

By: West

S.B. No. 1008

A BILL TO BE ENTITLED

AN ACT

relating to preferential admission to graduate or professional degree programs at public institutions of higher education.

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

SECTION 1. Subchapter U, Chapter 51, Education Code, is amended by adding Section 51.810 to read as follows:

Sec. 51.810. PREFERENTIAL ADMISSION: GRADUATE OR PROFESSIONAL DEGREE PROGRAMS. (a) Each institution of higher education, as defined by Section 61.003, that offers a graduate or professional degree program shall set aside at least 30 percent of the degree program's enrollment capacity for each entering class for admission of applicants under Subsection (b).

(b) Each institution of higher education shall admit an applicant for admission to a graduate or professional degree program to fill the enrollment capacity set aside under Subsection (a) if the applicant:

(1) graduates from an institution of higher education with:

(A) a baccalaureate degree; and

(B) a grade point average in the top 10 percent of the applicant's graduating class; and

(2) meets any curriculum requirement for admission to the degree program.

(c) If the number of applicants qualified to be admitted to

1 a graduate or professional degree program by an institution of
2 higher education under Subsection (b) exceeds the enrollment
3 capacity set aside by the institution, the institution shall
4 conduct a lottery to award the spaces to eligible applicants.

5 (d) For purposes of this section, it is presumed that an
6 undergraduate student with a grade point average in the top 10
7 percent of the student's class at the beginning of a semester in
8 which the student is entitled to graduate will graduate with a grade
9 point average in the top 10 percent of the student's graduating
10 class. If the student does not graduate at the end of that
11 semester, or fails to graduate with a grade point average in the top
12 10 percent of the student's graduating class, the institution of
13 higher education that has admitted the student to a graduate or
14 professional degree program under this section may, but is not
15 required to, withdraw an offer of admission to the student, even if
16 the student has accepted the offer. An offer of admission to a
17 student to whom the presumption applies must indicate whether the
18 offer may be withdrawn under this subsection and that the student's
19 acceptance of the offer is conditioned on the student graduating at
20 the end of that semester as required by Subsection (b).

21 SECTION 2. (a) The change in law made by this Act applies
22 beginning with admissions for the 2004 fall semester.

23 (b) Each institution of higher education shall adopt
24 policies relating to the admission of students under Section
25 51.810, Education Code, as added by this Act, not later than January
26 1, 2004.

27 SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2003.