

**SUBJECT:** Financial aid for disabled students

**COMMITTEE:** Higher Education — favorable, without amendment

**VOTE:** 5 ayes — Rangel, Solis, Cuellar, Dunnam, Kamel  
2 nays — Rabuck, E. Reyna  
2 absent — Bailey, Rodriguez

**WITNESSES:** For — Marilyn A. Watson  
Against — None  
On — Ronald J. Trull

**DIGEST:** HB 3089 would prohibit an institution of higher education or other state agency that administered federally insured student loans from adopting or enforcing policies that would prevent students with disabilities or chronic illnesses from receiving the maximum amount of federal assistance for which they were eligible to cover the costs of tuition and fees, reasonable living expenses and other school costs, and medical or personal care expense incurred in connection with treatment of their disability or illness.

Disability would be determined by reference to the federal Americans with Disabilities Act.

HB 3089 would take immediate effect if finally approved by a record two-thirds vote of the membership of each house.

**SUPPORTERS SAY:** HB 3089 would provide needed support for students whose disability or chronic illness makes pursuing higher education more expensive than for other students. Since the 1980s, the United States Department of Education has encouraged schools to take into account the extra burden borne by these students in attending and paying for higher education and to provide these students with the extra aid necessary to help them succeed. But some institutions do not recognize the special needs of this population and deny

students additional loans even when they have not received the maximum allowable amount.

Other groups serving disabled students, including state agencies and nonprofits, are under severe financial pressure and may not be able to meet all the demand that exists. Higher education institutions have a larger pool of cash from which to draw for loans and should not deny access to this money for students who need it.

HB 3089 would ensure that disabled and chronically ill students could receive the financial aid they need for higher education and be allowed to spend it in the most productive and efficient manner. The bill would not provide a handout or any exemption from tuition or fees. A loan would still be a loan and require payback. HB 3089 would only guarantee an important opportunity for students who face special challenges in gaining access to and completing higher education.

**OPPONENTS  
SAY:**

HB 3089 would divert financial aid for higher education to pay for students' medical expenses. Although disabled students are as worthy as any recipients of financial aid, their medical conditions are unrelated to their pursuit of higher education and should be dealt with separately. These students' medical expenses would exist regardless of their enrollment in school and should therefore not be paid by money meant to subsidize education costs.

Furthermore, a variety of community organizations, nonprofits, and state agencies have funds and services available to serve disabled students. Texas should look to maximize these sources of assistance before further depleting the already scarce supply of financial aid dollars that must also serve other students.