

## **BILL ANALYSIS**

Senate Research Center  
81R2687 KEL-D

S.B. 2267  
By: Gallegos  
Higher Education  
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As Filed

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

The Early High School Graduation Scholarship Program (program) is a financial assistance program for students who graduate from high school in fewer than four years. To be eligible for an award through this program, a student is required to have graduated from a high school in less than four years and successfully completed the recommended or advanced high school curriculum, have attended high school exclusively in one or more Texas public schools, and be a Texas resident. Migrant students who must travel out of state to assist their family with seasonal work are ineligible to participate in this program even if they graduate from high school in less than four years and successfully complete the recommended or advanced high school curriculum.

As proposed, S.B. 2267 authorizes a student who is otherwise eligible for the program and who is a migratory student to be qualified for an award through the program despite attending high school in another state.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board is modified in SECTION 1 (Section 56.203, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 56.203, Education Code, by amending Subsections (a) and (e) and adding Subsection (f), as follows:

(a) Creates an exception under Subsection (f).

(e) Requires the Texas Higher Education Coordinating Board (THECB) to adopt rules for determining whether a person attended public high school in this state as required by Subsection (a)(2) (relating to the requirement that a person have attended one or more public high schools in this state for the majority of the time the person attended high school) and for determining under Subsection (f)(2) (relating to the reasons that a person attended one or more high schools, other than a public high school in this state) whether a person attended a high school other than a public high school in this state primarily because of the migratory agricultural or fishing work of the person, the person's parent, or the person's spouse. Authorizes THECB to adopt other rules THECB considers necessary for the administration of Subsection (f).

(f) Provides that a person described by Subsection (a)(1)(A) (relating to the requirement that a person have graduated from a public high school in this state within a certain time period) or (B) (relating to the requirement that a person have graduated from a public high school in this state within a certain time period) who is otherwise eligible for an award and who is a migratory child, as defined by 20 U.S.C. (Education) Section 6399 (Definitions), is eligible for an award through the Early High School Graduation Scholarship program despite the student's inability to satisfy Subsection (a)(2) or (3) (relating to the requirement that a person be a citizen of the United States or otherwise lawfully authorized to be present in the United States) if the person graduates from a public high school in this state, and the person attended one or more high schools, other than a public high school in this state, for one or more periods primarily because of the migratory agricultural or fishing work of the person, the person's parent, or the person's

spouse, and the person would have satisfied Subsection (a)(2) if the person had attended public high school in this state during that period or those periods.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009.