

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Sections 22.22, 22.24 and 22.25 concerning the Provisions for the Tuition Equalization Grant Program. Specifically, new Section 22.22(25) adds a definition for "Residency Core Questions," to clarify that persons receiving Tuition Equalization Grant (TEG) awards must complete the state's core residency questions in order to provide their institutions sufficient information for them to accurately determine the students' residency status. Subsequent definitions are renumbered accordingly. The amendment to Section 22.22(26) updates the name of Chapter 21, Subchapter B, of Board rules: "Determination of Resident Status." The amendment to Section 22.24(a)(4) and to Section 22.25(a)(4) clarifies the need to base residency decisions on data from the Residency Core Questions and to provide consistent wording regarding the TEG residency requirement, whether the person is receiving an award through the 2006 Revised TEG Program (covered in Section 22.24) or the Original TEG Program (covered in Section 22.25).

Mr. Dan Weaver, Assistant Commissioner for Business and Support Services, has determined that for each year of the first five years the amendments are in effect, there will be no significant fiscal implications to state or local government as a result of enforcing or administering the rules.

Mr. Weaver has also determined that for each year of the first five years the amendments are in effect the public benefit anticipated as a result of administering the sections will be a clearer understanding of the requirements of the program. There is no effect on small businesses. There are no anticipated economic costs to persons who are required to comply with the section as proposed. There is no impact on local employment.

Comments on the proposal may be submitted to Dan Weaver, P. O. Box 12788, Austin, Texas 78711, 512-427-6165, Dan.Weaver@thehb.state.tx.us. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendments are adopted under the Texas Education Code, Section 61.229 which provides the Coordinating Board with the authority to adopt rules to administer Texas Education Code, Subchapter F.

The amendments affect Texas Education Code, Sections 61.221 - 61.230.

## CHAPTER 22. GRANTS AND SCHOLARSHIP PROGRAMS

### SUBCHAPTER B. PROVISIONS FOR THE TUITION EQUALIZATION GRANT PROGRAM

#### 22.22. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) – (24) (No change.)

(25) Residency Core Questions--A set of questions developed by the Coordinating Board to be used to determine a student's eligibility for classification as a resident of Texas, available for downloading through the Coordinating Board's website and incorporated into the ApplyTexas application for admission.

(26) [(25)] Resident of Texas--A resident of the State of Texas as determined in accordance with Chapter 21, Subchapter B, of this title (relating to Determination of Resident Status [and Waiver Programs for Certain Nonresident Persons]). Nonresident students who are eligible to pay resident tuition rates are not residents of Texas.

(27) [(26)] Total TEG need--The total amount of TEG funds that eligible students at an approved institution could receive if the program were fully funded.

(28) [(27)] Tuition differential--The difference between the tuition paid at the private or independent institution attended and the tuition the student would have paid to attend a comparable public institution.

(29) [(28)] Undergraduate student – An individual who has not yet received a baccalaureate degree.

#### 22.24. Provisions that Apply Only to 2006 Revised TEG Program Students.

(a) Eligible Students. To receive an award through the TEG Program, a 2006 Revised TEG Program student must:

(1) – (3) (No change.)

(4) be a resident of Texas as determined based on data collected using the Residency Core Questions and in keeping with Chapter 21, Subchapter B, of this title (relating to Determination of Resident Status), unless such student is a National Merit scholarship finalist who meets the competitive scholarship provisions of Texas Education Code, Section 54.064;

(5) – (9) (No change.)

(b) – (e) (No change.)

#### 22.25. Provisions that Apply Only to Original TEG Program Students.

(a) Eligible Students. To receive an award through the TEG Program, an Original TEG Program student must:

(1) – (3) (No change.)

(4) be a resident of Texas as determined based on data collected using the Residency Core Questions and in keeping with Chapter 21, Subchapter B, of this title (relating to Determination of Resident Status), unless such student is a National Merit scholarship finalist who meets the competitive scholarship provisions of [would be eligible to pay Texas resident tuition under] Texas Education Code, Section 54.064 [ , if attending a public institution];

(5) – (9) (No change.)

(b) (No change.)