

BILL ANALYSIS

Senate Research Center
87R3211 CXP-D

S.B. 165
By: Blanco
Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas law prohibits students at institutions of higher education from dropping more than six courses throughout their academic career. Once a student reaches the limit of courses permitted to be dropped, they must appeal to the governing board of the institution of higher education to be allowed to drop an additional course. Otherwise, any course a student takes after reaching this limit is permanently on their transcript with the grade earned. Current law provides certain exceptions to the six-drop limit including, but not limited to, a student developing a severe illness, if they are on active duty, if they change their major or minor, or if they are experiencing financial hardships.

The COVID-19 pandemic has completely disrupted the education system and caused a significant increase in dropped classes and total withdrawals at institutions of higher education.

S.B. 165 would allow a student at an institution of higher education to drop more than six courses without being penalized if a disaster declaration by the governor results in a bar or limit on in-person course attendance.

This bill is also retroactive and prohibits an institution of higher education from counting courses toward the number of courses permitted to be dropped if the courses were dropped by a student during the 2020 spring semester or summer term or the 2020-2021 academic year because of a bar or limit on in-person course attendance due to the COVID-19 pandemic.

This Act will provide flexibility to undergraduate students who may be facing significant challenges academically due to circumstances beyond their control related to the ongoing coronavirus pandemic by authorizing students to drop classes without penalty due to the COVID-19 pandemic.

As proposed, S.B. 165 amends current law relating to an exception to dropped course limitations at public institutions of higher education for courses dropped during a disaster that results in a bar or limit on in-person course attendance.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Higher Education Coordinating Board is modified in SECTION 1 (Section 51.907, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.907, Education Code, by amending Subsection (e) and adding Subsection (e-2), as follows:

(e) Requires the Texas High Education Coordinating Board to adopt rules under which an institution of higher education is required to permit a student to drop more courses under circumstances described by Subsection (b) (relating to undergraduate students who drop courses under certain circumstances) than the number of courses permitted to be dropped under Subsection (c) (relating to the maximum number of courses a student is permitted to drop) or under a policy adopted under Subsection (d) (relating to the governing board's determination of the amount of courses a student is permitted to drop) if good cause

exists for dropping more than that number, including, among other circumstances, a disaster declared by the governor under Section 418.014 (Declaration of State of Disaster), Government Code, resulting in a bar or limit on in-person course attendance at the institution. Makes conforming and nonsubstantive changes.

(e-2) Prohibits an institution of higher education, notwithstanding any other provision of this section, from counting toward the number of courses permitted to be dropped under Subsection (c) or a policy adopted under Subsection (d) a course dropped by a student during the 2020 spring semester or summer term or the 2020-2021 academic year because of a bar or limit on in-person course attendance at the institution during the applicable semester or term due to the coronavirus disease (COVID-19) pandemic.

SECTION 2. Provides that Section 51.907(e), as amended by this Act, applies beginning with the 2021 fall semester.

SECTION 3. Effective date: upon passage or September 1, 2021.