

By: Van Arsdale

H.B. No. 1482

A BILL TO BE ENTITLED

1 AN ACT

2 relating to reports regarding the use of race, color, ethnicity, or
3 national origin by public institutions of higher education in
4 admissions.

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

6 SECTION 1. The heading to Subchapter H, Chapter 51,
7 Education Code, is amended to read as follows:

8 SUBCHAPTER H. GUIDELINES FOR ACADEMIC AND OTHER REPORTS BY
9 INSTITUTIONS OF HIGHER EDUCATION

10 SECTION 2. Subchapter H, Chapter 51, Education Code, is
11 amended by adding Section 51.4032 to read as follows:

12 Sec. 51.4032. ANNUAL REPORT ON FACTORS CONSIDERED IN
13 ADMISSIONS DECISIONS. (a) Each institution of higher education
14 annually shall provide to the Texas Higher Education Coordinating
15 Board and to the chair of each legislative standing committee or
16 subcommittee with primary jurisdiction over higher education, and
17 shall make available to the public on the institution's website, a
18 report regarding whether the institution or any school or
19 department of the institution considers race, color, ethnicity, or
20 national origin in admitting applicants to any undergraduate,
21 graduate, postgraduate, or professional degree program.

22 (b) If the institution of higher education or a school or
23 department of the institution considers race, color, ethnicity, or
24 national origin in making admissions decisions as described by

1 Subsection (a), the report must contain the following information
2 with respect to the institution, school, or department, as
3 applicable:

4 (1) for any group identified by race, color,
5 ethnicity, or national origin that is considered in admissions
6 decisions, how membership in that group is determined for
7 individual applicants;

8 (2) how membership in that group is considered in
9 admissions decisions, including:

10 (A) the weight given to consideration of
11 membership in that group; and

12 (B) the use of any targets, quotas, or other
13 numbers-based goals for that group;

14 (3) why membership in that group is considered in
15 admissions decisions, including:

16 (A) the degree to which members of that group are
17 represented at the institution, school, or department; and

18 (B) any correlation between the admission of
19 those group members and the educational goals of the institution,
20 school, or department, including any goal to increase diversity in
21 the student population;

22 (4) if membership in that group is considered in
23 admissions decisions because of an educational goal of the
24 institution, school, or department, what consideration has been
25 given to any available alternatives, including alternatives that
26 are neutral with respect to race, color, ethnicity, or national
27 origin, for achieving that goal;

1 (5) how frequently and in what manner the institution,
2 school, or department reassesses the need to consider membership in
3 that group in admissions decisions;

4 (6) an analysis of the correlation between membership
5 in any group given preference in admissions decisions on account of
6 race, color, ethnicity, or national origin and:

7 (A) the enrollment rates of members of that group
8 in remedial or developmental programs relative to members of other
9 groups;

10 (B) the graduation rates of members of that group
11 relative to members of other groups; and

12 (C) the rate of default by members of that group
13 on education loans relative to members of other groups; and

14 (7) any factors other than race, color, ethnicity, or
15 national origin for which information is collected for use in the
16 admissions decisions covered by the report.

17 (c) To enable a statistical comparison of the weight given
18 to race, color, ethnicity, or national origin relative to the
19 factors described by Subsection (b)(7), if the factors disclosed
20 under that subdivision include high school grades, grade point
21 averages, or class rank, scores on standardized tests, including
22 the ACT or SAT, legacy status, gender, state residency, or other
23 quantifiable criteria, the institution of higher education must
24 provide the following information with the report in a standard
25 computer-readable format:

26 (1) all quantifiable or other computer-readable raw
27 admissions data linked to specific applicants, including the

1 applicants' race, color, ethnicity, or national origin, as
2 applicable; and

3 (2) the admissions decisions made by the institution,
4 school, or department regarding those applicants.

5 (d) The information required by Subsection (c) may not
6 identify the applicants by name or in another manner that would
7 enable a person to identify an individual applicant using the data.

8 SECTION 3. Each public institution of higher education in
9 this state shall submit the first report required by Section
10 51.4032, Education Code, as added by this Act, not later than July
11 1, 2006.

12 SECTION 4. 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 September 1, 2005.