

## **BILL ANALYSIS**

Senate Research Center  
88R31640 JTZ-D

C.S.H.B. 1590  
By: Burns et al. (West)  
Education  
5/21/2023  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There is an issue with high-achieving Texans from underserved communities going out of state for their postsecondary education. The Texas Higher Education Coordinating Board (THECB) has reported that more than 15 percent of the top 10 percent of students in Black, Latino, and rural communities do not enroll directly in two-year or four-year institutions of higher education in Texas or enroll in institutions out of state. As such, there is a need to create a personal and professional development program to help guide these students throughout their time in higher education and beyond.

H.B. 1590 seeks to address this issue by establishing the Texas Leadership Scholars program to provide academic achievement support and leadership development to eligible high school students with financial need.

H.B. 1590 amends the Education Code to establish the Texas Leadership Scholars Program to serve as a merit-based scholarship and leadership opportunity program for high-achieving, emerging leaders with financial need administered by THECB. The bill requires THECB, using money appropriated or otherwise available for the purpose, to award scholarships and provide academic achievement support and leadership development to eligible students under the program.

The bill requires a student to meet the following eligibility criteria for purposes of initially participating in the program:

- be a graduate of a public high school in Texas;
- either have qualified for automatic admission in a general academic teaching institution or be nominated by their high school and hold another academic distinction recognized by THECB;
- be enrolled in a baccalaureate degree program at a general academic teaching institution;
- be economically disadvantaged, as determined by THECB rule; and
- comply with any additional requirement adopted by THECB.

The bill conditions the student's continued participation in the program on meeting the following criteria:

- being enrolled in a baccalaureate degree program at a general academic teaching institution;
- maintaining a minimum overall grade point average as determined by THECB rule; and
- complying with any additional requirements adopted by THECB.

H.B. 1590 authorizes THECB to enter into agreements with general academic teaching institutions or other institutions of higher education to provide students in the program with the following:

- research-based support to make satisfactory academic progress and graduate on time; and
- leadership development opportunities, including: program cohort learning communities; mentoring, research, and internship opportunities; networking with state government, business, and civic leaders; and statewide cohort learning institutes or seminars.

The bill authorizes THECB to solicit, accept, and spend grants, gifts, and donations from any public or private source for the purposes of the program. The bill requires THECB to adopt rules for the administration of the program, including rules providing for the amount and permissible uses of a scholarship awarded under the program.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 1590 adds a research scholarship program for graduate students enrolled in doctoral programs at Texas public universities and available to economically disadvantaged doctoral students who graduated from a Texas high school or institution of higher education.

The general counsel for THECB noted one technical issue: Section 62.987(b) applies to rules "under this section." That would only apply to the research scholarships, while the intent is to apply to the entire Leadership Scholars program. Correction: "(b) Notwithstanding Section 61.033, the board is not required to use negotiated rulemaking procedures under Chapter 2008, Government Code, for the adoption of rules under this subchapter" applies to the whole program.

C.S.H.B. 1590 amends current law relating to the establishment of the Texas Leadership Scholars Program.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 61.897, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 61, Education Code, by adding Subchapter T-3, as follows:

#### **SUBCHAPTER T-3. TEXAS LEADERSHIP SCHOLARS PROGRAM**

Sec. 61.891. DEFINITIONS. Defines "leadership scholarship," "program," and "research scholarship."

Sec. 61.892. ESTABLISHMENT; ADMINISTRATION. (a) Provides that the Texas Leadership Scholars Program (program) is established to serve as a merit-based scholarship and leadership opportunity program for high-achieving, emerging leaders with financial need.

(b) Requires the Texas Higher Education Coordinating Board (THECB), using money appropriated or otherwise available for the purpose, to award scholarships and provide academic achievement support and leadership development to eligible students under the program.

(c) Requires THECB to administer the program. Authorizes THECB to contract with one or more institutions of higher education to assist in administering the program, including receiving and reviewing applications, recommending the distribution of funds to institutions of higher education, and developing criteria for the selection of students for the program.

(d) Authorizes THECB to establish one or more advisory committees for the purpose of recommending rules for the administration of the program.

Sec. 61.893. INITIAL ELIGIBILITY. (a) Requires an undergraduate student, to be initially eligible for the award of a leadership scholarship, to:

(1) have graduated from a public high school in this state;

(2) either:

(A) have qualified for automatic admission to a general academic teaching institution under Section 51.803 (Automatic Admission: All Institutions); or

(B) be nominated by the student's high school for participation in the program and hold another academic distinction recognized by THECB;

(3) be enrolled in a baccalaureate degree program at a general academic teaching institution;

(4) be economically disadvantaged, as determined by THECB rule; and

(5) comply with any additional requirement adopted by THECB.

(b) Requires a graduate student, to be initially eligible for the award of a research scholarship, to:

(1) be enrolled in a research doctoral degree program at a general academic teaching institution;

(2) either:

(A) have graduated from a public high school in this state during the 10 years preceding the date of the student's application to the program; or

(B) have graduated from an institution of higher education or a private or independent institution of higher education;

(3) be economically disadvantaged, as determined by THECB rule;

(4) be nominated by the institution at which the student is enrolled on the basis of the student's academic merit and leadership potential; and

(5) comply with any additional requirements adopted by THECB.

Sec. 61.894. CONTINUING ELIGIBILITY. Authorizes a student, after establishing initial eligibility to participate in the program under Section 61.893, to continue participating in the program only if the student:

(1) remains:

(A) for a leadership scholarship, enrolled in a baccalaureate degree program at a general academic teaching institution; or

(B) for a research scholarship, enrolled in a research doctoral degree program at a general academic teaching institution;

(2) maintains a minimum overall grade point average determined by THECB rule; and

(3) complies with any additional requirement adopted by THECB.

Sec. 61.895. ACADEMIC ACHIEVEMENT SUPPORT AND LEADERSHIP DEVELOPMENT. Authorizes THECB to enter into agreements with general academic teaching institutions or other institutions of higher education to provide students participating in the program with:

- (1) research-based support to make satisfactory academic progress and graduate on time; and
- (2) leadership development opportunities, including:
  - (A) program cohort learning communities;
  - (B) mentoring, research, and internship opportunities;
  - (C) networking with state government, business, and civic leaders; and
  - (D) statewide cohort learning institutes or seminars.

Sec. 61.896. GRANTS, GIFTS, AND DONATIONS. Authorizes THECB to solicit, accept, and spend grants, gifts, and donations from any public or private source for the purposes of the program.

Sec. 61.897. RULES. (a) Requires THECB, in consultation with general academic teaching institutions, to adopt rules for the administration of the program, including rules providing for the amount and permissible uses of a scholarship awarded under the program. Requires that the rules provide that:

- (1) the amount of a research scholarship is at least 150 percent of the amount of a leadership scholarship; and
- (2) a student is prohibited from receiving a scholarship under the program for more than four years.

(b) Provides that THECB, notwithstanding Section 61.033 (Negotiated Rulemaking; Alternative Dispute Resolution), is not required to use negotiated rulemaking procedures under Chapter 2008 (Negotiated Rulemaking), Government Code, for the adoption of rules under this subchapter.

SECTION 2. Requires THECB to adopt rules to administer Subchapter T-3, Chapter 61, Education Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2023.