

## **BILL ANALYSIS**

Senate Research Center  
88R13034 CXP-F

H.B. 3993  
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Education  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2003, Texas law was amended to clearly state that homeschool graduates seeking college admission should be treated just like other graduates because graduation from a homeschool is considered to be "equivalent to graduation from a public high school." In 2015, this law was amended by S.B. 1543 to create a formula for assigning a class rank to homeschool graduates in the college admission process. This update became necessary because, while the 2015 formula applies to voluntary class rank college admission policies, it did not clearly apply to mandatory class rank college admission under the top 10 percent rule. As voluntary policies have gone off the books at many colleges, confusion has arisen over whether colleges should still be using the formula.

Homeschool graduates are now assigned a class rank based on their SAT/ACT scores for Texas institutions of higher education that admit applicants using class rank for the purposes of voluntary admissions policies. This bill serves as an administrative correction to ensure that college admission for homeschoolers continues to work as it has since S.B. 1543 was passed in 2015.

The bill amends the top 10 percent rule to clarify that when a public institution of higher education in Texas is admitting students using the top 10 percent rule it should calculate class rank for a homeschool graduate according to the formula passed by the legislature in 2015. Passing this bill will ensure that homeschool students in Texas continue to receive fair treatment in the college admissions process as was intended by the legislature's changes in 2003 and 2015.

H.B. 3993 amends current law relating to the automatic admission of students with a nontraditional secondary education to certain public institutions of higher education.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 51.803, Education Code, by amending Subsection (a) and adding Subsection (m), as follows:

(a) Requires each general academic teaching institution, subject to Subsection (a-1) (relating to providing that The University of Texas at Austin, beginning with admissions for the 2011-2012 academic year, is not required to offer admission to applicants who qualify for automatic admission under Subsection (a) in excess of the number required to fill 75 percent of the university's enrollment capacity designated for first-time resident undergraduate students in an academic year), to admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and the applicant met certain criteria, including completing a nontraditional secondary education as defined by Section 51.9241 (Admission of Student with Nontraditional Secondary Education).

(m) Requires a general academic teaching institution, in determining the eligibility for admission under Section 51.803 (Automatic Admission: All Institutions) of an applicant with a nontraditional secondary education, as defined by Section 51.9241, that does not include a high school graduating class ranking, to calculate the applicant's class rank in the manner provided by Section 51.9241(d) (relating to requiring the institution, if an institution of higher education in its undergraduate admission review process sorts applicants by high school graduating class rank, to place any applicant who presents evidence that the applicant has successfully completed a nontraditional secondary education that does not include a high school graduating class ranking at the average high school graduating class rank of undergraduate applicants to the institution who have equivalent standardized testing scores as the applicant).

SECTION 2. Provides that the changes in law made by this Act apply beginning with admissions to a public institution of higher education for the 2024 fall semester. Provides that admissions to a public institution of higher education for a term or semester before the 2024 fall semester are governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3. Effective date: upon passage or September 1, 2023.