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

SECTION 1. Chapter 70, Education Code, is amended by adding Section 70.08 to read as follows:

Sec. 70.08. UNDERGRADUATE ADMISSIONS. (a) The board of regents of The University of Texas System may provide for the admission and enrollment of not more than 2,000 entering freshman students at The University of Texas at Dallas.

The board may provide for the admission of undergraduate transfer students with less than 54 semester hours of college credit at The University of Texas at Dallas as provided by this section. The board shall control the admission and enrollment of entering freshmen and of undergraduate transfer students with less than 54 semester hours of college credit in a manner that ensures that the enrollment of students classified as freshmen and sophomores at the institution does not exceed 5,000, except as provided by Subsection (c) of this section.

For each academic year, in addition to the enrollments targeted by the academic plan for that academic year, The University of Texas at Dallas may admit an additional number of students equal to not more than four percent of the targeted number if those students are classified as sophomores, have earned more than 29 but less than 54 semester hours of college credit at a community college in the Dallas or the Collin County Community College district, and otherwise meet the minimum criteria for transfer admission to The University of Texas at Dallas. This subsection does not limit or otherwise affect the enrollment of students at The University of Texas at Dallas who have earned semester credit hours at a community college in the Dallas or the Collin County Community College district and who otherwise compete successfully for admission and enrollment at The University of Texas at Dallas.

(d) It is the intent of the legislature that minority students be full participants in the educational opportunities created by the admission of lower-division undergraduate students to The University of Texas at Dallas primarily in programs leading to degrees in the natural sciences, mathematics, and engineering. Therefore, until the minority student populations at The University of Texas at Dallas are fully representative of the state's minority populations, the board shall cause to be set aside for each academic year from among the enrollments targeted by the academic plan for that year a number of enrollments equal to not less than five percent of the targeted number, and those enrollments are to be reserved exclusively for admission of minority students.

(e) The board shall develop policies for undergraduate admission to The University of Texas at Dallas that emphasize the admission and enrollment of lower-division students who intend to enroll in academic programs leading to degrees in natural
Section 2. (a) The University of Texas at Dallas may admit freshman and sophomore students beginning with the first summer session of 1990. Notwithstanding Sections 70.08 (a), Education Code, as added by this Act, for the period beginning with the first summer session of 1990 and continuing through the last summer session of 1991, and for the academic year beginning with the fall semester of 1991, the board of regents of the The University of Texas System shall cause the academic plan for The University of Texas at Dallas to restrict the total enrollment of lower-division students to more than 1,040 for each such period.

(b) It is the intent of the legislature that any general revenue funds appropriated to The University of Texas at Dallas for costs related to the implementation of this Act not exceed $500,000 for each year of the fiscal biennium beginning September 1, 1989.

(c) For the fiscal biennium that follows the fiscal biennium beginning September 1, 1989, in addition to the funding that is provided by the regular general academic institution formulas, The University of Texas at Dallas is entitled to the incremental funding for enrollments in junior-level and senior-level courses that is provided by the upper level-formulas to those institutions that enroll only junior-level and senior-level undergraduate students, and the Texas Higher Education Coordinating Board shall take that entitlement into account in preparing its formula recommendation under Section 61.059, Education Code.

Section 3. (a) Notwithstanding any other provision of this Act, implementation of Section 70.08, Education Code, is contingent on prior approval of the Texas Higher Education Coordinating Board and shall be granted only after the coordinating board makes a determination that the admission of lower-division students meets the appropriate criteria as determined by the coordinating board, including but not limited to those applicable elements cited in Subchapter C, Chapter 61, Education
Code. No public funds may be expended on any matter requiring coordinating board approval under the terms of this section until approval of the coordinating board is granted. This provision does not prohibit the board of regents of The University of Texas System from accepting any private gift, grant, or donation or from using public funds for presentations to the coordinating board under this section. Any such private gift, grant, or donation must not be expended prior to the determination of the coordinating board required by this section.

(b) The determination of the coordinating board shall be made in a fair and equitable manner and the review required herein shall be conducted in a manner consistent with the current statutory authority of the Texas Higher Education Coordinating Board. The passage of this legislation is in no way intended to either encourage or discourage a particular result or decision by the coordinating board.

SECTION 4. This Act takes effect 90 days after the adjournment of the 1st Called Session of the 71st Legislature, except that Section 1 of this Act takes effect May 16, 1990.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses creates 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.

Passed by the House on June 26, 1989, by a non-record vote; passed by the Senate on June 28, 1989, by a viva-voce vote.

Approved July 12, 1989.