

By: West  
(Castro)

S.B. No. 1564

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to developmental education courses and the assessment of  
3 student readiness under the Texas Success Initiative for public  
4 institutions of higher education.

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

6 SECTION 1. Section 51.3062, Education Code, is amended by  
7 adding Subsections (a-1), (i-2), (i-3), and (i-4) and amending  
8 Subsections (f), (i), and (k) to read as follows:

9 (a-1) In this section, "program evaluation" means a  
10 systematic method of collecting, analyzing, and using information  
11 to answer questions about developmental education courses,  
12 interventions, and policies, particularly about their  
13 effectiveness and cost-efficiency.

14 (f) Each assessment instrument designated by the board for  
15 use under this section must be diagnostic in nature and designed to  
16 assess a student's readiness to perform freshman-level academic  
17 coursework. The board shall prescribe a single standard or set of  
18 standards for each [the] assessment instrument to effectively  
19 measure student readiness as demonstrated by current research [or  
20 ~~instruments that reflect that student readiness. An institution of~~  
21 ~~higher education may adopt more stringent assessment standards with~~  
22 ~~respect to student readiness].~~

23 (i) The institution of higher education may refer a student  
24 to developmental coursework as considered necessary by the

1 institution to address a student's deficiencies in the student's  
2 readiness to perform freshman-level academic coursework, except  
3 that the institution may not require enrollment in developmental  
4 coursework with respect to a student previously determined under  
5 Subsection (g-1) or determined by any institution of higher  
6 education to have met college-readiness standards. An institution  
7 that requires a student to enroll in developmental coursework must  
8 offer a range of developmental coursework, including online  
9 coursework, or instructional support that includes the integration  
10 of technology to efficiently address the particular developmental  
11 needs of the student.

12 (i-2) An institution of higher education must base  
13 developmental coursework on research-based best practices that  
14 include the following components:

- 15 (1) assessment;
- 16 (2) differentiated placement and instruction;
- 17 (3) faculty development;
- 18 (4) support services;
- 19 (5) program evaluation;
- 20 (6) integration of technology with an emphasis on  
21 instructional support programs;
- 22 (7) non-course-based developmental education  
23 interventions; and
- 24 (8) course pairing of developmental education courses  
25 with credit-bearing courses.

26 (i-3) The board shall adopt rules for the implementation of  
27 Subsection (i-2).

1        (i-4) The board, in consultation with institutions of  
2 higher education, shall develop and provide professional  
3 development programs, including instruction in differentiated  
4 instruction methods designed to address students' diverse learning  
5 needs, to faculty and staff who provide developmental coursework to  
6 students.

7        (k) An institution of higher education shall determine when  
8 a student is ready to perform freshman-level academic coursework.  
9 The institution must make its determination using learning outcomes  
10 for developmental education courses developed by the board based on  
11 established college and career readiness standards and student  
12 performance on one or more appropriate assessments [~~on an~~  
13 ~~individual basis according to the needs of the student. The~~  
14 ~~determination shall include:~~

15            [~~(1) requiring a student to retake a board-approved~~  
16 ~~assessment instrument, if the student did not initially perform~~  
17 ~~within a deviation established by the board; or~~

18            [~~(2) other board-approved means of evaluating student~~  
19 ~~readiness, if the student did not initially pass the assessment~~  
20 ~~instrument but performed within a deviation established by the~~  
21 ~~board].~~

22        SECTION 2. Subsection (e), Section 51.3062, Education Code,  
23 is repealed.

24        SECTION 3. The change in law made by this Act applies  
25 beginning with the 2012-2013 academic year.

26        SECTION 4. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2011.