

By: Kolkhorst

S.B. No. 518

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the consideration of standardized test scores as a
3 factor in nonautomatic admissions decisions at certain public
4 institutions of higher education.

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

6 SECTION 1. Section 51.805(b), Education Code, is amended to
7 read as follows:

8 (b) The general academic teaching institution, after
9 admitting students under Sections 51.803 and 51.804, shall admit
10 other applicants for admission as undergraduate students. It is
11 the intent of the legislature that all institutions of higher
12 education pursue academic excellence by considering students'
13 academic achievements in decisions related to admissions. In
14 making first-time freshmen admissions decisions, each [~~Because of~~
15 ~~changing demographic trends, diversity, and population increases~~
16 ~~in the state, each~~] general academic teaching institution shall
17 also consider:

18 (1) if provided by the applicant, the applicant's
19 performance on a standardized test appropriate for undergraduate
20 admissions; and

21 (2) because of changing demographic trends,
22 diversity, and population increases in the state, all of, any of, or
23 a combination of the following socioeconomic indicators or factors
24 [~~in making first-time freshman admissions decisions~~]:

1 (A) [~~(1)~~] the applicant's academic record;

2 (B) [~~(2)~~] the socioeconomic background of the
3 applicant, including the percentage by which the applicant's family
4 is above or below any recognized measure of poverty, the
5 applicant's household income, and the applicant's parents' level of
6 education;

7 (C) [~~(3)~~] whether the applicant would be the
8 first generation of the applicant's family to attend or graduate
9 from an institution of higher education;

10 (D) [~~(4)~~] whether the applicant has bilingual
11 proficiency;

12 (E) [~~(5)~~] the financial status of the
13 applicant's school district;

14 (F) [~~(6)~~] the performance level of the
15 applicant's school as determined by the school accountability
16 criteria used by the Texas Education Agency;

17 (G) [~~(7)~~] the applicant's responsibilities while
18 attending school, including whether the applicant has been
19 employed, whether the applicant has helped to raise children, or
20 other similar factors;

21 (H) [~~(8)~~] the applicant's region of residence;

22 (I) [~~(9)~~] whether the applicant is a resident of
23 a rural or urban area or a resident of a central city or suburban
24 area in the state;

25 (J) [~~(10)~~] ~~the applicant's performance on~~
26 ~~standardized tests,~~

27 [~~(11)~~] the applicant's performance on standardized

1 tests in comparison with that of other students from similar
2 socioeconomic backgrounds;

3 (K) [~~(12)~~] whether the applicant attended any
4 school while the school was under a court-ordered desegregation
5 plan;

6 (L) [~~(13)~~] the applicant's involvement in
7 community activities;

8 (M) [~~(14)~~] the applicant's extracurricular
9 activities;

10 (N) [~~(15)~~] the applicant's commitment to a
11 particular field of study;

12 (O) [~~(16)~~] the applicant's personal interview;

13 (P) [~~(17)~~] the applicant's admission to a
14 comparable accredited out-of-state institution; and

15 (Q) [~~(18)~~] any other consideration the
16 institution considers necessary to accomplish the institution's
17 stated mission.

18 SECTION 2. Section [51.842](#), Education Code, is amended by
19 adding Subsections (a-1) and (b-1) and amending Subsection (b) to
20 read as follows:

21 (a-1) In making admissions decisions for the program, a
22 graduate or professional program of a general academic teaching
23 institution or medical or dental unit shall consider an applicant's
24 performance on a standardized test appropriate for the program,
25 except that the applicant's performance on the standardized test
26 may not be used as the sole criterion for consideration of the
27 applicant or as the primary criterion to end consideration of the

1 applicant. The applicant's performance on the standardized test
2 must also be used to compare the applicant's test score with those
3 of other applicants from similar socioeconomic backgrounds to the
4 extent that those backgrounds can be properly determined and
5 identified by the general academic teaching institution or medical
6 and dental unit based on information provided in the institution's
7 or unit's admissions process.

8 (b) An applicant's performance on a standardized test may
9 not be used in the [~~admissions or~~] competitive scholarship process
10 for a graduate or professional program as the sole criterion for
11 consideration of the applicant or as the primary criterion to end
12 consideration of the applicant. If an applicant's performance on a
13 standardized test is used in the [~~admissions or~~] competitive
14 scholarship process, the applicant's performance must also be used
15 to compare the applicant's test score with those of other
16 applicants from similar socioeconomic backgrounds to the extent
17 that those backgrounds can be properly determined and identified by
18 the general academic teaching institution or medical and dental
19 unit based on information provided in the institution's or unit's
20 [~~admissions or~~] competitive scholarship process.

21 (b-1) Subsections (a-1) and (b) do [~~This subsection does~~]
22 not apply to a standardized test used to measure the English
23 language proficiency of a student who is a graduate of a foreign
24 institution of higher education.

25 SECTION 3. Sections 51.805 and 51.842, Education Code, as
26 amended by this Act, apply beginning with admissions for the 2024
27 fall semester. Admissions for an academic period before the 2024

1 fall semester are governed by the law in effect immediately before
2 the effective date of this Act, and the former law is continued in
3 effect for that purpose.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2023.