



TEXAS HIGHER EDUCATION COORDINATING BOARD

Chief of Staff

P.O. Box 12788 Austin, Texas 78711

REY RODRIGUEZ
Deputy Commissioner
Chief of Staff
(512) 427-6134
Fax (512) 427-6127

LIZ BOLIN
Deputy Chief of Staff
(512) 427-6227
Fax (512) 427-6127

KEN MARTIN
Assistant Commissioner for
Financial Services/Chief
Financial Officer
(512) 427-6173
Fax (512) 427-6169

ZHENZHEN SUN
Assistant Commissioner for
Information Solutions &
Services/Chief Information
Officer
(512) 427-6259
Fax (512) 427-6447

CHARLES CONTERO-PULS,
Ed.D. Assistant Commissioner
for Student Financial Aid
Programs
(512) 427-6365
Fax (512) 427-6423

MARJORIE BARRETT
Assistant Commissioner for
Communications
(512) 427-6115
Fax (512) 427-6127

TO: Directors of Financial Aid
Texas Public or Private/Independent Institutions of Higher Education

FROM: DeChà Reid
Senior Director, Financial Aid Services

DATE: Sept. 29, 2021

RE: Updated Guidance on Statutory Requirements that Impact Financial Aid Programs

The Texas Higher Education Coordinating Board (THECB) would like to provide updated guidance on statutory requirements that impact eligibility for financial aid programs for students attending institutions, as defined under [Texas Education Code \(TEC\), Section 61.003](#). Student Financial Aid Programs will be adjusting the language in the administrative rules and the program guidelines. The statement and sample enclosed have been updated for institutions to use when collecting information from student applicants.

Selective Service Status Statement

Under [TEC, Section 51.9095](#), a Selective Service Statement of Registration Status is required to confirm either registration or exemption. This statute applies to state-funded financial aid, as well as "federal funds or gifts and grants accepted by this state." Therefore, the Selective Service Status Statement is required from students receiving federal aid or private donations that passes through the state Treasury or Governor's office (i.e., GEER), state appropriated funds, or institutional funding, which includes programs funded by tuition set asides, exemptions, and waivers.

To reduce the amount of added administrative burden, institutions will no longer be required to collect "proof" of registration or exemption from students. Institutions are not required to verify the accuracy of the statement against external databases or other resources as long as conflicting information does not exist.

Action Needed: Institutions must determine the best method to collect the required Selective Service Statement of Registration Status to confirm registration or exemption from **all male students** as outlined above. Institutions have the ability to implement this requirement sooner, but it **is not required until 2022-23 award year**.

Any of the following can be used to meet the statutory statement requirement:

- THECB Selective Service Statement of Registration Status
- Institutional Student Information Record (ISIR) until 2023-24
- Print out from SSS.gov website

Convictions of Felonies or Offenses Under the Texas Controlled Substance Act. (Formerly Controlled Substance Restriction)

The eligibility requirement found under TEC, Sections [56.304](#) and [56.305](#) for Toward EXcellence Access and Success (TEXAS) Grant and under Sections, [56.404](#) and [56.405](#) for Texas Educational Opportunity Grant (TEOG) includes the phrase “a person is not eligible to receive a grant under this subchapter if the person has been convicted of a felony or an offense under Chapter 481, Health and Safety Code (Texas Controlled Substances Act)...”. This phrase relates to convictions of **any** felony, as well as convictions of any offense under Chapter 481. The phrase is not limited to controlled substance felonies.

Action Needed: Institutions that collect statements for the TEXAS Grant and TEOG program need to revise any language that limits this requirement to offenses only related to controlled substance offenses to also include **all felony** convictions. Institutions are only required to collect the statement and are not required to verify the accuracy of that statement against external databases or other resources as long as conflicting information does not exist. Institutions have the ability to implement this modification to the language in the statement sooner, but it **is not required until 2022-23 award year.**

For questions, please call Financial Aid Services at 844-792-2640 or [CONTACT US](#) (select “Financial Aid Question” as the Contact Reason).

Enclosed: [Selective Service Statement of Registration Status](#)

[Statement of Student Eligibility - SAMPLE](#)