

AN ACT

relating to the Early High School Graduation Scholarship program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter K, Chapter 56, Education Code, is amended by adding Section 56.2011 to read as follows:

Sec. 56.2011. DEFINITION. In this subchapter, "coordinating board" means the Texas Higher Education Coordinating Board.

SECTION 2. Section 56.202, Education Code, is amended to read as follows:

Sec. 56.202. PURPOSE. (a) The Early High School Graduation Scholarship program is created to increase efficiency in the Foundation School Program and to provide assistance for tuition or tuition and mandatory fees, as provided by Section 56.204, to an eligible person to enable that person to attend a [Texas] public or private institution of higher education in this state.

(b) A portion of the savings to the Foundation School Program that occur as a result of the program is dedicated to state credits for tuition or tuition and mandatory fees, as applicable, provided to an eligible person under the program.

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

Sec. 56.203. ELIGIBLE PERSON. (a) To be eligible for an

1 award through the Early High School Graduation Scholarship program,
2 a person must:

3 (1) ~~[have the written approval of at least one of the~~
4 ~~person's parents or a person standing in parental relation to the~~
5 ~~person, if the person graduated from high school in not more than 41~~
6 ~~consecutive months,~~

7 [~~2~~] have [~~successfully completed the recommended or~~
8 ~~advanced high school program established under Section 28.025 and]~~
9 graduated from [~~a Texas public~~] high school:

10 (A) in not more than 41 consecutive months and
11 successfully completed the recommended or advanced high school
12 program established under Section 28.025, if the person graduated
13 on or after September 1, 2005;

14 (B) in not more than 45 consecutive months, [ex,
15 if the person graduated] with at least 30 hours of college credit,
16 and successfully completed the recommended or advanced high school
17 program established under Section 28.025, if the person graduated
18 on or after September 1, 2005 [in not more than 45 consecutive
19 months]; or

20 (C) in not more than 36 consecutive months after
21 successfully completing the requirements for a high school diploma,
22 if the person graduated before September 1, 2005, regardless of
23 whether the person successfully completed the recommended or
24 advanced high school program established under Section 28.025;

25 (2) [~~3~~] have attended high school exclusively in one
26 or more public high schools in this state [only]; and

27 (3) [~~4~~] be a Texas resident as defined by

1 coordinating board [~~Texas Higher Education Coordinating Board~~]
2 rule.

3 (b) The [~~A person's~~] eligibility for the Early High School
4 Graduation Scholarship program of a person described by Subsection
5 (a)(1)(A) or (B) ends on the sixth anniversary of the date that the
6 person first becomes eligible to participate in the program, unless
7 the person is provided additional time to participate in the
8 program under Subsection (c).

9 (c) The coordinating board shall adopt rules to provide a
10 person described by Subsection (a)(1)(A) or (B) who is otherwise
11 eligible to participate in the Early High School Graduation
12 Scholarship program additional time to use a state credit for
13 tuition and mandatory fees under the program. The rules must
14 require a person seeking an extension under this subsection to show
15 hardship or other good cause that prevents the person from
16 enrolling in or continuing enrollment in an eligible institution
17 during the period provided by Subsection (b). For purposes of this
18 subsection, hardship or other good cause includes a severe illness
19 or other debilitating condition, ~~or~~ responsibility for the care
20 of a sick, injured, or needy person, or active duty or other service
21 in the United States armed forces.

22 (d) A person who does not satisfy the curriculum
23 requirements for the recommended or advanced high school program as
24 required to establish eligibility under Subsection (a)(1)(A) or (B)
25 [~~of Subsection (a)(2)~~] is considered to have satisfied those
26 requirements if the high school from which the person graduated
27 indicates on the person's transcript that the person was unable to

1 complete the appropriate curriculum within the time prescribed by
2 that subsection solely because of a reason beyond the person's
3 control, such as [~~necessary courses were unavailable to the person~~
4 ~~at the appropriate times in the person's high school career as a~~
5 ~~result of course scheduling,~~] lack of enrollment capacity[7] or a
6 shortage of qualified teachers [~~another cause not within the~~
7 ~~person's control~~].

8 SECTION 4. The heading to Section 56.204, Education Code,
9 is amended to read as follows:

10 Sec. 56.204. ENTITLEMENT[~~, MATCHING CREDIT~~].

11 SECTION 5. Section 56.204(a), Education Code, is amended to
12 read as follows:

13 (a) An eligible person under the Early High School
14 Graduation Scholarship program is entitled to a state credit to
15 apply toward tuition or [~~pay~~] tuition and mandatory fees, as
16 applicable, at a public or private institution of higher education
17 in this state in the following amounts:

18 (1) \$2,000 to apply toward tuition and mandatory fees
19 if the person successfully completed the recommended or advanced
20 high school program established under Section 28.025 and graduated
21 from high school on or after September 1, 2005, in 36 consecutive
22 months or less and an additional \$1,000 to apply toward tuition and
23 mandatory fees if the person graduated with at least 15 hours of
24 college credit;

25 (2) \$500 to apply toward tuition and mandatory fees if
26 the person successfully completed the recommended or advanced high
27 school program established under Section 28.025 and graduated from

1 high school on or after September 1, 2005, in more than 36
2 consecutive months but not more than 41 consecutive months and an
3 additional \$1,000 to apply toward tuition and mandatory fees if the
4 person graduated with at least 30 hours of college credit; [~~or~~]

5 (3) \$1,000 to apply toward tuition and mandatory fees
6 if the person successfully completed the recommended or advanced
7 high school program established under Section 28.025 and graduated
8 from high school on or after September 1, 2005, in more than 41
9 consecutive months but not more than 45 consecutive months with at
10 least 30 hours of college credit; or

11 (4) \$1,000 to apply only toward tuition if the person
12 graduated before September 1, 2005, after successfully completing
13 the requirements for a high school diploma in not more than 36
14 consecutive months.

15 SECTION 6. Section 56.205, Education Code, is amended to
16 read as follows:

17 Sec. 56.205. ISSUANCE OF CERTIFICATE. As soon as
18 practicable after the coordinating board confirms with the high
19 school from which a person graduated that the person is eligible for
20 an award through the Early High School Graduation Scholarship
21 program, the [The] coordinating board shall provide a certificate
22 for state credits for tuition or tuition and mandatory fees, as
23 applicable, to the [~~an~~] eligible person.

24 SECTION 7. Sections 56.206(a), (c), and (d), Education
25 Code, are amended to read as follows:

26 (a) On enrollment of an eligible person in an eligible
27 institution of higher education, the institution shall apply to the

1 person's charges for tuition or tuition and mandatory fees, as
2 applicable, for the enrollment period an amount equal to the lesser
3 of:

4 (1) the amount of the state credit available to the
5 person; or

6 (2) the person's actual tuition or tuition and
7 mandatory fees, as applicable.

8 (c) For each student using a state credit for tuition or
9 tuition and mandatory fees under this subchapter, the institution
10 of higher education shall report to the coordinating board the
11 following information:

12 (1) the student's name;

13 (2) the school district from which the student
14 graduated from high school; [~~and~~]

15 (3) the amount of the state credit applied; and

16 (4) whether the state credit was applied toward
17 tuition or tuition and mandatory fees.

18 (d) Subject to Section 56.203(b), an eligible person may use
19 the state credit for enrollment in an eligible institution of
20 higher education during any semester or summer session, except the
21 [~~person's~~] initial use of the credit by a person who qualifies for
22 an award under Section 56.203(a)(1)(A) or (B) may not be for
23 enrollment during any term of a summer session immediately
24 following the person's graduation from high school.

25 SECTION 8. Section 56.207(b), Education Code, is amended to
26 read as follows:

27 (b) On receipt of a report from the coordinating board under

1 Subsection (a), the commissioner of education shall transfer to the
2 coordinating board, from funds appropriated for the Foundation
3 School Program, an amount sufficient to pay each eligible
4 institution of higher education the amount of state credit for
5 tuition or tuition and mandatory fees, as applicable, that is
6 applied by the institution during the period covered by the report.

7 SECTION 9. Section 56.2075(b), Education Code, is amended
8 to read as follows:

9 (b) The commissioner of education shall distribute money
10 from the foundation school fund in an amount sufficient to pay each
11 school district under Subsection (a).

12 SECTION 10. As soon as practicable after this Act takes
13 effect, the Texas Higher Education Coordinating Board shall revise
14 rules adopted under Section 56.209(a), Education Code, as necessary
15 to conform to changes made by this Act to Subchapter K, Chapter 56,
16 Education Code. For that purpose, the coordinating board may adopt
17 the revisions to those rules in the manner provided by law for
18 emergency rules. This section expires September 1, 2006.

19 SECTION 11. This Act takes effect immediately if it
20 receives a vote of two-thirds of all the members elected to each
21 house, as provided by Section 39, Article III, Texas Constitution.
22 If this Act does not receive the vote necessary for immediate
23 effect, this Act takes effect September 1, 2005.

David Swihart

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 2109 was passed by the House on May 13, 2005, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 2109 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Lacey Spaw

Secretary of the Senate

APPROVED:

18 JUNE '05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM O'CLOCK

JUN 18 2005

Roger Williams
Secretary of State