

SUBJECT: College admission standards; standards for boards of regents

COMMITTEE: Higher Education — committee substitute recommended

VOTE: 8 ayes — Rangel, Ogden, Gallego, Goolsby, Harris, Kamel, Reyna,
Rodriguez

0 nays

1 absent — Moreno

WITNESSES: (*On original version*)

For — John S. Black, University of Texas at Austin Student's Association;
Sherry Boyles, Texas Student Association, University of Texas Student
Advisory Group; J. William Wenrich, Dallas County Community Colleges.

Against — None

On — Audrey Kathleen Hennessey, Ph.D.

BACKGROUND: Education Code sec. 51.306 requires most students entering public state universities and colleges to take the Texas Academic Skills Program (TASP) test, designed to measure a student's knowledge and performance in reading, writing and math. Any student who performs below the state's minimum score in these subjects must take remedial courses. Individual institutions may set higher standards than the state for the TASP test.

Remedial coursework is designed to assist students who may be deficient in a certain subject and do not count as credit towards a degree. Students may not enroll in upper division courses beyond 60 semester hours nor graduate without making a specified minimum score on the TASP test.

Students who achieve a minimum score set by the Texas Higher Education Coordinating Board on the Scholastic Assessment Test (SAT) or the American College Test (ACT) may avoid taking the TASP test if they enroll within a specified number of years after taking the test. Blind and deaf students are exempted from the testing requirements.

Education Code sec. 51.352(c)(4) allows higher education governing boards to set campus admission standards, considering the role and mission of the institution and the admission standards of similar institutions nationwide.

DIGEST:

CSHB 420 would amend the Education Code to exempt students at state universities with high admission standards from the TASP test and remedial-course requirements. It would also impose new standards on university boards of regents and the individual board members.

The bill would exempt from TASP test and remedial education requirements students at general academic teaching institutions (generally state universities with four-year undergraduate and graduate programs) whose boards have set admission standards at a level sufficient to ensure that at least 95 percent of the students admitted are prepared to do college level work when admitted.

The bill also would impose the following standards on boards of regents:

- require each board's annual budget be appropriated by the Legislature and bar spending for purposes not expressly appropriated, unless approved under budget execution authority. The limit would not apply to spending by regents of their own money as long as the expenditure was not reimbursed;
- limit regents to one six-year term and service as the board chairman to no more than three years.
- specify grounds for removing a regent from the board, including absence from a regularly scheduled board meeting during a six-month period, violation of the duties of a regent including failure to attend a training seminar during the first two years of service (Education Code sec. 61.083), final conviction of a Class A or B misdemeanor or felony indictment or conviction.
- prohibit boards of regents from naming buildings after a regent or close relative until at least four years after the regent has left the board;

- prohibit regents and close relatives from being hired in any administrative position or contracting with an institution in the system for four years. For purposes of the contracting prohibition, a regent could not own five percent of the voting stock or share or the fair market value of a contracting business entity, but the ban would not apply to an employment contract;
- prohibit regents from being hired in any faculty position for one year after they leave the board.
- require regents to hold a public hearing before increasing tuition or fees.
- require purchases of alcoholic beverages to be made from an auditable account from the appropriate budget and under the same rules governing student consumption of alcohol.

The bill also would establish a new Joint Select Committee on Higher Education Reorganization to study the organization of higher education institutions and the duties of the Texas Higher Education Coordinating Board and to consider transfer of duties to other agencies. The committee would make recommendations and report to the Legislature by January 1, 1997.

The bill would take effect September 1, 1995.

**SUPPORTERS
SAY:**

CSHB 420 would be a starting point for an overhaul of the state higher education system by setting strict standards for university governing boards and encouraging state universities to raise admission standards to redirect students in need of remedial education to the junior and community colleges.

Exempting students from TASP testing if admission standards are raised would create an incentive for some schools to raise admission standards to avoid having to offer costly remedial classes for those students who fail the test. The bill would allow universities to continue remedial courses if they chose, but far fewer students would need them if admission standards were upgraded.

Admitting to state universities students incapable of performing at a college level helps neither the student nor the university. Some state universities set admission standards so low they have to teach high school courses to bring the students up to speed, which is a waste of taxpayer dollars. Regents should be encouraged to set admission standards that recognize the reality of what college work is like. Under the bill state university boards would still have the option of setting lower admission standards, but they would pay the price of attracting more students incapable of college-level work.

The standards in the bill for university governing boards are appropriate and reasonable and would help restore credibility damaged by recent scandals. The Legislature through the appropriations process should more tightly control how university boards spend taxpayer dollars and closely monitor such spending, the same as for any other state agency. Recent problems with regents abusing travel reimbursements and flying in state planes for personal business and questions raised about possible conflicts of interest in dealing with the universities they govern justify setting strict guidelines in state law for regents to follow.

Recent problems that have come to light at Texas A&M and elsewhere regarding purchases of alcoholic beverages have shown a need for clear, unambiguous standards in this area. The bill would clarify that purchases of alcoholic beverages by a board of regents may only be made with money given for that express purpose and deposited in a separate auditable account. Board functions at which alcoholic beverages were served would be subject to the same rules as for student consumption, to remove any doubt about where to draw the line.

Term limits would allow more people the opportunity to serve as a regent. Most state universities are blessed with a long waiting list of those willing to serve as regents, and guaranteed turnover would help ensure that at least every two years a new group of regents with a fresh perspective would be joining the governing board. Those regents who are dedicated to serving could assist the university in another, unofficial capacity or could use their talents on another governing board.

OPPONENTS
SAY:

Encouraging regents to raise admission standards to assure that 95 percent of the students can do college-level work could too greatly restrict the opportunity for a university education. The concept of imposing the TASP test requirement and offering remedial courses was to identify and help those students who may have done well enough to graduate from high school but are not totally prepared for advanced college-level work. Encouraging all state universities to transform themselves into elite institutions catering only to those with the best advantages would not be meeting the needs of many Texas students who deserve the change to prove themselves.

The bill is unclear about what standard would be used to determine whether 95 percent of students admitted to a university could do college work, thereby triggering the exemption from the TASP test. High school grades and class rank are often unreliable indicators; the majority of high school graduates have a B average in math, yet less than 15 percent of the students who attempt the TASP test are ready for college algebra. SAT and ACT scores have been criticized as restricting minority access to higher education.

Junior and community colleges should not be forced to carry the entire burden of remedial education for students not yet fully ready for college-level work. Many students are capable of performing at the freshman and sophomore level but may need some extra assistance in one or two areas before moving on to upper division courses. The TASP test at state universities helps identify those students, and remedial courses can give them the extra help they need to advance. Raising university admission standards too high would never give these students a chance.

The term limit provision barring regents from reappointment after a single six-year term would arbitrarily remove some of the most experienced and dedicated members of university boards. The governor, with advice and consent of the Senate, should be able to decide whether a regent deserves reappointment. Also, some of the grounds for removal from university boards would be too severe; many boards meet only quarterly, yet absence from one meeting within a six-month period, no matter what the reason, would subject a regent to removal. Also, the restrictions on serving

alcoholic beverages may be too inflexible for university system fundraising events.

NOTES:

Rep. Ogden plans to offer an amendment making the TASP test and remedial education courses optional for students who meet or exceed campus admission standards at state universities that have set campus admission standards to assure that at least 90 percent of the students admitted are prepared to do college level work. The amendment would also delete the provision for the study by a Joint Select Committee on Higher Education Reorganization.

The original version of HB 420 would have required state university governing boards to set admission standards high enough to ensure that all entering students be prepared to do college-level work. The committee substitute would exempt from taking the TASP test students who enroll in state universities with admission standards high enough to ensure that 95 percent of the students are prepared to do college-level work.

The original version would have required the Texas Higher Education Coordinating Board to conduct a study on the organization of higher education institutions and analyze duties performed by the Coordinating board with recommendations to the Legislature. The committee substitute would establish a joint committee of legislators to conduct the study.