

BILL ANALYSIS

Senate Research Center
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S.B. 518
By: Kolkhorst
Subcommittee on Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 518 seeks to require all institutions of higher education to consider a student's standardized test score in their admissions process. Some of Senator Kolkhorst's constituents, specifically some first generation immigrant families, brought this bill idea to her out of concern their children's academic abilities were not being given proper consideration by institutions of higher education during the admissions process.

College admission testing is intended to help colleges evaluate how ready students are for college-level work by testing students' skills in key academic areas. Without such testing, colleges and universities cannot accurately conduct a thorough and robust assessment of a student's abilities, instead relying only on their high school classroom record and non-academic factors, such as extracurricular and community activities and individual demographic information. Furthermore, as there has begun a new movement of schools to eliminate any admissions testing requirement, colleges and universities are instead relying more heavily on these subjective measures.

Classroom records may not be the best and most accurate representation of a student's true abilities, because of several factors, including grade inflation. Grade inflation, which has been a rising issue for several years, occurs when higher grades are awarded to a student than what they deserve, resulting in their academic record being unequally weighed when comparing to another student. As grades are inflated at a particular school or schools, the students' reported academic abilities and record are not being reported with the proper and accurate showing of their true academic achievement. To better evaluate students from different school settings and levels of rigor, there should be an across-the-board standard that is part of the assessment.

Academic studies have demonstrated that testing is beneficial for several reasons, including that it can help predict student success in college. Colleges and universities can and should use a variety of student information to determine a student's admittance, and standardized admission testing should be one of those factors. S.B. 518 will ensure students of all backgrounds continue to have a fair chance to be admitted to undergraduate and graduate programs at Texas public colleges and universities and demonstrate their potential to succeed there.

In the admissions process, colleges and universities should continue to require standardized testing for both undergraduate and graduate admissions. Students would not only be judged on their test score, but it would be part of the overall consideration for admissions

This legislation is likely to be supported by families and students who are seeking equitable assessment of their academic abilities. It is not presently clear who would oppose this legislation.

As proposed, S.B. 518 amends current law relating to requiring the consideration of standardized test scores as a factor in nonautomatic admissions decisions at 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 51.805(b), Education Code, as follows:

(b) Requires each general academic teaching institution, in making first-time freshmen admissions decisions, to also consider:

- (1) the applicant's performance on a standardized test appropriate for undergraduate admissions; and
- (2) because of changing demographic trends, diversity, and population increases in the state, all of, any of, or a combination of certain socioeconomic indicators or factors. Makes nonsubstantive changes.

Deletes existing text requiring each general academic teaching institution to consider an applicant's performance on standardized tests among other factors when making first-time freshman admission decisions.

SECTION 2. Amends Section 51.842, Education Code, by adding Subsections (a-1) and (b-1) and amending Subsection (b), as follows:

(a-1) Requires a graduate or professional program of a general academic teaching institution or medical or dental unit, in making admissions decisions for the program, to consider an applicant's performance on a standardized test appropriate for the program, except that the applicant's performance on the standardized test is prohibited from being used as the sole criterion for consideration of the applicant or as the primary criterion to end consideration of the applicant. Requires that the applicant's performance on the standardized test also be used to compare the applicant's test score with those of other applicants from similar socioeconomic backgrounds to the extent that those backgrounds can be properly determined and identified by the general academic teaching institution or medical and dental unit based on information provided in the institution's or unit's admissions process.

(b) Prohibits an applicant's performance on a standardized test from being used in the competitive scholarship process, rather than the admissions or competitive scholarship process, for a graduate or professional program as the sole criterion for consideration of the applicant or as the primary criterion to end consideration of the applicant. Makes conforming changes.

(b-1) Provides that Subsections (a-1) and (b), rather than this subsection, do not apply to a standardized test used to measure the English language proficiency of a student who is a graduate of a foreign institution of higher education.

SECTION 3. Provides that Sections 51.805 and 51.842, Education Code, as amended by this Act, apply beginning with admissions for the 2024 fall semester. Provides that admissions for an academic period 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 4. Effective date: upon passage or September 1, 2023.