

1-1 By: Zaffirini, Wentworth S.B. No. 28
1-2 (In the Senate - Filed November 8, 2010; January 31, 2011,
1-3 read first time and referred to Committee on Higher Education;
1-4 March 28, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; March 28, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 28 By: Zaffirini

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to eligibility for a TEXAS grant and to administration of
1-11 the TEXAS grant program.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. This Act shall be known as the TEXAS Grant
1-14 College Readiness Reform Act.

1-15 SECTION 2. Section 56.303, Education Code, is amended by
1-16 amending Subsection (d) and adding Subsections (d-1), (e), and (f)
1-17 to read as follows:

1-18 (d) From money appropriated by the legislature for the
1-19 purposes of this subchapter, the coordinating board annually shall
1-20 determine the allocation of money available for TEXAS grants among
1-21 general academic teaching institutions and other eligible
1-22 institutions and shall distribute the money accordingly.

1-23 (d-1) In allocating among general academic teaching
1-24 institutions money available for initial TEXAS grants for an
1-25 academic year, the coordinating board shall ensure that each of
1-26 those institutions' percentage share of the total amount of money
1-27 for initial grants that is allocated to general academic teaching
1-28 institutions under this subsection for that year does not, as a
1-29 result of the number of students who establish eligibility at the
1-30 institution for an initial grant under Section 56.3041(2)(A),
1-31 change from the institution's percentage share of the total amount
1-32 of money for initial grants that is allocated to those institutions
1-33 under this subsection for the preceding academic year.

1-34 (e) In determining who should receive a TEXAS grant, the
1-35 coordinating board and the eligible institutions shall give
1-36 [highest] priority to awarding TEXAS grants to students who
1-37 demonstrate the greatest financial need and whose expected family
1-38 contribution, as determined according to the methodology used for
1-39 federal student financial aid, does not exceed 60 percent of the
1-40 average statewide amount of tuition and required fees described by
1-41 Section 56.307(a).

1-42 (f) Beginning with TEXAS grants awarded for the 2013-2014
1-43 academic year, in determining who should receive an initial TEXAS
1-44 grant, each general academic teaching institution, in addition to
1-45 giving priority as provided by Subsection (e), shall give highest
1-46 priority to students who meet the eligibility criteria described by
1-47 Section 56.3041(2)(A). If there is money available in excess of the
1-48 amount required to award an initial TEXAS grant to all students
1-49 meeting those criteria, a general academic teaching institution
1-50 shall make awards to other students who meet the eligibility
1-51 criteria described by Section 56.304(a)(2)(A), provided that the
1-52 institution continues to give priority to students as provided by
1-53 Subsection (e).

1-54 SECTION 3. Subsection (h), Section 56.304, Education Code,
1-55 is amended to read as follows:

1-56 (h) The coordinating board shall adopt rules to allow a
1-57 person who is otherwise eligible to receive a TEXAS grant, in the
1-58 event of a hardship or for other good cause shown, including a
1-59 showing of a severe illness or other debilitating condition that
1-60 may affect the person's academic performance or that the person is
1-61 responsible for the care of a sick, injured, or needy person and
1-62 that the person's provision of care may affect the person's academic
1-63 performance, to receive a TEXAS grant while enrolled in a number of

2-1 semester credit hours that is less than the number of semester
2-2 credit hours required under Subsection (a)(5) or Section
2-3 56.3041(5), as applicable. The coordinating board may not allow a
2-4 person to receive a TEXAS grant while enrolled in fewer than six
2-5 semester credit hours.

2-6 SECTION 4. Subchapter M, Chapter 56, Education Code, is
2-7 amended by amending Section 56.3041 and adding Section 56.3042 to
2-8 read as follows:

2-9 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM
2-10 HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL
2-11 ACADEMIC TEACHING INSTITUTION. Notwithstanding Section 56.304(a),
2-12 to be eligible initially for a TEXAS grant, a person graduating from
2-13 high school on or after May 1, 2013, and enrolling in a general
2-14 academic teaching institution must:

2-15 (1) be a resident of this state as determined by
2-16 coordinating board rules;

2-17 (2) meet the academic requirements prescribed by
2-18 Paragraph (A), (B), or (C) as follows:

2-19 (A) be a graduate of a public or accredited
2-20 private high school in this state who completed the recommended
2-21 high school program established under Section 28.025 or its
2-22 equivalent and have accomplished any two or more of the following:

2-23 (i) graduation under the advanced high
2-24 school program established under Section 28.025 or its equivalent,
2-25 successful completion of the course requirements of the
2-26 international baccalaureate diploma program, or earning of the
2-27 equivalent of at least 12 semester credit hours of college credit in
2-28 high school through courses described in Sections 28.009(a)(1),
2-29 (2), and (3);

2-30 (ii) satisfaction of the Texas Success
2-31 Initiative (TSI) college readiness benchmarks prescribed by the
2-32 coordinating board under Section 51.3062(f) on any assessment
2-33 instrument designated by the coordinating board under Section
2-34 51.3062(c) or (e) or qualification for an exemption as described by
2-35 Section 51.3062(p), (q), or (q-1);

2-36 (iii) graduation in the top one-third of
2-37 the person's high school graduating class or graduation from high
2-38 school with a grade point average of at least 3.0 on a four-point
2-39 scale or the equivalent; or

2-40 (iv) completion for high school credit of
2-41 at least one advanced mathematics course following the successful
2-42 completion of an Algebra II course, as permitted by Section
2-43 28.025(b-3), or at least one advanced career and technical course,
2-44 as permitted by Section 28.025(b-2);

2-45 (B) have received an associate degree from a
2-46 public or private institution of higher education; or

2-47 (C) if sufficient money is available, meet the
2-48 eligibility criteria described by Section 56.304(a)(2)(A);

2-49 (3) meet financial need requirements established by
2-50 the coordinating board;

2-51 (4) be enrolled in an undergraduate degree or
2-52 certificate program at the general academic teaching institution;

2-53 (5) except as provided under rules adopted under
2-54 Section 56.304(h), be enrolled as:

2-55 (A) an entering undergraduate student for at
2-56 least three-fourths of a full course load, as determined by the
2-57 coordinating board, not later than the 16th month after the
2-58 calendar month in which the person graduated from high school;

2-59 (B) an entering undergraduate student who
2-60 entered military service not later than the first anniversary of
2-61 the date the person graduated from high school and who enrolled for
2-62 at least three-fourths of a full course load, as determined by the
2-63 coordinating board, at the general academic teaching institution
2-64 not later than 12 months after being honorably discharged from
2-65 military service; or

2-66 (C) a continuing undergraduate student for at
2-67 least three-fourths of a full course load, as determined by the
2-68 coordinating board, not later than the 12th month after the
2-69 calendar month in which the person received an associate degree

3-1 from a public or private institution of higher education;
 3-2 (6) have applied for any available financial aid or
 3-3 assistance; and
 3-4 (7) comply with any additional nonacademic
 3-5 requirements adopted by the coordinating board under this
 3-6 subchapter.

3-7 Sec. 56.3042. INITIAL QUALIFICATION [ELIGIBILITY] OF
 3-8 PERSON ON TRACK TO MEET ELIGIBILITY REQUIREMENTS [COMPLETE
 3-9 RECOMMENDED OR ADVANCED CURRICULUM]. (a) If at the time an
 3-10 eligible institution awards TEXAS grants to initial recipients for
 3-11 an academic year an applicant has not completed high school or the
 3-12 applicant's final high school transcript is not yet available to
 3-13 the institution, the student is considered to have satisfied the
 3-14 eligibility requirements of Section 56.304(a)(2)(A) or
 3-15 56.3041(2)(A) if the student's available high school transcript
 3-16 indicates that at the time the transcript was prepared the student
 3-17 was on schedule to graduate from high school and to meet the
 3-18 eligibility requirements [complete the recommended or advanced
 3-19 high school curriculum or its equivalent], as applicable to the
 3-20 student, in time to be eligible for a TEXAS grant for the academic
 3-21 year.

3-22 (a-1) If at the time an eligible institution awards TEXAS
 3-23 grants to initial recipients for an academic year an applicant who
 3-24 is an associate degree candidate has not completed that degree or
 3-25 the applicant's final college transcript is not yet available to
 3-26 the institution, the student is considered to have satisfied the
 3-27 associate degree requirement of Section 56.304(a)(2)(B) or
 3-28 56.3041(2)(B) if the student's available college transcript
 3-29 indicates that at the time the transcript was prepared the student
 3-30 was on schedule to complete the associate degree in time to be
 3-31 eligible for a TEXAS grant for the academic year.

3-32 (b) The coordinating board or the eligible institution may
 3-33 require the student to forgo or repay the amount of an initial TEXAS
 3-34 grant awarded to the student as described by Subsection (a) or (a-1)
 3-35 if the student fails to meet the eligibility requirements of
 3-36 Section 56.304(a)(2)(A), 56.3041(2)(A), 56.304(a)(2)(B), or
 3-37 56.3041(2)(B), as applicable to the student, [complete the
 3-38 recommended or advanced high school curriculum or its equivalent]
 3-39 after the issuance of the available high school or college
 3-40 transcript.

3-41 (c) A person who is required to forgo or repay the amount of
 3-42 an initial TEXAS grant under Subsection (b) may subsequently become
 3-43 eligible to receive an initial TEXAS grant under Section 56.304 or
 3-44 56.3041 by satisfying the associate degree requirement prescribed
 3-45 by Section 56.304(a)(2)(B) or 56.3041(2)(B) and the other
 3-46 [applicable] requirements of those sections applicable to the
 3-47 person [that section] at the time the person reapplies for the
 3-48 grant.

3-49 (d) A person who receives an initial TEXAS grant under
 3-50 Subsection (a) or (a-1) and is not required to forgo or repay the
 3-51 amount of the grant under Subsection (b) may become eligible to
 3-52 receive a subsequent TEXAS grant under Section 56.305 only by
 3-53 satisfying the associate degree requirement prescribed by Section
 3-54 56.304(a)(2)(B) or 56.3041(2)(B), as applicable to the person, in
 3-55 addition to the requirements of Section 56.305 at the time the
 3-56 person applies for the subsequent grant.

3-57 SECTION 5. The change in law made to Subchapter M, Chapter
 3-58 56, Education Code, by this Act applies beginning with TEXAS grants
 3-59 awarded for the 2013 fall semester. Grants awarded for a semester
 3-60 or term before the 2013 fall semester are governed by the applicable
 3-61 law in effect immediately before the effective date of this Act, and
 3-62 the former law is continued in effect for that purpose.

3-63 SECTION 6. This Act takes effect September 1, 2011.

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