**BILL ANALYSIS**

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| Senate Research Center | S.B. 365 |
| 89R4366 CMO-D | By: Eckhardt et al. |
|  | Education K-16 |
|  | 3/26/2025 |
|  | As Filed |

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

Texas residents wishing to re-enroll in higher education as undergraduates can waive their previous academic record under the state's "Academic Fresh Start" Law. However, under current statute, only courses taken 10 or more years before the applicable semester start date can be waived.

S.B. 365 would allow public institutions of higher education to waive college courses taken five to 10 years before an application for admission purposes. This is a local option that each university may choose to utilize; it is not mandatory.

S.B. 365 requires each public institution of higher education to adopt, post on the institution's Internet website, and submit to the Texas Higher Education Coordinating Board a policy regarding Academic Fresh Starts, including the period for which the institution will consider an applicant's course credits or grades under the policy.

S.B. 365 was brought to us by a constituent who, despite successfully completing his associate's degree with honors, has been unable to transfer to a baccalaureate program due to poor grades from eight years prior. The Education Trust, Every Texan, Texas AFT, Alamo Colleges District, and multiple individuals supported the bill last session, which passed the Senate as S.B. 200. There is no known opposition to S.B. 365.

As proposed, S.B. 365 amends current law relating to the period for which an applicant for admission as an undergraduate student to a public institution of higher education is entitled to an academic fresh start.

**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 51.931, Education Code, by adding Subsections (c-1) and (c-2), as follows:

(c-1) Authorizes a public institution of higher education, in considering an applicant for admission under Section 51.931 (Right to an Academic Fresh Start), 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, except the institution is prohibited from disregarding any credits or grades earned during the five-year period preceding that date. Provides that an institution that chooses to disregard course credits or grades earned during the additional period permitted by this subsection is required to disregard all course credits or grades earned during that period and is prohibited from awarding any credit for those courses.

(c-2) Requires that each public institution of higher education adopt, post on the institution's Internet website, and submit to the Texas Higher Education Coordinating Board (THECB) a policy regarding the admissions made by the institution under this section, including the period for which an applicant's course credits or grades will be considered by the institution under the policy

SECTION 2. Amends Section 61.0595(c), Education Code, as follows:

(c) Provides that, for a student enrolled in a baccalaureate program under Section 51.931, semester credit hours that were earned by the student before the date the student began the new degree program under Section 51.931 and that were disregarded under institution policy as described by that section, rather than semester credit hours earned by the student 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 by Subsection (a) (relating to prohibiting THECB from including in certain formulas funding for semester credit hours earned by a resident undergraduate student meeting certain criteria).

SECTION 3. Provides that Section 51.931, Education Code, as amended by this Act applies beginning with admissions to a public institution of higher education for the 2025 fall semester.

SECTION 4. Provides that Section 61.0595(c), Education Code, as amended by this Act, applies beginning with funding recommendations made under Section 61.059, Education Code, 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 under Section 51.931, Education Code, as amended by this Act, for the 2025 fall semester or a subsequent semester or term. Provides that funding recommendations for semester credit hours earned by a student who enrolled in a baccalaureate degree program at a public institution of higher education under Section 51.931, Education Code, as amended by this Act, before the 2025 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 5. Effective date: upon passage or September 1, 2025.