

BILL ANALYSIS

H.B. 3826
By: Morrison
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The state's higher education plan, *Closing the Gaps by 2015*, called for the recommended high school program (RHSP) to be the default curriculum in Texas high schools. It also called for the RHSP to be a minimum requirement for admission to the general academic institutions. The RHSP became the default curriculum for students entering the 9th grade in 2004.

H.B. 3826 requires the RHSP for admissions if it was available to the student in high school.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 4 and SECTION 5 of this bill.

ANALYSIS

SECTION 1. Amends Section 51.803, Education Code as follows:

Sec. 51.803. AUTOMATIC ADMISSION: ALL INSTITUTIONS. (a) Requires a student, in order to qualify for automatic admission to a general academic teaching institution by graduating with a grade point average in the top 10 percent of the student's high school graduating class, to either successfully complete the recommended or advanced curriculum requirements at a public high school that offers those curriculum tracks, or to successfully complete the equivalent in content and rigor to the recommended or advanced high school program at a high school that does not offer the curriculum tracks. Strikes the filing deadline requirement in order to move it to another section. Provides that if an applicant graduated from a high school operated by the United States Department of Defense, the applicant becomes, rather than must be, a Texas resident and is entitled to resident tuition.

(b) Excludes from the recommended or advanced curriculum requirement any applicant who graduates from a high school that does not offer either curriculum or an equivalent. Provides that an applicant who does not satisfy the requirements of Subsection (a)(2)(A) or (B) is considered to have satisfied those requirements if the student completed the portion of the recommended or advanced curriculum or equivalent that was available but was unable to complete the remainder solely because courses necessary to complete the remainder were unavailable as a result of certain causes out of the student's control.

(c) Requires an applicant, in order to qualify for automatic admission, to submit an application before any filing deadline established by the institution and provide a high school transcript satisfying the requirements of Subsection (d).

(d) Requires a student's official transcript to indicate, not later than the end of their junior year, whether that student has satisfied or is on schedule to satisfy the requirements of Subsection (a)(2)(A) or (B) or if Subsection (b) applies to the student, whether they have completed the portion of the recommended or advanced curriculum or equivalent that was available.

(e) Designates the remainder of Sec. 51.803 as Subsection (e).

SECTION 2. Amends Section 51.804, Education Code as follows:

Sec. 51.804. **ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED INSTITUTIONS.** Requires a student, in order to qualify for a general academic teaching institution's optional additional admissions policy, to additionally satisfy the requirements of Section 51.803 (a)(2) or (b), as applicable, and Sections 51.803 (c)(2) and (d).

SECTION 3. Amends Section 51.805 (a), Education Code, to provide that a student who does not qualify for admission under Section 51.803 or 51.804 may apply to any general academic teaching institution if the student satisfies the requirements of Section 51.803 (a)(2) or (b), as applicable, and Sections 51.803 (c)(2) and (d). Amends Section 51.805 (e), Education Code, to provide that a student may apply to a general academic teaching institution that has an open enrollment policy only if the student satisfies the requirements described by Subsection (a).

SECTION 4. Amends Section 51.807, Education Code, to remove the rulemaking authority of the Texas Higher Education Coordinating Board (THECB) regarding the reporting requirements of Section 51.806. Requires the THECB in consultation with the Texas Education Agency to establish by rule standards for determining whether a private high school is accredited by a generally recognized accrediting organizations and whether a person completed a high school curriculum that is equivalent in content and rigor to the curriculum requirements established under Section 28.025 for the recommended or advanced high school program.

SECTION 5. Requires the commissioner of education to adopt procedures to ensure that, as soon as practicable after this Act takes effect, each school district in this state provides written notification of the substance of Subchapter U, Chapter 51, Education Code, as amended, to each district student who, for the 2007-2008 school year, registers for one or more courses required for high school graduation. Provides that the commissioner may adopt rules under this section in the manner provided by law for emergency rules, and that each district shall comply with the procedures adopted by the commissioner under this section.

SECTION 6. Provides that the changes in law made by this Act apply beginning with admissions to a general academic teaching institution for the 2008-2009 academic year.

SECTION 7. Effective date.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.