

1-1 By: Lucio III, et al. H.B. No. 269
1-2 (Senate Sponsor - Van de Putte)
1-3 (In the Senate - Received from the House May 13, 2009;
1-4 May 14, 2009, read first time and referred to Committee on Veteran
1-5 Affairs and Military Installations; May 22, 2009, reported
1-6 adversely, with favorable Committee Substitute by the following
1-7 vote: Yeas 4, Nays 0; May 22, 2009, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 269 By: Van de Putte

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to course credit for certain students at a public
1-12 institution of higher education.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter F, Chapter 51, Education Code, is
1-15 amended by adding Section 51.3042 to read as follows:

1-16 Sec. 51.3042. AWARD OF COURSE CREDIT FOR MILITARY SERVICE.

1-17 (a) In this section, "institution of higher education" has the
1-18 meaning assigned by Section 61.003.

1-19 (b) An institution of higher education shall award to an
1-20 undergraduate student who is admitted to the institution, including
1-21 a student who is readmitted under Section 51.9242, course credit
1-22 for all physical education courses required by the institution for
1-23 an undergraduate degree and for additional semester credit hours,
1-24 not to exceed 12, that may be applied to satisfy any equivalent
1-25 elective course requirements for the student's degree program for
1-26 courses outside the student's major or minor if the student:

1-27 (1) graduated from a public or private high school
1-28 accredited by a generally recognized accrediting organization or
1-29 from a high school operated by the United States Department of
1-30 Defense; and

1-31 (2) is an honorably discharged former member of the
1-32 armed forces of the United States who:

1-33 (A) completed at least two years of service in
1-34 the armed forces; or

1-35 (B) was discharged because of a disability.

1-36 (c) This section does not prohibit an institution of higher
1-37 education from awarding additional course credit for a student's
1-38 military service as the institution considers appropriate.

1-39 (d) An institution of higher education may adopt rules
1-40 requiring reasonable proof from a student of the fact and duration
1-41 of the student's military service and of the student's military
1-42 discharge status.

1-43 (e) The Texas Higher Education Coordinating Board shall
1-44 adopt rules establishing standards for determining the equivalency
1-45 of military service experience to elective course requirements for
1-46 which a student may receive credit under Subsection (b).

1-47 SECTION 2. Subchapter Z, Chapter 51, Education Code, is
1-48 amended by adding Section 51.9112 to read as follows:

1-49 Sec. 51.9112. RESERVE OFFICERS' TRAINING CORPS (ROTC)

1-50 PROGRAM: FEES AND COURSE CREDIT. (a) The Texas Higher Education
1-51 Coordinating Board, in consultation with institutions of higher
1-52 education, shall determine a standard fee for a course offered
1-53 through a Reserve Officers' Training Corps (ROTC) program that
1-54 takes into account the average statewide cost per student to an
1-55 institution of higher education in providing the program, not
1-56 including any reimbursement or other amounts the institution
1-57 receives from the applicable military service or other source for
1-58 offering the course. Except as provided by Subsection (b), the
1-59 governing board of each institution of higher education may not
1-60 charge a student enrolled in an ROTC course any amount for the
1-61 course in excess of the fee as determined by the coordinating board
1-62 under this subsection.

1-63 (b) If the governing board of an institution of higher

2-1 education offers course credit toward a student's degree for a
2-2 course in which the student enrolls for the purposes of an ROTC
2-3 program, the governing board may charge the student tuition for
2-4 that course as otherwise provided by Chapter 54 after subtracting
2-5 any reimbursement or other amount the institution receives from the
2-6 applicable military service or other source for offering the
2-7 course.

2-8 (c) To the extent it will not adversely affect the
2-9 accreditation status of an institution of higher education with the
2-10 appropriate accrediting agency, the governing board of the
2-11 institution shall count courses in which a student enrolls for the
2-12 purposes of an ROTC program, including courses for which the
2-13 student does not receive course credit toward the student's degree,
2-14 in determining whether the student is enrolled as a full-time
2-15 student.

2-16 SECTION 3. Section 51.3042, Education Code, as added by
2-17 this Act, applies to a student attending an institution of higher
2-18 education, without regard to whether the student was admitted to
2-19 the institution before the effective date of this Act.

2-20 SECTION 4. This Act takes effect immediately if it receives
2-21 a vote of two-thirds of all the members elected to each house, as
2-22 provided by Section 39, Article III, Texas Constitution. If this
2-23 Act does not receive the vote necessary for immediate effect, this
2-24 Act takes effect September 1, 2009.

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