

1-1 By: West S.B. No. 1564
1-2 (In the Senate - Filed March 10, 2011; March 23, 2011, read
1-3 first time and referred to Committee on Higher Education;
1-4 April 26, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 26, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1564 By: Watson

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

1-10 relating to developmental education courses and the assessment of
1-11 student readiness under the Texas Success Initiative for public
1-12 institutions of higher education.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 51.3062, Education Code, is amended by
1-15 adding Subsections (a-1), (i-2), (i-3), and (i-4) and amending
1-16 Subsections (f), (i), and (k) to read as follows:

1-17 (a-1) In this section, "program evaluation" means a
1-18 systematic method of collecting, analyzing, and using information
1-19 to answer questions about developmental education courses,
1-20 interventions, and policies, particularly about their
1-21 effectiveness and cost-efficiency.

1-22 (f) Each assessment instrument designated by the board for
1-23 use under this section must be diagnostic in nature and designed to
1-24 assess a student's readiness to perform freshman-level academic
1-25 coursework. The board shall prescribe a single standard or set of
1-26 standards for each [the] assessment instrument to effectively
1-27 measure student readiness as demonstrated by current research [or
1-28 instruments that reflect that student readiness. An institution of
1-29 higher education may adopt more stringent assessment standards with
1-30 respect to student readiness].

1-31 (i) The institution of higher education may refer a student
1-32 to developmental coursework as considered necessary by the
1-33 institution to address a student's deficiencies in the student's
1-34 readiness to perform freshman-level academic coursework, except
1-35 that the institution may not require enrollment in developmental
1-36 coursework with respect to a student previously determined under
1-37 Subsection (q-1) or determined by any institution of higher
1-38 education to have met college-readiness standards. An institution
1-39 that requires a student to enroll in developmental coursework must
1-40 offer a range of developmental coursework, including online
1-41 coursework, or instructional support that includes the integration
1-42 of technology to efficiently address the particular developmental
1-43 needs of the student.

1-44 (i-2) An institution of higher education must base
1-45 developmental coursework on research-based best practices that
1-46 include the following components:

- 1-47 (1) assessment;
1-48 (2) differentiated placement and instruction;
1-49 (3) faculty development;
1-50 (4) support services;
1-51 (5) program evaluation;
1-52 (6) integration of technology with an emphasis on
1-53 instructional support programs;
1-54 (7) non-course-based developmental education
1-55 interventions; and
1-56 (8) course pairing of developmental education courses
1-57 with credit-bearing courses.

1-58 (i-3) The board shall adopt rules for the implementation of
1-59 Subsection (i-2).

1-60 (i-4) The board, in consultation with institutions of
1-61 higher education, shall develop and provide professional
1-62 development programs, including instruction in differentiated
1-63 instruction methods designed to address students' diverse learning

2-1 needs, to faculty and staff who provide developmental coursework to
2-2 students.

2-3 (k) An institution of higher education shall determine when
2-4 a student is ready to perform freshman-level academic coursework.
2-5 The institution must make its determination using learning outcomes
2-6 for developmental education courses developed by the board based on
2-7 established college and career readiness standards and student
2-8 performance on one or more appropriate assessments [on an
2-9 individual basis according to the needs of the student. The
2-10 determination shall include:

2-11 [~~(1) requiring a student to retake a board-approved~~
2-12 ~~assessment instrument, if the student did not initially perform~~
2-13 ~~within a deviation established by the board; or~~

2-14 [~~(2) other board-approved means of evaluating student~~
2-15 ~~readiness, if the student did not initially pass the assessment~~
2-16 ~~instrument but performed within a deviation established by the~~
2-17 ~~board].~~

2-18 SECTION 2. Subsection (e), Section 51.3062, Education Code,
2-19 is repealed.

2-20 SECTION 3. The change in law made by this Act applies
2-21 beginning with the 2012-2013 academic year.

2-22 SECTION 4. This Act takes effect immediately if it receives
2-23 a vote of two-thirds of all the members elected to each house, as
2-24 provided by Section 39, Article III, Texas Constitution. If this
2-25 Act does not receive the vote necessary for immediate effect, this
2-26 Act takes effect September 1, 2011.

2-27

* * * * *