

BILL ANALYSIS

Senate Research Center
80R2632 KSD-D

S.B. 128
By: West, Royce
S/C on Higher Education
4/5/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires public institutions of higher education to automatically admit students graduating in the top 10 percent of the student's high school graduating class. The students graduating in the top 10 percent of the student's high school graduating class, however, are not required to take the recommended high school curriculum.

As proposed, S.B. 128 requires high school students to take, at a minimum, the recommended high school curriculum to be eligible for automatic admission to a public college or university.

RULEMAKING AUTHORITY

Rule making authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 51.807, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of education in SECTION 3 (Section 28.026, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 51.803 and 51.807, Education Code, as follows:

Sec. 51.803. AUTOMATIC ADMISSION: ALL INSTITUTIONS. (a) Requires, in addition to specified requirements, an applicant for admission to an institution as an undergraduate to be admitted if the applicant completed the curriculum requirements established under Section 28.025 for the recommended or advanced high school program, or an equivalent curriculum at a high school to which that section does not apply, and if the applicant graduated from a high school operated by the United State Department of Defense, the applicant is a Texas resident under Section 54.052 or is entitled to pay tuition fees at the rate provided for Texas residents under Section 54.058(d) for the term or semester to which admitted.

(b) Requires an applicant to submit an application before the expiration of any application filing deadline established by the institution to qualify for admission under this section.

(c) Creates this subsection from existing text.

(d) Provides that Subsection (a)(2) applies beginning with admissions for the 2010-2011 academic year. Provides that Subsection (a)(2) does not apply to an applicant who graduated from a public high school that does not offer the curriculum established under Section 28.025 for the recommended or advanced high school program.

(e) Provides that an applicant who does not satisfy the curriculum requirements of Subsection (a)(2) is considered to have satisfied those requirements if the high school from which the student graduated indicates on the student's transcript that the student completed the portion of the curriculum that was available to the student but was unable to complete the curriculum solely because courses necessary to complete the curriculum were unavailable to the student at the appropriate times in the student's high school career as a result of course

scheduling, lack of enrollment capacity, or another cause not within the student's control.

Sec. 51.807. RULEMAKING. (a) Creates this subsection from existing text and deletes the requirement that rules adopted relate to the reporting requirements of Section 51.806.

(b) Requires the Texas Higher Education Coordinating Board after consulting with the Texas Education Agency by rule to establish standards for determining for purposes of this subchapter whether a private high school is accredited by a generally recognized accrediting organization, and whether a person completed a high school curriculum that is equivalent to the curriculum established under Section 28.025 for the recommended or advanced high school program.

SECTION 2. Amends Section 28.025(g), Education Code, to require a school district to indicate whether a student completed those courses necessary to complete the program that were available to the student and to identify those courses necessary to complete the program that were unavailable to the student as a result of course scheduling, lack of enrollment capacity, or another cause not within the student's control, if the student is unable to complete the recommended or advanced high school program solely for those reasons.

SECTION 3. Amends Section 28.026, Education Code, as follows:

Sec. 28.026. NOTICE OF AUTOMATIC COLLEGE ADMISSION. (a) Creates this subsection from existing text. Includes a provision that the school district is required to provide each district student, at the time the student first registers for one or more classes required for high school graduation, with a written notification of the substance of Section 51.803, among the requirements of school districts in assisting in the dissemination of this information. Redesignates existing Subdivision (3) to Subdivision (4).

(b) Requires the commissioner of education (commissioner) to adopt forms to use in providing notice under Subsection (a)(2) and (4). Requires a school district to use the appropriate form adopted by the commissioner, in providing notice under Subsection (a)(2) or (4).

(c) Requires the commissioner to adopt procedures to ensure that, as soon as practicable after this subsection becomes law, each school district provides written notification of the substance of Section 51.803, as amended by the 80th Legislature, Regular Session, 2007, to each district student who, for the 2007-2008 school year, registers for the first time for one or more courses required for high school graduation. Authorizes the commissioner to adopt rules under this subsection in the manner provided by law for emergency rules. Requires each district to comply with the procedures adopted by the commissioner under this subsection. Provides that this subsection expires September 1, 2008.

SECTION 4. Effective date: September 1, 2007.