

BILL ANALYSIS

Senate Research Center
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S.B. 320
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S/C on Higher Education
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Top Ten Percent law enacted by the 75th Texas Legislature, 1997, provides for automatic admission to the state's public colleges and universities for an applicant who graduated with a grade point average in the top ten percent of the applicant's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission.

The Texas Legislature enacted the law in response to an order by a federal judge. The United States Supreme Court overturned that ruling last year, eliminating the need for a law that required consideration of only one admission criteria, class rank.

Current law does not require high school students to take the recommended curriculum of college preparatory courses to be eligible for admission to state colleges and universities. As a result, students who choose the minimum curriculum in order to graduate in the top ten percent of their class may not be adequately prepared for college, while students who take more difficult college preparatory classes and fail to rank in the top ten percent are penalized.

Many Texas students enrolled in academically acclaimed high schools who take more difficult college preparatory courses graduate in the top fifteen percent of their classes. Although they may be academically more prepared for college, those students are unable to gain admission to state colleges and universities because the available enrollment slots are being filled by the top ten percent students.

As proposed, S.B. 320 requires state colleges and universities to consider a variety of factors when making first-time freshman admissions decisions, including the applicant's academic record, SAT and ACT scores, extracurricular activities, and community service.

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 33.007(b), Education Code, to remove the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803, as a topic on which information is required to be provided by a counselor during the first year a student is enrolled in a high school or at the high school level in an open enrollment charter school, and again during a student's senior year, to the student and to the student's parent or guardian. Deletes existing text and makes conforming and nonsubstantive changes.

SECTION 2. Amends the heading to Section 51.805, Education Code, to read as follows:

Sec. 51.805. UNDERGRADUATE ADMISSIONS.

SECTION 3. Amends Sections 51.805(a) and (b), Education Code, by deleting text authorizing any student who does not qualify for admissions under Section 51.803 (Automatic Admission: All Institutions) or 51.804 (Additional Automatic Admissions: Selected Institutions) to apply to any general academic teaching institution and requiring those general institutions to admit certain students. Makes conforming changes.

SECTION 4. Amends Section 51.806, Education Code, to require each general academic teaching institution to the report to the Texas Higher Education Coordinating Board annually a demographic breakdown, including a breakdown by race, ethnicity, and economic status, of students admitted under this subchapter, rather than under Sections 51.803, 51.804, and 51.805.

SECTION 5. Amends Section 51.842(a), Education Code, to remove as a factor that a graduate or professional program of a general academic teaching institution or medical or dental unit may consider in making an admissions or scholarship decisions for admissions into or competitive scholarships for the graduate or professional program, whether the applicant was automatically admitted to a general academic teaching institution as an undergraduate student under Section 51.803.

SECTION 6. Repealer: Sections 28.026 (Notice of Automatic College Admission), 51.803 (Automatic Admission: All Institutions), 51.804 (Additional Automatic Admissions: Selected Institutions), and 51.8045 (Graduates of Certain Special High School Programs), Education Code.

SECTION 7. Makes the application of this Act prospective to the 2006-2007 academic year.

SECTION 8. Effective date: September 1, 2005.