

BILL ANALYSIS

C.S.H.B. 116
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Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently in the state of Texas, institutions of higher education that feature open enrollment place no limit on the number of times a student may drop a class after having enrolled in said class. Students who drop these classes are eligible for a refund and incur no academic penalty. Not only does the institution of higher education lose revenue due to the issuance of refunds, but countless students who could have successfully completed these courses miss out on the opportunity to do so due to a lack of available spots.

C.S.H.B. 116 provides that an institution of higher education may not permit an undergraduate student to drop more than three courses at that institution if the student was able to drop the course without receiving a grade or incurring an academic penalty, and if the student's transcript indicates or will indicate that the student was enrolled in the course.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 and SECTION 2 of this bill.

ANALYSIS

SECTION 1: Subchapter Z, Chapter 51 of the Education Code is amended by adding Section 51.907 relating to the limitations on the number of courses that may be dropped under certain circumstances. Gives the term "governing board" and "institutions of higher education" the same definitions assigned by Section 61.003.

An undergraduate student can drop a course at an institution of higher education only if the student was able to drop the course without receiving a grade or incurring an academic penalty, the student's transcript indicates or will indicate that the student was enrolled in the course, and the student is not dropping the course in order to withdraw from the institution.

An institution may not permit a student to drop more than three courses at that institution, including any course a transfer student has dropped at another institution of higher education. The governing board of an institution of higher education may adopt a policy under which the maximum number of courses a student is permitted to drop is less than three courses.

The Texas Higher Education Coordinating Board shall adopt rules under which an institution of higher education shall permit a student to drop more courses at the institution if the student shows good cause. A student shows good cause for dropping more than the number allotted if that student has a severe illness or other debilitating condition that affects the student's ability to satisfactorily complete a course, the student has the responsibility for the care of a sick, injured, or needy person if the provision of care affects the student's ability to satisfactorily complete a course, or the event of the death of a family member or someone sufficiently close to the student. The student may also drop a course if the student or a member of the student's family becomes an active member of the Texas National Guard or the armed forces of the United States.

SECTION 2: The Texas Higher Education Coordinating Board shall adopt the rules relating to permitting a student who shows good cause to drop more than a specified number of courses as soon as practicable after this Act takes effect. The Coordinating Board may adopt the initial rules in the manner provided by law for emergency rules.

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SECTION 3: This Act applies only to the number of courses that may be dropped by a student who beginning with the 2007 fall semester enrolls in a public institution of higher education as a first-time freshman.

SECTION 4: Effective date.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 116 adds additional language stipulating that this bill applies only to undergraduate students.

The Committee Substitute adds language stating that this bill does not apply to students who are dropping the course in order to withdraw from the institution.

The Committee Substitute adds language stating that a student may drop no more than three courses, including any course a transfer student has dropped at another institution.

The Committee Substitute adds language that makes an exception for courses dropped as a result of the death of a family member or someone who has a sufficiently close relationship to the student.

The Committee Substitute adds language that makes an exception if the course was dropped due to the active duty service of the student or a member of the student's family as a member of the Texas National Guard or the armed forces of the United States.