

By: Menendez

H.B. No. 3544

A BILL TO BE ENTITLED

AN ACT

relating to higher education for veterans and their families.

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

SECTION 1. Sections 54.341(d), (h), (i), (k), and (n), Education Code, are amended to read as follows:

(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

1 the information not later than December 31 of each year for the fall
2 semester, May 31 of each year for the spring semester, and September
3 30 of each year for the summer session.

4 (i) The Texas Higher Education Coordinating Board may adopt
5 rules for the administration of this section. The Texas Veterans
6 Commission may adopt rules to provide for the efficient and uniform
7 application of this section.

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

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

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

23 (n) The Texas Veterans Commission [~~Higher Education~~
24 ~~Coordinating Board~~] by rule shall prescribe procedures by which a
25 child who suffered from a severe illness or other debilitating
26 condition that affected the child's ability to use the exemption
27 before reaching the age described by Subsection (m) may be granted

1 additional time to use the exemption corresponding to the time the
2 child was unable to use the exemption because of the illness or
3 condition.

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

6 Sec. 434.0079. DUTIES REGARDING CERTAIN TUITION AND FEE
7 EXEMPTIONS FOR VETERANS AND FAMILY MEMBERS. (a) The commission,
8 through its veteran education program, shall assist veterans and
9 their family members in claiming and qualifying for exemptions from
10 the payment of tuition and fees at institutions of higher education
11 under Section 54.341, Education Code.

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

16 (c) The commission shall mediate between a veteran or a
17 veteran's family member and an institution of higher education in
18 any issue regarding eligibility for an exemption under Section
19 54.341, Education Code.

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

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

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

27 (b) The commission [board] shall administer [develop] a

1 system to electronically monitor the use of tuition and fee
2 exemptions at institutions of higher education under Section
3 54.341, Education Code. The system must allow the commission
4 [~~board~~] to electronically receive, for each semester, the following
5 information from institutions of higher education:

6 (1) the name of the institution;

7 (2) the name, identification number, and date of birth
8 of each individual attending the institution and receiving benefits
9 for the semester under Section 54.341, Education Code;

10 (3) for each individual receiving benefits, the number
11 of credit hours for which the individual received an exemption for
12 the semester;

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

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

19 (c) Not later than January 1, 2014, the Texas Higher
20 Education Coordinating Board shall provide to the commission a
21 system developed by the coordinating board that meets the
22 requirements of this section. The coordinating board is
23 responsible for maintaining the system until the date of transfer.
24 This subsection expires September 1, 2015.

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

1 SUBCHAPTER F. VETERAN EDUCATION EXCELLENCE RECOGNITION AWARD

2 NETWORK

3 Sec. 434.251. DEFINITION. In this subchapter, "institution
4 of higher education" has the meaning assigned by Section 61.003,
5 Education Code.

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

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

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

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

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

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

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

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

1 (7) a student organization for veterans;

2 (8) academic support services specifically for
3 students who are veterans;

4 (9) mental health and disability services;

5 (10) a housing policy that applies specifically to
6 veterans;

7 (11) faculty and staff training on issues affecting
8 students who are veterans;

9 (12) career services specifically designed for
10 students who are veterans; and

11 (13) any other criteria considered necessary or
12 appropriate by the commission.

13 (c) The commission by rule shall establish a process for the
14 commission to use in evaluating an institution of higher education
15 on the basis of the criteria under Subsection (b). The commission
16 may charge a reasonable fee to an institution for the commission's
17 evaluation.

18 Sec. 434.253. RULEMAKING AUTHORITY. The commission may
19 adopt rules as necessary to administer this subchapter.

20 SUBCHAPTER G. REGIONAL VETERANS EDUCATION COUNSELORS PROGRAM

21 Sec. 434.301. DEFINITIONS. In this subchapter:

22 (1) "Commission" means the Texas Veterans Commission.

23 (2) "Higher education regions" means the higher
24 education regions in this state established by the Texas Higher
25 Education Coordinating Board as specified under Section 434.304.

26 (3) "Institution of higher education" has the meaning
27 assigned by Section 61.003, Education Code.

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

4 (1) visit the institutions of higher education located
5 in each higher education region served by the veterans education
6 counselor;

7 (2) work with those institutions of higher education
8 to:

9 (A) create a hospitable and supportive
10 environment for veterans;

11 (B) enhance awareness of and encourage
12 participation in veterans educational programs and commission
13 programs providing other services to veterans, including
14 employment and claims assistance services;

15 (C) develop programs providing ancillary
16 assistance to veterans based on the unique needs of veterans and
17 their family members;

18 (D) ensure that veterans successfully complete
19 their education; and

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

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

26 (4) work with local workforce development boards to:

27 (A) ensure that the regional veterans education

1 counselors are aware of available nontraditional educational
2 opportunities, including on-the-job training programs and
3 apprenticeships; and

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

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

11 (6) create and manage publicity campaigns in concert
12 with the commission and institutions of higher education in the
13 higher education region to promote the use of education benefits
14 under the federal Post-9/11 Veterans Educational Assistance Act of
15 2008 (38 U.S.C. Section 3301 et seq.), the tuition exemption
16 program for veterans and their family members under Section 54.341,
17 Education Code, and any other education benefit for veterans or
18 their family members under federal or state law;

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

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

26 (9) perform other activities, as assigned by the
27 commission, to enhance the educational opportunities of veterans

1 and their family members in the higher education region and
2 throughout this state.

3 Sec. 434.303. PROGRAM MANAGER. The commission shall employ
4 a program manager to administer the regional veterans education
5 counselors program. The program manager shall:

6 (1) provide leadership, training, support, and
7 overall management of the regional veterans education counselors;

8 (2) using data provided by the Texas Higher Education
9 Coordinating Board, produce an annual report on veterans'
10 attendance at institutions of higher education; and

11 (3) perform any other task required by the commission.

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

17 (1) High Plains Region;

18 (2) Northwest Texas Region;

19 (3) Metroplex Region;

20 (4) Upper East Texas Region;

21 (5) Southeast Texas Region;

22 (6) Gulf Coast Region;

23 (7) Central Texas Region;

24 (8) South Texas Region;

25 (9) West Texas Region; and

26 (10) Upper Rio Grande Region.

27 Sec. 434.305. DUTIES OF INSTITUTION OF HIGHER EDUCATION.

1 Each institution of higher education shall support the work of
2 regional veterans education counselors as provided by this
3 subchapter, including providing access to veteran resource centers
4 or other student meeting areas and providing information, as
5 permitted by law, related to veterans at the institution.

6 Sec. 434.306. RULEMAKING AUTHORITY. The commission may
7 adopt rules to implement this subchapter.

8 SECTION 5. Section 9.01(b)(4), Chapter 1049 (S.B. 5), Acts
9 of the 82nd Legislature, Regular Session, 2011, which would repeal
10 Section 54.203(h), Education Code, effective September 1, 2013, is
11 repealed and does not take effect, and Section 54.341(h), Education
12 Code, which was redesignated from Section 54.203(h), Education
13 Code, by Chapter 359 (S.B. 32), Acts of the 82nd Legislature,
14 Regular Session, 2011, remains in effect as amended by this Act.

15 SECTION 6. The changes in law made by this Act to Section
16 54.341, Education Code, apply beginning with tuition and fees for
17 the 2014 fall semester. Tuition and fees for a term or semester
18 before the 2014 fall semester are covered by the law in effect
19 immediately before the effective date of this Act, and the former
20 law is continued in effect for that purpose.

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

26 SECTION 8. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect on the 91st day after the last day of the
4 legislative session.