

By: Zaffirini

S.B. No. 28

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for a TEXAS grant and to administration of the TEXAS grant program.

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

SECTION 1. Section 56.301(2), Education Code, is amended to read as follows:

(2) "Eligible institution" means:

(A) for a person who graduates from high school on or after May 1, 2013, a general academic teaching institution as defined by Section 61.003; and

(B) for any other person, an institution of higher education that offers one or more undergraduate degree or certification programs.

SECTION 2. Section 56.303, Education Code, is amended by amending Subsection (d) and adding Subsections (e) and (f) to read as follows:

(d) From money appropriated by the legislature for the purposes of this subchapter, the coordinating board annually shall determine the allocation among eligible institutions of money available for TEXAS grants and shall distribute the money accordingly. In allocating available grant money among general academic teaching institutions, the coordinating board shall ensure that each of those institutions' percentage share of the total amount of grant money allocated to general academic teaching

1 institutions under this subsection for an academic year does not,
2 as a result of the number of students who establish eligibility at
3 the institution for an initial TEXAS grant under Section
4 56.3041(a)(2)(A), change from the institution's percentage share
5 of the total amount allocated to those institutions under this
6 subsection for the preceding academic year.

7 (e) In determining who should receive a TEXAS grant, the
8 coordinating board and the eligible institutions shall give
9 ~~highest~~ priority to awarding TEXAS grants to students who
10 demonstrate the greatest financial need.

11 (f) Beginning with TEXAS grants awarded for the 2013-2014
12 academic year, in determining who should receive an initial TEXAS
13 grant, each eligible institution, in addition to giving priority as
14 provided by Subsection (e), shall give highest priority to students
15 who meet the eligibility criteria described by Section
16 56.3041(a)(2)(A). If there is money available in excess of the
17 amount required to award an initial TEXAS grant to all students
18 meeting those criteria, an institution shall make awards to other
19 students who meet the eligibility criteria described by Section
20 56.304(a)(2)(A), provided that the institution continues to give
21 priority to students as provided by Subsection (e).

22 SECTION 3. Subchapter M, Chapter 56, Education Code, is
23 amended by amending Section 56.3041 and adding Section 56.3042 to
24 read as follows:

25 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM
26 HIGH SCHOOL ON OR AFTER MAY 1, 2013. (a) To be eligible initially
27 for a TEXAS grant, a person graduating from high school on or after

1 May 1, 2013, must:

2 (1) be a resident of this state as determined by
3 coordinating board rules;

4 (2) meet the academic requirements prescribed by
5 Paragraph (A), (B), or (C) as follows:

6 (A) be a graduate of a public or accredited
7 private high school in this state who completed the recommended
8 high school program established under Section 28.025 or its
9 equivalent and have accomplished any one or more of the following:

10 (i) graduation under the advanced high
11 school program established under Section 28.025 or its equivalent,
12 successful completion of the course requirements of the
13 international baccalaureate diploma program, or earning of four or
14 more credits in high school through courses described in Sections
15 28.009(a)(1), (2), and (3);

16 (ii) graduation in the top one-third of the
17 person's high school graduating class or graduation from high
18 school with a grade point average of at least 3.0 on a four-point
19 scale or the equivalent; or

20 (iii) completion for high school credit of
21 at least one advanced mathematics course following the successful
22 completion of an Algebra II course, as permitted by Section
23 28.025(b-3), or at least one advanced career and technical course,
24 as permitted by Section 28.025(b-2);

25 (B) have received an associate degree from a
26 public or private institution of higher education; or

27 (C) if sufficient money is available, meet the

1 eligibility criteria described by Section 56.304(a)(2)(A);

2 (3) meet financial need requirements established by
3 the coordinating board;

4 (4) be enrolled in an undergraduate degree program at
5 an eligible institution;

6 (5) except as provided under rules adopted under
7 Subsection (g), be enrolled as:

8 (A) an entering undergraduate student for at
9 least three-fourths of a full course load, as determined by the
10 coordinating board, not later than the 16th month after the date the
11 person graduates from high school;

12 (B) an entering undergraduate student who
13 entered military service not later than 12 months after graduating
14 from high school and who enrolled at an eligible institution not
15 later than 12 months after being honorably discharged from military
16 service; or

17 (C) a continuing undergraduate student for at
18 least three-fourths of a full course load, as determined by the
19 coordinating board, not later than the 12th month after the date the
20 person receives an associate degree from a public or private
21 institution of higher education;

22 (6) have applied for any available financial aid or
23 assistance; and

24 (7) comply with any additional nonacademic
25 requirements adopted by the coordinating board under this
26 subchapter.

27 (b) A person is not eligible to receive a TEXAS grant if the

1 person has been convicted of a felony or an offense under Chapter
2 481, Health and Safety Code, or under the law of another
3 jurisdiction involving a controlled substance as defined by Chapter
4 481, Health and Safety Code, unless the person has met the other
5 applicable eligibility requirements under this subchapter and has:

6 (1) received a certificate of discharge from the Texas
7 Department of Criminal Justice or a correctional facility or
8 completed a period of probation ordered by a court and at least two
9 years have elapsed from the date of the receipt of completion; or

10 (2) been pardoned, had the record of the offense
11 expunged from the person's record, or otherwise been released from
12 the resulting ineligibility to receive a grant under this
13 subchapter.

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

16 (d) A person may not receive a TEXAS grant for more than 150
17 semester credit hours or the equivalent.

18 (e) Except as provided under rules adopted under Subsection
19 (f), a person's eligibility for a TEXAS grant ends on:

20 (1) the fifth anniversary of the initial award of a
21 TEXAS grant to the person if the person is enrolled in a degree or
22 certificate program of four years or less; or

23 (2) the sixth anniversary of the initial award of a
24 TEXAS grant to the person if the person is enrolled in a degree or
25 certificate program of more than four years.

26 (f) The coordinating board shall adopt rules to provide a
27 person who is otherwise eligible to receive a TEXAS grant

1 additional time during which the person may receive a TEXAS grant in
2 the event of a hardship or other good cause shown that prevents the
3 person from continuing the person's enrollment during the period
4 the person would otherwise have been eligible to receive a TEXAS
5 grant, including a showing of:

6 (1) severe illness or other debilitating condition
7 experienced by the person; or

8 (2) responsibility of the person for the care of a
9 sick, injured, or needy person.

10 (g) The coordinating board shall adopt rules to allow a
11 person who is otherwise eligible to receive a TEXAS grant in the
12 event of a hardship or for other good cause shown, including a
13 showing of a severe illness or other debilitating condition that
14 may affect the person's academic performance or that the person is
15 responsible for the care of a sick, injured, or needy person and
16 that the person's provision of care may affect the person's academic
17 performance, to receive a TEXAS grant while enrolled in a number of
18 semester credit hours that is less than the number required by
19 Subsection (a)(5). The coordinating board may not allow a person to
20 receive a TEXAS grant while enrolled in fewer than six semester
21 credit hours or the equivalent.

22 Sec. 56.3042. INITIAL QUALIFICATION ~~[ELIGIBILITY]~~ OF
23 PERSON ON TRACK TO MEET ELIGIBILITY REQUIREMENTS ~~[COMPLETE~~
24 ~~RECOMMENDED OR ADVANCED CURRICULUM]~~. (a) If at the time an
25 eligible institution awards TEXAS grants to initial recipients for
26 an academic year an applicant has not completed high school or the
27 applicant's final high school transcript is not yet available to

1 the institution, the student is considered to have satisfied the
2 eligibility requirements of Section 56.304(a)(2)(A) or
3 56.3041(a)(2)(A) if the student's available high school transcript
4 indicates that at the time the transcript was prepared the student
5 was on schedule to graduate from high school and to meet the
6 eligibility requirements [~~complete the recommended or advanced~~
7 ~~high school curriculum or its equivalent~~], as applicable to the
8 student, in time to be eligible for a TEXAS grant for the academic
9 year.

10 (b) The coordinating board or the eligible institution may
11 require the student to forgo or repay the amount of an initial TEXAS
12 grant awarded to the student as described by Subsection (a) if the
13 student fails to meet the eligibility requirements of Section
14 56.3041(a)(2)(A) [~~complete the recommended or advanced high school~~
15 ~~curriculum or its equivalent~~] after the issuance of the available
16 high school transcript.

17 (c) A person who is required to forgo or repay the amount of
18 an initial TEXAS grant under Subsection (b) may become eligible to
19 receive an initial TEXAS grant under Section 56.304 or 56.3041 by
20 satisfying the associate degree requirement prescribed by Section
21 56.304(a)(2)(B) or 56.3041(a)(2)(B) and the other applicable
22 requirements of the [~~that~~] section applicable to the person at the
23 time the person reapplies for the grant.

24 (d) A person who receives an initial TEXAS grant under
25 Subsection (a) and is not required to forgo or repay the amount of
26 the grant under Subsection (b) may become eligible to receive a
27 subsequent TEXAS grant under Section 56.305 only by satisfying the

1 associate degree requirement prescribed by Section 56.304(a)(2)(B)
2 or 56.3041(a)(2)(B), as applicable to the person, in addition to
3 the requirements of Section 56.305 at the time the person applies
4 for the subsequent grant.

5 SECTION 4. This Act takes effect January 1, 2013.