

1-1 By: Shapiro S.B. No. 1561
1-2 (In the Senate - Filed March 9, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Higher Education;
1-4 May 14, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; May 14, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1561 By: Averitt

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to developing a developmental education plan for students
1-11 entering public institutions of higher education.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter C, Chapter 61, Education Code, is
1-14 amended by adding Section 61.07611 to read as follows:

1-15 Sec. 61.07611. DEVELOPMENTAL EDUCATION PLAN; REPORT.

1-16 (a) To serve students who require developmental education in an
1-17 effective and cost-effective manner, the board shall develop a
1-18 statewide plan for developmental education to be provided under
1-19 Section 51.3062 that:

1-20 (1) assigns primary responsibility for developmental
1-21 education to public junior colleges and public technical
1-22 institutes; and

1-23 (2) provides for using technology, to the greatest
1-24 extent practicable consistent with best practices, to provide
1-25 developmental education to students.

1-26 (b) In developing the developmental education plan, the
1-27 board shall:

1-28 (1) research issues related to developmental
1-29 education;

1-30 (2) study and develop best practices for successful
1-31 developmental education programs, including through use of pilot
1-32 programs; and

1-33 (3) assess various methods of providing developmental
1-34 education to students to determine which methods, if any, should be
1-35 implemented on a statewide basis.

1-36 (c) Developmental education under the plan must include:

1-37 (1) technological delivery of developmental education
1-38 courses that allows students to complete course work;

1-39 (2) diagnostic assessments to determine a student's
1-40 specific educational needs to allow for appropriate developmental
1-41 instruction;

1-42 (3) modular developmental education course materials;

1-43 (4) employment of tutors and instructional aides to
1-44 supplement developmental education course instruction as needed
1-45 for particular students;

1-46 (5) an internal monitoring mechanism to identify a
1-47 student's area of academic difficulty;

1-48 (6) periodic updates of developmental education
1-49 course materials; and

1-50 (7) assessments after completion of a developmental
1-51 education course to determine a student's readiness to enroll in
1-52 freshman-level academic courses.

1-53 (d) The developmental education plan must provide for:

1-54 (1) ongoing training for developmental education
1-55 program faculty members, tutors, and instructional aides at the
1-56 institutions or other locations where those persons provide
1-57 instruction; and

1-58 (2) ongoing research and improvement of appropriate
1-59 developmental education programs, including participation by a
1-60 group of institution of higher education faculty members selected
1-61 by the board, to:

1-62 (A) monitor results of the programs;

1-63 (B) identify successful and unsuccessful program

2-1 components; and

2-2 (C) identify possible solutions to program
2-3 problems.

2-4 (e) Not later than December 1, 2010, the board shall submit
2-5 to the governor, lieutenant governor, speaker of the house of
2-6 representatives, and the presiding officer of each legislative
2-7 standing committee with primary jurisdiction over higher education
2-8 a report concerning the initial development of the developmental
2-9 education plan under this section, including any recommendations
2-10 for redesign or reassignment among institutions of higher education
2-11 of existing programs or implementation of new programs and, if
2-12 appropriate, recommendations for legislation. This subsection
2-13 expires January 1, 2011.

2-14 SECTION 2. This Act does not make an appropriation. A
2-15 provision in this Act that creates a new governmental program,
2-16 creates a new entitlement, or imposes a new duty on a governmental
2-17 entity is not mandatory during a fiscal period for which the
2-18 legislature has not made a specific appropriation to implement the
2-19 provision.

2-20 SECTION 3. This Act takes effect immediately if it receives
2-21 a vote of two-thirds of all the members elected to each house, as
2-22 provided by Section 39, Article III, Texas Constitution. If this
2-23 Act does not receive the vote necessary for immediate effect, this
2-24 Act takes effect September 1, 2009.

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