

By: Lozano, Zerwas

H.B. No. 2290

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of the Texas Returning Adult Student
3 Grant Program for certain students enrolled in baccalaureate degree
4 programs at certain postsecondary educational institutions.

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

6 SECTION 1. Chapter 56, Education Code, is amended by adding
7 Subchapter U to read as follows:

8 SUBCHAPTER U. TEXAS RETURNING ADULT STUDENT GRANT PROGRAM

9 Sec. 56.601. DEFINITIONS. In this subchapter:

10 (1) "Coordinating board" means the Texas Higher
11 Education Coordinating Board.

12 (2) "Eligible institution" means:

13 (A) a general academic teaching institution; or

14 (B) a nonprofit, tax-exempt, regionally
15 accredited college or university operating in accordance with a
16 memorandum of understanding with this state under an executive
17 order issued by the governor and offering competency-based,
18 exclusively online baccalaureate degree programs.

19 (3) "Expected family contribution" means the amount of
20 discretionary income that should be available to a student from the
21 resources of the student and of the student's family, as determined
22 by the coordinating board following the methodology prescribed by
23 the United States Department of Education for the purpose of
24 determining a student's eligibility for need-based student

1 financial assistance.

2 (4) "General academic teaching institution" has the
3 meaning assigned by Section 61.003.

4 (5) "Program" means the Texas Returning Adult Student
5 Grant Program established under this subchapter.

6 (6) "Returning adult student" means a student who:

7 (A) is over the age of 25;

8 (B) has earned college credit but has not
9 obtained a postsecondary degree; and

10 (C) is enrolled in a baccalaureate degree program
11 at an eligible institution.

12 Sec. 56.602. PURPOSE. The purpose of the Texas Returning
13 Adult Student Grant Program is to provide financial assistance to
14 eligible returning adult students enrolling in baccalaureate
15 degree programs at eligible institutions.

16 Sec. 56.603. ADMINISTRATION OF PROGRAM; PRIORITY FOR
17 FINANCIAL NEED. (a) The coordinating board shall:

18 (1) administer the program;

19 (2) using the negotiated rulemaking procedures under
20 Chapter 2008, Government Code, adopt rules for determining the
21 allocation of funds under the program among eligible institutions;
22 and

23 (3) adopt any other rules necessary to implement the
24 program or this subchapter.

25 (b) The coordinating board shall consult with the student
26 financial aid officers of eligible institutions in developing the
27 rules adopted under Subsection (a).

1 (c) The total amount of grants awarded under the program may
2 not exceed the amount available for the program from
3 appropriations, gifts, grants, or other funds.

4 (d) In determining who should receive a grant under the
5 program, the coordinating board and the eligible institutions shall
6 give highest priority to awarding grants to students who
7 demonstrate the greatest unmet financial need.

8 Sec. 56.604. INITIAL ELIGIBILITY FOR GRANT. (a) To be
9 eligible initially for a grant under the program, a person must:

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

12 (2) meet financial need requirements as defined by
13 coordinating board rules, including a requirement that the person's
14 expected family contribution for the academic year does not exceed
15 the maximum expected family contribution established for this
16 purpose by the coordinating board;

17 (3) be a returning adult student;

18 (4) not be receiving a TEXAS grant under Subchapter M,
19 a tuition equalization grant under Subchapter F, Chapter 61, or any
20 other state-funded student financial assistance for the same
21 academic period; and

22 (5) comply with any additional requirement adopted by
23 the coordinating board under this subchapter.

24 (b) A person may not receive a grant under the program for
25 more than the greater of:

26 (1) 135 semester credit hours or the equivalent; or

27 (2) 15 semester credit hours or the equivalent in

1 excess of the number of semester credit hours required for the
2 degree program in which the person is enrolled.

3 Sec. 56.605. CONTINUING ELIGIBILITY AND ACADEMIC
4 PERFORMANCE REQUIREMENTS. (a) After initially qualifying for a
5 grant under the program, a person may continue to receive a grant
6 under the program during each semester or term in which the person
7 is enrolled at an eligible institution only if the person:

8 (1) meets the criteria for initial eligibility under
9 Section 56.604(a);

10 (2) makes satisfactory academic progress toward a
11 baccalaureate degree; and

12 (3) complies with any additional requirement adopted
13 by the coordinating board.

14 (b) If a person fails to meet any of the requirements of
15 Subsection (a) after the completion of any semester or term, the
16 person may not receive a grant under the program during the next
17 semester or term in which the person enrolls. Unless the person is
18 no longer eligible for a grant under Section 56.604(b), a person
19 may become eligible to receive a grant under the program in a
20 subsequent semester or term if the person:

21 (1) completes at least 15 semester credit hours or an
22 equivalent number of competency units or credits in a semester or
23 term during which the student is not eligible for a grant; and

24 (2) meets all the requirements of Subsection (a).

25 (c) For the purpose of this section, a person makes
26 satisfactory academic progress toward a baccalaureate degree only
27 if the person completes at least 15 semester credit hours or an

1 equivalent number of competency units or credits in each semester
2 or term in which the person is enrolled.

3 (d) The coordinating board shall adopt rules to allow a
4 person who is otherwise eligible to receive a grant under the
5 program to receive a grant if the student's completion rate falls
6 below the satisfactory academic progress requirements of this
7 section in the event of a hardship or for other good cause shown,
8 including:

9 (1) a showing of a severe illness or other
10 debilitating condition that may affect the person's academic
11 performance; or

12 (2) a showing that the person is responsible for the
13 care of a sick, injured, or needy person and that the person's
14 provision of care may affect the person's academic performance.

15 Sec. 56.606. GRANT USE. A person receiving a grant under
16 this subchapter may use the money only to pay the amount of tuition
17 and required fees and the cost of required textbooks incurred by the
18 student at an eligible institution. The institution may disburse
19 all or part of the proceeds of a grant under the program to an
20 eligible person only if the tuition and required fees incurred by
21 the person at the institution have been paid.

22 Sec. 56.607. GRANT AMOUNT. The amount of a grant awarded to
23 a person under the program for a semester or other academic term is
24 an amount not to exceed the lesser of:

25 (1) the difference between:

26 (A) the amount of tuition and required fees
27 incurred by the student at an eligible institution for that

1 semester or term plus a textbook stipend in an amount determined by
2 the coordinating board; and

3 (B) the amount of the Pell Grant for which the
4 student is eligible, if any; or

5 (2) the student's unmet financial need for that
6 semester or term.

7 Sec. 56.608. GRANT NOT TO AFFECT ADMISSION. An eligible
8 institution may not deny admission to or enrollment in the
9 institution based on a person's eligibility to receive a grant
10 under the program or a person's receipt of a grant under the
11 program.

12 SECTION 2. (a) The Texas Higher Education Coordinating
13 Board shall adopt rules to administer Subchapter U, Chapter 56,
14 Education Code, as added by this Act, as soon as practicable after
15 the effective date of this Act. For that purpose, the coordinating
16 board may adopt the initial rules in the manner provided by law for
17 emergency rules.

18 (b) The Texas Higher Education Coordinating Board shall
19 begin allocating funds to eligible institutions under Subchapter U,
20 Chapter 56, Education Code, as added by this Act, for the first
21 academic year for which money is appropriated for that purpose,
22 except that the coordinating board may not allocate funds under
23 that subchapter for an academic year before the 2018-2019 academic
24 year.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2017.