

## **BILL ANALYSIS**

Senate Research Center  
80R3269 KEL-D

S.B. 1427  
By: Averitt  
S/C on Higher Education  
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As Filed

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

Since the creation of the tuition equalization grant program (program) in 1971, it has been understood that a college or university is required to have accreditation from the Southern Association of Colleges and Schools (SACS) to be eligible to participate in the program. During the interim of the 79th Legislature, 2005, the Texas Higher Education Coordinating Board approved an institution not accredited by SACS to participate in the program despite a clear expression of legislative intent to the contrary. There appears to be ambiguity over this issue in the current statute.

As proposed, S.B. 1427 clarifies that only institutions accredited by the Southern Association of Colleges and Schools are authorized to participate in the tuition equalization grant program.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 61.222, Education Code, as follows:

Sec. 61.222. New heading: APPROVED COLLEGES OR UNIVERSITIES. Provides that an approved college or university for purposes of this subchapter (Tuition Equalization Grants) is a private or independent institution of higher education as defined by Section 61.003 (Definitions). Deletes existing text requiring the Texas Higher Education Coordinating Board (THECB) to approve only those private or independent colleges or universities that are private or independent institutions of higher education as defined by Section 61.003 or are located within this state and meet the same program standards and accreditation as public institutions of higher education as determined by THECB.

SECTION 2. Amends Section 61.2251(c), Education Code, as added by Chapter 1230, Acts of the 79th Legislature, Regular Session, 2005, to authorize a person to receive a tuition equalization grant, after qualifying for such under Subsection (b), in a subsequent academic year in which the person is enrolled at an approved college or university, rather than institution, only if the person meets certain requirements.

SECTION 3. Amends Section 61.227(a), Education Code, to make a conforming change.

SECTION 4. Amends Section 61.756(a), Education Code, to make a conforming change.

SECTION 5. Amends Section 487.101(3), Government Code, to redefine "postsecondary educational institution."

SECTION 6. Amends Section 487.151(2), Government Code, to redefine "postsecondary educational institution."

SECTION 7. Makes application of this Act prospective to tuition equalization grants awarded for the 2008 fall semester.

SECTION 8. Effective date: upon passage or September 1, 2007.