

BILL ANALYSIS

Senate Research Center
86R4220 KJE-D

S.B. 882
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Higher Education
3/25/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

First generation students face uniquely significant challenges in pursuing a college degree or certification, and the financial impediment imposed by tuition and other fees may make these challenges insurmountable for some individuals. In response to this issue, in 2006 the State of Florida established a First Generation Matching Grant that provides funds to first generation students through donations and matching state funds.

At The University of Texas at San Antonio alone, there are over 12,000 first generation students, and this population also comprises over 20 percent of UT Austin's undergraduate population. As the only state with an increasing K-12 population, which is heavily skewed to Hispanic, low-income, and first generation students, Texas must create a program similar to Florida's in order to meet our higher educational goals.

S.B. 882 establishes a scholarship program, funded by the state and through private donations, to support first generation students with financial need to pay for degree and certificate programs at Texas public institutions of higher education. The bill lays out the various requirements, including GPA, course load, and criminal status. In addition to its role of implementing the other aspects of this program, it also tasks the Texas Higher Education Coordinating Board to reach out to high school counselors and parents, so prospective students are aware of the opportunity.

As proposed, S.B. 882 amends current law relating to the establishment of the Texas First Generation Matching Scholarship Program for certain first generation students at public institutions of higher education.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Sections 56.504 and 56.507, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 56, Education Code, by adding Subchapter S, as follows:

SUBCHAPTER S. TEXAS FIRST GENERATION MATCHING SCHOLARSHIP PROGRAM

Sec. 56.501. DEFINITIONS. Defines "coordinating board," "first generation student," and "program."

Sec. 56.502. PROGRAM PURPOSE. Provides that the purpose of the Texas First Generation Matching Scholarship Program (program) is to provide assistance in the payment of tuition and required fees to enable eligible first generation students to attend institutions of higher education.

Sec. 56.503. FIRST GENERATION MATCHING SCHOLARSHIP ACCOUNT. (a) Provides that the first generation matching scholarship account is an account in the general revenue fund.

(b) Provides that the account consists of:

(1) money appropriated or transferred to the credit of the account by the legislature; and

(2) interest earned on the investment of money in the account.

(c) Authorizes money in the account to be used only to provide scholarships to eligible first generation students as provided by this subchapter.

Sec. 56.504. ADMINISTRATION OF PROGRAM. Requires the Texas Higher Education Coordinating Board (THECB) to administer the program and adopt any rules necessary to implement the program or this subchapter. Requires THECB to consult with the student financial aid officers of institutions of higher education in developing the rules.

Sec. 56.505. AWARD OF SCHOLARSHIP. Requires each institution of higher education, from money available for the purpose, to award scholarships to eligible students under the program.

Sec. 56.506. INITIAL ELIGIBILITY FOR SCHOLARSHIP. (a) Requires a person, to be eligible initially for a scholarship under the program, to:

(1) be a first generation student;

(2) be a resident of this state as determined by THECB rules;

(3) meet financial need requirements as defined by THECB;

(4) be enrolled in an associate or baccalaureate degree or certificate program at an institution of higher education;

(5) be enrolled as an entering student for at least one-half of a full course load for an entering student in the associate or baccalaureate degree or certificate program, as determined by THECB;

(6) have applied for any available financial aid or assistance; and

(7) comply with any additional nonacademic requirement adopted by THECB under this subchapter.

(b) Provides that a person is not eligible to receive a scholarship under the program if the person has been convicted of a felony or an offense under Chapter 481 (Texas Controlled Substances Act), Health and Safety Code, or under the law of another jurisdiction involving a controlled substance as defined by Chapter 481, Health and Safety Code, unless the person has met the other applicable eligibility requirements under the program and has:

(1) received a certificate of discharge by the Texas Department of Criminal Justice (TDCJ) or a correctional facility or completed a period of probation ordered by a court, and at least two years have elapsed from the date of the receipt or completion; or

(2) been pardoned, had the record of the offense expunged from the person's record, or otherwise been released from the resulting ineligibility to receive a scholarship under the program.

(c) Provides that a person is not eligible to receive a scholarship under the program if the person has:

(1) been granted:

(A) a certificate for completion of a certificate program; or

(B) an associate or baccalaureate degree; or

(2) completed more than the following number of semester credit hours or the equivalent at an institution of higher education:

(A) 90 semester credit hours or the equivalent, if the person is enrolled in a degree or certificate program of two years or less; or

(B) 135 semester credit hours or the equivalent, if the person is enrolled in a degree or certificate program of more than two years.

(d) Prohibits a person from receiving a scholarship under the program for more than:

(1) 75 semester credit hours or the equivalent, if the person is enrolled in a degree or certificate program of two years or less; or

(2) 150 semester credit hours or the equivalent, if the person is enrolled in a degree or certificate program of more than two years.

(e) Provides that a person's eligibility for a scholarship under the program ends on:

(1) the third anniversary of the initial award of a scholarship under the program to the person, if the person is enrolled in a degree or certificate program of two years or less;

(2) the fifth anniversary of the initial award of a scholarship under the program to the person, if the person is enrolled in a degree or certificate program of more than two years but not more than four years; or

(3) the sixth anniversary of the initial award of a scholarship under the program to the person, if the person is enrolled in a degree or certificate program of more than four years.

Sec. 56.507. CONTINUING ELIGIBILITY AND ACADEMIC PERFORMANCE REQUIREMENTS. (a) Authorizes a person, after initially qualifying for a scholarship under the program, to continue to receive a scholarship under the program during each semester or term in which the person is enrolled at a participating institution only if the person:

(1) meets financial need requirements as defined by THECB;

(2) is enrolled in an associate or baccalaureate degree or certificate program at a participating institution;

(3) is enrolled for at least one-half of a full course load for a student in an associate or baccalaureate degree or certificate program, as determined by THECB;

(4) makes satisfactory academic progress toward an associate or baccalaureate degree or certificate; and

(5) complies with any additional nonacademic requirement adopted by THECB.

(b) Provides a person is not eligible to continue to receive a scholarship under this

section if the person has been convicted of a felony or an offense under Chapter 481, Health and Safety Code, or under the law of another jurisdiction involving a controlled substance as defined by Chapter 481, Health and Safety Code, unless the person has met the other applicable eligibility requirements under the program and has:

(1) received a certificate of discharge by TDCJ or a correctional facility or completed a period of probation ordered by a court, and at least two years have elapsed from the date of the receipt or completion; or

(2) been pardoned, had the record of the offense expunged from the person's record, or otherwise been released from the resulting ineligibility to receive a scholarship under the program.

(c) Prohibits a person, if a person fails to meet any of the requirements of Subsection (a) after the completion of any semester or term, from receiving a scholarship under the program during the next semester or term in which the person enrolls. Authorizes a person to become eligible to receive a scholarship under the program in a subsequent semester or term if the person:

(1) completes a semester or term during which the student is ineligible for a scholarship; and

(2) meets all the requirements of Subsection (a).

(d) Provides that for the purpose of this section a person makes satisfactory academic progress toward an associate or baccalaureate degree or certificate only if:

(1) in the person's first academic year, the person meets the satisfactory academic progress requirements of the institution at which the person is enrolled; and

(2) in the subsequent academic year, the person:

(A) completes at least 75 percent of the semester credit hours attempted in the student's most recent academic year; and

(B) has earned an overall grade point average of at least 2.5 on a four-point scale or the equivalent on course work previously attempted at institutions of higher education.

(e) Provides that person who is eligible to receive a scholarship under the program continues to remain eligible to receive the scholarship if the person enrolls in or transfers to another institution of higher education.

(f) Requires THECB to adopt rules to allow a person who is otherwise eligible to receive a scholarship under the program, in the event of a hardship or for other good cause shown, including a showing of a severe illness or other debilitating condition that may affect the person's academic performance or that the person is responsible for the care of a sick, injured, or needy person and that the person's provision of care may affect the person's academic performance, to receive a scholarship under the program:

(1) while enrolled in a number of semester credit hours that is less than the number of semester credit hours required under Subsection (a)(3); or

(2) if the student's grade point average or completion rate falls below the satisfactory academic progress requirements of Subsection (d).

Sec. 56.508. SCHOLARSHIP USE. Authorizes a scholarship awarded under the program to be applied only to the payment of tuition and required fees at an institution of higher education.

Sec. 56.509. SCHOLARSHIP AMOUNT; ALLOCATION. (a) Prohibits the amount of a scholarship awarded by an institution of higher education to an eligible student under the program for a semester or other academic term in which the student is enrolled at the institution from exceeding the difference between the amount of tuition and required fees charged to the student by the institution for that semester or term and the amount of any other gift aid, including state or federal grants or scholarships, awarded to the student for that semester or term.

(b) Prohibits a scholarship from being awarded under the program to an eligible student for a semester or other academic term until any other gift aid for which the student is eligible has been awarded to the student and the student's unmet financial need has been established for purposes of determining the appropriate amount of the student's scholarship under Subsection (a).

(c) Provides that an institution of higher education that awards a scholarship under the program is responsible for two-thirds of the total amount of the scholarship determined under Subsection (a). Provides that the state is responsible for the remainder, to be paid from the first generation matching scholarship account established under Section 56.503 or from other funds appropriated for that purpose.

Sec. 56.510. NOTIFICATION OF PROGRAM; RESPONSIBILITIES OF SCHOOL DISTRICTS. (a) Requires THECB, in consultation with all institutions of higher education, to prepare materials designed to inform prospective students, their parents or guardians, and high school counselors about the program and eligibility for a scholarship under the program. Requires THECB to distribute to each institution of higher education and to each school district a copy of the materials prepared under this section.

(b) Requires each school district to notify its high school students, those students' teachers and school counselors, and those students' parents or guardians of the program and the eligibility requirements of the program.

Sec. 56.511. GIFTS, GRANTS, AND DONATIONS. Authorizes each institution of higher education, in addition to other money appropriated by the legislature, to solicit, accept, and spend gifts, grants, and donations from any public or private source for the purposes of the program.

SECTION 2. (a) Requires THECB to adopt rules to administer Subchapter S, Chapter 56, Education Code, as added by this Act, as soon as practicable after the effective date of this Act.

(b) Requires each public institution of higher education to begin awarding scholarships under Subchapter S, Chapter 56, Education Code, as added by this Act, for the first academic year for which money is available for that purpose, except that an institution is prohibited from awarding scholarships under that subchapter for an academic year before the 2020–2021 academic year.

SECTION 3. Effective date: upon passage or September 1, 2019.