

BILL ANALYSIS

C.S.S.B. 1158
By: Van de Putte
Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A veteran who transitions from serving in the military to being a student has unique requirements. Interested parties report that a large percentage of veterans returning from Afghanistan have some type of disability, ranging from varying degrees of post-traumatic stress disorder and traumatic brain injury to physical wounds, including severe burns and loss of limbs. Such parties further report that since the enactment of the Post-9/11 GI Bill, there has been unprecedented growth in the utilization of veterans programs in Texas. Interested parties assert that the growth of veteran presence on campuses coupled with the complex physical and emotional needs of those veterans creates a need to standardize existing support systems across the state's agencies and its higher education campuses.

C.S.S.B. 1158 seeks to make higher education campuses more veteran friendly by proposing policies to better serve veterans throughout Texas, including transferring the administration of certain benefits from the Texas Higher Education Coordinating Board to the Texas Veterans Commission, creating veteran college resource counselors modeled after other effective veteran service programs, and establishing a state award recognizing universities and colleges for excellence in veteran education.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority previously granted to the Texas Higher Education Coordinating Board is transferred to the Texas Veterans Commission in SECTION 1 of this bill and that rulemaking authority is expressly granted to the Texas Veterans Commission in SECTIONS 3 and 5 of this bill.

ANALYSIS

C.S.S.B. 1158 amends the Education Code to clarify that certain exemptions available for veterans and other military personnel from payment of tuition, dues, fees, and other required charges of an institution of higher education also apply to the spouse or child of a member of the U.S. military, the Texas National Guard, or the Texas Air National Guard who become totally and permanently disabled or meet the eligibility requirements for individual unemployability according to the disability ratings of the Department of Veterans Affairs. The bill specifies that a person who received such an exemption before the 2014-2015 academic year continues to be eligible for the exemption provided by the applicable statutory provision as it existed on January 1, 2013.

C.S.S.B. 1158, beginning with tuition and fees for the 2014 fall semester, changes the deadline by which an applicant seeking an exemption from the payment of tuition, dues, fees, and other required charges of an institution of higher education must submit the application and necessary evidence of qualification to a date that is not later than the official day of record for the semester or term to which the exemption applies on which the institution must determine the enrollment that is reported to the Texas Higher Education Coordinating Board or on another day, not later than the end of the semester, as determined by the institution's governing board and removes provisions establishing that deadline as not later than one year after the earlier of the date the

institution provides written notice to the applicant or receives a written acknowledgment from the applicant evidencing the applicant's awareness of the applicant's eligibility for the exemption.

C.S.S.B. 1158 transfers certain duties relating to tuition and fee benefits, waivers, and exemptions for veterans, other military personnel, and their dependents from the Texas Higher Education Coordinating Board to the Texas Veterans Commission. The bill requires the institution of higher education providing an exemption to electronically report to the commission certain information relating to each individual receiving an exemption from fees and charges for the preceding fiscal year not later than December 31 of each year, rather than reporting the information not later than a certain date for every semester. The bill authorizes the commission to adopt rules to provide for the efficient and uniform application of such benefits, waivers, and exemptions and requires the commission, in developing such rules, to consult with the coordinating board and institutions of higher education. The bill requires the commission by rule to prescribe procedures allowing a person who becomes eligible for an exemption to waive the person's right to any unused portion of the cumulative credit hours, rather than any unused portion of the maximum number of cumulative credit hours, for which the person could receive the exemption and instead assign the exemption for those credit hours to the person's child. The bill requires the commission by rule to prescribe procedures by which a child assigned that exemption who suffers from a severe illness or other debilitating condition that affects the child's ability to use the exemption before reaching 25 years of age may be granted additional time to use the exemption. The bill makes these provisions applicable beginning with tuition and fees for the 2014 fall semester.

C.S.S.B. 1158 requires procedures prescribed by coordinating board rule to also provide a procedure permitting a person who waived the exemption and designated a child to receive the exemption to revoke that designation as to any unused portion of the assigned credit hours. The bill requires a child, in order to be eligible to receive an exemption, to be 25 years of age or younger on the first day of the semester or other academic term for which the exemption is claimed and revises the conditions under which a person is considered to be the child of another person for purposes of claiming an exemption. The bill requires the coordinating board and the commission to coordinate to provide each respective agency with any information required to ensure the proper administration of and the execution of each agency's statutory responsibilities concerning the exemption from the payment of tuition, dues, fees, and other required charges of institutions of higher education.

C.S.S.B. 1158 establishes a permanent fund to support military and veterans exemptions. The bill specifies that the permanent fund supporting military and veterans exemptions is a special fund in the Texas Treasury Safekeeping Trust Company outside the general revenue fund and is composed of money transferred or appropriated to the fund by the legislature, gifts and grants contributed to the fund, and the returns received from the investment of money in the fund. The bill requires the trust company to administer the fund and to determine the amount available for distribution from the fund in accordance with a distribution policy that is adopted by the comptroller of public accounts and designed to preserve the purchasing power of the fund's assets and provide a stable and predictable stream of annual distributions. The bill requires the expenses of managing the fund's assets to be paid from the fund and prohibits money in the fund from being used for any purpose except as otherwise provided in the bill's provisions. The bill authorizes the trust company, in managing fund assets and through procedures and subject to restrictions the trust company considers appropriate, to acquire, exchange, sell, supervise, manage, or retain any kind of investment that a prudent investor, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes terms, distribution requirements, and other circumstances of the fund then prevailing, taking into consideration the investment of all the assets of the fund rather than a single investment.

C.S.S.B. 1158 authorizes the amount available for distribution from the fund to be appropriated only to offset the cost to institutions of higher education of such exemptions and requires the amount appropriated to the fund to be distributed to eligible institutions in proportion to each institution's respective share of the aggregate cost to all institutions of such exemptions, as

determined by the Legislative Budget Board. The bill requires the amount appropriated to be distributed annually to each eligible institution of higher education. The bill authorizes the governing board of an institution of higher education entitled to receive money from the fund to solicit and accept gifts and grants from the fund. The bill requires such gifts and grants to be distributed and appropriated for the purposes of the fund, subject to any limitation or requirement placed on the gift or grant by the donor or granting entity.

C.S.S.B. 1158 amends the Government Code to require the Texas Veterans Commission to assist veterans and their family members in claiming and qualifying for exemptions from the payment of tuition and fees at institutions of higher education through its veteran education program. The bill requires the commission to establish the application and necessary evidence requirements for a person to claim such an exemption at an institution of higher education. The bill requires the commission to adopt rules governing the coordination of federal and state benefits of a person eligible to receive a tuition and fees exemption under Education Code provisions allowing an eligible person, under specified circumstances, to assign the unused portion of the person's credit hours to the person's child, including rules governing the total number of credit hours assigned under those provisions that a person may apply to an individual degree or certificate program, consistent with the standards of the appropriate recognized regional accrediting agency and rules governing the application of the assigned exemption to credit hours for which the institution of higher education does not receive state funding.

C.S.S.B. 1158 transfers and redesignates Education Code provisions relating to the electronic system that monitors the use of tuition exemptions for veterans at institutions of higher education to the portion of the Government Code prescribing the duties of the commission. The bill requires the commission to ensure that a system is developed to electronically monitor the use of tuition and fee exemptions for veterans, other military personnel, and their dependents at institutions of higher education, removes the requirement that the Texas Higher Education Coordinating Board develop such a system, and updates statutory provisions to reflect that change and redesignation. The bill adds a temporary provision, set to expire September 1, 2015, requiring the coordinating board, under an agreement with the commission, not later than January 1, 2014, to provide access to the system developed by the coordinating board that meets specified requirements of the transferred and redesignated provisions.

C.S.S.B. 1158 amends the Government Code to require the commission by rule to establish an award program under which institutions of higher education may receive recognition from the commission for excellence in providing education and related services to veterans. The bill requires the commission to evaluate an institution, for purposes of receiving such an award, regarding the existence and quality at the institution of certain criteria as specified by the bill, including any criteria considered necessary or appropriate by the commission. The bill authorizes the commission to adopt rules as necessary to administer the veteran education excellence recognition award network. The bill requires the commission, in developing such rules, to consult with the coordinating board and institutions of higher education.

C.S.S.B. 1158 requires the commission to designate a commission employee as a program manager whose primary duty is to coordinate with institutions of higher education in ensuring that veterans programs at institutions of higher education fulfill specified objectives and take authorized actions relating to the enhancement of the educational opportunities of veterans and their family members in the applicable higher education region and throughout Texas. The bill requires each institution of higher education to cooperate with the commission to provide information, as permitted by law, related to student veterans at the institution, to provide access to veterans resource centers or other student meeting areas, and to otherwise support veterans education counseling. The bill authorizes the commission to adopt rules to implement a veterans education counselors program and requires the commission, in developing such rules, to consult with the coordinating board and institutions of higher education.

C.S.S.B. 1158 repeals a statutory provision that would repeal Section 54.203(h), Education Code, effective September 1, 2013, and provides that such repeal does not take effect. The bill clarifies that Section 54.341(h), Education Code, which was redesignated from that section,

remains in effect as amended by the bill.

C.S.S.B. 1158 requires the commission, in adopting rules, including implementing authority transferred from the coordinating board, to engage institutions of higher education in a negotiated rulemaking process as described by the Negotiated Rulemaking Act.

C.S.S.B. 1158 repeals Section 9.01(b)(4), Chapter 1049 (S.B. 5), Acts of the 82nd Legislature, Regular Session, 2011.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, the 91st day after the last day of the legislative session.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.S.B. 1158 may differ from the engrossed version in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Section 54.341, Education code, is amended by amending Subsections (d), (h), (i), (k), and (n) and adding Subsection (o) to read as follows:

No equivalent provision.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 54.341, Education Code, is amended by amending Subsections (a-2), (b), (d), (h), (i), (k), (k-1), (l), (m), and (n) and adding Subsections (a-4) and (o) to read as follows:

(a-2) The exemptions provided for in Subsection (a) also apply to the spouse of:

(1) a member of the armed forces of the United States:

(A) who was killed in action;

(B) who died while in service;

(C) who is missing in action;

(D) whose death is documented to be directly caused by illness or injury connected with service in the armed forces of the United States; or

(E) who became totally and permanently disabled or meets the eligibility requirements for individual unemployability ~~[for purposes of employability]~~ according to the disability ratings of the Department of Veterans Affairs as a result of a service-related injury; or

(2) a member of the Texas National Guard or the Texas Air National Guard who:

(A) was killed since January 1, 1946, while on active duty either in the service of this state or the United States; or

(B) is totally and permanently disabled or meets the eligibility requirements for individual unemployability ~~[for purposes of employability]~~ according to the disability ratings of the Department of Veterans

Affairs, regardless of whether the member is eligible to receive disability benefits from the department, as a result of a service-related injury suffered since January 1, 1946, while on active duty either in the service of this state or the United States.

No equivalent provision.

(a-4) A person who before the 2014-2015 academic year received an exemption under this section continues to be eligible for the exemption provided by this section as this section existed on January 1, 2013.

No equivalent provision.

(b) The exemptions provided for in Subsection (a) also apply to:

(1) the children of members of the armed forces of the United States:

(A) who are or were killed in action;

(B) who die or died while in service;

(C) who are missing in action;

(D) whose death is documented to be directly caused by illness or injury connected with service in the armed forces of the United States; or

(E) who became totally and permanently disabled or meet the eligibility requirements for individual unemployability ~~[for purposes of employability]~~ according to the disability ratings of the Department of Veterans Affairs as a result of a service-related injury; and

(2) the children of members of the Texas National Guard and the Texas Air National Guard who:

(A) were killed since January 1, 1946, while on active duty either in the service of their state or the United States; or

(B) are totally and permanently disabled or meet the eligibility requirements for individual unemployability ~~[for purposes of employability]~~ according to the disability ratings of the Department of Veterans Affairs, regardless of whether the members are eligible to receive disability benefits from the department, as a result of a service-related injury suffered since January 1, 1946, while on active duty either in the service of this state or the United States.

(d) The governing board of each institution of higher education granting an exemption under this section shall require each applicant claiming the exemption to submit to the institution, in the form and manner prescribed by the Texas Veterans Commission for purposes of this section

(d) The governing board of each institution of higher education granting an exemption under this section shall require each applicant claiming the exemption to submit to the institution, in the form and manner prescribed by the Texas Veterans Commission for purposes of this section

under Section 434.0079(b), Government Code, an application for the exemption and necessary [satisfactory] evidence that the applicant qualifies for the exemption not later than

one year after the earlier of the date the institution:

(1) provides written notice to the applicant of the applicant's eligibility for the exemption; or

(2) receives a written acknowledgement from the applicant evidencing the applicant's awareness of the applicant's eligibility for the exemption.

(h) The governing board of each institution of higher education shall electronically report to the Texas Veterans Commission [Higher Education Coordinating Board] the information required by Section 434.00791, Government Code, [61.0516] relating to each individual receiving an exemption from fees and charges under Subsection (a), (a-2), or (b). The institution shall report the information not later than December 31 of each year for the fall semester, May 31 of each year for the spring semester, and September 30 of each year for the summer session.

(i) The Texas Veterans Commission [Texas Higher Education Coordinating Board] may adopt rules to provide for the efficient and uniform application of this section. In developing rules under this subsection, the commission shall consult with the Texas Higher Education Coordinating Board and institutions of higher education.

(k) The Texas Veterans Commission [Higher Education Coordinating Board] by rule shall prescribe procedures to allow:

(1) a person who becomes eligible for an exemption provided by Subsection (a) to waive the person's right to any unused portion of the maximum number of cumulative credit hours for which the person could receive the exemption and assign the exemption for the unused portion of those

under Section 434.0079(b), Government Code, an application for the exemption and necessary [satisfactory] evidence that the applicant qualifies for the exemption not later than the official day of record for the semester or term to which the exemption applies on which the institution must determine the enrollment that is reported to the Texas Higher Education Coordinating Board or on another day, not later than the end of the semester, as determined by the governing board

[one year after the earlier of the date the institution:

[(1) provides written notice to the applicant of the applicant's eligibility for the exemption; or

[(2) receives a written acknowledgement from the applicant evidencing the applicant's awareness of the applicant's eligibility for the exemption].

(h) The governing board of each institution of higher education shall electronically report to the Texas Veterans Commission [Higher Education Coordinating Board] the information required by Section 434.00791, Government Code, [61.0516] relating to each individual receiving an exemption from fees and charges under Subsection (a), (a-2), or (b). The institution shall report the information for the preceding fiscal year not later than December 31 of each year [for the fall semester, May 31 of each year for the spring semester, and September 30 of each year for the summer session].

(i) The Texas Veterans Commission [Texas Higher Education Coordinating Board] may adopt rules to provide for the efficient and uniform application of this section. In developing rules under this subsection, the commission shall consult with the Texas Higher Education Coordinating Board and institutions of higher education.

(k) The Texas Veterans Commission [Higher Education Coordinating Board] by rule shall prescribe procedures to allow:

(1) a person who becomes eligible for an exemption provided by Subsection (a) to waive the person's right to any unused portion of the maximum number of cumulative credit hours for which the person could receive the exemption and assign the exemption for the unused portion of those

credit hours to a child of the person; and
(2) following the death of a person who becomes eligible for an exemption provided by Subsection (a), the assignment of the exemption for the unused portion of the credit hours to a child of the person, to be made by the person's spouse or by the conservator, guardian, custodian, or other legally designated caretaker of the child, if the child does not otherwise qualify for an exemption under Subsection (b).

No equivalent provision.

No equivalent provision.

No equivalent provision.

credit hours to a child of the person; and
(2) following the death of a person who becomes eligible for an exemption provided by Subsection (a), the assignment of the exemption for the unused portion of the credit hours to a child of the person, to be made by the person's spouse or by the conservator, guardian, custodian, or other legally designated caretaker of the child, if the child does not otherwise qualify for an exemption under Subsection (b).

(k-1) The procedures under Subsection (k) must provide:

- (1) the manner in which a person may waive the exemption;
- (2) the manner in which a child may be designated to receive the exemption;
- (3) a procedure permitting the designation of a different child to receive the exemption if the child previously designated to receive the exemption did not use the exemption under this section for all of the assigned portion of credit hours; ~~and~~
- (4) a method of documentation to enable institutions of higher education to determine the eligibility of the designated child to receive the exemption; and
- (5) a procedure permitting a person who waived the exemption and designated a child to receive the exemption to revoke that designation as to any unused portion of the assigned credit hours.

(l) To be eligible to receive an exemption under Subsection (k), the child must:

- (1) be a student who is classified as a resident under Subchapter B when the child enrolls in an institution of higher education; ~~and~~
- (2) make satisfactory academic progress in a degree, certificate, or continuing education program as determined by the institution at which the child is enrolled in accordance with the policy of the institution's financial aid department, except that the institution may not require the child to enroll in a minimum course load; and
- (3) be 25 years of age or younger on the first day of the semester or other academic term for which the exemption is claimed.

(m) For purposes of this section, a person is the child of another person if ~~the person is 25 years of age or younger on the first day of the semester or other academic term for~~

(n) The Texas Veterans Commission [Higher Education Coordinating Board] by rule shall prescribe procedures by which a child assigned an exemption under Subsection (k) who suffered from a severe illness or other debilitating condition that affected the child's ability to use the exemption before reaching the age described by Subsection (m) may be granted additional time to use the exemption corresponding to the time the child was unable to use the exemption because of the illness or condition.

(o) The Texas Higher Education Coordinating Board and the Texas Veterans Commission shall coordinate to provide each respective agency with any information required to ensure the proper administration of this section and the proper execution of each agency's statutory responsibilities concerning this section.

No equivalent provision.

~~which the exemption is claimed and]:~~

(1) the person is the stepchild or the biological or adopted child of the other person; or

(2) the other person claimed the person as a dependent on a federal income tax return filed for the preceding year or will claim the person as a dependent on a federal income tax return for the current year.

(n) The Texas Veterans Commission [Higher Education Coordinating Board] by rule shall prescribe procedures by which a child assigned an exemption under Subsection (k) who suffered from a severe illness or other debilitating condition that affected the child's ability to use the exemption before reaching the age described by Subsection (1)(3) [(m)] may be granted additional time to use the exemption corresponding to the time the child was unable to use the exemption because of the illness or condition.

(o) The Texas Higher Education Coordinating Board and the Texas Veterans Commission shall coordinate to provide each respective agency with any information required to ensure the proper administration of this section and the proper execution of each agency's statutory responsibilities concerning this section.

SECTION 2. Subchapter D, Chapter 54, Education Code, is amended by adding Section 54.3411 to read as follows:

Sec. 54.3411. PERMANENT FUND SUPPORTING MILITARY AND VETERANS EXEMPTIONS. (a) In this section, "trust company" means the Texas Treasury Safekeeping Trust Company.

(b) The permanent fund supporting military and veterans exemptions is a special fund in the treasury outside the general revenue fund. The fund is composed of:

(1) money transferred or appropriated to the fund by the legislature;

(2) gifts and grants contributed to the fund; and

(3) the returns received from investment of money in the fund.

(c) The trust company shall administer the fund. The trust company shall determine the amount available for distribution from the fund, determined in accordance with a distribution policy that is adopted by the

comptroller and designed to preserve the purchasing power of the fund's assets and to provide a stable and predictable stream of annual distributions. Expenses of managing the fund's assets shall be paid from the fund. Except as provided by this section, money in the fund may not be used for any purpose. Sections 403.095 and 404.071, Government Code, do not apply to the fund.

(d) In managing the assets of the fund, through procedures and subject to restrictions the trust company considers appropriate, the trust company may acquire, exchange, sell, supervise, manage, or retain any kind of investment that a prudent investor, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances of the fund then prevailing, taking into consideration the investment of all the assets of the fund rather than a single investment.

(e) The amount available for distribution from the fund may be appropriated only to offset the cost to institutions of higher education of the exemptions required by Section 54.341. The amount appropriated shall be distributed to eligible institutions in proportion to each institution's respective share of the aggregate cost to all institutions of the exemptions required by Section 54.341, as determined by the Legislative Budget Board. The amount appropriated shall be distributed annually to each eligible institution of higher education.

(f) The governing board of an institution of higher education entitled to receive money under this section may solicit and accept gifts and grants to the fund. A gift or grant to the fund must be distributed and appropriated for the purposes of the fund, subject to any limitation or requirement placed on the gift or grant by the donor or granting entity.

SECTION 2. Subchapter A, Chapter 434, Government Code, is amended by adding Section 434.0079 to read as follows:

Sec. 434.0079. DUTIES REGARDING CERTAIN TUITION AND FEE EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS. (a) The commission, through its veteran education program, shall assist veterans and their family members in claiming and qualifying

SECTION 3. Subchapter A, Chapter 434, Government Code, is amended by adding Section 434.0079 to read as follows:

Sec. 434.0079. DUTIES REGARDING CERTAIN TUITION AND FEE EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS. (a) The commission, through its veteran education program, shall assist veterans and their family members in claiming and qualifying

for exemptions from the payment of tuition and fees at institutions of higher education under Section 54.341, Education Code.

(b) The commission shall establish the application and necessary evidence requirements for a person to claim an exemption under Section 54.341, Education Code, at an institution of higher education.

No equivalent provision.

SECTION 3. Section 61.0516, Education Code, is transferred to Subchapter A, Chapter 434, Government Code, redesignated as Section 434.00791, Government Code, and amended to read as follows:

Sec. 434.00791 [~~61.0516~~]. ELECTRONIC SYSTEM TO MONITOR TUITION EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS [~~DEPENDENTS~~].

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

(b) The commission [board] shall ensure [develop] a system to electronically monitor the use of tuition and fee exemptions at institutions of higher education under Section 54.341, Education Code, is developed. The system must allow the commission [board] to electronically receive, for each semester, the following information from institutions of higher education:

- (1) the name of the institution;
- (2) the name, identification number, and date of birth of each individual attending the institution and receiving benefits for the semester under Section 54.341, Education Code;
- (3) for each individual receiving benefits, the number of credit hours for which the

for exemptions from the payment of tuition and fees at institutions of higher education under Section 54.341, Education Code.

(b) The commission shall establish the application and necessary evidence requirements for a person to claim an exemption under Section 54.341, Education Code, at an institution of higher education.

(c) The commission shall adopt rules governing the coordination of federal and state benefits of a person eligible to receive an exemption under Section 54.341(k), Education Code, including rules governing:

(1) the total number of credit hours assigned under that section that a person may apply to an individual degree or certificate program, consistent with the standards of the appropriate recognized regional accrediting agency; and

(2) the application of the assigned exemption to credit hours for which the institution of higher education does not receive state funding.

SECTION 4. Section 61.0516, Education Code, is transferred to Subchapter A, Chapter 434, Government Code, redesignated as Section 434.00791, Government Code, and amended to read as follows:

Sec. 434.00791 [~~61.0516~~]. ELECTRONIC SYSTEM TO MONITOR TUITION EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS [~~DEPENDENTS~~].

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

(b) The commission [board] shall ensure [develop] a system to electronically monitor the use of tuition and fee exemptions at institutions of higher education under Section 54.341, Education Code, is developed. The system must allow the commission [board] to electronically receive, for each semester, the following information from institutions of higher education:

- (1) the name of the institution;
- (2) the name, identification number, and date of birth of each individual attending the institution and receiving benefits for the semester under Section 54.341, Education Code;
- (3) for each individual receiving benefits, the number of credit hours for which the

individual received an exemption for the semester;

(4) for each individual receiving benefits at the institution during the semester, the total cumulative number of credit hours for which the individual has received an exemption at the institution; and

(5) any other information required by the commission [~~board~~].

(c) Not later than January 1, 2014, the Texas Higher Education Coordinating Board shall provide ~~to the commission the system,~~ or access to the system, developed by the coordinating board that meets the requirements of this section. This subsection expires September 1, 2015.

SECTION 4. Chapter 434, Government Code, is amended by adding Subchapters F and G to read as follows:

SUBCHAPTER F. VETERAN
EDUCATION EXCELLENCE
RECOGNITION AWARD NETWORK

Sec. 434.251. DEFINITIONS.

Sec. 434.252. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD NETWORK. (a) The commission by rule shall establish an award program under which institutions of higher education may receive recognition from the commission for excellence in providing education and related services to veterans.

(b) For purposes of receiving an award under Subsection (a), the commission shall evaluate an institution of higher education regarding, as applicable, the existence and quality at the institution of:

(1) an advisory board of students who are veterans to advise the institution's governing board on issues affecting the institution's students who are veterans;

(2) a centralized place for students who are veterans to meet or find assistance and information;

(3) an institution employee who serves as a central point of contact for students who are veterans;

(4) a United States Department of Veterans Affairs work-study program;

(5) admissions and enrollment policies specifically designed for veterans;

(6) new student orientation and courses specifically designed for veterans;

individual received an exemption for the semester;

(4) for each individual receiving benefits at the institution during the semester, the total cumulative number of credit hours for which the individual has received an exemption at the institution; and

(5) any other information required by the commission [~~board~~].

(c) Not later than January 1, 2014, the Texas Higher Education Coordinating Board, under an agreement with the commission, shall provide access to the system developed by the coordinating board that meets the requirements of this section. This subsection expires September 1, 2015.

SECTION 5. Chapter 434, Government Code, is amended by adding Subchapters F and G to read as follows:

SUBCHAPTER F. VETERAN
EDUCATION EXCELLENCE
RECOGNITION AWARD NETWORK

Sec. 434.251. DEFINITIONS.

Sec. 434.252. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD NETWORK. (a) The commission by rule shall establish an award program under which institutions of higher education may receive recognition from the commission for excellence in providing education and related services to veterans.

(b) For purposes of receiving an award under Subsection (a), the commission shall evaluate an institution of higher education regarding, as applicable, the existence and quality at the institution of:

(1) a centralized place for students who are veterans to meet or find assistance and information;

(2) an institution employee who serves as a central point of contact for students who are veterans;

(3) a United States Department of Veterans Affairs work-study program;

(4) admissions and enrollment policies for veterans;

(5) new student orientation and courses for veterans;

- (7) a student organization for veterans;
- (8) academic support services specifically for students who are veterans;
- (9) mental health and disability services;
- (10) a housing policy that applies specifically to veterans;
- (11) faculty and staff training on issues affecting students who are veterans;
- (12) career services specifically designed for students who are veterans; and
- (13) any other criteria considered necessary or appropriate by the commission.

Sec. 434.253. RULEMAKING AUTHORITY.

SUBCHAPTER G. REGIONAL VETERANS EDUCATION COUNSELORS PROGRAM

Sec. 434.301. DEFINITIONS. In this subchapter:

- (1) "Commission" means the Texas Veterans Commission.
- (2) "Higher education regions" means the higher education regions in this state established by the Texas Higher Education Coordinating Board as specified under Section 434.304.
- (3) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

Sec. 434.302. REGIONAL VETERANS EDUCATION COUNSELORS. The commission shall employ regional veterans education counselors. A regional veterans education counselor shall:

- (1) visit the institutions of higher education located in each higher education region served by the veterans education counselor;
- (2) work with those institutions of higher education and any existing veterans programs at those institutions to:
 - (A) create a hospitable and supportive environment for veterans;
 - (B) enhance awareness of and encourage participation in veterans educational programs and commission programs providing other services to veterans, including employment and claims assistance services;
 - (C) develop programs providing ancillary assistance to veterans based on the unique needs of veterans and their family members;
 - (D) ensure that veterans successfully

- (6) a student organization for veterans;
- (7) academic support services for students who are veterans;
- (8) mental health and disability services;
- (9) a housing policy that applies to veterans;
- (10) faculty and staff training on issues affecting students who are veterans;
- (11) career services for students who are veterans; and
- (12) any other criteria considered necessary or appropriate by the commission.

Sec. 434.253. RULEMAKING AUTHORITY.

SUBCHAPTER G. VETERANS EDUCATION COUNSELING

Sec. 434.301. DEFINITIONS. In this subchapter:

- (1) "Commission" means the Texas Veterans Commission.
- (2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

Sec. 434.302. VETERANS EDUCATION COUNSELING; PROGRAM MANAGER.

(a) The commission shall designate a commission employee as a program manager whose primary duty is to coordinate with institutions of higher education to ensure that veterans programs at institutions of higher education:

- (1) create a hospitable and supportive environment for veterans;
- (2) enhance awareness of and encourage participation in veterans educational programs and commission programs providing other services to veterans, including employment and claims assistance services;
- (3) develop programs providing ancillary assistance to veterans based on the unique needs of veterans and their family members;
- (4) assist veterans to successfully complete

complete their education; and

(E) promote the establishment of a student veterans group on each campus in the higher education region;

(3) work with local, state, and national veterans groups, including the Veterans of Foreign Wars and the American Legion, to promote educational opportunities and benefits to the veteran population in the higher education region;

(4) work with local workforce development boards to:

(A) ensure that the regional veterans education counselors are aware of available nontraditional educational opportunities, including on-the-job training programs and apprenticeships; and

(B) advise employers in the higher education region of potential opportunities to create on-the-job training programs for veterans;

(5) work with education services officers at military installations to encourage active duty members of the armed forces of the United States and veterans to use federal and state educational benefits;

(6) create and manage publicity campaigns in concert with the commission and institutions of higher education in the higher education region to promote the use of education benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C. Section 3301 et seq.), the tuition exemption program for veterans and their family members under Section 54.341, Education Code, and any other education benefit for veterans or their family members under federal or state law;

(7) support programs to assist students who are combat veterans in readjusting and reintegrating into a noncombat environment;

(8) maintain statistical information regarding demographics of veterans assisted, application success, program completion rates, dropout rates, and reasons for success or failure, as appropriate; and

(9) perform other activities, as assigned by the commission, to enhance the educational opportunities of veterans and their family members in the higher education region and throughout this state.

Sec. 434.303. PROGRAM MANAGER.

their education; and

(5) promote the establishment of a student veterans group on each campus.

(b) In addition to the primary duties under Subsection (a), the program manager may, in cooperation with institutions of higher education:

(1) work with local, state, and national veterans groups, including the Veterans of Foreign Wars and the American Legion, to promote educational opportunities and benefits to the veteran population;

(2) work with local workforce development boards to:

(A) ensure that persons providing educational counseling to veterans are aware of available nontraditional educational opportunities, including on-the-job training programs and apprenticeships; and

(B) advise employers of potential opportunities to create on-the-job training programs for veterans;

(3) work with education services officers at military installations to encourage active duty members of the armed forces of the United States and veterans to use federal and state educational benefits;

(4) create and manage publicity campaigns in concert with the commission and institutions of higher education to promote the use of education benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C. Section 3301 et seq.), the tuition exemption program for veterans and their family members under Section 54.341, Education Code, and any other education benefit for veterans or their family members under federal or state law;

(5) support programs to assist students who are combat veterans in readjusting and reintegrating into a noncombat environment;

(6) maintain statistical information regarding demographics of veterans assisted, application success, program completion rates, dropout rates, and reasons for success or failure, as appropriate; and

(7) perform other activities, as assigned by the commission, to enhance the educational opportunities of veterans and their family members in the higher education region and throughout this state.

No equivalent provision.

The commission shall employ a program manager to administer the regional veterans education counselors program. The program manager shall:

- (1) provide leadership, training, support, and overall management of the regional veterans education counselors;
- (2) using data provided by the Texas Higher Education Coordinating Board, produce an annual report on veterans' attendance at institutions of higher education; and
- (3) perform any other task required by the commission.

Sec. 434.304. ASSIGNMENT OF REGIONAL VETERANS EDUCATION COUNSELORS. The commission shall assign regional veterans education counselors throughout this state with at least one counselor assigned responsibility for serving not more than two of the following higher education regions:

- (1) High Plains Region;
- (2) Northwest Texas Region;
- (3) Metroplex Region;
- (4) Upper East Texas Region;
- (5) Southeast Texas Region;
- (6) Gulf Coast Region;
- (7) Central Texas Region;
- (8) South Texas Region;
- (9) West Texas Region; and
- (10) Upper Rio Grande Region.

Sec. 434.305. SUPPORT FROM INSTITUTIONS OF HIGHER EDUCATION. Each institution of higher education shall cooperate with the commission to provide information, as permitted by law, related to student veterans at the institution, provide access to veteran resource centers or other student meeting areas, and otherwise support the work of regional veterans education counselors.

Sec. 434.306. RULEMAKING AUTHORITY.

SECTION 5. Subdivision (4), Subsection (b), Section 9.01, Chapter 1049 (Senate Bill No. 5), Acts of the 82nd Legislature, Regular Session, 2011, which would repeal Subsection (h), Section 54.203, Education Code, effective September 1, 2013, is repealed and does not take effect, and Subsection (h), Section 54.341, Education Code, which was redesignated from

No equivalent provision.

Sec. 434.303. SUPPORT FROM INSTITUTIONS OF HIGHER EDUCATION. Each institution of higher education shall cooperate with the commission to provide information, as permitted by law, related to student veterans at the institution, provide access to veterans resource centers or other student meeting areas, and otherwise support veterans education counseling.

Sec. 434.304. RULEMAKING AUTHORITY.

SECTION 6. Same as engrossed version.

Subsection (h), Section 54.203, Education Code, by Chapter 359 (Senate Bill No. 32), Acts of the 82nd Legislature, Regular Session, 2011, remains in effect as amended by this Act.

SECTION 6. The changes in law made by this Act to Section 54.341, Education Code, apply beginning with tuition and fees for the 2014 fall semester. Tuition and fees for a term or semester before the 2014 fall semester are covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 7. As soon as practicable after the effective date of this Act, the Texas Veterans Commission shall employ the regional veterans education counselors and a program manager as required by Subchapter G, Chapter 434, Government Code, as added by this Act.

No equivalent provision.

SECTION 8. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

SECTION 7. The changes in law made by this Act to Sections 54.341(d), (h), (i), (k), and (n), Education Code, apply beginning with tuition and fees for the 2014 fall semester. Tuition and fees for a term or semester before the 2014 fall semester are covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

No equivalent provision.

SECTION 8. In adopting rules under this Act, including rules implementing authority transferred by this Act from the Texas Higher Education Coordinating Board, the Texas Veterans Commission shall engage institutions of higher education in a negotiated rulemaking process as described by Chapter 2008, Government Code.

SECTION 9. Same as engrossed version.