

1-1 By: Morrison (Senate Sponsor - Zaffirini) H.B. No. 3826
1-2 (In the Senate - Received from the House May 10, 2007;
1-3 May 14, 2007, read first time and referred to Committee on
1-4 Education; May 21, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 2;
1-6 May 21, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3826 By: Shapiro

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to high school curriculum requirements for admission to
1-11 public institutions of higher education and to the admission to
1-12 public institutions of higher education of the children of certain
1-13 public servants killed in the line of duty.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Section 51.803, Education Code, is amended to
1-16 read as follows:

1-17 Sec. 51.803. AUTOMATIC ADMISSION: ALL INSTITUTIONS. (a)
1-18 Each general academic teaching institution shall admit an applicant
1-19 for admission to the institution as an undergraduate student if the
1-20 applicant graduated with a grade point average in the top 10 percent
1-21 of the student's high school graduating class in one of the two
1-22 school years preceding the academic year for which the applicant is
1-23 applying for admission and:

1-24 (1) the applicant graduated from a public or private
1-25 high school in this state accredited by a generally recognized
1-26 accrediting organization or from a high school operated by the
1-27 United States Department of Defense;

1-28 (2) the applicant:

1-29 (A) successfully completed:

1-30 (i) at a public high school, the curriculum
1-31 requirements established under Section 28.025 for the recommended
1-32 or advanced high school program; or

1-33 (ii) at a high school to which Section
1-34 28.025 does not apply, a curriculum that is equivalent in content
1-35 and rigor to the recommended or advanced high school program; or

1-36 (B) satisfied ACT's College Readiness Benchmarks
1-37 on the ACT assessment applicable to the applicant or earned on the
1-38 SAT assessment a score of at least 1,500 out of 2,400 or the
1-39 equivalent; and

1-40 (3) ~~[. To qualify for admission under this section, an~~
1-41 ~~applicant must submit an application before the expiration of any~~
1-42 ~~application filing deadline established by the institution and,] if~~
1-43 the applicant graduated from a high school operated by the United
1-44 States Department of Defense, the applicant is ~~[must be]~~ a Texas
1-45 resident under Section 54.052 or is ~~[be]~~ entitled to pay tuition
1-46 fees at the rate provided for Texas residents under Section
1-47 54.058(d) for the term or semester to which admitted.

1-48 (b) An applicant who does not satisfy the curriculum
1-49 requirements prescribed by Subsection (a)(2)(A)(i) or (ii) is
1-50 considered to have satisfied those requirements if the student
1-51 completed the portion of the recommended or advanced curriculum or
1-52 of the curriculum equivalent in content and rigor, as applicable,
1-53 that was available to the student but was unable to complete the
1-54 remainder of the curriculum solely because courses necessary to
1-55 complete the remainder were unavailable to the student at the
1-56 appropriate times in the student's high school career as a result of
1-57 course scheduling, lack of enrollment capacity, or another cause
1-58 not within the student's control.

1-59 (c) To qualify for admission under this section, an
1-60 applicant must:

1-61 (1) submit an application before the expiration of any
1-62 application filing deadline established by the institution; and

1-63 (2) provide a high school transcript or diploma that

satisfies the requirements of Subsection (d).

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

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

(2) if Subsection (b) applies to the student, whether the student has 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.

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

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

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

(f) After admitting an applicant under this section, the 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~~

3-1 ~~reporting requirements of Section 51.806].~~

3-2 (b) The Texas Higher Education Coordinating Board, after
3-3 consulting with the Texas Education Agency, by rule shall establish
3-4 standards for determining for purposes of this subchapter:

3-5 (1) whether a private high school is accredited by a
3-6 generally recognized accrediting organization; and

3-7 (2) whether a person completed a high school
3-8 curriculum that is equivalent in content and rigor to the
3-9 curriculum requirements established under Section 28.025 for the
3-10 recommended or advanced high school program.

3-11 SECTION 5. Section 51.803(e), Education Code, as added by
3-12 this Act, applies beginning with admissions to general academic
3-13 teaching institutions for the 2008-2009 academic year. Admissions
3-14 to a general academic teaching institution before that academic
3-15 year are covered by the law in effect before the effective date of
3-16 this Act, and the former law is continued in effect for that
3-17 purpose.

3-18 SECTION 6. The commissioner of education shall adopt
3-19 procedures to ensure that, as soon as practicable after this Act
3-20 takes effect, each school district in this state provides written
3-21 notification of the substance of Subchapter U, Chapter 51,
3-22 Education Code, as amended by this Act, to each district student
3-23 who, for the 2007-2008 school year, registers for one or more
3-24 courses required for high school graduation. The commissioner may
3-25 adopt rules under this section in the manner provided by law for
3-26 emergency rules. Each district shall comply with the procedures
3-27 adopted by the commissioner under this section.

3-28 SECTION 7. The changes in law made by this Act apply
3-29 beginning with admissions to a general academic teaching
3-30 institution for the 2008-2009 academic year. Admissions to a
3-31 general academic teaching institution for an academic period before
3-32 that academic year are governed by the law in effect immediately
3-33 before the effective date of this Act, and the former law is
3-34 continued in effect for that purpose.

3-35 SECTION 8. This Act takes effect immediately if it receives
3-36 a vote of two-thirds of all the members elected to each house, as
3-37 provided by Section 39, Article III, Texas Constitution. If this
3-38 Act does not receive the vote necessary for immediate effect, this
3-39 Act takes effect September 1, 2007.

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