

## **BILL ANALYSIS**

S.B. 1564  
By: West  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

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 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.

### **ANALYSIS**

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

(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 be diagnostic in nature and designed to assess a student's readiness to perform freshman-level academic coursework. Requires THECB to prescribe a single standard or set of standards for each assessment instrument to effectively measure student readiness as demonstrated by current research, rather than requiring 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 Subsection (q-1) or determined by any institution of higher education to have met college-readiness standards. Requires an

institution that requires a student to enroll in developmental coursework to offer a range of developmental coursework, including online coursework, or instructional support that includes the integration of technology to efficiently address the particular developmental needs of the student.

(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.

(i-3) Requires THECB to adopt rules for the implementation of Subsection (i-2).

(i-4) Requires THECB, in consultation with institutions of higher education, to develop and 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 using learning outcomes for developmental education courses developed by THECB based on established college and career readiness standards and student performance on one or more appropriate assessments, rather than requiring the institution to make its determination on an individual basis according to the needs of the student. Deletes existing text requiring that the determination include requiring a student to retake a THECB-approved assessment instrument, if the student did not initially perform within a deviation established by THECB, or 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.

**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.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2011.