

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1724
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Higher Education
5/4/2011
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill adds satisfactory performance requirements to all exemptions and waivers that do not currently have any academic progress requirements.

C.S.S.B. 1724 amends current law relating to conditions on the receipt of tuition and fee exemptions at public institutions of higher education.

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 Subchapter D, Chapter 54, Education Code, by adding Section 54.2001, as follows:

Sec. 54.2001. CONTINUED RECEIPT OF EXEMPTIONS CONDITIONAL. (a) Authorizes a person, notwithstanding any other law but subject to Subsection (f), after initially qualifying under this subchapter for a mandatory or discretionary exemption from the payment of tuition or other fees for enrollment during a semester or term at an institution of higher education, to continue to receive the exemption for a subsequent semester or term only if the person:

(1) maintains a grade point average that satisfies the institution's grade point average requirement for making satisfactory academic progress toward a degree or a certificate in accordance with the institution's policy regarding eligibility for financial aid; and

(2) as of the beginning of the semester or term, has not completed more than 30 semester credit hours, or a greater number of hours as permitted by the institution on a showing of good cause, in excess of the minimum number of semester credit hours required to complete the person's degree or certificate program.

(b) Provides that, for purposes of Subsection (a)(2), the computation of a person's total number of completed semester credit hours includes transfer credit hours that count toward the person's degree or certificate program course requirements, but excludes:

(1) hours earned exclusively by examination;

(2) hours earned for a course for which the person received credit toward the person's high school academic requirements; and

(3) hours earned for developmental coursework that an institution of higher education required the person to take under Section 51.3062 (Success Initiative) or under the former provisions of Section 51.306.

(c) Prohibits a person, if on the completion of any semester or term, the person fails to meet any requirement of Subsection (a), from receiving an exemption from the payment of tuition or other fees described by Subsection (a) for the next semester or term in which the person enrolls. Authorizes a person to become eligible to receive an exemption in a subsequent semester or term if the person:

(1) completes a semester or term during which the person is not eligible for an exemption; and

(2) meets each requirement of Subsection (a).

(d) Requires each institution of higher education to adopt a policy to allow a student who fails to maintain a grade point average as required by Subsection (a)(1) to receive an exemption in any semester or term on a showing of hardship or other good cause, including:

(1) a showing of a severe illness or other debilitating condition that could affect the student's academic performance;

(2) an indication that the student is responsible for the care of a sick, injured, or needy person and that the student's provision of care could affect the student's academic performance;

(3) the student's active duty or other service in the United States armed forces; or

(4) any other cause considered acceptable by the institution.

(e) Requires an institution of higher education to maintain documentation of each exception granted to a student under Subsection (d).

(f) Provides that, if a requirement imposed by this section for the continued receipt of a specific exemption conflicts with another requirement imposed by statute for that exemption, the stricter requirement prevails.

(g) Provides that this section does not apply to:

(1) the exemption provided by Section 54.216 (Students Enrolled in Course for Concurrent High School and College-Level Credit) or to any other exemption provided to a high school student for enrollment in a dual credit course or other course for which the student may earn joint high school and college credit; or

(2) any provision of this code that authorizes or requires the payment of tuition or fees at the rates provided for residents of this state by a person who is not a resident of this state for purposes of Subchapter B (Tuition Rates).

SECTION 2. Provides that the change in law made by this Act applies to eligibility for an exemption from the payment of tuition or other fees beginning with tuition and fees charged for the 2012 fall semester.

SECTION 3. Effective date: upon passage of September 1, 2011.