

BILL ANALYSIS

Senate Research Center

S.B. 1564
By: West
Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas developmental education is in need of systemic reform. With such a diverse student population, Texas needs to implement innovative projects that are effective in addressing the students' diverse needs, accelerating their progress toward college and career readiness, and improving overall student outcomes.

Higher education needs to fundamentally change the model used for developmental education in order to achieve better results. Texas continues to mandate two years of academic developmental education—one way in and one way out—without taking a more specialized approach for students that are at various levels of readiness (i.e. semester long courses in place of modules, non-course based). Research based delivery, faculty development, and course-based and non-course based options must be considered.

A survey of eight higher education systems indicates that Texas is the only state to exempt veterans from remedial education even if their placement score indicates a need for remedial education. Veteran status does not guarantee college readiness.

S.B. 1564 revises Section 51.3062 to make it explicit that the Texas Higher Education Coordinating Board has the authority to designate one assessment. The bill mandates institutions to use research-based practices in delivering developmental education; requires institutions to provide professional development programs to faculty and staff serving developmental education students; directs institutions to provide both course-based and non-course-based remediation options when developing an individualized student plan to attain readiness; and eliminates the Texas Success Initiative exemption for veterans.

As proposed, S.B. 1564 amends current law relating to developmental education courses and the assessment of student readiness under the Texas Success Initiative for public institutions of higher education.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 51.3062, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.3062, Education Code, by amending Subsections (f) and (i) and adding Subsections (a-1), (i-2), (i-3), and (i-4), as follows [sic]:

(a-1) Defines, in this section, "program evaluation."

(f) Requires that each assessment instrument designated by the Texas Higher Education Coordinating Board (THECB) for use under this section to be diagnostic in nature and designed to assess a student's readiness to perform freshman-level academic coursework. Requires THECB to prescribe standards for the assessment instrument or instruments that reflect that student readiness. Deletes existing text authorizing an institution of higher education to adopt more stringent assessment standards with respect to student readiness.

(i) Authorizes an institution of higher education to refer a student to developmental coursework as considered necessary by the institution to address a student's deficiencies in the student's readiness to perform freshman-level academic coursework, except that the institution is prohibited from requiring enrollment in developmental coursework with respect to a student previously determined under q-1 of this section or determined by any institution of higher education to have met college-readiness standards. Requires the institution, if an institution of higher education requires a student to enroll in developmental coursework, to offer the student the option of enrolling in developmental coursework offered as an online course or through the use of other technology.

(i-2) Requires an institution of higher education to base developmental coursework on research-based best practices that include the following components:

- (1) assessment;
- (2) differentiated placement and instruction;
- (3) faculty development;
- (4) support services;
- (5) program evaluation;
- (6) integration of technology with an emphasis on instructional support programs;
- (7) non-course based developmental education interventions; and
- (8) course pairing of developmental education courses with credit bearing courses.

Makes a nonsubstantive change.

(i-3) Requires THECB to adopt rules for the components described in this subsection.

(i-4) Requires an institution of higher education to provide professional development programs, including instruction in differentiated instruction methods designed to address students' diverse learning needs, to faculty and staff who provide developmental coursework to students.

(k) Requires an institution of higher education to determine when a student is ready to perform freshman-level academic coursework. Requires the institution to make its determination by requiring a student to retake a THECB-approved assessment instrument, if the student did not initially perform within a deviation established by THECB. Deletes existing text requiring the institution to make its determination on an individual basis according to the needs of the student. Deletes existing text requiring the determination to include other THECB-approved means of evaluating student readiness, if the student did not initially pass the assessment instrument but performed within a deviation established by THECB.

(l) Requires the legislature to appropriate money for approved non-degree-credit developmental courses, except that legislative appropriations are prohibited from being used for developmental coursework taken by a student in excess of:

- (1) nine semester credit hours, rather than 18 semester credit hours, for a general academic teaching institution; and
- (2) 18 semester credit hours, rather than 27 semester credit hours, for a public junior college, public technical institute, or public state college.

(m)-(q-1) Makes no changes to these subsections.

(r) Deletes existing text providing that this section does not apply to a student who is serving on active duty as a member of the armed forces of the United States, or the Texas National Guard. Deletes existing text providing that this section does not apply to a student who is currently serving as and, for at least the three-year period preceding enrollment, has served as a member of a reserve component of the armed forces of the United States. Deletes existing text providing that this section does not apply to a student who on or after August 1, 1990, was honorably discharged, retired, or released from active duty as a member of the armed forces of the United States or the Texas National Guard, or service as a member of a reserve component of the armed forces of the United States.

SECTION 2. Repealer: Section 51.3062(e) (requiring THECB to designate additional assessment instruments for use by institutions of higher education under this section, including assessment instruments currently approved by THECB to measure college readiness), Education Code.

SECTION 3. Provides that the change in law made by this Act applies beginning with the 2012-2013 academic year.

SECTION 4. Effective date: upon passage or September 1, 2011.