

## **BILL ANALYSIS**

Senate Research Center  
88R23776 CXP-D

C.S.S.B. 518  
By: Kolkhorst  
Education  
4/19/2023  
Committee Report (Substituted)

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

College admissions testing is intended to help institutions of higher education evaluate how ready students are for college-level work by testing students' skills in key academic areas. Without such testing, colleges and universities rely on the student's high school classroom record and non-academic factors, such as extracurricular and community activities and individual demographic information. Since the COVID-19 pandemic, test-optional and test-blind policies at colleges and universities have become more prevalent throughout the country. As universities adopt these policies, there may be no guarantee that an institution of higher education will look at and consider a test, even if it is voluntarily submitted by an applicant.

C.S.S.B. 518 requires all institutions of higher education to consider a freshman applicant's standardized test score in their admissions process, if a student submits such a test. If the institution of higher education does not require a standardized test for admission and a freshman applicant does not submit a test, then the institution of higher education shall continue to use their other regular criteria when assessing an applicant.

The bill does further require all institutions of higher education to consider an appropriate standardized test for admission to graduate or professional programs.

C.S.S.B. 518 amends current law relating to 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) if provided by the applicant, 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.

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. Makes nonsubstantive changes.

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 Subsection (b), 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. Makes nonsubstantive changes.

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.