I certify that the attached is a true and correct copy of HB 2182 as filed on MAR 13 1987 9:1 which was filed for record on MAR 13 1987 and referred to the committee on HOUSE OF REPRESENTATIVES Higher Education

Betty Murray

Chief Clerk of the House

FILED MAR 13 1987

By Delco

H.B. No. 2182

A BILL TO BE ENTITLED

AN ACT

relating to the testing of and remedial education opportunities for students at public institutions of higher education.

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

SECTION 1. Subchapter F, Chapter 51, Education Code, is amended by adding Section 51.306 to read as follows:

Sec. 51.306. TESTING AND REMEDIAL COURSEWORK. (a) In this section, "coordinating board" and "institution of higher education" have the meanings assigned by Section 61.003 of this code.

(b) Each student enrolling for the first time in an undergraduate degree program at an institution of higher education must be tested by the institution for reading, writing, and mathematics skills. For that purpose, the institution shall use a test instrument prescribed by the coordinating board. The same instrument shall be used at all institutions of higher education.

(c) The test instrument adopted by the coordinating board must be designed to provide a comparison of the skill level of the individual student with the skill level necessary for a student to perform effectively in an undergraduate degree program. In developing the test, the board shall consider the recommendations of faculty from various institutions of higher education.

(d) An institution may not use performance on the test as a condition of admission into a degree program of the institution.

(e) The coordinating board shall prescribe minimum

performance standards for the test instrument. An institution must refer to remedial courses a student whose performance is below the standard for a tested skill. An institution may adopt a higher standard for remedial course referrals.

(f) If the test results indicate that remedial education is necessary in any area tested, the institution shall refer the student to remedial courses offered by the institution. Each institution shall offer those courses on the same campus at which the student would otherwise attend classes. The courses may not be considered as credit towards completion of degree requirements.

(g) A student whose test results indicate a need for remedial courses shall be retested at an appropriate time and may not enroll in upper division courses in any area until the student has been shown to have the skill levels necessary to perform effectively in an undergraduate degree program.

(h) Each institution shall establish an advising program to advise students at every level of courses and degree options that are appropriate for the individual student.

(i) Each institution shall report annually to the coordinating board, on or before a date set by rule of the board, concerning the results of the students being tested and the effectiveness of the institution's remedial program and advising program.

SECTION 2. The test required by this Act shall be administered to students beginning with those students entering institutions of higher education for the first time for the fall semester 1989.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

HOUSE COMMITTEE REPORT

1987 APR 16 PM 6:44
HOUSE OF REPRESENTATIVES

1st Printing

By Delco H.B. No. 2182

Substitute the following for H.B. No. 2182:

By Delco C.S.H.B. No. 2182

A BILL TO BE ENTITLED

AN ACT

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SECTION 1. Subchapter F, Chapter 51, Education Code, is amended by adding Section 51.306 to read as follows:

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(b) All students in the following categories who enter public institutions of higher education in the fall of 1989 and thereafter must be tested for reading, writing, and mathematics skills:

(1) all full-time and part-time freshmen enrolled in a certificate or degree program;

(2) any other student, prior to the accumulation of nine or more semester credit hours or the equivalent;

(3) any transfer student with fewer than 60 semester credit hours or the equivalent who has not previously taken the tests.

For that purpose, the institution shall use a test instrument prescribed by the board. The same instrument shall be used at institutions of higher education.

(c) The test instrument adopted by the board must be of a diagnostic nature and be designed to provide a comparison of the

skill level of the individual student with the skill level necessary for a student to perform effectively in an undergraduate degree program. In developing the test, the board shall consider the recommendations of faculty from various institutions of higher education.

(d) An institution may not use performance on the test as a condition of admission into a degree program of the institution.

(e) The board shall prescribe minimum performance standards for the test instrument. A student whose performance is below the standard for tested skill must participate in a remediation program. An institution may require higher performance standards.

(f) If the test results indicate that remedial education is necessary in any area tested, the institution shall refer the student to remedial courses or other remedial programs made available by the institution. Each institution shall make available those courses and programs on the same campus at which the student would otherwise attend classes. The courses or programs may not be considered as credit toward completion of degree requirements.

(g) A student may not enroll in any upper division course completion of which would give the student 60 or more semester credit hours or the equivalent until the student's test results meet or exceed the minimum standards in all test scores.

(h) The state shall continue to fund approved nondegree credit remedial courses. Additionally, the board shall develop formulas to augment institutional funding of other remedial academic programs. The additional funding required under such

formulas shall be met by state appropriation for fiscal years 1990-1991 and thereafter.

(i) Each institution shall establish an advising program to advise students at every level of courses and degree options that are appropriate for the individual student.

(j) The unit costs of each test shall be borne by the student. Costs of administering the tests to students shown to be financially needy under criteria established by the board shall be borne by the state through appropriation to the board for that purpose or other sources of funds. Additionally, appropriation shall be made to the board to cover overall administrative costs of the testing program.

(k) Each institution shall report annually to the board, on or before a day set by rule of the board, concerning the results of the students being tested and the effectiveness of the institution's remedial program and advising program.

SECTION 2. The test required by this Act shall be administered to students beginning with those students entering institutions of higher education for the first time no later than the fall semester 1989.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

13 April 1987
(date)

Sir:

We, your COMMITTEE ON HIGHER EDUCATION,

to whom was referred H.B. 2182 (measure) have had the same under consideration and beg to report back with the recommendation that it

( ) do pass, without amendment.
( ) do pass, with amendment(s).
(X) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (X) yes ( ) no An actuarial analysis was requested. ( ) yes (X) no

An author's fiscal statement was requested. ( ) yes (X) no

The Committee recommends that this measure be placed on ~~the (Local) or (Consent) Calendar~~.

This measure (X) proposes new law. (X) amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Delco, Ch.	✓			
Hudson, D., V.C.	✓			
Uher, C.B.O.				✓
Evans, C.				✓
Millsap				✓
Rangel	✓			
Rodriguez	✓			
Schlueter				✓
Watkins	✓			

Total
5 aye
0 nay
0 present, not voting
4 absent

Richard Dilco
CHAIRMAN

Laura Calfee
COMMITTEE COORDINATOR

Committee on Higher Education

BILL ANALYSIS

H.B. No. 2182

By: Delco

C.S.H.B. No. 2182

BACKGROUND:

The Committee on Testing of the Coordinating Board studied the need for identifying and assisting students who are qualified to enter college but who lack the basic skills needed to perform effectively in all their courses. The Committee, in its final report (the Hardesty Report), recommended a state-wide basic skills assessment program.

The Hardesty Report recommends that "beginning in the fall of 1989, or as soon thereafter as feasible, all freshmen entering a public college or university in Texas be tested in reading, writing, and mathematics skills at levels required to perform effectively in college. The test should be uniform across institutions and should be administered after admission. In no case should such a test bar entry to any student otherwise qualified."

The Committee recommends strong advising programs at universities for appropriate course placement early in a student's academic career, non-degree credit remedial opportunities on the same campus as other classes, mandatory remediation when a component of the skills test is failed, denial of additional credit hours over 60 hours until all components of the test have been passed, and restriction to lower division courses until all components of the test have been passed.

The Hardesty Report further recommends annual evaluation and report by each institution regarding the results and effectiveness of remediation. The Coordinating Board is directed to include faculty participation in test development. The Report urges the Legislature to provide appropriate funding to develop and implement the test and support remediation activities.

The Select Committee on Higher Education, in its final report, endorsed the July, 1986, report and recommendations of the Committee on Testing.

This test (set at the 12th grade level) could replace the Pre-Professional Skills Test (PPST) (set at the 10th grade level).

This legislation establishes a post-admission basic skills test, to be developed by the Coordinating Board, and administered to all first-time college students by Texas public institutions of higher education. In addition, this legislation requires appropriate remediation and advising opportunities be created on campuses to assist students in achieving the designated skill levels for each test component and selecting appropriate courses and degree programs.

PURPOSE:

Establishes a basic skills test, to be developed by the Coordinating Board, to be administered by institutions of higher education to first time college students. Establishes remedial and advising programs at institutions of higher education to assist students.

RULE MAKING AUTHORITY:

It is the opinion of the committee's staff that this legislation delegates additional rule making authority to the Coordinating Board, Texas College and University System, for the purpose of developing standards, procedures, and guidelines for administering the test and evaluating and reporting the effectiveness of the institution's remedial and advising programs.

SECTION BY SECTION ANALYSIS:

Section 1. Amends Subchapter F, Chapter 51, Texas Education Code, by adding Section 51.306, to read as follows.

Sec. 51.306. Testing and remedial course work.

(a) Specifies definitions.

(b) Requires that a uniform test in reading, writing, and mathematics skills, prescribed by the Coordinating Board, be given to all first-time students enrolled at institutions of higher education.

(c) Requires the Coordinating Board to develop a test, with advise from faculty, which compares the skill level of individual students with the skill level necessary to perform college work.

(d) Prohibits use of the test as a pre-condition for admission into a degree program.

(e) Requires the Coordinating Board to prescribe minimum performance standards for the test. Requires institutions to refer to remedial courses students whose performance is below the standard for a tested skill. Permits institutions to adopt standards above that established by the Coordinating Board.

(f) Requires institutions to refer the student to remedial courses offered by the institutions. Requires the institution to offer remedial courses on the same campus as other classes. Does not permit remedial courses to be considered for credit toward the completion of degree requirements.

(g) Requires students taking remedial courses be retested at appropriate times. Does not permit enrollment in upper level courses by students who have not demonstrated the skill level necessary to perform college work.

(h) Requires the state to continue funding of approved nondegree credit remedial courses. Also requires the board to develop funding formulas to augment institutional funding of other remedial programs. Establishes state appropriations as funding source beginning fiscal 1990-1991 and thereafter.

(i) Requires each institution to establish a program to advise students at every course level and considering all degree options appropriate to the individual student.

(j) Requires student to bare the unit cost of each test with a provision that the board provide assistance to financially needy students under criteria established by the board.

(k) Requires each institution to report annually to the board, concerning the results of the students being tested and the effectiveness of the institution's remedial program and advising program.

Section 2. Requires the testing program be implemented for the the fall semester, 1989.

Section 3. Emergency Clause, effective with passage.

Comparison Of Original To Substitute

The original bill did not establish categories of entering students as does the substitute; Which in subsection (b) of Section 51.306 establishes three distinct categories of entering students. Subsection (c) establishes the test as a diagnostic instrument. Subsection (d) requires that the test shall ot be used as a condition for admissions. Subsection (g) prohibits a student from enrolling in upper level courses beyond 60 semester credit hours until test results exceed minimum standards. Subsection (j) is added to require that the student bare the cost of the test with the exception of those students who the board determines meet the criteria for finacially needed.

Summary Of Committee Action

H.B.2182 was considered in a public hearing on April 13, 1987. The following persons testified for H.B.2182. Mr. Larry Temple representing the Select Committee On Higher Education. Dr Robert Shepack,representing the Texas Public Community and Junior College Association, Austin, Texas. Dr. Joan Matthews, representing the Committee on Testing. Dr. Robert Hardesty, representating The Coordinating Board committee on testing. Testifying in oppostion to H.B. 2182 was Elsa Giron Nava,representing the Mexican Amercian Legal Defense & Education Fund San Antonio , Texas. At the hearing the author,Rep . Delco, offered a complete committee substitute for H.B.2182 Rep. Rangel sent up the substitute and moved its adoption. The motion prevailed without objection. The motion to report the bill,as substituted, favorably carried by a record vote of 5 ayes, no Nays,4 absent.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 11, 1987

TO: Honorable Wilhelmina Delco, Chair
Committee on Higher Education
House of Representatives
Austin, Texas

In Re: House Bill No. 2182
By: Delco

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2182 (relating to the testing of and remedial education opportunities for students at public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would require the Coordinating Board to prescribe a test for first-time students enrolling in an institution of higher education at the undergraduate level to insure skills in reading, writing and mathematics.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Fiscal Year	Probable Cost Out of the General Revenue Fund
1988	$ 250,000
1989	332,800
1990	332,800
1991	332,800
1992	332,800

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Coordinating Board;
LBB Staff: JO, HES, JWH, WR, AF

ADOPTED as amended

APR 30 1987

Betty Murray
Chief Clerk
House of Representatives

By: Delco H.B. No. 2182

Substitute the following for H.B. No. 2182

By: Soles C.S.H.B. No. 2182

A BILL TO BE ENTITLED

AN ACT

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(b) All students in the following categories who enter public institutions of higher education in the fall of 1989 and thereafter must be tested for reading, writing, and mathematics skills:

(1) all full-time and part-time freshmen enrolled in a certificate or degree program;

(2) any other student, prior to the accumulation of nine or more semester credit hours or the equivalent;

(3) any transfer student with fewer than 60 semester credit hours or the equivalent who has not previously taken the tests.

For that purpose, the institution shall use a test instrument prescribed by the board. The same instrument shall be used at institutions of higher education.

(c) The test instrument adopted by the board must be of a

87S5465 4-1

diagnostic nature and be designed to provide a comparison of the skill level of the individual student with the skill level necessary for a student to perform effectively in an undergraduate degree program. In developing the test, the board shall consider the recommendations of faculty from various institutions of higher education.

(d) An institution may not use performance on the test as a condition of admission into a degree program of the institution.

(e) The board shall prescribe minimum performance standards for the test instrument. A student whose performance is below the standard for tested skill must participate in a remediation program. An institution may require higher performance standards.

(f) If the test results indicate that remedial education is necessary in any area tested, the institution shall refer the student to remedial courses or other remedial programs made available by the institution. Each institution shall make available those courses and programs on the same campus at which the student would otherwise attend classes. The courses or programs may not be considered as credit toward completion of degree requirements.

(g) A student may not enroll in any upper division course completion of which would give the student 60 or more semester credit hours or the equivalent until the student's test results meet or exceed the minimum standards in all test scores.

(h) The state shall continue to fund approved nondegree

credit remedial courses. Additionally, the board shall develop formulas to augment institutional funding of other remedial academic programs. The additional funding required under such formulas shall be met by state appropriation for fiscal years 1990-1991 and thereafter.

(i) Each institution shall establish an advising program to advise students at every level of courses and degree options that are appropriate for the individual student.

(j) The unit costs of each test shall be borne by the student. Costs of administering the tests to students shown to be financially needy under criteria established by the board shall be borne by the state through appropriation to the board for that purpose or other sources of funds. Additionally, appropriation shall be made to the board to cover overall administrative costs of the testing program.

(k) Each institution shall report annually to the board, on or before a day set by rule of the board, concerning the results of the students being tested and the effectiveness of the institution's remedial program and advising program.

SECTION 2. The test required by this Act shall be administered to students beginning with those students entering institutions of higher education for the first time no later than the fall semester 1989.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an

emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

ADOPTED

APR 30 1987

Betty Murray
Chief Clerk
House of Representatives

FLOOR AMENDMENT NO. 1 BY: DELCO

Amend H.B. 2182 as follows:

(1) On page 1, line 22, before "institutions" insert "all public".

INSERT

Amendment No. (2) By: R Smith

Amend H. B. 2182 as follows:

On page 3, line 16, after "program." insert:
"The report shall identify by name the high school from which each tested student graduated and a statement as to whether or not the student's performance was above or below the standard. For the purposes of this report, students shall not be identified by name."

ADOPTED
APR 30 1987
Betty Mimms
Chief Clerk
House of Representatives

1987 MAY -1 PM 2:29
HOUSE OF REPRESENTATIVES

ENGROSSED
SECOND READING

By Delco

H.B. No. 2182

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(k) Each institution shall report annually to the board, on or before a day set by rule of the board, concerning the results of the students being tested and the effectiveness of the institution's remedial program and advising program. The report shall identify by name the high school from which each tested student graduated and a statement as to whether or not the student's performance was above or below the standard. For the purposes of this report, students shall not be identified by name.

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ADOPTED

MAY 4 1987

Betty Murray
Chief Clerk
House of Representatives

3rd READING

Committee Amendent No. 1 By: Delco

Amend H.B. 2182 by Delco, Section 1, subsection (g) by striking the language and substituting the following:

(g) A student may not enroll in any upper division course completion of which would give the student 60 or more semester credit hours or the equivalent until the student's test result meet or exceed the minimum standards in all test scores. The ~~Coordinating~~ Board may establish other assessment procedures to be used by institutions in exceptional cases where ~~a~~ student test results do not meet minimum standards.

HOUSE ENGROSSMENT

1987 MAY -5 PM 12:53
HOUSE OF REPRESENTATIVES

By Delco H.B. No. 2182

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 11, 1987

TO: Honorable Wilhelmina Delco, Chair
Committee on Higher Education
House of Representatives
Austin, Texas

In Re: House Bill No. 2182
By: Delco

FROM: Jim Oliver, Director

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The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would require the Coordinating Board to prescribe a test for first-time students enrolling in an institution of higher education at the undergraduate level to insure skills in reading, writing and mathematics.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

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Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Coordinating Board;
LBB Staff: JO, HES, JWH, WR, AF

By: Delco (Senate Sponsor - Parker) H.B. No. 2182

(In the Senate - Received from the House May 5, 1987; May 6, 1987, read first time and referred to Committee on Education; May 19, 1987, reported favorably, as amended, by the following vote: Yeas 7, Nays 0; May 19, 1987, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Parker	x			
Truan				x
Barrientos				x
Brooks				x
Edwards	x			
Green	x			
Johnson	x			
Jones				x
Krier	x			
Sarpalius	x			
Uribe	x			

COMMITTEE AMENDMENT NO. 1 By: Parker

Amend CSHB 2182 by Delco Section 1, Subsection (d) by striking the words "a degree program of"

COMMITTEE AMENDMENT NO. 2 By: Krier

Amend HB 2182 by amending Section (g), page 2, lines 16-18 to read as follows:

shall establish other assessment procedures to be used by institutions in exceptional cases to allow a student to enroll in upper division courses in cases where student test results do not meet minimum standards.

A BILL TO BE ENTITLED
AN ACT

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

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(3) any transfer student with fewer than 60 semester credit hours or the equivalent who has not previously taken the tests.

For that purpose, the institution shall use a test instrument prescribed by the board. The same instrument shall be used at all public institutions of higher education.

(c) The test instrument adopted by the board must be of a diagnostic nature and be designed to provide a comparison of the skill level of the individual student with the skill level necessary for a student to perform effectively in an undergraduate degree program. In developing the test, the board shall consider the recommendations of faculty from various institutions of higher education.

(d) An institution may not use performance on the test as a condition of admission into a degree program of the institution.

(e) The board shall prescribe minimum performance standards

for the test instrument. A student whose performance is below the standard for tested skill must participate in a remediation program. An institution may require higher performance standards.

(f) If the test results indicate that remedial education is necessary in any area tested, the institution shall refer the student to remedial courses or other remedial programs made available by the institution. Each institution shall make available those courses and programs on the same campus at which the student would otherwise attend classes. The courses or programs may not be considered as credit toward completion of degree requirements.

(g) A student may not enroll in any upper division course completion of which would give the student 60 or more semester credit hours or the equivalent until the student's test results meet or exceed the minimum standards in all test scores. The board may establish other assessment procedures to be used by institutions in exceptional cases where student test results do not meet minimum standards.

(h) The state shall continue to fund approved nondegree credit remedial courses. Additionally, the board shall develop formulas to augment institutional funding of other remedial academic programs. The additional funding required under such formulas shall be met by state appropriation for fiscal years 1990-1991 and thereafter.

(i) Each institution shall establish an advising program to advise students at every level of courses and degree options that are appropriate for the individual student.

(j) The unit costs of each test shall be borne by the student. Costs of administering the tests to students shown to be financially needy under criteria established by the board shall be borne by the state through appropriation to the board for that purpose or other sources of funds. Additionally, appropriation shall be made to the board to cover overall administrative costs of the testing program.

(k) Each institution shall report annually to the board, on or before a day set by rule of the board, concerning the results of the students being tested and the effectiveness of the institution's remedial program and advising program. The report shall identify by name the high school from which each tested student graduated and a statement as to whether or not the student's performance was above or below the standard. For the purposes of this report, students shall not be identified by name.

SECTION 2. The test required by this Act shall be administered to students beginning with those students entering institutions of higher education for the first time no later than the fall semester 1989.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

* * * * *

Austin, Texas
May 19, 1987

Hon. William P. Hobby
President of the Senate

Sir:

We, your Committee on Education to which was referred H.B. No. 2182, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

Parker, Chairman

SENATE FAVORABLY AS AMENDED COMMITTEE REPORT

Lt. Governor William P. Hobby
President of the Senate

5/18/87
(date)/(time)

Sir:

We, your Committee on EDUCATION to which was referred HB 2182 (measure) by Delco (sponsor) have on 5/18 (hearing date), 1987, had the same under consideration and I am instructed to report it back with the recommendation (s) that it

(✓) do pass with 2 amendments, and be printed

( ) do pass as amended, and be ordered not printed

( ) and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested.	(✓) yes	( ) no
A revised fiscal note was requested.	(✓) yes	(✓) no
An actuarial analysis was requested.	( ) yes	(✓) no
Considered by subcommittee.	( ) yes	(✓) no

Senate Sponsor of House Measure Parker

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Parker, Chairman	✓			
Truan, Vice Chairman				✓
Barrientos				✓
Brooks				✓
Edwards	✓			
Green	✓			
Johnson	✓			
Jones				✓
Krier	✓			
Sarpalius	✓			
Uribe	✓			
TOTAL VOTES	7			4

Sally Hornett
COMMITTEE CLERK

Carlos Parker
CHAIRMAN

Paper clip the original and one copy of this form to the original bill along with the original and one copy of each committee amendment adopted. Retain one copy of this form for your file.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

May 14, 1987

TO: Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: House Bill No. 2182, as engrossed
By: Delco

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2182, as engrossed (relating to the testing of and remedial education opportunities for students at public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would require the Coordinating Board to prescribe a test for first-time students enrolling in an institution of higher education at the undergraduate level to insure skills in reading, writing and mathematics.

A student whose performance is below the standard for testing skills must participate in a remediation program. A student may not enroll in any upper division course completion of which would give the student 60 or more semester credit hours or the equivalent until the student's skill testing results meet minimum standards. The cost of administering the skills test shall be paid by the student.

Reporting requirements by each institution of higher education would include the effectiveness of the remedial program and the identification by name of the high school from which each tested student graduated.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Fiscal Year	Probable Cost Out of the General Revenue Fund for Testing Administration and Development	Probable Cost Out of the General Revenue Fund for Test Administration Costs for Students Unable to Pay Test Fee
1988	$250,000	$ -0-
1989	50,000	82,800
1990	50,000	82,800
1991	50,000	82,800
1992	50,000	82,800

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Coordinating Board;
LBB Staff: JO, HES, JWH, WRR, LV

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 11, 1987

TO: Honorable Wilhelmina Delco, Chair
Committee on Higher Education
House of Representatives
Austin, Texas

In Re: House Bill No. 2182
By: Delco

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2182 (relating to the testing of and remedial education opportunities for students at public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would require the Coordinating Board to prescribe a test for first-time students enrolling in an institution of higher education at the undergraduate level to insure skills in reading, writing and mathematics.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Fiscal Year	Probable Cost Out of the General Revenue Fund
1988	$ 250,000
1989	332,800
1990	332,800
1991	332,800
1992	332,800

Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Coordinating Board;
LBB Staff: JO, HES, JWH, WR, AF

Committee Amendment No. 1 By: Parker

Amend CSHB 2182 by Delco Section 1, Subsection (d) by striking the words "a degree program of".

5/19/87

ADOPTED

MAY 21 1987

Secretary of the Senate

98-5

adopted

COMMITTEE AMENDMENT. V

By: Krier

Amend HB 2182 by amending Section (g), page 2, lines 25-27 to read as follows:

shall establish other assessment procedures to be used by institutions in exceptional cases to allow a student to enroll in upper division courses in cases where student test results do not meet minimum standards.

ADOPTED

MAY 21 1987

Secretary of the Senate

adopted

AMEND THE CAPTION TO CONFORM

TO THE BODY OF THE BILL

ADOPTED

MAY 21 1987

Betty King
Secretary of the Senate

#3

SENATE AMENDMENTS

1987 MAY 21 PM 3:13

HOUSE OF REPRESENTATIVES

2nd Printing

By Delco H.B. No. 2182

A BILL TO BE ENTITLED

AN ACT

relating to the testing of and remedial education opportunities for students at public institutions of higher education.

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

SECTION 1. Subchapter F, Chapter 51, Education Code, is amended by adding Section 51.306 to read as follows:

Sec. 51.306. TESTING AND REMEDIAL COURSEWORK. (a) In this section, "board" and "institution of higher education" have the meanings assigned by Section 61.003 of this code.

(b) All students in the following categories who enter public institutions of higher education in the fall of 1989 and thereafter must be tested for reading, writing, and mathematics skills:

(1) all full-time and part-time freshmen enrolled in a certificate or degree program;

(2) any other student, prior to the accumulation of nine or more semester credit hours or the equivalent; and

(3) any transfer student with fewer than 60 semester credit hours or the equivalent who has not previously taken the tests.

For that purpose, the institution shall use a test instrument prescribed by the board. The same instrument shall be used at all public institutions of higher education.

(c) The test instrument adopted by the board must be of a

diagnostic nature and be designed to provide a comparison of the skill level of the individual student with the skill level necessary for a student to perform effectively in an undergraduate degree program. In developing the test, the board shall consider the recommendations of faculty from various institutions of higher education.

(d) An institution may not use performance on the test as a condition of admission into a degree program of the institution.

(e) The board shall prescribe minimum performance standards for the test instrument. A student whose performance is below the standard for tested skill must participate in a remediation program. An institution may require higher performance standards.

(f) If the test results indicate that remedial education is necessary in any area tested, the institution shall refer the student to remedial courses or other remedial programs made available by the institution. Each institution shall make available those courses and programs on the same campus at which the student would otherwise attend classes. The courses or programs may not be considered as credit toward completion of degree requirements.

(g) A student may not enroll in any upper division course completion of which would give the student 60 or more semester credit hours or the equivalent until the student's test results meet or exceed the minimum standards in all test scores. The board may establish other assessment procedures to be used by institutions in exceptional cases where student test results do not meet minimum standards.

(h) The state shall continue to fund approved nondegree credit remedial courses. Additionally, the board shall develop formulas to augment institutional funding of other remedial academic programs. The additional funding required under such formulas shall be met by state appropriation for fiscal years 1990-1991 and thereafter.

(i) Each institution shall establish an advising program to advise students at every level of courses and degree options that are appropriate for the individual student.

(j) The unit costs of each test shall be borne by the student. Costs of administering the tests to students shown to be financially needy under criteria established by the board shall be borne by the state through appropriation to the board for that purpose or other sources of funds. Additionally, appropriation shall be made to the board to cover overall administrative costs of the testing program.

(k) Each institution shall report annually to the board, on or before a day set by rule of the board, concerning the results of the students being tested and the effectiveness of the institution's remedial program and advising program. The report shall identify by name the high school from which each tested student graduated and a statement as to whether or not the student's performance was above or below the standard. For the purposes of this report, students shall not be identified by name.

SECTION 2. The test required by this Act shall be administered to students beginning with those students entering institutions of higher education for the first time no later than

the fall semester 1989.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

By Delco H.B. No. 2182

SENATE AMENDMENT NO. 1

Amend HB 2182 by Delco, Section 1, Subsection (d) by striking the words "a degree program of".

Parker

SENATE AMENDMENT NO. 2

Amend HB 2182 by amending Section (g), page 2, lines 25-27 to read as follows:

shall establish other assessment procedures to be used by institutions in exceptional cases to allow a student to enroll in upper division courses in cases where student test results do not meet minimum standards.

Krier

SENATE AMENDMENT NO. 3

Amend the caption to conform to the body of the bill.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

May 14, 1987

TO: Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: House Bill No. 2182,
as engrossed
By: Delco

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2182, as engrossed (relating to the testing of and remedial education opportunities for students at public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would require the Coordinating Board to prescribe a test for first-time students enrolling in an institution of higher education at the undergraduate level to insure skills in reading, writing and mathematics.

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Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Coordinating Board;
LBB Staff: JO, HES, JWH, WRR, LV

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 11, 1987

TO: Honorable Wilhelmina Delco, Chair
Committee on Higher Education
House of Representatives
Austin, Texas

In Re: House Bill No. 2182
By: Delco

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2182 (relating to the testing of and remedial education opportunities for students at public institutions of higher education) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would require the Coordinating Board to prescribe a test for first-time students enrolling in an institution of higher education at the undergraduate level to insure skills in reading, writing and mathematics.

The probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

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Similar annual costs would continue as long as the provisions of the bill are in effect.

No fiscal implication to units of local government is anticipated.

Source: Coordinating Board;
LBB Staff: JO, HES, JWH, WR, AF

F

ENROLLED

H.B. No. 2182

AN ACT

relating to the testing of and remedial education opportunities for students at public institutions of higher education.

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

SECTION 1. Subchapter F, Chapter 51, Education Code, is amended by adding Section 51.306 to read as follows:

Sec. 51.306. TESTING AND REMEDIAL COURSEWORK. (a) In this section, "board" and "institution of higher education" have the meanings assigned by Section 61.003 of this code.

(b) All students in the following categories who enter public institutions of higher education in the fall of 1989 and thereafter must be tested for reading, writing, and mathematics skills:

(1) all full-time and part-time freshmen enrolled in a certificate or degree program;

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(3) any transfer student with fewer than 60 semester credit hours or the equivalent who has not previously taken the tests.

For that purpose, the institution shall use a test instrument prescribed by the board. The same instrument shall be used at all public institutions of higher education.

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diagnostic nature and be designed to provide a comparison of the skill level of the individual student with the skill level necessary for a student to perform effectively in an undergraduate degree program. In developing the test, the board shall consider the recommendations of faculty from various institutions of higher education.

(d) An institution may not use performance on the test as a condition of admission into the institution.

(e) The board shall prescribe minimum performance standards for the test instrument. A student whose performance is below the standard for tested skill must participate in a remediation program. An institution may require higher performance standards.

(f) If the test results indicate that remedial education is necessary in any area tested, the institution shall refer the student to remedial courses or other remedial programs made available by the institution. Each institution shall make available those courses and programs on the same campus at which the student would otherwise attend classes. The courses or programs may not be considered as credit toward completion of degree requirements.

(g) A student may not enroll in any upper division course completion of which would give the student 60 or more semester credit hours or the equivalent until the student's test results meet or exceed the minimum standards in all test scores. The board shall establish other assessment procedures to be used by institutions in exceptional cases to allow a student to enroll in upper division courses in cases where student test results do not

meet minimum standards.

(h) The state shall continue to fund approved nondegree credit remedial courses. Additionally, the board shall develop formulas to augment institutional funding of other remedial academic programs. The additional funding required under such formulas shall be met by state appropriation for fiscal years 1990-1991 and thereafter.

(i) Each institution shall establish an advising program to advise students at every level of courses and degree options that are appropriate for the individual student.

(j) The unit costs of each test shall be borne by the student. Costs of administering the tests to students shown to be financially needy under criteria established by the board shall be borne by the state through appropriation to the board for that purpose or other sources of funds. Additionally, appropriation shall be made to the board to cover overall administrative costs of the testing program.

(k) Each institution shall report annually to the board, on or before a day set by rule of the board, concerning the results of the students being tested and the effectiveness of the institution's remedial program and advising program. The report shall identify by name the high school from which each tested student graduated and a statement as to whether or not the student's performance was above or below the standard. For the purposes of this report, students shall not be identified by name.

SECTION 2. The test required by this Act shall be administered to students beginning with those students entering

institutions of higher education for the first time no later than the fall semester 1989.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

President of the Senate

Speaker of the House

I certify that H.B. No. 2182 was passed by the House on May 4, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2182 on May 26, 1987, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2182 was passed by the Senate, with amendments, on May 21, 1987, by a viva-voce vote.

Secretary of the Senate

APPROVED: _____

Date

_____

Governor

H. B. No. 2182

By Delco

A BILL TO BE ENTITLED

AN ACT

relating to the testing of and remedial education opportunities for students at public institutions of higher education.

MAR 13 1987 — 1. Filed with the Chief Clerk.

MAR 25 1987 — 2. Read first time and Referred to Committee on Higher Education

APR 13 1987 — 3. Reported ~~favorably (as amended)~~ (as substituted) and sent to Printer at 10:20 am APR 15 1987

APR 16 1987 — 4. Printed and distributed at 6:44 pm

APR 21 1987 — 5. Sent to Committee on Calendars at 4:28 pm

APR 30 1987 — 6. Read second time ~~(amended)~~, passed to third reading ~~(failed)~~ by (Non-Record Vote) ~~(Record Vote of _____ yeas, _____ nays, _____ present, not voting)~~ as subs.

_____ — 7. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ — 8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____ present, not voting.

MAY 4 1987 — 9. Read third time ~~(amended)~~, finally passed (~~failed~~) by (Non-Record Vote) (~~Record Vote of _____ yeas, _____ nays, _____ present, not voting~~).

_____ — 10. Caption ordered amended to conform to body of bill.

_____ — 11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

MAY 4 1987 — 12. Ordered Engrossed at 10:55 am

MAY 5 1987 — 13. Engrossed.

MAY 5 1987 — 14. Returned to Chief Clerk at 12:58 am

MAY 5 1987 — 15. Sent to Senate.

Betty Thurmond
Chief Clerk of the House

MAY 5 1987 — 16. Received from the House

MAY 6 1987 — 17. Read, referred to Committee on EDUCATION

MAY 19 1987 — 18. Reported favorably as amended

_____ — 19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

_____ — 20. Ordered not printed.

MAY 21 1987 — 21. Regular order of business suspended by unanimous consent (~~a viva voce vote.~~) (_____ yeas, _____ nays.)

DSK

1987 MAY -5 AM 12:58
HOUSE OF REPRESENTATIVES

1987 MAY 21 PM 9:19
HOUSE OF REPRESENTATIVES

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

MAY 21 1987 23. Read second time amended passed to third reading by:
(a viva voce vote.)
~~(_____ yeas, _____ nays.)~~

MAY 21 1987 24. Caption ordered amended to conform to body of bill.

MAY 21 1987 25. Senate and Constitutional 3-Day Rules suspended by vote of 29 yeas, 1 nays to place bill on third reading and final passage.

MAY 21 1987 26. Read third time and passed by
(a viva voce vote.)
~~(_____ yeas, _____ nays.)~~

OTHER ACTION: OTHER ACTION:

Betty King
Secretary of the Senate

5-21-87 27. Returned to the House.

MAY 21 1987 28. Received from the Senate (with amendments.)
~~(as substituted.)~~

MAY 26 1987 29. House (Concurred) (~~Refused to Concur~~) in Senate (Amendments) (~~Substitute~~) by a (Non-Record Vote) ~~(Record Vote of _____ yeas, _____ nays, _____ present, not voting).~~

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

MAY 26 1987 32. Ordered Enrolled at 11:29 AM

1987 MAY -1 PM 2:28
HOUSE OF REPRESENTATIVES

1987 APR 16 PM 6:44
HOUSE OF REPRESENTATIVES

2182

President of the Senate

Speaker of the House

I certify that H.B. No. 2182 (1) was passed by the House on May 4 (2), 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2182 on May 26 (3), 1987, by a non-record vote.

Chief Clerk of the House

**** Preparation: 'A;CT64;

I certify that H.B. No. 2182 (1) was passed by the Senate, with amendments, on May 21 (2), 1987, by a viva-voce vote.

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: 'A;CT15;