

By: González

H.B. No. 1672

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring public institutions of higher education to
3 request student disciplinary records for certain applicants for
4 admission to the institution.

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

6 SECTION 1. Subchapter Z, Chapter 51, Education Code, is
7 amended by adding Section 51.9246 to read as follows:

8 Sec. 51.9246. REQUEST FOR DISCIPLINARY RECORDS OF CERTAIN
9 APPLICANTS FOR ADMISSION. (a) In this section:

10 (1) "Coordinating board" means the Texas Higher
11 Education Coordinating Board.

12 (2) "Institution of higher education" has the meaning
13 assigned by Section 61.003.

14 (3) "Postsecondary educational institution" has the
15 meaning assigned by Section 56.003.

16 (b) On receipt of an admissions application from an
17 applicant requesting undergraduate transfer admission to the
18 institution or admission to a graduate, postgraduate, or
19 professional program offered by the institution, an institution of
20 higher education shall request the student's disciplinary records
21 from each postsecondary educational institution at which the
22 applicant was previously enrolled, as identified in the applicant's
23 admissions application.

24 (c) Subject to the limitation prescribed by Subsection (d),

1 an institution of higher education that receives a request for a
2 student's disciplinary records from another institution of higher
3 education under Subsection (b) shall deliver a copy of the records
4 to the requesting institution as soon as practicable. The records
5 must state the factual basis of any disciplinary action taken by the
6 institution against the student.

7 (d) An institution of higher education that is required to
8 release student disciplinary records under Subsection (c) shall
9 comply with any applicable provision of federal law regarding
10 confidentiality of student educational information, including the
11 Family Educational Rights and Privacy Act of 1974 (20 U.S.C.
12 Section 1232g).

13 (e) The coordinating board shall adopt rules as necessary to
14 implement this section in a manner that ensures compliance with
15 federal law regarding confidentiality of student educational
16 information, including the Family Educational Rights and Privacy
17 Act of 1974 (20 U.S.C. Section 1232g).

18 SECTION 2. Section 51.9246, Education Code, as added by
19 this Act, applies beginning with admissions applications received
20 by a public institution of higher education on or after January 1,
21 2016.

22 SECTION 3. Not later than January 1, 2016, the Texas Higher
23 Education Coordinating Board shall adopt rules necessary to
24 implement Section 51.9246, Education Code, as added by this Act.

25 SECTION 4. This Act takes effect September 1, 2015.