

By: Patrick, Branch

H.B. No. 3468

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the assessment of public school students for college
3 readiness and developmental education courses to prepare students
4 for college-level coursework.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter A, Chapter 28, Education Code, is
7 amended by adding Section 28.0141 to read as follows:

8 Sec. 28.0141. STUDY AND REPORT ON EARLY COLLEGE READINESS
9 ASSESSMENTS. (a) The agency, in consultation with the Texas Higher
10 Education Coordinating Board, shall conduct a study of best
11 practices for and existing programs offering early assessments of
12 high school students in order to determine college readiness,
13 identify any deficiencies in college readiness, and provide
14 intervention to address any deficiencies before high school
15 graduation. In conducting the study, the agency, in consultation
16 with the coordinating board, shall review:

17 (1) various assessments, including end-of-course
18 assessment instruments under Section 39.023(c), each assessment
19 currently used under Section 57.3062, and any assessment being
20 proposed as a statewide model by the coordinating board under
21 Section 51.3062(v), for identifying students who need additional
22 assistance in preparing for college;

23 (2) various early intervention models, including:

24 (A) summer bridge programs;

1 (B) college preparatory courses for credit
2 toward high school graduation;

3 (C) developmental education programs, including
4 college readiness programs under Section 39.234, and college study
5 skills courses; and

6 (D) dual credit courses;

7 (3) the costs associated with different assessments
8 and early intervention models; and

9 (4) the effectiveness of different assessments and
10 early intervention models in preparing students for college
11 coursework for which course credit may be earned.

12 (b) Not later than December 1, 2012, the agency, in
13 consultation with the Texas Higher Education Coordinating Board,
14 public institutions of higher education, and school districts,
15 shall submit to the governor, the lieutenant governor, the speaker
16 of the house of representatives, and the presiding officer of each
17 legislative standing committee with primary jurisdiction over
18 primary and secondary education, higher education, or state
19 appropriations a written report that contains recommendations for
20 promoting and implementing early assessments of college readiness
21 that are of a diagnostic nature and early intervention models for
22 preparing high school students for college coursework for which
23 course credit may be earned.

24 (c) This section expires January 1, 2013.

25 SECTION 2. Subchapter H, Chapter 29, Education Code, is
26 amended by adding Section 29.2531 to read as follows:

27 Sec. 29.2531. ADULT EDUCATION ASSESSMENT. The Texas

1 Education Agency shall, in consultation with the Texas Higher
2 Education Coordinating Board, review the standardized assessment
3 mechanism required under Section 29.252(a)(8) and recommend any
4 changes necessary to align the assessment with the assessments
5 designated under Section 51.3062 to allow for the proper placement
6 of a student in an adult basic education course or to provide the
7 student with the proper developmental or English as a second
8 language coursework, as appropriate.

9 SECTION 3. Section 51.3062, Education Code, is amended by
10 adding Subsections (t), (t-1), (u), (v), and (w) to read as follows:

11 (t) To allow a student to complete any necessary
12 developmental coursework in the most efficient and cost-effective
13 manner, the board shall encourage institutions of higher education
14 to offer various types of developmental coursework that address
15 various levels of deficiency in readiness to perform college
16 coursework for which course credit may be earned, as determined on
17 the basis of assessments as described by Subsection (f). The types
18 of developmental coursework may include:

19 (1) course-based programs;
20 (2) non-course-based programs, such as advising
21 programs;

22 (3) module format programs;

23 (4) competency-based education programs; and

24 (5) programs under which the student is pairing or
25 taking concurrently a developmental education course and another
26 course in the same subject area for which course credit may be
27 earned.

1 (t-1) The board may adopt rules as necessary to implement
2 Subsection (t).

3 (u) The board, in consultation with institutions of higher
4 education, shall use evidence-based studies and existing data to
5 study and analyze:

6 (1) assessment instruments that are currently used or
7 could be used by institutions to comply with this section,
8 including the diagnostic reliability and cost-effectiveness of
9 those assessment instruments;

10 (2) differentiated placements for developmental
11 coursework based on a student's demonstrated proficiencies or
12 deficiencies in readiness to perform college coursework for which
13 course credit may be earned, as determined on the basis of
14 assessments as described by Subsection (f), including the extent to
15 which various types of placements result in or serve efficient,
16 cost-effective, and successful developmental education;

17 (3) whether the funding formulas under Subsection (m)
18 and under Section 61.059, as applied to developmental coursework,
19 result in or serve efficient and cost-effective implementation of
20 successful developmental education; and

21 (4) whether any of the nonapplicability categories
22 under Subsection (r) should be retained.

23 (v) Not later than December 1, 2012, the board shall submit
24 a written report based on the study under Subsection (u) to the
25 governor, lieutenant governor, speaker of the house of
26 representatives, and presiding officer of each legislative
27 standing committee with primary jurisdiction over higher education

1 or state appropriations recommending, to the extent practicable, a
2 statewide diagnostic standard assessment instrument for purposes
3 of this section that allows for:

4 (1) accurate diagnosis and targeted intervention for
5 students who are identified as requiring developmental coursework;

6 (2) appropriate placement to provide the type and
7 level of developmental coursework that allow a student to receive
8 developmental education in the most efficient, cost-effective, and
9 successful manner; and

10 (3) the most effective use of formula funding with
11 regard to developmental coursework targeted to students' needs.

12 (w) Subsections (u) and (v) and this subsection expire
13 January 1, 2013.

14 SECTION 4. Section 61.059, Education Code, is amended by
15 adding Subsection (b-1) to read as follows:

16 (b-1) The board shall include in its periodic review of
17 formulas under Subsection (b) recommendations for changes in
18 funding formulas for developmental education programs based on the
19 results of the study conducted under Section 51.3062(u) and the
20 report submitted under Section 51.3062(v). This subsection expires
21 January 1, 2015.

22 SECTION 5. The change in law made by this Act to Section
23 61.059, Education Code, applies beginning with periodic reviews
24 submitted on or after December 1, 2012.

25 SECTION 6. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2011.