

## **BILL ANALYSIS**

Senate Research Center  
79R5860 KEL-D

S.B. 1546  
By: Barrientos  
S/C on Higher Education  
3/24/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Section 51.803, Education Code, requires general academic institutions of public higher education to automatically admit students who graduate in the top 10 percent of their high school class. At least one institution has seen the number of students admitted under this law rise to as high as 70 percent of the incoming freshman class.

As proposed, S.B. 1546 allows institutions which reach a certain level of freshmen admitted under the law to lower the high school class ranking by as much as three percent until the percentage of the incoming class gaining automatic admission based on class rank falls to 65 percent. This bill also guarantees a student who would otherwise have been admitted under current law admission to another institution in the same university system and gives the student priority when later applying for a transfer to an institution which had limited admission below the top 10 percent.

### **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 51.803, Education Code, by providing for an exception to this section. Makes modifications to current admission requirements. Requires, to qualify for admission under this section, an applicant to submit an application before the expiration of any application filing deadline established by the institution.

SECTION 2. Amends Subchapter U, Chapter 51, Education Code, by adding Section 51.8035, as follows:

Sec. 51.8035. ALTERNATIVE AUTOMATIC ADMISSIONS PROCEDURE. (a) Authorizes a general academic teaching institution that fills more than 70 percent of the institution's freshman enrollment capacity in an academic year through admissions under Section 51.803 (Automatic Admission; All Institutions) to elect to admit first-time freshman students for the following academic year under this section and to make admissions under this section in any other academic year immediately following an academic year for which the institution makes admissions under this section. Provides that Section 51.803 does not apply to an academic year for which the institution makes admissions under this section.

(b) Authorizes, for an academic year for which an institution elects to make admissions under this section, the institution to admit automatically only a percentage of students that the institution estimates in good faith will result in a total number of automatic admissions under this section in that academic year that is equal to 65 percent of the institution's freshman enrollment capacity for that year.

(c) Requires, after making admissions under Subsection (b), the institution to consider any remaining applicants eligible for automatic admission under Section 51.803 in the same manner as other applicants for admission as first-time freshman students in accordance with Section 51.805 (Other Admissions).

(d) Requires the governing board of a university system that includes more than one component general academic teaching institution (component institution) to adopt a policy under which an application for automatic admission under this subchapter to a component institution making admissions under this section is treated as an additional application for admission as a first-time freshman student to another component institution selected by the applicant. Requires, under the policy, the university system to offer to an applicant described by Subsection (c) who is not admitted to the component institution making admissions under this section alternative admission, as selected by the applicant, to another component general academic teaching institution making admissions under Section 51.803. Sets forth certain requirements for a policy adopted under this subsection.

(e) Prohibits a general academic teaching institution that rejects a student described by Subsection (c) for admission as a first-time freshman student under this subchapter from, for purposes of admissions to a graduate, postgraduate, or professional degree program of the institution, from discounting or otherwise adjusting downward any grade point average of the student that is based on undergraduate course work completed at another public or private institution of higher education.

SECTION 3. (a) Makes application of this act prospective to admissions for the 2007-2008 academic year.

(b) Requires the governing board of a university system including more than one component institution to adopt the policy required by Section 51.8035(d), Education Code, as added by this Act, no later than September 1, 2006. Requires the university system to provide to the board of trustees of each school district in the state reasonable notice of the policy not later than November 1, 2006.

SECTION 4. Effective date: September 1, 2005.