

1-1 By: Shapiro S.B. No. 162  
1-2 (In the Senate - Filed November 8, 2010; January 31, 2011,  
1-3 read first time and referred to Committee on Higher Education;  
1-4 April 11, 2011, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 11, 2011,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 162 By: Birdwell

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, public state colleges, and  
1-22 public technical 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 relevant 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) use 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, 2012, the board shall submit  
2-5 to the governor, lieutenant governor, speaker of the house of  
2-6 representatives, and 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, 2013.

2-14 SECTION 2. This Act takes effect immediately if it receives  
2-15 a vote of two-thirds of all the members elected to each house, as  
2-16 provided by Section 39, Article III, Texas Constitution. If this  
2-17 Act does not receive the vote necessary for immediate effect, this  
2-18 Act takes effect September 1, 2011.

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