

BILL ANALYSIS

H.B. 449
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Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that a student who has been suspended or expelled from an institution of higher education may be able to enroll at a new institution without that institution being made aware of potential risks based on the student's conduct that served as the basis for the suspension or expulsion. H.B. 449 seeks to address these concerns by requiring public, private, and independent institutions of higher education to add a disciplinary notation on the transcript of any suspended or expelled student stating that the student was suspended or expelled and by requiring the institution to finish the adjudication process for any student with pending disciplinary charges, regardless of whether the student withdraws from the institution during that process.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

ANALYSIS

H.B. 449 amends the Education Code to require a public, private, or independent institution of higher education to include on the transcript of a student suspended or expelled from the institution for any reason a disciplinary notation stating that the student was suspended or expelled, as applicable, from the institution. The bill prohibits an institution from ending the disciplinary process for a student who withdraws from the institution pending disciplinary charges that may result in the student's suspension or expulsion until the institution makes a final determination of responsibility, including, if applicable, a determination of whether to suspend or expel the student as a result.

H.B. 449 requires the institution, if the institution suspends or expels the student, to include a disciplinary notation on the student's transcript stating that fact. The bill authorizes an institution, on request by a student, to remove such a notation from the student's transcript if the institution determines that each condition of the suspension has been fulfilled, if applicable, or that good cause exists to remove the notation. The bill requires the Texas Higher Education Coordinating Board to adopt rules as necessary to implement the bill's provisions. The bill applies beginning with the 2019 fall semester.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.