

By: Morrison

H.B. No. 3826

A BILL TO BE ENTITLED

1 AN ACT

2 relating to high school curriculum requirements for admission to
3 public institutions of higher education.

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

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

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

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

18 (2) the applicant successfully completed:

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

22 (B) at a high school to which Section 28.025 does
23 not apply, a curriculum that is equivalent in content and rigor to
24 the recommended or advanced high school program; and

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

9 (b) Subsection (a)(2) does not apply to an applicant who
10 graduates from a high school that does not have the curriculum
11 described by that subsection. An applicant who does not satisfy the
12 curriculum requirements prescribed by Subsection (a)(2)(A) or (B)
13 is considered to have satisfied those requirements if the student
14 completed the portion of the recommended or advanced curriculum or
15 of the curriculum equivalent in content and rigor, as applicable,
16 that was available to the student but was unable to complete the
17 remainder of the curriculum solely because courses necessary to
18 complete the remainder were unavailable to the student at the
19 appropriate times in the student's high school career as a result of
20 course scheduling, lack of enrollment capacity, or another cause
21 not within the student's control.

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

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

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

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

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

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

11 (e) After admitting an applicant under this section, the
12 institution shall review the applicant's record and any other
13 factor the institution considers appropriate to determine whether
14 the applicant may require additional preparation for college-level
15 work or would benefit from inclusion in a retention program. The
16 institution may require a student so identified to enroll during
17 the summer immediately after the student is admitted under this
18 section to participate in appropriate enrichment courses and
19 orientation programs. This section does not prohibit a student who
20 is not determined to need additional preparation for college-level
21 work from enrolling, if the student chooses, during the summer
22 immediately after the student is admitted under this section.

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

25 Sec. 51.804. ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED
26 INSTITUTIONS. For each academic year, the governing board of each
27 general academic teaching institution shall determine whether to

1 adopt an admissions policy under which an applicant to the
2 institution as a first-time freshman student, other than an
3 applicant eligible for admission under Section 51.803, shall be
4 admitted to the institution if the applicant:

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

9 (2) satisfies the requirements of:

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

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

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

15 (a) A graduating student who does not qualify for admission
16 under Section 51.803 or 51.804 may apply to any general academic
17 teaching institution if the student satisfies the requirements of
18 Section 51.803(a)(2) or (b), as applicable to the student, and
19 Sections 51.803(c)(2) and (d).

20 (e) This section does not apply to an institution that has
21 an open enrollment policy, except that a student may apply to a
22 general academic teaching institution that has an open enrollment
23 policy only if the student satisfies the requirements described by
24 Subsection (a).

25 SECTION 4. Section 51.807, Education Code, is amended to
26 read as follows:

27 Sec. 51.807. RULEMAKING. (a) The Texas Higher Education

1 Coordinating Board may adopt rules relating to the operation of
2 admissions programs under this subchapter, including rules
3 relating to the identification of eligible students [~~and the~~
4 ~~reporting requirements of Section 51.806~~].

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

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

10 (2) whether a person completed a high school
11 curriculum that is equivalent in content and rigor to the
12 curriculum requirements established under Section 28.025 for the
13 recommended or advanced high school program.

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

24 SECTION 6. The changes in law made by this Act apply
25 beginning with admissions to a general academic teaching
26 institution for the 2008-2009 academic year. Admissions to a
27 general academic teaching institution for an academic period before

1 that academic year are governed by the law in effect immediately
2 before the effective date of this Act, and the former law is
3 continued in effect for that purpose.

4 SECTION 7. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2007.