

## **BILL ANALYSIS**

Senate Research Center  
77R10541 KKA-D

H.B. 1187  
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### **DIGEST AND PURPOSE**

Currently, the Parents as Scholars pilot program requires participants to have completed the recommended or advanced high school curriculum and graduated from high school no earlier than the 1998 - 1999 school year to qualify for a Toward EXcellence, Access, & Success (TEXAS) grant. H.B. 1187 requires the Texas Workforce Commission to establish a new Parents as Scholars pilot program with amended eligibility criteria that allows program participants to fulfill the work or employment activities required for financial assistance by engaging in educational activities designed to result in receipt of a postsecondary degree.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 (Section 31.072, Human Resources Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 31, Human Resources Code, by adding Subchapter D, as follows:

#### **SUBCHAPTER D. PARENTS AS SCHOLARS PILOT PROGRAM**

Sec. 31.071. DEFINITIONS. Defines “commission,” “institution of higher education,” and “program.”

Sec. 31.072. PARENTS AS SCHOLARS PILOT PROGRAM. Requires the Texas Workforce Commission (commission) by rule to establish a Parents as Scholars pilot program under which recipients of financial assistance participating in the program are allowed to fulfill applicable work or employment activities requirements by engaging in educational activities designed to result in receipt of a postsecondary degree.

Sec. 31.073. SELECTION OF PROGRAM PARTICIPANTS; EDUCATION ASSESSMENT. (a) Provides that a recipient of financial assistance is eligible for consideration as a program participant if the recipient meets certain criteria.

(b) Requires the commission, unless positions in the program are unavailable, to conduct an education assessment of each recipient described by Subsection (a) to determine the recipient’s ability to obtain a postsecondary degree. Requires the education assessment to include certain considerations.

(c) Requires the education assessment to be conducted after the recipient attends the commission’s employment planning session under the CHOICES program, but before development of the recipient’s individual employment plan.

(d) Authorizes the commission to offer a recipient the opportunity to participate in the program if the commission determines that the recipient meets certain criteria.

Sec. 31.074. LIMIT ON NUMBER OF PROGRAM PARTICIPANTS. (a) Prohibits the commission from allowing more than 100 recipients to participate in the program at one time.

(b) Requires the commission to select recipients to participate in the program on a first-come, first-served basis.

Sec. 31.075. INDIVIDUAL EDUCATION PLAN; APPLICATION FOR ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION. (a) Requires the commission, after selection of a recipient for participation in the program, to develop, in cooperation with the recipient, an individual education plan for the recipient. Requires the plan to include requirements that the recipient take certain enumerated actions.

(b) Provides that subject to generally applicable eligibility requirements, a recipient continues to receive financial assistance during the period that the recipient engages in the activities required to obtain admission to an institution of higher education. Provides that if a recipient is not offered admission to an institution of higher education before the expiration of the 12-month period in which the recipient is entitled to financial assistance under Section 31.0065(b)(1), the recipient is ineligible for continued participation in the program.

Sec. 31.076. APPLICABILITY OF WORK OR EMPLOYMENT ACTIVITIES REQUIREMENTS DURING APPLICATION PERIOD. (a) Provides that a recipient participating in the program remains subject to the work or employment activities requirements imposed by Section 31.012 until the recipient begins attending an institution of higher education, regardless of whether financial assistance is provided to the recipient using federal funds, or cash assistance is provided to the recipient using state funds under Section 31.078(c).

(b) Provides that the number of hours a recipient spends on completion of activities specified in the recipient's individual education plan developed under Section 31.075 are included in determining the recipient's compliance with Section 31.012. Requires the recipient, if the number of hours the recipient spends on education plan activities is less than the number of hours required under Section 31.012, to also participate in permissible work or employment activities for the number of hours necessary to result in compliance with Section 31.012.

Sec. 31.077. ADMISSION TO AND ATTENDANCE AT INSTITUTION OF HIGHER EDUCATION. (a) Requires a recipient participating in the program to take certain enumerated actions.

(b) Requires a recipient, to remain eligible for participation in the program and receipt of benefits under Section 31.078, to take certain enumerated action.

Sec. 31.078. PROGRAM BENEFITS. (a) Provides that beginning on the date that the commission determines that a recipient participating in the program has received an offer of admission to an institution of higher education that the recipient intends to accept, or beginning on a date as soon after that date as practical, the recipient ceases to receive financial assistance; and begins to receive monthly cash assistance in the amount necessary to ensure that the recipient's household receives the same total amount of money that the household received before the recipient ceased to receive financial assistance.

(b) Provides that a recipient participating in the program is eligible for child-care services, medical assistance, and food stamps in the same manner as a person receiving financial assistance.

(c) Requires the commission to fund monthly cash assistance and child-care services

for recipients participating in the program with state money appropriated to the commission for that purpose. Requires the commission to use the state money in a manner that ensures that the money is included in determining the state's compliance with federal maintenance of effort requirements under Part A, Title IV, Social Security Act (42 U.S.C. Section 601 et seq.), as amended.

(d) Requires the commission to notify the Texas Department of Human Services (department) on determination by the commission that a recipient is entitled to benefits in accordance with Subsection (a), and requires the department to take all necessary administrative action to ensure that the recipient ceases to receive financial assistance.

Sec. 31.079. TIME LIMITS. (a) Provides that a recipient participating in the program who enrolls in an institution of higher education:

- is not subject to the time limits imposed by Section 31.0065;
- is subject to applicable time limits imposed by federal law;
- is authorized, if the recipient is seeking an associate degree, to receive cash assistance and child-care services under the program until the earlier of the date the recipient obtains the degree or the date the recipient has received benefits for a total of 36 months; and
- is authorized, if the recipient is seeking a baccalaureate degree, to receive cash assistance and child-care services under the program until the earlier of the date the recipient obtains the degree or the date the recipient has received benefits for a total of 60 months.

(b) Authorizes a recipient participating in the program who obtains an associate degree to subsequently pursue a baccalaureate degree if approved by the commission. Authorizes the recipient, if approved, to receive total benefits under the program for the period prescribed by Subsection (a)(4).

Sec. 31.080. REPORT TO LEGISLATURE. Requires the commission, not later than January 15, 2007, to submit to the legislature a report relating to the program. Requires the report to include certain information.

Sec. 31.081. EXPIRATION. Provides that this subchapter expires September 1, 2007.

SECTION 2. Repealer: Section 31.045 (Parents as Scholars Pilot Program), Human Resources Code.

SECTION 3. Requires an agency affected by the provision, if before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, to request the waiver or authorization and authorizes that agency to delay implementing that provision until the waiver or authorization is granted.

SECTION 4. Effective date: September 1, 2001.