

By: West

S.B. No. 38

A BILL TO BE ENTITLED

AN ACT

relating to automatic admissions to public institutions of higher education by certain high school graduates.

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

SECTION 1. Section 51.803, Education Code, is amended to read as follows:

Sec. 51.803. AUTOMATIC ADMISSION: ALL INSTITUTIONS.

(a) Each general academic teaching institution shall admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and the applicant:

(1) graduated from a public or private high school in this state accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense;

(2) completed the curriculum requirements established under Section 28.025 for the recommended or advanced high school program or an equivalent curriculum at a high school to which that section does not apply; and

(3) [~~To qualify for admission under this section, an applicant must submit an application before the expiration of any application filing deadline established by the institution and,~~] if

1 the applicant graduated from a high school operated by the United  
2 States Department of Defense, is ~~[must be]~~ a Texas resident under  
3 Section 54.052 or is ~~[be]~~ entitled to pay tuition fees at the rate  
4 provided for Texas residents under Section 54.058(d) for the term  
5 or semester to which admitted.

6 (b) To qualify for admission under this section, an  
7 applicant must submit an application before the expiration of any  
8 application filing deadline established by the institution.

9 (c) After admitting an applicant under this section, the  
10 institution shall review the applicant's record and any other  
11 factor the institution considers appropriate to determine whether  
12 the applicant may require additional preparation for college-level  
13 work or would benefit from inclusion in a retention program. The  
14 institution may require a student so identified to enroll during  
15 the summer immediately after the student is admitted under this  
16 section to participate in appropriate enrichment courses and  
17 orientation programs. This section does not prohibit a student who  
18 is not determined to need additional preparation for college-level  
19 work from enrolling, if the student chooses, during the summer  
20 immediately after the student is admitted under this section.

21 (d) Subsection (a)(2) applies beginning with admissions for  
22 the 2008-2009 academic year. Subsection (a)(2) does not apply to an  
23 applicant who graduated from a public high school that does not  
24 offer the curriculum established under Section 28.025 for the  
25 recommended or advanced high school program.

26 (e) An applicant who does not satisfy the requirements of  
27 Subsection (a)(2) is considered to have satisfied those

1 requirements if the high school from which the student graduated  
2 indicates on the student's transcript that the student was unable  
3 to complete the appropriate curriculum solely because necessary  
4 courses were unavailable to the student at the appropriate times in  
5 the student's high school career as a result of course scheduling,  
6 lack of enrollment capacity, or another cause not within the  
7 student's control.

8 SECTION 2. Section 51.807, Education Code, is amended to  
9 read as follows:

10 Sec. 51.807. RULEMAKING. (a) The Texas Higher Education  
11 Coordinating Board may adopt rules relating to the operation of  
12 admissions programs under this subchapter, including rules  
13 relating to the identification of eligible students and the  
14 reporting requirements of Section 51.806.

15 (b) The Texas Higher Education Coordinating Board after  
16 consulting with the Texas Education Agency by rule shall establish  
17 standards for determining for purposes of this subchapter:

18 (1) whether a private high school is accredited by a  
19 generally accepted accrediting organization; and

20 (2) whether a person completed a high school  
21 curriculum that is equivalent to the curriculum established under  
22 Section 28.025 for the recommended or advanced high school program.

23 SECTION 3. Section 28.026, Education Code, is amended to  
24 read as follows:

25 Sec. 28.026. NOTICE OF AUTOMATIC COLLEGE ADMISSION. (a)  
26 The board of trustees of a school district shall require each high  
27 school in the district to post appropriate signs in each

1 counselor's office, in each principal's office, and in each  
2 administrative building indicating the substance of Section 51.803  
3 regarding automatic college admission. To assist in the  
4 dissemination of this information, the school district shall:

5 (1) require that each high school counselor and class  
6 advisor be provided a detailed explanation of the substance of  
7 Section 51.803;

8 (2) provide each district student and the student's  
9 parent or guardian, at the time the student first registers for one  
10 or more classes required for high school graduation, with a written  
11 notification of the substance of Section 51.803;

12 (3) require that each high school counselor and senior  
13 class advisor explain to eligible students the substance of Section  
14 51.803; and

15 (4) ~~[(3)]~~ provide each eligible senior student under  
16 Section 51.803 and the student's parent or guardian, at the  
17 commencement of a class's senior year, with a written notification  
18 of the student's eligibility with a detailed explanation of the  
19 substance of Section 51.803.

20 (b) The commissioner shall adopt forms to use in providing  
21 notice under Subsections (a)(2) and (4). In providing notice under  
22 Subsection (a)(2) or (4), a school district shall use the  
23 appropriate form adopted by the commissioner.

24 (c) The commissioner shall adopt procedures to ensure that,  
25 as soon as practicable after this subsection becomes law, each  
26 school district provides written notification of the substance of  
27 Section 51.803, as amended by the 78th Legislature, 1st Called

1 Session, 2003, to each district student and the parent or guardian  
2 of each district student who, for the 2003-2004 school year,  
3 registers for the first time for one or more courses required for  
4 high school graduation. The commissioner may adopt rules under  
5 this subsection in the manner provided by law for emergency rules.  
6 Each district shall comply with the procedures adopted by the  
7 commissioner under this subsection. This subsection expires  
8 September 1, 2004.

9         SECTION 4. The change in law made by this Act to Subchapter  
10 U, Chapter 51, Education Code, applies beginning with admissions to  
11 public institutions of higher education for the 2004 fall semester.

12         SECTION 5. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect on the 91st day after the last day of the  
17 legislative session.