



WEEKLY AUSTIN REPORT

MAY 21, 2009

Dear Friends:

This time next week I, along with my Legislative colleagues, will be concluding the 81st Legislative Session. As promised, it has been and continues to be a challenging, intense, arm-twisting and exhilarating 140 days of lawmaking.

As I reflect on my 16th year of public service, I am well aware of the task at hand. There is still much work to be done and the clock is ticking.

Between 2000 and 2007, Texas' population grew nearly 13 percent to more than 23.9 million. With that comes an even greater demand for state services and funding.

Legislative ideas can come from anywhere and anybody. Many times the ideas come from constituents and others who contact my office.

Grandparents and other family members have come to my office over the years pleading that something be done to keep families together after they have been left to care for children who have been abandoned or whose parent has died, been incarcerated, or is otherwise unavailable. I've tried to address their concerns with kinship care legislation outlined in this weekly update.

In addition, students and parents have contacted me by every means imaginable to talk about the rising cost of college tuition, the need for increased financial aid and the value of high school programs which promote and encourage graduation and higher college attendance rates. I will continue to fight to keep college costs down, to increase financial aid and to share with students about the paths that will lead them to the college classroom or workplace.

Statistics tell us that if a student isn't successful in school, that student most likely will end up in the penal system. But, we do know that there are some innocent individuals who are or have served time in Texas' prisons. I've passed legislation that attempts to help with the reentry process for exonerees.

I'm as committed today as I was when I began this odyssey of public service. I'm working harder and sleeping less trying to make a difference. A running joke around the Capitol is that if you're sleeping more than five hours a night, you're not doing your job. But, you can rest assured that I and my staff sleep with one eye open to remain vigilant for the citizens of District 23 and Texas.

KINSHIP CARE

For some time, I have worked with the Department of Family and Protective Services to craft Senate Bill 1411. The bill provides for permanency care assistance agreements between the Department and kinship providers who meet federal and state eligibility requirements and become the child's permanent managing conservator.

Creation of the permanency care assistance option will allow the state to offer interested relatives financial assistance which is less than the foster care rate, but still enough to provide sufficient support to encourage a relative to become a permanent conservator, which evidence shows to produce better outcomes for the kids.



Over the years, we have heard heart-breaking testimony in our legislative committees about how hard it is to get older kids adopted. We are also painfully aware of how bleak the futures are for so many of the children who "age out" of foster care.

To address those subjects, SB 1411 allows adoption assistance to be extended to a youth's 21st birthday, if the youth's adoption assistance agreement was entered into after the youth's 16th birthday and the youth is pursuing certain educational goals or is unable to do so due to a disability.

At this date, SB 1411 seems to be in peril. The bill was approved in the Senate last month and forwarded to the House for consideration with a full month remaining for action. While it has been approved by the House Committee on Human Services, time is fleeting as the bill awaits a vote by the full House.

As with most legislative efforts with great potential, this effort has been sustained for several sessions. No matter the result in this session, you can be assured of my continued work for this program.



Over the course of this legislative session, we have authored bills and created language to help restore and assist persons who have been exonerated of a wrongful conviction. To date in Texas, there are 39 such individuals and 20 of them were initially convicted out of Dallas County.

The silver lining to that cloud is that while these men of various ages should not have had their lives and families decimated, Dallas County officials were steadfast in preserving the biological evidence that would eventually help them gain their freedom.

SB1848 as drafted, would create a comprehensive reentry plan for those persons who have been exonerated. The language of SB1848 was absorbed into HB1736 by Dallas delegation ally, Rep. Rafael Anchia. This legislation now awaits the Governor's signature.

The reentry plan calls for the Texas Department of Criminal Justice (TDCJ) and the Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI) to assist exonerees with direct delivery or gaining access to counseling, vocational training, mental health, medical and dental services.

Future exonerees will receive a \$10,000 stipend deducted from future compensation to assist with reentry related living expenses. (These funds will be administered by the state as needed.) In addition, those exiting prison post exoneration will be provided with necessary identification documents.



THE COST OF EDUCATION

I understand the pressures that are upon students and parents to pay for college. The Legislature deregulated college tuition in 2003 and since that time, college tuition has gone up on many Texas campuses. I am committed to freezing or limiting tuition increases and have spent many hours working to craft legislation which would limit future hikes. The result is a bill I co-authored which limits tuition increases to a maximum 5% per year (or the average rate of inflation, if lower) when the tuition is above the state average. This measure would put tuition decisions back in the hands of legislators.

HIGHER EDUCATION FINANCIAL AID IN TEXAS

Generally, there are three types of financial aid; loans, grants and work-study. Grants are usually need-based and in Texas, we have the Federal Pell Grant, TEXAS Grants, Texas Educational Opportunity Grant and Texas Equalization Grant.

Most of the discussions in the yet to be approved Appropriations bill were related to financial aid funding which this next biennium will be over \$1 billion dollars. I was chairman of the Article III Higher Education Workgroup that added additional funding to financial aid programs in Texas.

MY ESTIMATE....

The Student Financial Aid strategy (which includes TEXAS Grant, TEOG, B-on-Time, College Work-Study, and TEG) will be funded at a total of \$1.005 billion for the biennium. The biennial amounts for each program in the strategy are:

TEXAS Grant	\$614.8 million	Increase	\$186.4 million (30%)
Texas Educational Opportunity Grant	\$24 million		
Be-On-Time Loan (BOT)	\$140 million	Increase	\$63 million (45%)
Work Study	\$15 million		
Texas Equalization Grant)	\$211.7 million	Increase	\$10 million (42%)
TOTAL	\$1.005 BILLION	INCREASE	\$ 259.4 MILLION

DUAL CREDIT

Many students are opting to get a leg up on their peers by earning college credit while in high school. 56,518 eligible students earned at least one dual credit in school year 07-08. Eligible students average 1.6 dual credits per student in school year 07-08 with these student earning a total of 90,928 dual credits in that same school year.

You would have thought that this would have been good, but during the interim, I received calls and emails from frustrated parents and students concerned about the manner in which dual credit hours were being handled once a high school student enrolled at a college campus.

Dual credit courses were being counted toward the 30 semester credit hours beyond those required to earn a degree in the student's major. Many students were then required to pay out-of-state tuition on the hours earned from dual credit courses such as Advanced Placement (AP) courses, International Baccalaureate (IB) courses, Articulated Credit or Advanced Technical Credit courses, and concurrent college credit courses.

My office worked with Texas Education Agency (TEA) and Texas Higher Education Coordinating Board (THECB) to craft language that would exempt up to 30 semester credit hours of dual credit or early college high school credit and thus, the state removes a barrier to increasing the number of academic dual credit hours generated in high schools.

I also passed SB 1727, that is awaiting passage from the House, that calls for communication between TEA and THECB in establishing the rules and regulations associated with dual credit and the facilitation of data sharing between them.

