

BILL ANALYSIS

Senate Research Center
82R20480 KJM-F

H.B. 3468
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Education
5/13/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 3468 amends current law relating to the assessment of public school students for college readiness and developmental education courses to prepare students for college-level coursework.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 3 (Section 51.3062, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.0141, as follows:

Sec. 28.0141. STUDY AND REPORT ON EARLY COLLEGE READINESS ASSESSMENTS. (a) Requires the Texas Education Agency (TEA), in consultation with the Texas Higher Education Coordinating Board (THECB), to conduct a study of best practices for and existing programs offering early assessments of high school students in order to determine college readiness, identify any deficiencies in college readiness, and provide intervention to address any deficiencies before high school graduation. Requires TEA, in conducting the study, in consultation with THECB, to review:

- (1) various assessments, including end-of-course assessment instruments under Section 39.023(c) (relating to requiring TEA to also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, Algebra II, geometry, biology, chemistry, physics, English I, English II, English III, world geography, world history, and United States history), each assessment currently used under Section 51.3062, and any assessment being proposed as a statewide model by THECB under Section 51.3062(v), for identifying students who need additional assistance in preparing for college;
- (2) various early intervention models, including:
 - (A) summer bridge programs;
 - (B) college preparatory courses for credit toward high school graduation;
 - (C) developmental education programs, including college readiness programs under Section 39.234 (Use of High School Allotment), and college study skills courses; and
 - (D) dual credit courses;
- (3) the costs associated with different assessments and early intervention models; and
- (4) the effectiveness of different assessments and early intervention models in preparing students for college coursework for which course credit may be earned.

(b) Requires TEA, in consultation with the THECB, public institutions of higher education, and school districts, not later than December 1, 2012, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each legislative standing committee with primary jurisdiction over primary and secondary education, higher education, or state appropriations a written report that contains recommendations for promoting and implementing early assessments of college readiness that are of a diagnostic nature and early intervention models for preparing high school students for college coursework for which course credit may be earned.

(c) Provides that this section expires January 1, 2013.

SECTION 2. Amends Subchapter H, Chapter 29, Education Code, by adding Section 29.2531, as follows:

Sec. 29.2531. ADULT EDUCATION ASSESSMENT. Requires TEA, in consultation with THECB, to review the standardized assessment mechanism required under Section 29.252(a)(8) (relating to requiring TEA to adopt or develop and administer a standardized assessment mechanism for assessing all adult education program participants who need literacy instruction, adult basic education, or secondary education leading to an adult high school diploma or the equivalent) and recommend any changes necessary to align the assessment with the assessments designated under Section 51.3062 to allow for the proper placement of a student in an adult basic education course or to provide the student with the proper developmental or English as a second language coursework, as appropriate.

SECTION 3. Amends Section 51.3062, Education Code, by adding Subsections (t), (t-1), (u), (v), and (w), as follows:

(t) Requires THECB, to allow a student to complete any necessary developmental coursework in the most efficient and cost-effective manner, to encourage institutions of higher education to offer various types of developmental coursework that address various levels of deficiency in readiness to perform college coursework for which course credit may be earned, as determined on the basis of assessments as described by Subsection (f) (relating to requiring that each assessment instrument designated by THECB for use under this section be diagnostic in nature and designed to assess a student's readiness to perform freshman-level academic coursework). Authorizes the types of developmental coursework to include:

- (1) course-based programs;
- (2) non-course-based programs, such as advising programs;
- (3) module format programs;
- (4) competency-based education programs; and
- (5) programs under which the student is pairing or taking concurrently a developmental education course and another course in the same subject area for which course credit may be earned.

(t-1) Authorizes THECB to adopt rules as necessary to implement Subsection (t).

(u) Requires THECB, in consultation with institutions of higher education, to use evidence-based studies and existing data to study and analyze:

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

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

(3) whether the funding formulas under Subsection (m) (relating to authorizing THECB to develop formulas to supplement the funding of developmental academic programs by institutions of higher education, including formulas for supplementing the funding of non-course-based programs) and under Section 61.059 (Appropriations), as applied to developmental coursework, result in or serve efficient and cost-effective implementation of successful developmental education; and

(4) whether any of the nonapplicability categories under Subsection (r) (relating to providing that the section does not apply to certain individuals) should be retained.

(v) Requires THECB, not later than December 1, 2012, to submit a written report based on the study under Subsection (u) to the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each legislative standing committee with primary jurisdiction over higher education or state appropriations recommending, to the extent practicable, a statewide diagnostic standard assessment instrument for purposes of this section that allows for:

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

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

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

(w) Provides that Subsections (u) and (v) and this subsection expire January 1, 2013.

SECTION 4. Amends Section 61.059, Education Code, by adding Subsection (b-1), as follows:

(b-1) Requires THECB to include in its periodic review of formulas under Subsection (b) (relating to requiring THECB to devise, establish, and periodically review and revise formulas for the use of the governor and the Legislative Budget Board in making appropriations recommendations to the legislature for all institutions of higher education, including the funding of postsecondary vocational-technical programs) recommendations for changes in funding formulas for developmental education programs based on the results of the study conducted under Section 51.3062(u) and the report submitted under Section 51.3062(v). Provides that this subsection expires January 1, 2015.

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

SECTION 6. Effective date: upon passage or September 1, 2011.