 [~~61.2251~~]. REESTABLISHING ELIGIBILITY FOR  
6 GRANT. If a person who receives an initial tuition equalization  
7 grant after the 2004-2005 academic year fails to meet any of the  
8 applicable requirements of this subchapter after the completion of  
9 any semester or term, the person may not receive a tuition  
10 equalization grant during the next semester or term in which the  
11 person enrolls. The person may become eligible to receive a  
12 tuition equalization grant in a subsequent semester or term if the  
13 person:

14 (1) completes a semester or term during which the  
15 student is not eligible for a tuition equalization grant; and

16 (2) meets all the applicable requirements of this  
17 subchapter.

18 SECTION 5. Sections 61.227(a), (b), (c), and (e), Education  
19 Code, are amended to read as follows:

20 (a) On determination of a person's [~~receipt of a~~  
21 ~~certification of the amount of~~] financial need [~~from an approved~~  
22 ~~institution~~], the institution at which the student is enrolled  
23 [~~coordinating board~~] shall certify the amount of the tuition  
24 equalization grant based on financial need but not to exceed a grant  
25 amount of more than that specified in the appropriation by the  
26 legislature, or more than the difference between the tuition at the  
27 private institution attended and the tuition at public colleges and

1 universities.

2 (b) The proper amount of the tuition equalization grant  
3 shall be paid to the student through the college or university in  
4 which the student [~~he~~] is enrolled.

5 (c) Unless the legislature specifies the tuition  
6 equalization grant amount by legislative appropriation, a [~~In no~~  
7 ~~event shall a tuition equalization~~] grant paid pursuant to this  
8 subchapter in behalf of any student during any one fiscal year may  
9 not exceed an amount equal to 50 percent of the average state  
10 appropriation in the biennium preceding the biennium in which the  
11 grant is made for a full-time student or the equivalent at public  
12 senior colleges and universities, as determined by the board.

13 (e) Notwithstanding any restrictions provided by Subsection  
14 (c) on the amount of a grant, a tuition equalization grant for an  
15 academic period for an undergraduate student who establishes  
16 exceptional financial need in accordance with the procedures and  
17 rules of the coordinating board may be certified by the institution  
18 at which the undergraduate student is enrolled [~~coordinating board~~]  
19 in an amount not to exceed 150 percent of the amount of the grant  
20 that the student would otherwise have been awarded for that period  
21 under the other provisions of this section.

22 SECTION 6. Section 61.230, Education Code, is amended to  
23 read as follows:

24 Sec. 61.230. ANNUAL REPORT. [~~(a)~~] The coordinating board  
25 shall include in its annual report to the legislature on financial  
26 aid in this state a breakdown of tuition equalization grant  
27 recipients by ethnicity indicating the percentage of each ethnic

1 group that received tuition equalization grant money [~~for each~~  
2 ~~academic year~~] at each institution.

3         SECTION 7. The changes in law made by this Act apply  
4 beginning with tuition equalization grants awarded for the  
5 2011-2012 academic year. A tuition equalization grant awarded for  
6 an academic year before that academic year is covered by the law in  
7 effect when the grant was awarded, and that law is continued in  
8 effect for that purpose.

9         SECTION 8. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2011.