

## **BILL ANALYSIS**

S.B. 1530  
By: Seliger  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Recent legislation authorized certain limits on offers of automatic admission by general academic teaching institutions to students qualifying for such under the state's top 10 percent rule if the number of qualified applicants exceeded a specified percentage of the institution's enrollment capacity designated for the next year's incoming class of first-time resident undergraduate students. The legislation provided that the authority accorded to The University of Texas to use certain procedures to limit offers of automatic admission would expire after the 2015-2016 academic year. The legislation also provided that a general academic institution's authority to limit offers of automatic admissions under such procedures would be negated if either a final court order applicable to the institution or a rule or policy of the institution's governing board prohibits the institution from considering race or ethnicity as a factor in the institution's undergraduate admissions process.

S.B. 1530 seeks to permit The University of Texas at Austin to maintain its currently authorized procedure for limiting its offers of automatic admission to students who qualify for automatic admission under the state's top 10 percent rule through the 2017-2018 academic year, among other provisions.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1530 amends the Education Code to postpone from the 2015-2016 academic year to the 2017-2018 academic year the last academic year for which The University of Texas at Austin is authorized to limit offers of automatic admission to first-time resident undergraduate students who qualify for such admission under the state's top 10 percent rule, if the number of qualified applicants exceeds the number required to fill 75 percent of the university's enrollment capacity designated for that year for first-time resident undergraduate students, by using a percentile ranking system until enough offers have been made to fill that percentage of capacity, after which academic year the university is prohibited from limiting its offers of such admissions.

S.B. 1530 changes the conditions under which a general academic teaching institution is prohibited from limiting offers of automatic admission in that manner for an academic year, which previously was contingent on the institution being prohibited from considering an applicant's race or ethnicity as a factor in its admissions policy either by a court order or by a rule, policy, or other action of its governing board. The bill instead makes the prohibition against limiting offers of automatic admissions contingent on federal law, as interpreted by applicable federal judicial decisions on the date of the institution's general applications deadline, not prohibiting the institution's consideration of such factors but the consideration being prohibited for that academic year by the institution's governing board by rule, policy, or other action. The bill removes an exemption from the latter condition applicable to an institution that did not

consider, on or before June 1, 2009, an applicant's race or ethnicity as a factor in its admissions for the 2009-2010 academic year.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.