

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).

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

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

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

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

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

(a) On determination of a person's [~~receipt of a certification of the amount of~~] financial need [~~from an approved institution~~], the institution at which the student is enrolled [~~coordinating board~~] shall certify the amount of the tuition equalization grant based on financial need but not to exceed a grant amount of more than that specified in the appropriation by the legislature, or more than the difference between the tuition at the 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 (e) Notwithstanding any restrictions provided by Subsection
6 (c) on the amount of a grant, a tuition equalization grant for an
7 academic period for an undergraduate student who establishes
8 exceptional financial need in accordance with the procedures and
9 rules of the coordinating board may be certified by the institution
10 at which the undergraduate student is enrolled ~~[coordinating board]~~
11 in an amount not to exceed 150 percent of the amount of the grant
12 that the student would otherwise have been awarded for that period
13 under the other provisions of this section.

14 SECTION 6. Section 61.230, Education Code, is amended to
15 read as follows:

16 Sec. 61.230. ANNUAL REPORT. ~~[(a)]~~ The coordinating board
17 shall include in its annual report to the legislature on financial
18 aid in this state a breakdown of tuition equalization grant
19 recipients by ethnicity indicating the percentage of each ethnic
20 group that received tuition equalization grant money ~~[for each~~
21 ~~academic year]~~ at each institution.

22 SECTION 7. The changes in law made by this Act apply
23 beginning with tuition equalization grants awarded for the
24 2011-2012 academic year. A tuition equalization grant awarded for
25 an academic year before that academic year is covered by the law in
26 effect when the grant was awarded, and that law is continued in
27 effect for that purpose.

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

H.B. No. 2907

President of the Senate

Speaker of the House

I certify that H.B. No. 2907 was passed by the House on April 26, 2011, by the following vote: Yeas 148, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2907 on May 21, 2011, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2907 was passed by the Senate, with amendments, on May 19, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor