

By: Seliger, Creighton

S.B. No. 2119

A BILL TO BE ENTITLED

1 AN ACT
2 relating to eliminating the automatic admission of students to
3 certain public institutions of higher education and scholarships
4 for certain students who qualify for automatic admission.

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

6 SECTION 1. The heading to Section 51.805, Education Code,
7 is amended to read as follows:

8 Sec. 51.805. ELIGIBILITY TO APPLY FOR ADMISSION; FACTORS
9 CONSIDERED IN [OTHER] ADMISSIONS.

10 SECTION 2. Section 51.805, Education Code, is amended by
11 amending Subsections (a) and (b) and adding Subsections (a-1) and
12 (a-2) to read as follows:

13 (a) A graduating high school student [~~who does not qualify~~
14 ~~for admission under Section 51.803 or 51.804~~] may apply to any
15 general academic teaching institution if the student:

16 (1) successfully completed:

17 (A) at a public high school, the curriculum
18 requirements established under Section 28.025 for the foundation
19 high school program; or

20 (B) at a high school to which Section 28.025 does
21 not apply, a curriculum that is equivalent in content and rigor to
22 the foundation high school program; or

23 (2) satisfied ACT's College Readiness Benchmarks on
24 the ACT assessment applicable to the applicant or earned on the SAT

1 assessment a score of at least 1,500 out of 2,400 or the equivalent.

2 (a-1) A student who does not satisfy the curriculum
3 requirements prescribed by Subsection (a)(1)(A) or (B) is
4 considered to have satisfied those requirements if the student
5 completed the portion of the foundation high school program
6 curriculum or of the curriculum equivalent in content and rigor, as
7 applicable, that was available to the student but was unable to
8 complete the remainder of the curriculum solely because courses
9 necessary to complete the remainder were unavailable to the student
10 at the appropriate times in the student's high school career as a
11 result of course scheduling, lack of enrollment capacity, or
12 another cause not within the student's control.

13 (a-2) For purposes of Subsection (a)(1)(A), a student's
14 official transcript or diploma must, not later than the end of the
15 student's junior year, indicate:

16 (1) whether the student has satisfied or is on
17 schedule to satisfy the requirements of Subsection (a)(1)(A) or
18 (B), as applicable; or

19 (2) if Subsection (a-1) applies to the student,
20 whether the student has completed the portion of the foundation
21 high school program curriculum or of the curriculum equivalent in
22 content and rigor, as applicable, that was available to the
23 student.

24 (b) ~~[The general academic teaching institution, after~~
25 ~~admitting students under Sections 51.803 and 51.804, shall admit~~
26 ~~other applicants for admission as undergraduate students.]~~ It is
27 the intent of the legislature that all institutions of higher

1 education pursue academic excellence by considering students'
2 academic achievements in decisions related to admissions. Because
3 of changing demographic trends, diversity, and population
4 increases in the state, each general academic teaching institution
5 shall also consider all of, any of, or a combination of the
6 following socioeconomic indicators or factors in making first-time
7 freshman admissions decisions:

8 (1) the applicant's academic record;

9 (2) the socioeconomic background of the applicant,
10 including the percentage by which the applicant's family is above
11 or below any recognized measure of poverty, the applicant's
12 household income, and the applicant's parents' level of education;

13 (3) whether the applicant would be the first
14 generation of the applicant's family to attend or graduate from an
15 institution of higher education;

16 (4) whether the applicant has bilingual proficiency;

17 (5) the financial status of the applicant's school
18 district;

19 (6) the performance level of the applicant's school as
20 determined by the school accountability criteria used by the Texas
21 Education Agency;

22 (7) the applicant's responsibilities while attending
23 school, including whether the applicant has been employed, whether
24 the applicant has helped to raise children, or other similar
25 factors;

26 (8) the applicant's region of residence;

27 (9) whether the applicant is a resident of a rural or

1 urban area or a resident of a central city or suburban area in the
2 state;

3 (10) the applicant's performance on standardized
4 tests;

5 (11) the applicant's performance on standardized tests
6 in comparison with that of other students from similar
7 socioeconomic backgrounds;

8 (12) whether the applicant attended any school while
9 the school was under a court-ordered desegregation plan;

10 (13) the applicant's involvement in community
11 activities;

12 (14) the applicant's extracurricular activities;

13 (15) the applicant's commitment to a particular field
14 of study;

15 (16) the applicant's personal interview;

16 (17) the applicant's admission to a comparable
17 accredited out-of-state institution; and

18 (18) any other consideration the institution
19 considers necessary to accomplish the institution's stated
20 mission.

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

23 Sec. 28.026. NOTICE OF REQUIREMENTS FOR [~~AUTOMATIC COLLEGE~~
24 ~~ADMISSION AND~~] FINANCIAL AID. (a) The board of trustees of a
25 school district and the governing body of each open-enrollment
26 charter school that provides a high school shall require each high
27 school in the district or provided by the charter school, as

1 applicable, to post appropriate signs in each school counselor's
2 office, in each principal's office, and in each administrative
3 building [~~indicating the substance of Section 51.803 regarding~~
4 ~~automatic college admission and~~] stating the curriculum
5 requirements for financial aid authorized under Title 3. To assist
6 in the dissemination of that information, the district or charter
7 school shall:

8 (1) require that each school counselor and class
9 advisor at a high school be provided a detailed explanation of [~~the~~
10 ~~substance of Section 51.803 and~~] the curriculum requirements for
11 financial aid authorized under Title 3; and

12 (2) provide each district or school student, at the
13 time the student first registers for one or more classes required
14 for high school graduation, with a written notification, including
15 a detailed explanation in plain language, of the [~~substance of~~
16 ~~Section 51.803, the~~] curriculum requirements for financial aid
17 authorized under Title 3[~~7~~] and the benefits of completing the
18 requirements for that [~~automatic admission and~~] financial aid[~~7~~

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

22 ~~[(4) not later than the 14th day after the last day of~~
23 ~~classes for the fall semester or an equivalent date in the case of a~~
24 ~~school operated on a year-round system under Section 25.084,~~
25 ~~provide each senior student eligible under Section 51.803 and each~~
26 ~~student enrolled in the junior year of high school who has a grade~~
27 ~~point average in the top 10 percent of the student's high school~~

1 ~~class, and the student's parent or guardian, with a written~~
2 ~~notification of the student's eligibility with a detailed~~
3 ~~explanation in plain language of the substance of Section 51.803].~~

4 (b) The commissioner shall adopt forms, including specific
5 language, to use in providing notice under Subsection [~~Subsections~~]

6 (a)(2) [~~and (4)~~]. In providing that notice [~~under Subsection~~
7 ~~(a)(2) or (4)~~], a school district or open-enrollment charter school
8 shall use the appropriate form adopted by the commissioner. The
9 notice [~~to a student and the student's parent or guardian under~~
10 ~~Subsections (a)(2) and (4)~~] must be on a single form that contains
11 signature lines to indicate receipt of notice by the student and
12 [~~the student's parent or guardian. The notice under Subsection~~
13 ~~(a)(2) must~~] be signed by the student's counselor in addition to
14 being signed by the student [~~and the student's parent or guardian~~].

15 SECTION 4. Section 29.911(b), Education Code, is amended to
16 read as follows:

17 (b) During the designated week, each middle school, junior
18 high school, and high school shall provide students with
19 comprehensive grade-appropriate information regarding the pursuit
20 of higher education. The information provided must include
21 information regarding:

- 22 (1) higher education options available to students;
- 23 (2) standard admission requirements for institutions
24 of higher education, including:
- 25 (A) overall high school grade point average;
- 26 (B) required curriculum;
- 27 (C) college readiness standards and expectations

1 as determined under Section 28.008; and

2 (D) scores necessary on generally recognized
3 tests or assessment instruments used in admissions determinations,
4 including the Scholastic Assessment Test and the American College
5 Test; and

6 ~~(3) [automatic admission of certain students to~~
7 ~~general academic teaching institutions as provided by Section~~
8 ~~51.803; and~~

9 [~~4~~] financial aid availability and requirements,
10 including the financial aid information provided by school
11 counselors under Section 33.007(b).

12 SECTION 5. Section 33.007(b), Education Code, is amended to
13 read as follows:

14 (b) During the first school year a student is enrolled in a
15 high school or at the high school level in an open-enrollment
16 charter school, and again during each year of a student's
17 enrollment in high school or at the high school level, a school
18 counselor shall provide information about postsecondary education
19 to the student and the student's parent or guardian. The
20 information must include information regarding:

21 (1) the importance of postsecondary education;

22 (2) the advantages of earning an endorsement and a
23 performance acknowledgment and completing the distinguished level
24 of achievement under the foundation high school program under
25 Section 28.025;

26 (3) the disadvantages of taking courses to prepare for
27 a high school equivalency examination relative to the benefits of

1 taking courses leading to a high school diploma;

2 (4) financial aid eligibility;

3 (5) instruction on how to apply for federal financial
4 aid;

5 (6) the center for financial aid information
6 established under Section 61.0776;

7 ~~(7) [the automatic admission of certain students to
8 general academic teaching institutions as provided by Section
9 51.803];~~

10 ~~[(8)]~~ the eligibility and academic performance
11 requirements for the TEXAS Grant as provided by Subchapter M,
12 Chapter 56; and

13 (8) ~~[(9)]~~ the availability of programs in the district
14 under which a student may earn college credit, including advanced
15 placement programs, dual credit programs, joint high school and
16 college credit programs, and international baccalaureate programs.

17 SECTION 6. Section 33.009(d), Education Code, is amended to
18 read as follows:

19 (d) An academy developed under this section must provide
20 counselors and other postsecondary advisors with knowledge and
21 skills to provide counseling to students regarding postsecondary
22 success and productive career planning and must include information
23 relating to:

24 (1) each endorsement described by Section
25 28.025(c-1), including:

26 (A) the course requirements for each
27 endorsement; and

1 (B) the postsecondary educational and career
2 opportunities associated with each endorsement;

3 (2) available methods for a student to earn credit for
4 a course not offered at the school in which the student is enrolled,
5 including enrollment in an electronic course provided through the
6 state virtual school network under Chapter 30A;

7 (3) general academic performance requirements for
8 admission to an institution of higher education[~~, including the~~
9 ~~requirements for automatic admission to a general academic teaching~~
10 ~~institution under Section 51.803~~];

11 (4) regional workforce needs, including information
12 about the required education and the average wage or salary for
13 careers that meet those workforce needs; and

14 (5) effective strategies for engaging students and
15 parents in planning for postsecondary education and potential
16 careers, including participation in mentorships and business
17 partnerships.

18 SECTION 7. Section 39.0232(b), Education Code, is amended
19 to read as follows:

20 (b) A student's performance on an end-of-course assessment
21 instrument may not be used:

22 (1) in determining the student's class ranking for any
23 purpose[~~, including entitlement to automatic college admission~~
24 ~~under Section 51.803 or 51.804~~]; or

25 (2) as a sole criterion in the determination of
26 whether to admit the student to a general academic teaching
27 institution in this state.

1 SECTION 8. Section 51.4032, Education Code, is amended to
2 read as follows:

3 Sec. 51.4032. ANNUAL REPORT OF PARTICIPATION IN HIGHER
4 EDUCATION. Not later than December 1 of each year and in the form
5 prescribed by the coordinating board, each general academic
6 teaching institution and medical and dental unit as defined
7 in Section 61.003 shall provide to the Texas Higher Education
8 Coordinating Board and shall publish on the institution's website a
9 report describing the composition of the institution's entering
10 class of students. The report must include a demographic breakdown
11 of the class, including a breakdown by race, ethnicity, economic
12 status, and high school class standing. A report submitted by a
13 general academic teaching institution or medical and dental unit as
14 defined in Section 61.003 must include ~~[separate demographic~~
15 ~~breakdowns of the students admitted under Sections 51.803, 51.804,~~
16 ~~and 51.805 and]~~ a description of any plans, policies, or programs
17 developed or implemented by the institution to recruit and retain
18 students from underrepresented groups such as racial or ethnic
19 minority groups.

20 SECTION 9. Section 51.842(a), Education Code, is amended to
21 read as follows:

22 (a) A graduate or professional program of a general academic
23 teaching institution or medical or dental unit may consider the
24 following factors in making an admissions or scholarship decision
25 for admissions into or competitive scholarships for the graduate or
26 professional program:

27 (1) an applicant's academic record as a high school

1 student and undergraduate student;

2 (2) the socioeconomic background of the applicant
3 while the applicant attended elementary and secondary school and
4 was an undergraduate student, including any change in that
5 background;

6 (3) whether the applicant would be the first
7 generation of the applicant's family to attend or graduate from an
8 undergraduate program or from a graduate or professional program;

9 (4) whether the applicant has multilingual
10 proficiency;

11 (5) the applicant's responsibilities while attending
12 elementary and secondary school and as an undergraduate student,
13 including whether the applicant was employed, whether the applicant
14 helped to raise children, and other similar factors;

15 (6) to achieve geographic diversity, the applicant's
16 region of residence at the time of application and, if the applicant
17 graduated from a public high school in this state within the
18 preceding 20 years, the region in which the applicant's school
19 district is located;

20 (7) the applicant's involvement in community
21 activities;

22 (8) the applicant's demonstrated commitment to a
23 particular field of study;

24 (9) for admission into a professional program, the
25 current comparative availability of members of that profession in
26 the applicant's region of residence while the applicant attended
27 elementary and secondary school; and

1 (10) ~~[whether the applicant was automatically~~
2 ~~admitted to a general academic teaching institution as an~~
3 ~~undergraduate student under Section 51.803, and~~

4 ~~[(11)]~~ the applicant's personal interview.

5 SECTION 10. Section 56.3041(b), Education Code, is amended
6 to read as follows:

7 (b) For purposes of Subsection (a)(2)(A), a student who
8 graduated under the recommended or advanced high school program is
9 considered to have successfully completed the curriculum
10 requirements for the foundation high school program ~~[of Section~~
11 ~~51.803(a)(2)(A)(i)]~~. This subsection expires September 1, 2020.

12 SECTION 11. The following provisions of the Education Code
13 are repealed:

14 (1) Sections 33.007(c), 51.803, 51.8035, 51.804, and
15 51.8045; and

16 (2) Subchapter R, Chapter 56.

17 SECTION 12. The changes in law made by this Act to
18 Subchapter U, Chapter 51, Education Code, apply beginning with
19 admissions to an institution of higher education for the 2019-2020
20 academic year. Admissions to an institution of higher education
21 for an academic year before that academic year are governed by the
22 law in effect immediately before the effective date of this Act, and
23 the former law is continued in effect for that purpose.

24 SECTION 13. The repeal by this Act of Subchapter R, Chapter
25 56, Education Code, does not affect a student initially awarded a
26 scholarship under that subchapter for a semester or other academic
27 term before the effective date of this Act. A student who initially

1 receives a scholarship for a semester or other academic term before
2 that date may continue to receive a scholarship under Subchapter R,
3 Chapter 56, Education Code, as that subchapter existed immediately
4 before the effective date of this Act, to the extent funds are
5 available for that purpose, as long as the student remains eligible
6 for a scholarship under the former law. The Texas Higher Education
7 Coordinating Board shall adopt rules to administer this section and
8 shall notify each student who receives a scholarship in the
9 2018-2019 academic year of the provisions of this section.

10 SECTION 14. This Act takes effect January 1, 2019.