

By: West, et al.

S.B. No. 333

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the eligibility of a high school graduate for automatic
3 admission to an institution of higher education.

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

5 SECTION 1. Sections 51.803 and 51.807, Education Code, are
6 amended to read as follows:

7 Sec. 51.803. AUTOMATIC ADMISSION: ALL INSTITUTIONS. (a)
8 Each general academic teaching institution shall admit an applicant
9 for admission to the institution as an undergraduate student if the
10 applicant graduated with a grade point average in the top 10 percent
11 of the student's high school graduating class in one of the two
12 school years preceding the academic year for which the applicant is
13 applying for admission and:

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

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

22 (3) [~~To qualify for admission under this section, an~~
23 applicant must submit an application before the expiration of any
24 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, the applicant is [~~must be~~] a Texas
3 resident under Section 54.052 or is [~~be~~] entitled to pay tuition
4 fees at the rate provided for Texas residents under Section
5 54.058(d) for the term 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 curriculum
27 requirements of Subsection (a)(2) is considered to have satisfied

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

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

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

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

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

22 SECTION 2. Section 28.025(g), Education Code, is amended to
23 read as follows:

24 (g) If a student, other than a student permitted to take
25 courses under the minimum high school program as provided by
26 Subsection (b), is unable to complete the recommended or advanced
27 high school program solely because necessary courses were

1 unavailable to the student at the appropriate times in the
2 student's high school career as a result of course scheduling, lack
3 of enrollment capacity, or another cause not within the student's
4 control, the school district, ~~[shall indicate that fact]~~ on the
5 student's transcript form described by Subsection (e), shall:

6 (1) indicate whether the student completed those
7 courses necessary to complete the program that were available to
8 the student; and

9 (2) identify those courses necessary to complete the
10 program that were unavailable to the student as a result of course
11 scheduling, lack of enrollment capacity, or another cause not
12 within the student's control.

13 SECTION 3. Section 28.026, Education Code, is amended to
14 read as follows:

15 Sec. 28.026. NOTICE OF AUTOMATIC COLLEGE ADMISSION. (a)
16 The board of trustees of a school district shall require each high
17 school in the district to post appropriate signs in each
18 counselor's office, in each principal's office, and in each
19 administrative building indicating the substance of Section 51.803
20 regarding automatic college admission. To assist in the
21 dissemination of this information, the school district shall:

22 (1) require that each high school counselor and class
23 advisor be provided a detailed explanation of the substance of
24 Section 51.803;

25 (2) provide each district student, at the time the
26 student first registers for one or more classes required for high
27 school graduation, with a written notification of the substance of

1 Section 51.803;

2 (3) require that each high school counselor and senior
3 class advisor explain to eligible students the substance of Section
4 51.803; and

5 (4) [~~(3)~~] provide each eligible senior student under
6 Section 51.803, at the commencement of a class's senior year, with a
7 written notification of the student's eligibility with a detailed
8 explanation of the substance of Section 51.803.

9 (b) The commissioner shall adopt forms to use in providing
10 notice under Subsections (a)(2) and (4). In providing notice under
11 Subsection (a)(2) or (4), a school district shall use the
12 appropriate form adopted by the commissioner.

13 (c) The commissioner shall adopt procedures to ensure that,
14 as soon as practicable after this subsection becomes law, each
15 school district provides written notification of the substance of
16 Section 51.803, as amended by the 79th Legislature, Regular
17 Session, 2005, to each district student who, for the 2005-2006
18 school year, registers for the first time for one or more courses
19 required for high school graduation. The commissioner may adopt
20 rules under this subsection in the manner provided by law for
21 emergency rules. Each district shall comply with the procedures
22 adopted by the commissioner under this subsection. This subsection
23 expires September 1, 2006.

24 SECTION 4. This Act takes effect September 1, 2005.