

BILL ANALYSIS

H.B. 5148
By: Raney
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Postsecondary opportunities are often limited for students with disabilities. Traditional higher education scholarships may not be a viable option for many students with disabilities, and most scholarships require a student to be pursuing a degree, while college programs tailored to students with disabilities are often non-degree certificate programs. A study, "College Enrollment and Completion Among Texas High School Graduates with a Disability," prepared in 2020 by the Regional Educational Laboratory Southwest for the Institute of Education Sciences found that between the 2006-2007 and 2009-2010 school years, fewer than one-third of high school graduates with a disability enrolled in a Texas college within two years of graduation. Financial barriers may be another factor contributing to limited postsecondary opportunities for students with a disability, considering the low percentage of students with a disability from low-income households who enroll in college. Individuals with disabilities also face barriers to employment, increasing the likelihood that they will pay back loans at a slower pace.

H.B. 5148 seeks to increase access to higher education for students with disabilities and improve employment outcomes by providing for the administration of the Texas Students with Disabilities Scholarship Program to provide assistance in the payment of tuition and mandatory fees to enable eligible students to attend public institutions of higher education.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

ANALYSIS

H.B. 5148 amends the Education Code to require the Texas Higher Education Coordinating Board (THECB) to administer the Texas Students with Disabilities Scholarship Program to provide assistance in the payment of tuition and mandatory fees to enable eligible students to attend public institutions of higher education. The bill requires the THECB to adopt any rules necessary to implement the program or related provisions as soon as practicable after the bill's effective date and in consultation with the student financial aid officers of institutions of higher education and a representative from at least one of the University Centers for Excellence in Developmental Disabilities in Texas. The bill authorizes the THECB to use any available revenue, including legislative appropriations, and to solicit and accept gifts, grants, and donations from any public or private source for the purposes of the scholarship program.

H.B. 5148 requires the THECB by rule to develop a disability affidavit form that may be used to establish that a student has a disability based on a diagnosis by a licensed physician or other documentation determined appropriate by the THECB and in doing so in a manner that ensures the form properly verifies that a person has a disability, to consult with at least one University Centers for Excellence in Developmental Disabilities program in Texas or a statewide, cross-disability advocacy organization.

Notification of Program

H.B. 5148 requires the THECB to prepare, in consultation with all public institutions of higher education, materials designed to inform prospective students, their parents, and high school counselors about the program and eligibility for a program scholarship and to distribute to each institution and public school district a copy of the prepared materials. The bill requires each district to notify its high school students and the teachers, school counselors, and parents or guardians of those students of the scholarship program and the program's eligibility requirements.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.