

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:

(A) successfully completed:

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

1 (ii) at a high school to which Section
2 28.025 does not apply, a curriculum that is equivalent in content
3 and rigor to the recommended or advanced high school program; or

4 (B) satisfied ACT's College Readiness Benchmarks
5 on the ACT assessment applicable to the applicant or earned on the
6 SAT assessment a score of at least 1,500 out of 2,400 or the
7 equivalent; and

8 (3) ~~[. To qualify for admission under this section, an~~
9 ~~applicant must submit an application before the expiration of any~~
10 ~~application filing deadline established by the institution and,]~~ if
11 the applicant graduated from a high school operated by the United
12 States Department of Defense, the applicant is ~~[must be]~~ a Texas
13 resident under Section 54.052 or is ~~[be]~~ entitled to pay tuition
14 fees at the rate provided for Texas residents under Section
15 54.058(d) for the term or semester to which admitted.

16 (b) An applicant who does not satisfy the curriculum
17 requirements prescribed by Subsection (a)(2)(A)(i) or (ii) is
18 considered to have satisfied those requirements if the student
19 completed the portion of the recommended or advanced curriculum or
20 of the curriculum equivalent in content and rigor, as applicable,
21 that was available to the student but was unable to complete the
22 remainder of the curriculum solely because courses necessary to
23 complete the remainder were unavailable to the student at the
24 appropriate times in the student's high school career as a result of
25 course scheduling, lack of enrollment capacity, or another cause
26 not within the student's control.

27 (c) To qualify for admission under this section, an

1 applicant must:

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

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

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

9 (1) whether the student has satisfied or is on
10 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or
11 (ii), as applicable; or

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

16 (e) Each institution of higher education shall admit an
17 applicant for admission to the institution as an undergraduate
18 student if the applicant:

19 (1) is the child of a public servant listed in Section
20 615.003, Government Code, who was killed or sustained a fatal
21 injury in the line of duty; and

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

26 (f) After admitting an applicant under this section, the
27 institution shall review the applicant's record and any other

factor the institution considers appropriate to determine whether the applicant may require additional preparation for college-level work or would benefit from inclusion in a retention program. The institution may require a student so identified to enroll during the summer immediately after the student is admitted under this section to participate in appropriate enrichment courses and orientation programs. This section does not prohibit a student who is not determined to need additional preparation for college-level work from enrolling, if the student chooses, during the summer immediately after the student is admitted under this section.

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

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

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

(2) satisfies the requirements of:

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

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

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

(a) A graduating 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:

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

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

(e) This section does not apply to an institution that has an open enrollment policy, except 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. Section 51.807, Education Code, is amended to read as follows:

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

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

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

(2) whether a person completed a high school curriculum that is equivalent in content and rigor to the

1 curriculum requirements established under Section 28.025 for the
2 recommended or advanced high school program.

3 SECTION 5. Section 51.803(e), Education Code, as added by
4 this Act, applies beginning with admissions to general academic
5 teaching institutions for the 2008-2009 academic year. Admissions
6 to a general academic teaching institution before that academic
7 year are covered by the law in effect before the effective date of
8 this Act, and the former law is continued in effect for that
9 purpose.

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

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

27 SECTION 8. This Act takes effect immediately if it receives

H.B. No. 3826

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

H.B. No. 3826

President of the Senate

Speaker of the House

I certify that H.B. No. 3826 was passed by the House on May 9, 2007, by the following vote: Yeas 140, Nays 1, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3826 on May 26, 2007, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3826 on May 27, 2007, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Chief Clerk of the House

H.B. No. 3826

I certify that H.B. No. 3826 was passed by the Senate, with amendments, on May 23, 2007, by the following vote: Yeas 30, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3826 on May 27, 2007, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor