

By: Branch

H.B. No. 52

A BILL TO BE ENTITLED

1 AN ACT

2 relating to limitations on the automatic admission of undergraduate
3 students to general academic teaching institutions.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 51.803, Education Code, is amended by
6 amending Subsection (a) and adding Subsection (a-1) to read as
7 follows:

8 (a) Subject to Subsection (a-1), each ~~each~~ general
9 academic teaching institution shall admit an applicant for
10 admission to the institution as an undergraduate student if the
11 applicant graduated with a grade point average in the top 10 percent
12 of the student's high school graduating class in one of the two
13 school years preceding the academic year for which the applicant is
14 applying for admission and:

15 (1) the applicant graduated from a public or private
16 high school in this state accredited by a generally recognized
17 accrediting organization or from a high school operated by the
18 United States Department of Defense;

19 (2) the applicant:

20 (A) successfully completed:

21 (i) at a public high school, the curriculum
22 requirements established under Section 28.025 for the recommended
23 or advanced high school program; or

24 (ii) at a high school to which Section

1 28.025 does not apply, a curriculum that is equivalent in content
2 and rigor to the recommended or advanced high school program; or

3 (B) satisfied ACT's College Readiness Benchmarks
4 on the ACT assessment applicable to the applicant or earned on the
5 SAT assessment a score of at least 1,500 out of 2,400 or the
6 equivalent; and

7 (3) if the applicant graduated from a high school
8 operated by the United States Department of Defense, the applicant
9 is a Texas resident under Section 54.052 or is entitled to pay
10 tuition fees at the rate provided for Texas residents under Section
11 54.058(d) for the term or semester to which admitted.

12 (a-1) For each academic year, a general academic teaching
13 institution not later than the preceding January 1 shall reserve
14 for admissions under Subsection (a) not less than 40 percent of the
15 institution's enrollment capacity designated for first-time
16 resident undergraduate students. If a general academic teaching
17 institution does not reserve under this subsection a percentage of
18 the institution's enrollment capacity for admissions under
19 Subsection (a), the institution is considered to have reserved 100
20 percent of its enrollment capacity designated for first-time
21 resident undergraduate students for that purpose. Subsection (a)
22 does not apply to the portion of the institution's enrollment
23 capacity designated for first-time undergraduate students that is
24 not reserved under this subsection for admissions under Subsection
25 (a). If the number of applicants who qualify for automatic
26 admission to a general academic teaching institution under
27 Subsection (a) exceeds the percentage of the institution's

1 enrollment capacity designated for first-time resident
2 undergraduate students reserved by the institution under this
3 subsection, the institution shall offer admission to those
4 applicants by percentile rank according to graduating class
5 standing based on grade point average, beginning with the top
6 percentile rank, until a sufficient number of applicants have
7 accepted admission offers to fill that percentage, except that the
8 institution must offer admission to all applicants with the same
9 percentile rank. The institution shall consider any remaining
10 applicants qualified for automatic admission under Subsection (a)
11 in the same manner as other applicants for admission as first-time
12 undergraduate students in accordance with Section 51.805.

13 SECTION 2. The change in law made by this Act applies
14 beginning with admissions to institutions of higher education for
15 the 2010-2011 academic year. Admissions to an institution of
16 higher education before that academic year are governed by the law
17 in effect before the effective date of this Act, and the former law
18 is continued in effect for that purpose.

19 SECTION 3. (a) The Texas Higher Education Coordinating
20 Board shall adopt rules relating to the admission of students under
21 Section 51.803, Education Code, as amended by this Act, as soon as
22 practicable after the effective date of this Act.

23 (b) A general academic teaching institution shall reserve
24 for admissions under Section 51.803(a), Education Code, as amended
25 by this Act, a percentage of the institution's enrollment capacity
26 designated for first-time resident undergraduate students for the
27 2010 fall semester as required by Section 51.803(a-1), Education

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1 Code, as added by this Act, not later than January 1, 2010.

2 SECTION 4. This Act takes effect September 1, 2009.