

By: Shapiro, et al.

S.B. No. 175

Substitute the following for S.B. No. 175:

By: Branch

C.S.S.B. No. 175

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. Section 51.803, Education Code, is amended by
6 amending Subsection (a) and adding Subsections (a-1) and (a-2) to
7 read as follows:

8 (a) Subject to Subsection (a-1), each ~~Each~~ general
9 academic teaching institution shall admit an applicant for
10 admission to the institution as an undergraduate student if the
11 applicant graduated with a grade point average in the top 10 percent
12 of the student's high school graduating class in one of the two
13 school years preceding the academic year for which the applicant is
14 applying for 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:

20 (A) successfully completed:

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

24 (ii) at a high school to which Section

1 28.025 does not apply, a curriculum that is equivalent in content
2 and rigor to the recommended or advanced high school program; or

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

7 (3) if the applicant graduated from a high school
8 operated by the United States Department of Defense, the applicant
9 is a Texas resident under Section 54.052 or is entitled to pay
10 tuition fees at the rate provided for Texas residents under Section
11 54.058(d) for the term or semester to which admitted.

12 (a-1) Beginning with admissions for the 2010-2011 academic
13 year, a general academic teaching institution is not required to
14 admit under Subsection (a) more than 50 percent of the
15 institution's first-time resident undergraduate students in an
16 academic year. If the number of applicants who qualify for
17 automatic admission to a general academic teaching institution
18 under Subsection (a) exceeds 50 percent of the institution's
19 enrollment capacity designated for first-time resident
20 undergraduate students, the institution may elect to offer
21 admission to those applicants as provided by this subsection and
22 not as otherwise required by Subsection (a). If the institution
23 elects to offer admission under this subsection, the institution
24 shall offer admission to those applicants by percentile rank
25 according to high school graduating class standing based on grade
26 point average, beginning with the top percentile rank, until the
27 applicants qualified under Subsection (a) have been offered

1 admission in the number estimated in good faith by the institution
2 as sufficient to fill 40 percent of the institution's enrollment
3 capacity designated for first-time resident undergraduate
4 students, except that the institution must offer admission to all
5 applicants with the same percentile rank. In addition to those
6 admissions, until applicants qualified under Subsection (a) have
7 been offered admission in the number estimated in good faith by the
8 institution as sufficient to fill 50 percent of the designated
9 enrollment capacity described by this subsection, the institution
10 shall offer to applicants qualified for automatic admission under
11 Subsection (a) admission in the same manner as other applicants for
12 admission as first-time undergraduate students in accordance with
13 Section 51.805, except that the institution may not consider
14 applicants other than those applicants qualified under Subsection
15 (a). After the applicants qualified for automatic admission under
16 Subsection (a) have been offered admission under this subsection in
17 the number estimated in good faith as sufficient to fill 50 percent
18 of the designated enrollment capacity described by this subsection,
19 the institution shall consider any remaining applicants qualified
20 for automatic admission under Subsection (a) in the same manner as
21 other applicants for admission as first-time undergraduate
22 students in accordance with Section 51.805.

23 (a-2) In the manner prescribed by the Texas Education Agency
24 and not later than April 15, a general academic teaching
25 institution shall provide to each school district, for
26 dissemination of the information to high school junior-level
27 students and their parents, notice of which percentile ranks of

1 high school senior-level students are anticipated by the
2 institution to be automatically offered admission under Subsection
3 (a-1) during the next school year if:

4 (1) the number of applicants to the institution during
5 the current school year who qualify for automatic admission to the
6 institution under Subsection (a) exceeds 50 percent of the
7 institution's enrollment capacity designated for first-time
8 resident undergraduate students; and

9 (2) the institution plans to offer admission under
10 Subsection (a-1) during the next school year.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2009.