

1-1 By: Delisi, West, Castro (Senate Sponsor - West) H.B. No. 796
1-2 (In the Senate - Received from the House May 12, 2003;
1-3 May 16, 2003, read first time and referred to Committee on
1-4 Education; May 26, 2003, reported favorably, as amended, by the
1-5 following vote: Yeas 6, Nays 1; May 26, 2003, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Averitt

1-7 Amend HB 796 by striking subsection (r)(4) of SECTION 2 of the
1-8 bill (Committee printing version, page 3, lines 12-13) and
1-9 substituting a new subsection (r)(4) and adding new subsections
1-10 (r)(5) and (6) to read as follows:

1-11 "(4) a student who is serving on active duty as a
1-12 member of:

1-13 (A) the armed forces of the United States; or

1-14 (B) the Texas National Guard;

1-15 (5) a student who is currently serving as and, for at
1-16 least the three-year period preceding enrollment, has served as a
1-17 member of a reserve component of the armed forces of the United
1-18 States; or

1-19 (6) a student who on or after August 1, 1990, was
1-20 honorable discharged, retired, or released from:

1-21 (A) active duty as a member of the armed forces of
1-22 the United States or the Texas National Guard; or

1-23 (B) service as a member of a reserve component of
1-24 the armed forces of the United States."

1-25 A BILL TO BE ENTITLED
1-26 AN ACT

1-27 relating to repealing the Texas Academic Skills Program and
1-28 establishing the Success Initiative.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. LEGISLATIVE INTENT. The purpose of this Act is
1-31 to provide for assessment of the readiness of entering college
1-32 students to:

1-33 (1) enroll in freshman-level academic coursework; and

1-34 (2) by providing advising and educational support
1-35 necessary for success in college, assist students who are not yet
1-36 ready to enroll in that coursework.

1-37 SECTION 2. AMENDMENT. Subchapter F, Chapter 51, Education
1-38 Code, is amended by adding Section 51.3062 to read as follows:

1-39 Sec. 51.3062. SUCCESS INITIATIVE. (a) The definitions
1-40 provided by Section 61.003 apply to this section.

1-41 (b) An institution of higher education shall assess the
1-42 academic skills of each entering undergraduate student to determine
1-43 the student's readiness to enroll in freshman-level academic
1-44 coursework. An institution may not use the assessment or the
1-45 results of the assessment as a condition of admission to the
1-46 institution.

1-47 (c) The board shall designate an instrument for use by
1-48 institutions of higher education in assessing students under this
1-49 section.

1-50 (d) If practical and feasible, not later than September 1,
1-51 2005, the board shall designate the exit-level assessment
1-52 instrument required under Section 39.023 as the primary assessment
1-53 instrument under this section. This subsection expires September
1-54 1, 2006.

1-55 (e) As the board considers necessary, the board may
1-56 designate additional assessment instruments for use by
1-57 institutions of higher education under this section.

1-58 (f) An assessment instrument designated by the board for use
1-59 under this section must be diagnostic in nature and designed to
1-60 assess a student's readiness to perform freshman-level academic
1-61 coursework. The board shall prescribe standards for the assessment
1-62 instrument or instruments that reflect that student readiness. An

2-1 institution of higher education may adopt more stringent assessment
2-2 standards with respect to student readiness.

2-3 (g) Each institution of higher education shall establish a
2-4 program to advise students regarding coursework and other means by
2-5 which students can develop the academic skills required to
2-6 successfully complete college-level work.

2-7 (h) If a student fails to meet the assessment standards
2-8 described by Subsection (f), the institution of higher education
2-9 shall work with the student to develop a plan to assist the student
2-10 in becoming ready to perform freshman-level academic coursework.
2-11 The plan must be designed on an individual basis to provide the best
2-12 opportunity for each student to attain that readiness.

2-13 (i) The institution of higher education may refer a student
2-14 to developmental coursework as considered necessary by the
2-15 institution to address a student's deficiencies in the student's
2-16 readiness to perform freshman-level academic coursework, except
2-17 that the institution may not require enrollment in developmental
2-18 coursework with respect to a student previously determined by any
2-19 institution of higher education to have met college-readiness
2-20 standards.

2-21 (j) A student may retake an assessment instrument at any
2-22 time to determine readiness to perform freshman-level academic
2-23 coursework.

2-24 (k) An institution of higher education shall determine when
2-25 a student is ready to perform freshman-level academic coursework.
2-26 The determination may include requiring a student to retake an
2-27 assessment instrument or other means of evaluating student
2-28 readiness. The institution must make its determination on an
2-29 individual basis according to the needs of the student.

2-30 (l) The legislature shall appropriate money for approved
2-31 non-degree-credit developmental courses, except that legislative
2-32 appropriations may not be used for developmental coursework taken
2-33 by a student in excess of:

2-34 (1) 18 semester credit hours, for a general academic
2-35 teaching institution; and

2-36 (2) 27 semester credit hours, for a public junior
2-37 college, public technical institute, or public state college.

2-38 (m) The board may develop formulas to supplement the funding
2-39 of developmental academic programs by institutions of higher
2-40 education, including formulas for supplementing the funding of
2-41 non-course-based programs. The board may develop a performance
2-42 funding formula by which institutions may receive additional
2-43 funding for each student who completes the Success Initiative
2-44 established under this section and then successfully completes
2-45 college coursework. The legislature may appropriate the money
2-46 required to provide the additional funding under those formulas.

2-47 (n) Each institution of higher education shall report
2-48 annually to the board on the success of its students and the
2-49 effectiveness of its Success Initiative.

2-50 (o) The board shall evaluate the effectiveness of the
2-51 Success Initiative on a statewide basis and with respect to each
2-52 institution of higher education.

2-53 (p) A student who has achieved a score set by the board on
2-54 the Scholastic Assessment Test (SAT) or the American College Test
2-55 (ACT) is exempt from the requirements of this section. An exemption
2-56 under this subsection is effective for the five-year period
2-57 following the date a student takes the test and achieves the
2-58 standard set by the board.

2-59 (q) A student who has achieved a score set by the board on an
2-60 exit-level assessment instrument required under Section 39.023 is
2-61 exempt from the requirements of this section. The exemption is
2-62 effective for the three-year period following the date a student
2-63 takes the assessment instrument and achieves the standard set by
2-64 the board. This subsection does not apply during any period for
2-65 which the board designates the exit-level assessment instrument
2-66 required under Section 39.023 as the primary assessment instrument
2-67 under this section, except that the three-year period described by
2-68 this subsection remains in effect for students who qualify for an
2-69 exemption under this section before that period.

