

CHAPTER 431

H.B. No. 1165

AN ACT

relating to the testing of certain deaf or blind students enrolled at institutions of higher education.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 51.306, Education Code, is amended by adding Subsection (l) to read as follows:

*(l) An institution may not require a deaf or blind student to take the test required by this section as a condition for enrollment in an upper division course or require a deaf or blind student to participate in a remediation program as a result of the test. This subsection expires September 1, 1995.*

SECTION 2. Effective September 1, 1995, Section 51.306, Education Code, is amended by adding Subsections (n) and (o) to read as follows:

(n) *This section applies to a blind student only if the test is administered to that student in large print or Braille or is administered by audio cassette or by a reader, as appropriate to that student.*

(o) *This section does not apply to a deaf student.*

SECTION 3. Subchapter F, Chapter 51, Education Code, is amended by adding Section 51.3061 to read as follows:

*Sec. 51.3061. TESTING AND REMEDIAL COURSEWORK FOR DEAF STUDENTS.*

(a) *In this section:*

(1) *"Agency" means the Central Education Agency.*

(2) *"Coordinating board" means the Texas Higher Education Coordinating Board.*

(3) *"Deaf student" means a student who is a deaf person, as defined by Section 54.205(a) of this code.*

(4) *"Institution of higher education" has the meaning assigned by Section 61.003 of this code.*

(b) *A deaf student who enrolls at an institution of higher education must take the Stanford Achievement Test, nationally normed on the hearing-impaired population by Gallaudet University, if the student:*

(1) *is a full-time or part-time freshman enrolled in a certificate or degree program that contains nine or more semester credit hours of general education courses or the equivalent of those courses; or*

(2) *is a transfer student from an institution that is not an institution of higher education, has less than 60 semester credit hours, and has not previously taken the test required by this section.*

(c) *The agency shall administer the test.*

(d) *A deaf testing committee is established to advise the coordinating board and the State Board of Education on required performance standards on the test and required remedial coursework for students who fail the test.*

(e) *The deaf testing committee consists of the following 10 members:*

(1) *a person appointed by the agency's testing and evaluation division;*

(2) *a person appointed by the agency's office on deaf education;*

(3) *an administrator of the deaf student services program of the Texas State Technical College System;*

(4) *a vice-president of the Southwest Collegiate Institute for the Deaf;*

(5) *a person appointed by Eastfield College's deaf support services program;*

(6) *a person appointed by Houston Community College's deaf support services program;*

(7) *a person appointed by Eastfield College's Gallaudet extension program;*

(8) *a person with expertise in deaf student services from an institution of higher education, appointed by the coordinating board; and*

(9) *two persons appointed by the coordinating board.*

SECTION 4. Notwithstanding Section 51.3061, Education Code, as added by this Act, deaf students who enroll at institutions of higher education are required to take the test prescribed by that section beginning with the fall semester in 1995.

SECTION 5. Not later than May 1, 1995, the Texas Higher Education Coordinating Board and the State Board of Education shall establish performance standards for the test required under Section 51.3061, Education Code, as added by this Act, and shall establish remedial coursework requirements for students who fail the test.

SECTION 6. Except as provided by Section 2 of this Act, this Act takes effect immediately.

SECTION 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be

suspended, and this rule is hereby suspended, and that this Act take effect and be in force according to its terms, and it is so enacted.

Passed by the House on May 4, 1993: Yeas 139, Nays 0, 2 present, not voting; passed by the Senate on May 24, 1993: Yeas 31, Nays 0.

Approved June 6, 1993.

Effective June 6, 1993, except Section 2 effective Sept. 1, 1995.