

By: Brown of Brazos

H.B. No. 116

Substitute the following for H.B. No. 116:

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C.S.H.B. No. 116

A BILL TO BE ENTITLED

AN ACT

relating to limitations on the number of courses that students may drop under certain circumstances at public institutions of higher education.

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

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.907 to read as follows:

Sec. 51.907. LIMITATIONS ON NUMBER OF COURSES THAT MAY BE DROPPED UNDER CERTAIN CIRCUMSTANCES. (a) In this section, "governing board" and "institution of higher education" have the meanings assigned by Section 61.003.

(b) This section applies only to an undergraduate student who drops a course at an institution of higher education and only if:

(1) the student was able to drop the course without receiving a grade or incurring an academic penalty;

(2) the student's transcript indicates or will indicate that the student was enrolled in the course; and

(3) the student is not dropping the course in order to withdraw from the institution.

(c) Except as provided under rules adopted under Subsection (d), an institution of higher education may not permit a student to drop more than three courses, including any course a transfer student has dropped at another institution of higher education,

1 under circumstances described by Subsection (b).

2 (d) The governing board of an institution of higher
3 education may adopt a policy under which the maximum number of
4 courses a student is permitted to drop under circumstances
5 described by Subsection (b) is less than the maximum number of
6 courses that a student may drop under this section.

7 (e) The Texas Higher Education Coordinating Board shall
8 adopt rules under which an institution of higher education shall
9 permit a student to drop more courses under circumstances described
10 by Subsection (b) than the number of courses permitted to be dropped
11 under Subsection (c) or under a policy adopted under Subsection (d)
12 if the student shows good cause for dropping more than that number,
13 including a showing of:

14 (1) a severe illness or other debilitating condition
15 that affects the student's ability to satisfactorily complete a
16 course;

17 (2) the student's responsibility for the care of a
18 sick, injured, or needy person if the provision of care affects the
19 student's ability to satisfactorily complete a course;

20 (3) the death of a person who:

21 (A) is considered to be a member of the student's
22 family under a rule adopted under this subsection for purposes of
23 this subdivision; or

24 (B) is otherwise considered to have a
25 sufficiently close relationship to the student under a rule adopted
26 under this subsection that the person's death is considered to be a
27 showing of good cause; or

1 (4) the active duty service as a member of the Texas
2 National Guard or the armed forces of the United States of:

3 (A) the student; or

4 (B) a person who is considered to be a member of
5 the student's family under a rule adopted under this subsection for
6 purposes of this subdivision.

7 SECTION 2. The Texas Higher Education Coordinating Board
8 shall adopt the rules required by Section 51.907(e), Education
9 Code, as added by this Act, relating to permitting a student who
10 shows good cause to drop more than a specified number of courses, as
11 soon as practicable after this Act takes effect. For that purpose,
12 the coordinating board may adopt the initial rules in the manner
13 provided by law for emergency rules.

14 SECTION 3. Section 51.907, Education Code, as added by this
15 Act, applies only to the number of courses that may be dropped by a
16 student who beginning with the 2007 fall semester enrolls in a
17 public institution of higher education as a first-time freshman.

18 SECTION 4. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2007.