

- SUBJECT:** Revising higher education limits on dropped courses and excess hours
- COMMITTEE:** Higher Education — favorable, without amendment
- VOTE:** 7 ayes — Branch, Bonnen, Brown, D. Howard, Johnson, Lewis, Patrick  
0 nays  
2 absent — Castro, Alonzo
- WITNESSES:** For — (*Registered, but did not testify:* Rey Garcia, Texas Association of Community Colleges)  
Against — None
- BACKGROUND:** Education Code, sec. 51.907 limits the number of courses an undergraduate student can drop at a higher education institution without incurring an academic penalty while remaining enrolled. Institutions may not permit a student to drop more than six courses, including any course a transfer student has dropped at another institution. An institution may permit a student to drop more than the maximum if the student shows good cause, such as a severe illness or the death of a family member.
- Education Code, sec. 61.0595 limits state funding for higher education institutions for certain excess undergraduate semester-credit hours. Undergraduate students are limited to the minimum number of semester-credit hours required for graduation with a bachelor's degree in their particular degree plan, plus 30 semester-credit hours beyond their specific degree plan. If a student exceeds the semester-hours limit, the institution is not reimbursed through the formula funding system. Current law allows public colleges and universities to charge students who earn course credits exceeding the 30-hour limit with additional tuition, but it cannot be higher than the tuition rate for nonresident students.
- Some exemptions for courses that count toward the 30-hour cap include semester-credit hours during previous completion of a baccalaureate degree, during an examination, or for remedial education courses.

DIGEST:

HB 992 would prohibit a general academic teaching institution from counting a class dropped during enrollment at a public junior college toward the six-drop limit if the student was transferring to the academic institution after earning at least 30 semester-credit hours or an associate degree. Higher education institutions would have to provide written notice of these provisions to each undergraduate student before the end of each student's first semester. This change would apply beginning with the fall 2011 semester.

HB 992 also would exempt the semester-credit hours earned by a student before receiving an associate degree from being counted in determining whether the student had exceeded the 30-hour limit on previous semester-credit hours. This change would apply beginning with the 2013-2014 academic year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

SUPPORTERS  
SAY:

HB 992 is a student-centered bill that would aid students in transferring from a community college to a university. It would align state higher education policy with the goals of the state's higher education plan, *Closing the Gaps*, by encouraging students to attain an associate degree and to continue to strive for higher education.

Current law was intended to encourage students to graduate in a timely manner and limit state support for excessive credit hours. These policies sometimes had an unintended and negative impact on students' success and completion rates. Community college students are unfairly penalized because the six-drop rule can be a real barrier to attaining a higher education degree.

The Texas Higher Education Coordinating Board has recommended that the Legislature amend the formula funding model for higher education institutions and adopt outcomes-based formula funding. Formula funding would be based partly on outputs rather than enrollments. The outcome-based model proposed for community colleges would include "momentum points," whereby institutions would receive points for milestones completed by their students, such as completion of development education or 30 semester-credit hours, transfer to a four-year university, or total number of associate degrees and certificates earned. The provisions of HB

992 would be in line with the proposed outcomes-based funding for community colleges.

Not all students who drop classes are “slackers.” Many are highly motivated individuals. Freshmen do not always make the right decisions regarding major fields of study, and they often require time to find the right subject area. These and other students who have had to drop classes because of having to work or for family reasons would have a clean slate once they enrolled in a university. The bill would create an incentive for students who made the commitment to earn 30 semester-credit hours or obtain an associate degree by rewarding them for it. These students have proven that they are not wasting their time and are a good investment of the state’s money, but the current six-drop policy can hinder their efforts to further their education.

Current law allows for an exemption from the excess hours rule for students who have earned a baccalaureate degree, and the same exemption should be extended to students who have earned an associate degree.

Current law also does not require institutions to inform students of the six-drop rule, and students need to be made aware of their responsibility to abide by this policy.

The bill also would address the cumbersome process involved in universities having to track a student’s dropped classes from previous community college enrollment. Under HB 992, a university no longer would have to perform a community college transcription evaluation to abide by the six-drop rule.

**OPPONENTS  
SAY:**

This bill would create an imbalance by allowing two-year students to have a significant advantage over their four-year university peers. HB 992 would allow students who began their higher education at a community college, earned 30 semester-credit hours or completed an associate degree, and then transferred to a university essentially to restart their academic careers. Current law limits the number of times that a student can drop a course and treats all undergraduate students equally, regardless of their initial enrollment at a community college or university. The intent of current law is to encourage deliberate, responsible academic planning among all undergraduate students, regardless of whether they have attended a community college or university. The goal is to push students to complete the courses for which they have registered.

NOTES: According to the bill's fiscal note, there would not be a significant cost to the state.

During the 2009 regular session, the 81st Legislature approved a similar bill, SB 1343 by Hinojosa, which was vetoed by the governor.