

By: _____ .B. No. _____

Substitute the following for .B. No. _____:

By: _____ C.S. .B. No. _____

A BILL TO BE ENTITLED

1 AN ACT

2 relating to completion and submission of a financial aid
3 application for costs of higher education as a condition of high
4 school graduation for public school students.

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

6 SECTION 1. Section 28.025(c), Education Code, is amended to
7 read as follows:

8 (c) A person may receive a diploma if the person is eligible
9 for a diploma under Section 28.0251. In other cases, a student may
10 graduate and receive a diploma only if:

11 (1) the student successfully completes the curriculum
12 requirements identified by the State Board of Education under
13 Subsection (a) and complies with Sections 28.0256 and [Section]
14 39.025; or

15 (2) the student successfully completes an
16 individualized education program developed under Section 29.005.

17 SECTION 2. Subchapter B, Chapter 28, Education Code, is
18 amended by adding Section 28.0256 to read as follows:

19 Sec. 28.0256. FINANCIAL AID APPLICATION REQUIREMENT FOR
20 HIGH SCHOOL GRADUATION. (a) Before graduating from high school,
21 each student must complete and submit a free application for
22 federal student aid (FAFSA) or a Texas application for state
23 financial aid (TASFA).

24 (b) A student is not required to comply with Subsection (a)

1 if:

2 (1) the student's parent or other person standing in
3 parental relation submits a signed form indicating that the parent
4 or other person authorizes the student to decline to complete and
5 submit the financial aid application;

6 (2) the student signs and submits the form described
7 by Subdivision (1) on the student's own behalf if the student is 18
8 years of age or older or the student's disabilities of minority have
9 been removed for general purposes under Chapter 31, Family Code; or

10 (3) a school counselor authorizes the student to
11 decline to complete and submit the financial aid application for
12 good cause, as determined by the school counselor.

13 (c) A school district or open-enrollment charter school
14 shall adopt a form to be used for purposes of Subsection (b). The
15 form must be:

16 (1) approved by the agency; and

17 (2) made available in English, Spanish, and any other
18 language spoken by a majority of the students enrolled in a
19 bilingual education or special language program under Subchapter B,
20 Chapter 29, in the district or school.

21 (d) If a school counselor notifies a school district whether
22 a student has complied with this section for purposes of
23 determining whether the student meets high school graduation
24 requirements under Section 28.025, the school counselor may only
25 indicate whether the student has complied with this section and may
26 not indicate the manner in which the student complied.

27 (e) The commissioner shall adopt rules as necessary to

1 implement this section, including rules to:

2 (1) establish:

3 (A) a timeline for:

4 (i) the distribution to students of the
5 free application for federal student aid or Texas application for
6 state financial aid and the form adopted under Subsection (c); and

7 (ii) the submission of a form under
8 Subsection (b);

9 (B) standards regarding the information that a
10 school district or open-enrollment charter school must provide to
11 students regarding:

12 (i) in accordance with Section
13 33.007(b)(5), instructions for filling out the free application for
14 federal student aid or Texas application for state financial aid;
15 and

16 (ii) the options available to a student
17 under Subsection (b) if the student wishes to decline to complete
18 and submit a financial aid application; and

19 (C) the method by which a student must provide to
20 a school district or open-enrollment charter school proof that the
21 student has completed and submitted the free application for
22 federal student aid or Texas application for state financial aid as
23 required by this section;

24 (2) require each school district to report to the
25 agency:

26 (A) the number of students who completed and
27 submitted a financial aid application under Subsection (a); and

1 (B) the number of students who received an
2 exception from complying with Subsection (a) under Subsection (b);
3 and

4 (3) ensure compliance with federal law regarding
5 confidentiality of student educational information, including the
6 Family Educational Rights and Privacy Act of 1974 (20 U.S.C.
7 Section 1232g), and any state law relating to the privacy of student
8 information.

9 (f) The agency shall establish an advisory committee to
10 assist the agency in adopting rules under Subsection (e) to
11 implement this section and to develop recommendations for that
12 purpose. The advisory committee is composed of:

13 (1) school counselors;

14 (2) school administrators; and

15 (3) stakeholders to represent the needs of interested
16 students.

17 (g) Not later than January 1, 2021, the agency shall report
18 the advisory committee's recommendations to the standing committee
19 of each house of the legislature with jurisdiction over public
20 education. Subsection (f) and this subsection expire January 1,
21 2023.

22 SECTION 3. This Act applies beginning with students
23 enrolled at the 12th grade level during the 2021-2022 school year.

24 SECTION 4. This Act takes effect September 1, 2019.