

## **BILL ANALYSIS**

Senate Research Center  
86R11577 SOS-D

S.B. 1758  
By: Creighton  
Higher Education  
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As Filed

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

The State of Texas currently provides specialized financial assistance, often through the form of loan repayments, to students who have graduated from degree programs in targeted employment fields where we desire to increase graduation and employment rates. Although Western Governors University-Texas graduates thousands of students a year in many of these same fields, the financial aid programs are not accessible to WGU-Texas students. Current statute requires students to attend or have attended schools accredited by the Southern Association of Colleges (SACS) in order to be eligible for financial assistance. WGU-Texas, however, is accredited by the Northwest Commission on Colleges and Universities (NWCCU), the SACS equivalent in the Northwest United States, because their brick and mortar administration is located in Utah.

S.B. 1758 would allow WGU-Texas students to participate in targeted financial aid programs that map to WGU-Texas fields of study, specifically:

- Title 19
  - Chapter 5
    - Subchapter D: Texas hospital-based nursing education grant program
  - Chapter 22
    - Subchapter S: Professional nursing shortage reduction program
  - Chapter 23
    - Subchapter B: Teach for Texas loan repayment assistance program
    - Subchapter D: Loan repayment program for mental health professionals
    - Subchapter G: Nursing faculty loan repayment assistance program
    - Subchapter J: Math and Science scholars loan repayment program

As proposed, S.B. 1758 amends current law relating to the application of certain occupation-related postsecondary educational financial aid, program support, and student loan repayment programs.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board (THECB) in SECTION 21 of this bill.

Rulemaking authority previously granted to THECB is modified in SECTION 8 (Section 61.96232, Education Code) of this bill.

## **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 56.351, Education Code, as follows:

Sec. 56.351. New heading: DEFINITIONS. Defines "coordinating board" to mean the Texas Higher Education Coordinating Board (THECB) and "eligible institution."

SECTION 2. Amends Section 56.354(a), Education Code, to authorize a person to receive Teach for Texas loan repayment assistance under this subchapter (Teach for Texas Loan Payment Assistance Program) for the repayment of any student loan for education at any eligible institution, rather than at any public or private institution of higher education, through any lender. Makes conforming changes.

SECTION 3. Amends Section 56.357(b), Education Code, to make a conforming change.

SECTION 4. Amends Section 56.3575(b), Education Code, to make conforming changes.

SECTION 5. Amends Section 61.605(a), Education Code, as follows:

(a) Authorizes THECB to provide repayment assistance under this subchapter (Repayments of Certain Mental Health Professional Education Loans) for the repayment of any student loan, including a loan for undergraduate education, received by an eligible person through any lender for education at:

(1)–(3) creates these subdivisions from existing text and makes nonsubstantive changes;

(4) a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor, rather than including loans for undergraduate education, received by an eligible person through any lender.

SECTION 6. Amends Section 61.608(b), Education Code, to require THECB distribute copies of the rules adopted under this section and other pertinent information relating to this subchapter to certain entities, including each college or university described by Section 61.605(a)(4).

SECTION 7. Amends Section 61.9621, Education Code, as follows:

Sec. 61.9621. DEFINITION. Defines "professional nursing program" to mean an educational program preparing students for initial licensure as registered nurses offered by:

(1) creates this subdivision and makes nonsubstantive changes; and

(2) a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor, rather than a public or private institution of higher education for preparing students for initial licensure as registered nurses.

SECTION 8. Amends Section 61.96232(a), Education Code, as follows:

(a) Requires THECB by rule to establish a process under which a public or private institution of higher education or an institution described by Section 61.9621(2) that offers a professional nursing program may apply for a grant under this subchapter (Professional Nursing Shortage Reduction Program) and the commissioner of higher education (commissioner), contingent on appropriations of money for the grants, selects one or more applicants to receive a grant based on criteria established by THECB rule.

SECTION 9. Amends Section 61.9751(2), Education Code, as follows:

(2) Defines "nursing education program" to mean:

- (A) creates this paragraph from existing text and makes nonsubstantive changes; and
- (B) a comparable nursing program offered by a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor.

SECTION 10. Amends Subchapter FF, Chapter 61, Education Code, by adding Section 61.97711, as follows:

Sec. 61.97711. **APPLICABILITY OF SUBCHAPTER.** Provides that this subchapter (Texas Armed Services Scholarship Program) applies to:

- (1) an institution of higher education;
- (2) a private or independent institution of higher education; and
- (3) a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor.

SECTION 11. Amends Section 61.9772(a), Education Code, as follows:

(a) Requires a student, to receive an initial scholarship under this subchapter, to:

- (1) be enrolled in an institution to which this subchapter applies, rather than be enrolled in a public or private institution of higher education in this state;
- (2) enroll in and be a member in good standing of a Reserve Officers' Training Corps (ROTC) program or another undergraduate officer commissioning program such as the United States Marine Corps Platoon Leaders Class while enrolled in the institution, rather than while enrolled in a public or private institution of higher education in this state; and
- (3)–(4) makes no changes to these subdivisions.

SECTION 12. Amends Section 61.9773(a), Education Code, to make conforming changes.

SECTION 13. Amends Section 61.9775(b), Education Code, to make conforming changes.

SECTION 14. Amends Section 61.9821, Education Code, to make conforming changes.

SECTION 15. Amends Subchapter JJ, Chapter 61, Education Code, to add Section 61.98211, as follows:

Sec. 61.98211. **APPLICABILITY OF SUBCHAPTER.** Provides that this subchapter (Nursing Faculty Loan Repayment Assistance Program) applies to:

- (1) an institution of higher education;
- (2) a private or independent institution of higher education; and
- (3) a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor.

SECTION 16. Amends Section 61.9822, Education Code, to make conforming changes.

SECTION 17. Amends Section 61.9823(a), Education Code, to make conforming changes.

SECTION 18. Amends Section 61.9824(a), Education Code, to make conforming changes.

SECTION 19. Amends Section 61.9828(b), Education Code, to make conforming changes.

SECTION 20. Amends Section 61.9835(a), Education Code, as follows:

(a) Authorizes THECB to provide repayment assistance under this subchapter (Math and Science Scholars Loan Repayment Program) for the repayment of any student loan received by an eligible person through an eligible lender that is for education at, rather than authorizing THECB to provide repayment assistance under this subchapter for the repayment of any student loan that is for education at:

(1) creates this subdivision from existing text and makes nonsubstantive changes;  
or

(2) a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor, rather than is received by an eligible person through an eligible lender.

SECTION 21. Requires THECB, as soon as practicable after the effective of this Act, to adopt any rules necessary to administer the changes in law made by this Act.

SECTION 22. Effective date: upon passage or September 1, 2019.