

BILL ANALYSIS

Senate Research Center

H.B. 3826
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The state's current higher education plan, *Closing the Gaps by 2015*, calls for the recommended high school program to be the default curriculum in Texas high schools. This plan also calls for the recommended high school program to be a minimum requirement for admission to general academic teaching institutions in this state. The recommended high school program became the default curriculum for students entering the ninth grade in 2004.

H.B. 3826 requires the recommended high school program for admissions if it was available to a student in high school. Furthermore, this bill amends automatic admission requirements under various sections of the Education Code and clarifies the eligibility of students for automatic admission. This bill would create a uniform admissions code for all institutions of higher education.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board is modified in SECTION 4 (Section 51.807, Education Code) of this bill.

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 4 (Section 51.807, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of education in SECTION 6 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.803, Education Code, as follows:

Sec. 51.803. AUTOMATIC ADMISSION: ALL INSTITUTIONS. (a) Includes the requirement that an applicant for admission to a general academic teaching institution (applicant) have completed either the curriculum requirements established under Section 28.025 (High School Diploma and Certificate; Academic Achievement Record) for the recommended or advanced high school program at a public high school or a curriculum that is equivalent in content and rigor to the recommended or advanced high school program at a high school to which Section 28.025 does not apply in order for the applicant to be eligible to receive automatic admission at each general academic teaching institution in this state under the top 10 percent rule. Deletes existing text requiring an applicant to submit an application before the expiration of any application filing deadline established by the general academic teaching institution to qualify for admission under this section. Makes conforming and nonsubstantive changes.

(b) Provides that Subsection (a)(2) does not apply to an applicant who graduates from a high school that does not have the curriculum described by that subsection. Provides that an applicant who does not satisfy the curriculum requirements prescribed by Subsection (a)(2)(A) or (B) is considered to have satisfied those requirements if the student completed the portion of the recommended or advanced curriculum or of the curriculum equivalent in content and rigor, as applicable, that was available to the student but was unable to complete the remainder of the curriculum solely because courses necessary to complete the remainder were unavailable to the student at the appropriate times in the student's

high school career as a result of course scheduling, lack of enrollment capacity, or another cause not within the student's control.

(c) Requires an applicant to meet certain requirements to qualify for admission under this section.

(d) Requires a student's official transcript or diploma to make certain indications not later than the end of the student's junior year, for purposes of Subsection (c)(2).

(e) Requires each institution of higher education to admit an applicant for admission to the institution as an undergraduate student if the applicant is the child of a public servant listed in Section 615.003 (Applicability), Government Code, who was killed or sustained a fatal injury in the line of duty and meets the minimum requirements, if any, established for purposes of this subsection by the governing board of the institution for high school or prior college-level grade point average and performance on standardized tests.

(f) Creates this subsection from existing text.

SECTION 2. Amends Section 51.804, Education Code, as follows:

Sec. 51.804. **ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED INSTITUTIONS.** Includes the requirement for an applicant as a first-time freshman student to satisfy the requirements of Section 51.803(a)(2) or (b), as applicable to the student, and Sections 51.803(c)(2) and (d) in order for the institution to adopt an admissions policy under which such applicants, other than an applicant eligible for admission under Section 51.803, is required to be admitted to the institution. Makes nonsubstantive changes.

SECTION 3. Amends Sections 51.805(a) and (e), Education Code, as follows:

(a) Authorizes a graduating student who does not qualify for admission under Section 51.803 or 51.804 to apply to any general academic teaching institution if the student satisfies the requirements of Section 51.803(a)(2) or (b), as applicable to the student, and Sections 51.803(c)(2) and (d).

(e) Authorizes a student to apply to a general academic teaching institution that has an open enrollment policy only if the student satisfies the requirements described by Subsection (a).

SECTION 4. Amends Section 51.807, Education Code, as follows:

Sec. 51.807. **RULEMAKING.** (a) Creates this subsection from existing text. Deletes existing text including the reporting requirements of Section 51.806 in the rules that the Texas Higher Education Coordinating Board (THECB) is authorized to adopt relating to the operation of admissions programs under this subchapter (Uniform Admission Policy).

(b) Requires THECB by rule, after consulting with the Texas Education Agency, to establish standards for making certain determinations for purposes of this subchapter.

SECTION 5. Makes application of Section 51.803(e), Education Code, as added by this Act, prospective to the 2008-2009 academic year.

SECTION 6. Requires the commissioner of education (commissioner) to adopt procedures to ensure that, as soon as practicable after this Act takes effect, each school district in this state provides written notification of the substance of Subchapter U (Uniform Admission Policy), Chapter 51, Education Code, as amended by this Act, to each district student who, for the 2007-2008 school year, registers for one or more courses required for high school graduation. Authorizes the commissioner to adopt rules under this section in the manner provided by law for

emergency rules. Requires each school district to comply with the procedures adopted by the commissioner under this section.

SECTION 7. Makes application of this Act prospective to the 2008-2009 academic year.

SECTION 8. Effective date: upon passage or September 1, 2007.