

By: Morrison

H.B. No. 3826

A BILL TO BE ENTITLED

AN ACT

relating to high school curriculum requirements for admission to public institutions of higher education and to the admission to public institutions of higher education of the children of certain public servants killed in the line of duty.

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

SECTION 1. Section 51.803, Education Code, is amended to read as follows:

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

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

(2) the applicant successfully completed:

(A) at a public high school, the curriculum requirements established under Section 28.025 for the recommended or advanced high school program; or

(B) at a high school to which Section 28.025 does

not apply, a curriculum that is equivalent in content and rigor to the recommended or advanced high school program; and

(3) [~~. To qualify for admission under this section, an applicant must submit an application before the expiration of any application filing deadline established by the institution and,~~] if the applicant graduated from a high school operated by the United States Department of Defense, the applicant is ~~[must be]~~ a Texas resident under Section 54.052 or is ~~[be]~~ 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) Subsection (a)(2) does not apply to an applicant who graduates from a high school that does not have the curriculum described by that subsection. An applicant who does not satisfy the curriculum requirements prescribed by 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 of the curriculum equivalent in content and rigor, as applicable, that was available to the student but was unable to complete the remainder of the curriculum solely because courses necessary to complete the remainder 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.

(c) To qualify for admission under this section, an applicant must:

(1) submit an application before the expiration of any application filing deadline established by the institution; and

1 (2) provide a high school transcript or diploma that
2 satisfies the requirements of Subsection (d).

3 (d) For purposes of Subsection (c)(2), a student's official
4 transcript or diploma must, not later than the end of the student's
5 junior year, indicate:

6 (1) whether the student has satisfied or is on
7 schedule to satisfy the requirements of Subsection (a)(2)(A) or
8 (B), as applicable; or

9 (2) if Subsection (b) applies to the student, whether
10 the student has completed the portion of the recommended or
11 advanced curriculum or of the curriculum equivalent in content and
12 rigor, as applicable, that was available to the student.

13 (e) Each institution of higher education shall admit an
14 applicant for admission to the institution as an undergraduate
15 student if the applicant:

16 (1) is the child of a public servant listed in Section
17 615.003, Government Code, who was killed or sustained a fatal
18 injury in the line of duty; and

19 (2) meets the minimum requirements, if any,
20 established for purposes of this subsection by the governing board
21 of the institution for high school or prior college-level grade
22 point average and performance on standardized tests.

23 (f) After admitting an applicant under this section, the
24 institution shall review the applicant's record and any other
25 factor the institution considers appropriate to determine whether
26 the applicant may require additional preparation for college-level
27 work or would benefit from inclusion in a retention program. The

1 institution may require a student so identified to enroll during
2 the summer immediately after the student is admitted under this
3 section to participate in appropriate enrichment courses and
4 orientation programs. This section does not prohibit a student who
5 is not determined to need additional preparation for college-level
6 work from enrolling, if the student chooses, during the summer
7 immediately after the student is admitted under this section.

8 SECTION 2. Section 51.804, Education Code, is amended to
9 read as follows:

10 Sec. 51.804. ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED
11 INSTITUTIONS. For each academic year, the governing board of each
12 general academic teaching institution shall determine whether to
13 adopt an admissions policy under which an applicant to the
14 institution as a first-time freshman student, other than an
15 applicant eligible for admission under Section 51.803, shall be
16 admitted to the institution if the applicant:

17 (1) graduated from a public or private high school in
18 this state accredited by a generally recognized accrediting
19 organization with a grade point average in the top 25 percent of the
20 applicant's high school graduating class; and

21 (2) satisfies the requirements of:

22 (A) Section 51.803(a)(2) or (b), as applicable to
23 the student; and

24 (B) Sections 51.803(c)(2) and (d).

25 SECTION 3. Sections 51.805(a) and (e), Education Code, are
26 amended to read as follows:

27 (a) A graduating student who does not qualify for admission

1 under Section 51.803 or 51.804 may apply to any general academic
2 teaching institution if the student satisfies the requirements of
3 Section 51.803(a)(2) or (b), as applicable to the student, and
4 Sections 51.803(c)(2) and (d).

5 (e) This section does not apply to an institution that has
6 an open enrollment policy, except that a student may apply to a
7 general academic teaching institution that has an open enrollment
8 policy only if the student satisfies the requirements described by
9 Subsection (a).

10 SECTION 4. Section 51.807, Education Code, is amended to
11 read as follows:

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

17 (b) The Texas Higher Education Coordinating Board, after
18 consulting with the Texas Education Agency, by rule shall establish
19 standards for determining for purposes of this subchapter:

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

22 (2) whether a person completed a high school
23 curriculum that is equivalent in content and rigor to the
24 curriculum requirements established under Section 28.025 for the
25 recommended or advanced high school program.

26 SECTION 5. Section 51.803(e), Education Code, as added by
27 this Act, applies beginning with admissions to general academic

1 teaching institutions for the 2008-2009 academic year. Admissions
2 to a general academic teaching institution before that academic
3 year are covered by the law in effect before the effective date of
4 this Act, and the former law is continued in effect for that
5 purpose.

6 SECTION 6. The commissioner of education shall adopt
7 procedures to ensure that, as soon as practicable after this Act
8 takes effect, each school district in this state provides written
9 notification of the substance of Subchapter U, Chapter 51,
10 Education Code, as amended by this Act, to each district student
11 who, for the 2007-2008 school year, registers for one or more
12 courses required for high school graduation. The commissioner may
13 adopt rules under this section in the manner provided by law for
14 emergency rules. Each district shall comply with the procedures
15 adopted by the commissioner under this section.

16 SECTION 7. The changes in law made by this Act apply
17 beginning with admissions to a general academic teaching
18 institution for the 2008-2009 academic year. Admissions to a
19 general academic teaching institution for an academic period before
20 that academic year are governed by the law in effect immediately
21 before the effective date of this Act, and the former law is
22 continued in effect for that purpose.

23 SECTION 8. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2007.