

## **BILL ANALYSIS**

Senate Research Center

H.B. 2109  
By: Berman (Shapiro)  
Education  
5/17/2005  
Engrossed

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

The requirements of the Early High School Graduation Scholarship Program (scholarship program) as stated prior to 2003 provided that a student who completed high school in not more than 36 consecutive months was eligible for a scholarship in state tuition credits. But in 2003, the 78th Legislature added a requirement establishing that students who graduate early must graduate with the recommended or advanced high school curriculum in order to receive a scholarship under this scholarship program. The Act passed by the 78th Legislature failed to address the issue of students currently enrolled in the scholarship program, thereby leaving many students without the scholarship as promised.

H.B. 2109 re-establishes the eligibility of students admitted under the previous scholarship program who lost eligibility when the legislature changed the requirements of the Early High School Graduation Scholarship Program.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to Texas Higher Education Coordinating Board is modified in SECTION 3 (Section 56.203, Education Code) and SECTION 10 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter K, Chapter 56, Education Code, by adding Section 56.2011, as follows:

Sec. 56.2011. DEFINITION. Defines "coordinating board."

SECTION 2. Amends Section 56.202, Education Code, to make conforming and nonsubstantive changes.

SECTION 3. Reenacts and amends Section 56.203, Education Code, as amended by Chapters 365 and 1317, Acts of the 78th Legislature, Regular Session, 2003, as follows:

Sec. 56.203. ELIGIBLE PERSON. (a) Makes modifications to the list of requirements to be eligible for an award through the Early High School Graduation Scholarship program (program).

(b) Provides that certain individuals' eligibility for the program ends on the sixth anniversary of the date that the person first becomes eligible to participate in the program, unless the person is provided additional time to participate in the program under Subsection (c).

(c) Requires the Texas Higher Education Coordinating Board (THECB) to adopt rules to provide certain persons who are otherwise eligible to participate in the program additional time to use a state credit for tuition and mandatory fees under the program. Provides that for purposes of this subsection, hardship or other good cause includes a severe illness or other debilitating condition, responsibility for the care of a sick, injured, or needy person, or active duty or other service in the United States armed forces.

(d) Provides that a person who does not satisfy the curriculum requirements for the recommended or advanced high school program as required to establish eligibility is considered to have satisfied those requirements if the high school from which the person graduated indicates on the person's transcript that the person was unable to complete the appropriate curriculum within the time prescribed by that subsection solely because of a reason beyond the person's control, such as lack of enrollment capacity or a shortage of qualified teachers.

SECTION 4. Amends the heading to Section 56.204, Education Code, to read as follows:

Sec. 56.204. ENTITLEMENT

SECTION 5. Amends Section 56.204(a), Education Code, to provide that an eligible person under the program is entitled to a state credit to apply certain funding toward tuition or tuition and mandatory fees, as applicable, at a public or private institution of higher education in this state.

SECTION 6. Amends Section 56.205, Education Code, to require THECB, as soon as practicable after THECB confirms with the high school from which a person graduated that the person is eligible for an award through the program, to provide a certificate for state credits for tuition or tuition and mandatory fees, as applicable, to the eligible person.

SECTION 7. Amends Sections 56.206(a), (c), and (d), Education Code, as follows:

(a) Makes conforming changes.

(c) Requires the institution of higher education to report certain information to THECB for each student using a state credit for tuition or tuition and mandatory fees under this subchapter.

(d) Makes a conforming change.

SECTION 8. Amends Section 56.207(b), Education Code to make conforming and nonsubstantive changes.

SECTION 9. Amends Section 56.2075(b), Education Code, to require the commissioner of education to distribute money from the foundation school fund in an amount sufficient to pay each school district under Subsection (a).

SECTION 10. Requires THECB, as soon as practicable after this Act takes effect, to revise rules adopted under Section 56.209(a), Education Code, as necessary to conform to changes made by this Act to Subchapter K, Chapter 56, Education Code. Authorizes THECB, for that purpose, to adopt the revisions to those rules in the manner provided by law for emergency rules. Provides that this section expires September 1, 2006.

SECTION 11. Effective date: upon passage or September 1, 2005.