

By: Shapiro

S.B. No. 101

A BILL TO BE ENTITLED

1 AN ACT

2 relating to limitations on the automatic admission of undergraduate
3 students to general academic teaching institutions.

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

5 SECTION 1. Sections 51.803 and 51.807, Education Code, are
6 amended to read as follows:

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

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

19 (2) the applicant completed the curriculum
20 requirements established under Section 28.025 for the recommended
21 or advanced high school program, or an equivalent curriculum at a
22 high school to which that section does not apply; and

23 (3) ~~[- To qualify for admission under this section, an~~
24 ~~applicant must submit an application before the expiration of any~~

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

7 (b) To qualify for admission under this section, an
8 applicant must submit an application before the expiration of any
9 application filing deadline established by the institution.

10 (c) A general academic teaching institution is not required
11 to admit under Subsection (a) more than 50 percent of the
12 institution's first-time resident undergraduate students in an
13 academic year. If the number of applicants who qualify for
14 automatic admission to a general academic teaching institution
15 under Subsection (a) exceeds that percentage of the institution's
16 enrollment capacity designated for first-time resident
17 undergraduate students, the institution shall offer admission to
18 those applicants by percentile rank according to graduating class
19 standing based on grade point average, beginning with the top
20 percentile rank, until a sufficient number of applicants have
21 accepted admission offers to fill that percentage of the
22 institution's enrollment capacity designated for first-time
23 resident undergraduate students, except that the institution must
24 offer admission to all applicants with the same percentile rank.
25 The institution shall consider any remaining applicants qualified
26 for automatic admission under Subsection (a) in the same manner as
27 other applicants for admission as first-time undergraduate

1 students in accordance with Section 51.805.

2 (d) After admitting an applicant under this section, the
3 institution shall review the applicant's record and any other
4 factor the institution considers appropriate to determine whether
5 the applicant may require additional preparation for college-level
6 work or would benefit from inclusion in a retention program. The
7 institution may require a student so identified to enroll during
8 the summer immediately after the student is admitted under this
9 section to participate in appropriate enrichment courses and
10 orientation programs. This section does not prohibit a student who
11 is not determined to need additional preparation for college-level
12 work from enrolling, if the student chooses, during the summer
13 immediately after the student is admitted under this section.

14 (e) Subsection (a)(2) does not apply to an applicant who
15 graduated from a public high school that does not offer the
16 curriculum established under Section 28.025 for the recommended or
17 advanced high school program.

18 (f) An applicant who does not satisfy the curriculum
19 requirements of Subsection (a)(2) is considered to have satisfied
20 those requirements if the high school from which the student
21 graduated indicates on the student's transcript that the student
22 completed the portion of the curriculum that was available to the
23 student but was unable to complete the curriculum solely because
24 courses necessary to complete the curriculum were unavailable to
25 the student at the appropriate times in the student's high school
26 career as a result of course scheduling, lack of enrollment
27 capacity, or another cause not within the student's control.

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

6 (b) The Texas Higher Education Coordinating Board in
7 consultation with the Texas Education Agency by rule shall
8 establish standards for determining for purposes of this subchapter
9 whether a person completed a high school curriculum that is
10 equivalent to the curriculum established under Section 28.025 for
11 the recommended or advanced high school program.

12 SECTION 2. Section 28.025(g), Education Code, is amended to
13 read as follows:

14 (g) If a student, other than a student permitted to take
15 courses under the minimum high school program as provided by
16 Subsection (b), is unable to complete the recommended or advanced
17 high school program solely because necessary courses were
18 unavailable to the student at the appropriate times in the
19 student's high school career as a result of course scheduling, lack
20 of enrollment capacity, or another cause not within the student's
21 control, the school district, [shall indicate that fact] on the
22 student's transcript form described by Subsection (e), shall:

23 (1) indicate whether the student completed those
24 courses necessary to complete the program that were available to
25 the student; and

26 (2) identify those courses necessary to complete the
27 program that were unavailable to the student as a result of course

1 scheduling, lack of enrollment capacity, or another cause not
2 within the student's control.

3 SECTION 3. Section 28.026, Education Code, is amended to
4 read as follows:

5 Sec. 28.026. NOTICE OF AUTOMATIC COLLEGE ADMISSION. (a)
6 The board of trustees of a school district shall require each high
7 school in the district to post appropriate signs in each
8 counselor's office, in each principal's office, and in each
9 administrative building indicating the substance of Section 51.803
10 regarding automatic college admission. To assist in the
11 dissemination of this information, the school district shall:

12 (1) require that each high school counselor and class
13 advisor be provided a detailed explanation of the substance of
14 Section 51.803;

15 (2) provide each district student, at the time the
16 student first registers for one or more classes required for high
17 school graduation, with a written notification of the substance of
18 Section 51.803;

19 (3) require that each high school counselor and senior
20 class advisor explain to eligible students the substance of Section
21 51.803; and

22 (4) [~~3~~] provide each eligible senior student under
23 Section 51.803, at the commencement of a class's senior year, with a
24 written notification of the student's eligibility with a detailed
25 explanation of the substance of Section 51.803.

26 (b) The commissioner shall adopt forms to use in providing
27 notice under Subsections (a)(2) and (4). In providing notice under

1 Subsection (a)(2) or (4), a school district shall use the
2 appropriate form adopted by the commissioner.

3 (c) The commissioner shall adopt procedures to ensure that,
4 as soon as practicable after this subsection becomes law, each
5 school district provides written notification of the substance of
6 Section 51.803, as amended by the 80th Legislature, Regular
7 Session, 2007, to each district student who, for the 2007-2008
8 school year, registers for the first time for one or more courses
9 required for high school graduation. The commissioner may adopt
10 rules under this subsection in the manner provided by law for
11 emergency rules. Each district shall comply with the procedures
12 adopted by the commissioner under this subsection. This subsection
13 expires September 1, 2008.

14 SECTION 4. The change in law made by this Act applies
15 beginning with admissions to institutions of higher education for
16 the 2008-2009 academic year. Admissions to an institution of
17 higher education before that academic year are governed by the law
18 in effect before the effective date of this Act, and the former law
19 is continued in effect for that purpose.

20 SECTION 5. The Texas Higher Education Coordinating Board
21 shall adopt rules relating to the admission of students under
22 Section 51.803, Education Code, as amended by this Act, as soon as
23 practicable after the effective date of this Act.

24 SECTION 6. This Act takes effect September 1, 2007.