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| BILL ANALYSIS |

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| S.B. 365 |
| By: Eckhardt |
| Higher Education |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  State law provides for the right to an academic fresh start, which allows undergraduate students seeking to reenroll in postsecondary education to waive their previous academic record if their coursework was completed 10 or more years ago. The bill sponsor has informed the committee that this policy is in need of an adjustment, as there are many adult learners seeking to return to college who face challenges in the admissions process due to coursework completed within the last 10 years that negatively impacts their GPA, despite demonstrating more recent academic success. S.B. 365 seeks to provide an opportunity for more adult learners to reenter postsecondary education without being penalized for outdated academic performance by authorizing public institutions to shorten the academic fresh start eligibility period from 10 years to 5 years. |
| **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS**  S.B. 365 amends the Education Code to authorize a public institution of higher education, in considering an applicant for admission in a baccalaureate program, to choose to disregard academic course credits or grades earned by the applicant more recently than 10 years before the starting date of the semester in which the applicant seeks to enroll. However, the institution may not disregard any credits or grades earned during the five-year period preceding that date. The bill requires an institution that chooses to disregard course credits or grades earned during the additional permitted period to disregard all course credits or grades earned during that period and prohibits the institution from awarding any credit for those courses. The bill requires each public institution of higher education to adopt, post on the institution's website, and submit to the Texas Higher Education Coordinating Board (THECB) a policy regarding such admissions made by the institution, including the period for which an applicant's course credits or grades will be considered by the institution under the policy. These provisions apply beginning with admissions to a public institution of higher education for the 2025 fall semester.  S.B. 365 makes a related change to the specification that semester credit hours earned by a student in a baccalaureate program 10 or more years before the date the student begins the new degree program are not counted for purposes of determining whether the student has previously earned the number of semester credit hours specified under the provision prohibiting funding for certain excess undergraduate credit hours. The bill changes the semester credit hours to which that specification applies to semester credit hours that were earned by the student before the date the student began the new degree program and that were disregarded under institution policy as provided by the bill. This provision applies beginning with funding recommendations made by the THECB for the state fiscal biennium beginning September 1, 2025, for semester credit hours earned by students enrolling in a baccalaureate degree program at a public institution of higher education for the 2025 fall semester or a subsequent semester or term. Funding recommendations for semester credit hours earned by a student who enrolled in such a program before the 2025 fall semester are governed by the law in effect immediately before the bill's effective date, and the former law is continued in effect for that purpose. |
| **EFFECTIVE DATE**  On passage, or, if the bill does not receive the necessary vote, September 1, 2025. |