# **SUPPLEMENTAL MATERIALS**

Committee on Academic and Workforce Success

#### AGENDA ITEM V-K-(1)

Consideration of adopting the Commissioner's recommendation to the Committee relating to amendments to Chapter 4, Subchapter C, Sections 4.53, 4.54, 4.55, 4.56, 4.57, 4.59, and 4.62 of Board rules, concerning the Texas Success Initiative to reflect developmental education reform efforts as required in H.B. 1244, H.B. 3468, and S.B. 162 (82nd Texas Legislature, Regular Session)

RECOMMENDATION: Approval

**Background Information:** 

Attached is a summary of public comments received in response to proposed rules for the Texas Success Initiative.

# Summary of Public Comments Received in Response to Proposed TSI Rules

#### **Comment 1:**

I have reviewed the proposed rules for the use of the STAAR exam for testing exemptions and I have a concern about the fact that there is no testing waiver for dual credit students who have not yet taken English III or Algebra II. Is there any discussion about allowing students who earn a level III on English II to be waived from reading and writing placement testing for one year so that they do not have to pay for the TSI assessment? Also, for those students who take career and technical dual credit is there any passing level set for students to participate in career and technical dual credit in the 10th grade. Those classes do not typically require students to pass TSI.

**Response:** The proposed TSI exemptions for STAAR EOC are defined in the Rule §4.54(3)(B):

(B) STAAR end-of-course (EOC) with a minimum score of Level 2 on the English III shall be exempt from the TSI Assessment required under this title for both reading and writing, and a minimum score of Level 2 on the Algebra II EOC shall be exempt from the TSI Assessment required under this title for the mathematics section.

The exemption for Dual Credit students is defined in the rules for Dual Credit (see Rules §4.81-4.85); a Dual Credit TSI exemption for Level 2 STAAR EOC English II has been proposed and will be considered by the Board at their next meeting in July.

#### Comment 2:

I wanted to take this opportunity to thank the Board for its recommendations on streamlining developmental education assessment and placement in Texas developmental education. Texas Tech University has implemented its Pre-Assessment Activity, and we have already begun using multiple measures for developmental education placement including high school GPA, ACT, SAT, and personal interviews based upon a LASSI evaluation.

Our one concern as an institution is that with the phase-in of the more rigorous assessment and testing standards, we do believe that the need for developmental education faculty will increase at our institution along with additional support staff, especially in the areas of advising. In order for my staff and I to examine each student's high school transcript, we have already had to hire additional temporary workers to seamlessly implement this one new requirement. We ask that THECB be aware of the increased time and staff that will be involved with this increase of academic rigor.

**Response:** THECB acknowledges the additional time and resources needed by faculty, staff, and administrators to successfully implement redesign efforts, as evidenced by the following recommendation to legislators in the 2012-2017 Statewide Developmental Education Plan:

Recommendation 3: Provide the necessary time and opportunity for institutions to develop, scale, and implement the numerous research-based recommendations and best practices to allow for meaningful and purposeful change that is lasting, sustainable, and impactful.

#### Comment 3:

We recommend adding Cut Scores to the Definitions Section 4.53 to ensure explicit understanding of what is meant by the use of that term. Written and webcast communications by THECB staff to Texas public higher education institutions have used the term "Cut Scores" as being synonymous with "minimum passing standards." If that is the case, then the proposed rule for 4.57 (b) as currently stated is inaccurate since the cited scores would represent the bottom of the Developmental score range. Thus, the statement should read as follows:

- (b) The following standards on the TSI Assessment may be used by an institution for consideration of courses and/or interventions addressing the educational and training needs of students at the Adult Basic Education levels (at or below the following cut scores, with no phase-in period):
- (1) Reading 342;
- (2) Writing 350;
- (3) Mathematics 336.

**Response:** Staff has included the term "cut scores" in Rule §4.57 College Ready and Adult Basic Education (ABE) Standards (a). Staff has also removed "at or" in subsection (b) as described above.

#### Comment 4:

The administration of this exam within the TDCJ educational system will be more challenging than the current THEA Exam. We will still likely only be able to provide 5 hours for the exam because of realistic time limitations arising from conditions on the units. My primary concern involves the use of multiple tests for placement, diagnosis of student weaknesses, and ABE assessment which will be hand scored on site. We do not currently have the personnel available to test the large number of students we have been required to test in the past since there will be several rounds of testing and each round would have to be hand scored before the students continued, if necessary, to the next series of exams. We will likely experience significant delays in test administration, which will add to both frustration and test anxiety on the part of the students as well as increase stress upon the test proctor. I am not sure there is any easy fix or even a realistic resolution. I am simply raising the issue for your consideration. Thank you for your time.

**Response:** THECB staff takes these concerns seriously and is working with The College Board and stakeholder groups, including The Texas Correctional Education Consortium, towards a realistic solution for the TDCJ educational system.

## **Comment 5:**

I am writing to express serious concern about two provisions related to ESOL instruction in the proposed new TSI rules which the Coordinating Board has issued. The language is the following:

§4.54. Exemptions, Exceptions, and Waivers [Exemptions/Exceptions]. ESOL Waiver--An institution may grant a temporary waiver from the assessment required under this title for students with demonstrated limited English proficiency in order to provide appropriate ESOL/ESL coursework and interventions. The waiver must be removed prior to the student attempting 15 credit hours of developmental ESOL coursework or attempting entry-level freshman coursework, whichever comes first, at which time the student would be administered the TSI Assessment. Funding limits as defined in Texas Education Code, §51.3062(I)(1) and (2) for developmental education

§4.56. Assessment Instrument [Instruments]. Beginning with the institution's first class day of Academic Year (fall) 2013, an institution of higher education shall use the TSI Assessment offered by the College Board as the only Board-approved assessment instrument under this title. Any previously-employed assessments (ACCUPLACER, Compass, THEA, Asset, Compass ESL, ACCUPLACER ESL) can no longer be used under this title for entering students who initially enroll in any course on or after the institution's first class day in fall 2013.

Regarding section 4.54, I am concerned that allowing only 15 credit hours of ESOL instruction before a student is required to take the TSI may require non-native-speaking students to establish college readiness before they are prepared to do so. Most of our students place into an intermediate or advanced-intermediate level of ESOL and thus require more than two semesters of ESOL instruction before they are deemed to be ready to take the TSI test (in our case, the Compass, of which more below). Requiring students to take the TSI test before they are ready will likely lead to needless frustration.

**Response:** The proposed ESOL Waiver (Rule §4.54) is not a requirement and simply provides a new option for institutions as they address limited-English proficient students not otherwise exempt from the TSI Statute. The current rules provide no waiver for this student population, resulting in some of these students taking the TSI Assessment before they may be ready. Application of this waiver allows a student to enroll in ESOL coursework for up to 15 credit hours (up to 5 courses) of ESOL instruction prior to taking the TSI Assessment, thus increasing the likelihood that the student is ready and able to demonstrate college readiness or still has an opportunity to enroll in additional hours of ESOL instruction, as needed, before reaching the maximum funded hours allowed by statute.

Regarding section 4.56, our placement test of assigning new ESL students to an appropriate level of ESL instruction (in our case, COMPASS-ESL) is explicitly mentioned as one of the tests which is superseded by the new TSI Assessment. My grave concern is that I have seen no evidence that the TSI Assessment is intended to distinguish between native-speaking developmental students and non-native-speaking students needing ESL, much less to distinguish among several levels of instruction needed by these ESL students. I am unaware that ESL instructors were invited to participate in the design of this test or the establishment of the benchmark scores for this test. My fear is that we will be saddled with a one-size-fits-all test that will do a poor job of placing ESL students in the appropriate level of instruction.

**Response:** COMPASS-ESL is not currently, nor has ever been, a Board-approved assessment for TSI purposes. However, an institution may use any assessment instrument (including COMPASS-ESL) for non-TSI purposes. For example, the institution can apply the proposed ESOL waiver\* for a student with limited English proficiency. The institution may then administer any assessment instrument for diagnostic purposes and use those results to determine the best course/intervention to address the student's individual needs. \*contingent upon Board approval

3. I would like to point out, furthermore, that at Houston Community College, the COMPASS-ESL is only used for ESL placement – it is not used for establishing college-readiness or for placing students in developmental reading and/or math. For that purpose, we refer high-scoring ESL students to the TSI test (i.e. Compass, or soon the TSI Assessment) Therefore, replacing the ESL placement test with the omnibus TSI Assessment seems to me a gratuitous measure whose sole impact will be to damage our ability to accurately place our students at the right level of ESL instruction.

**Response:** Current or proposed TSI rules do not preclude institutions from using whatever testing instruments they feel appropriate for placement purposes, either during the ESOL waiver period or based on TSI Assessment results, if administered. While TSI statute prohibits the use of the TSI Assessment results for admissions purposes, institutions certainly have the option of requiring any non-TSI Assessment test results (e.g., TOEFL, COMPASS-ESL) for purposes of admission and advising of students with limited English proficiency.

On a broader level, I would like to say that we at Houston Community College have been working hard to re-engineer our ESL program to cope with the application of the 27-hour rule to ESL. In the meantime, in the run-up to the TSI assessment change and the broader campaign to reform developmental education, I have heard very little reference to ESL in these proposed measures. Indeed, I participated last summer in a statewide task force, capably led by Dr. Linda Munoz, to update the Program Student Learning Outcomes for the ESL portion of the ACGM. During all this time, I never heard any word that ESL would be impacted in the short run by these proposed testing measures. I hope that the THECB will take a step back before implementing the above two paragraphs, consult the ESL teaching community in Texas, and draft some better-calibrated language that will not cause undo damage to our ability to carry out our mission.

**Response:** Staff believes the proposed ESOL waiver will provide another tool for institutions to better serve students entering with limited English proficiency and does not limit the use of any

testing instrument(s) deemed appropriate by institutions, including COMPASS-ESL, for non-TSI purposes. Staff will continue to consult with faculty, staff, and administrators serving students with limited English proficiency to determine the best recommendations and policies to meet their needs.

#### **Comment 6:**

We have reviewed the proposed changes through the lens of scaling the statewide work of the New Mathways Project and aligning the work already underway at the 50 community college districts with the state policy changes for TSI.

- (1). We strongly support the proposed change to the definition of *entry level courses*, which clarifies that these courses "shall not have prerequisites and is open to any student meeting TSI standards as defined in 4.57...". We have found the variability in prerequisites for gateway math courses, especially introductory statistics, to be very problematic across institutions and majors across the state.
- (2). We support the use of multiple measures, in particular high school grade point average, to improve advising and placement of students.
- (3). We request your help in clarifying how the accelerated, yearlong New Mathways Project pathways fit into the developmental education models laid out in the rules. As you are familiar, the NMP course structure pairs a learning frameworks course and a foundations of mathematics course (developmental) in the first semester, followed by a college level statistics, quantitative reasoning (contemporary mathematics), and (eventually) STEM prep course in the second semester. We believe the NMP model is both an example of course pairing and contextualized/intensive coursework. Understanding how NMP fits into the rules is particularly important as colleges seek to comply with 4.62 Required Components of Developmental Education Programs. The NMP represents a significant change in practice to accelerate student progress through developmental mathematics; aligns mathematics course content to a students' major/program of study; relies on research-based pedagogy and curricular content; and intentionally incorporates student success strategies that build the skills, behaviors, and mindsets students need to succeed in college. The NMP approach very much embodies the spirit of the TSI policy changes. It has also been widely supported by the 50 community college districts in the state, through both a unanimous vote of the 50 CEOs and financial support through TACC to fund development. Colleges across the state are working hard to implement the NMP model and we ask the state to make room for the NMP work in the required developmental education program components. At a minimum, we do not want the NMP to fall outside of the required components. At best, it would be clear to colleges that the NMP model explicitly satisfies some of the required components.

**Response:** The NMP model, along with other acceleration mathematics models such as FOCUS from Texas State University, satisfies the following required components:

- (1) assessment;
- (2) differentiated placement and instruction;
- (3) faculty development;
- (4) support services;
- (5) program evaluation;
- (6) integration of technology with an emphasis on instructional support programs;
- (7) non-course-based developmental education interventions (if offered in this mode); and
- (8) course pairing of developmental education courses with credit-bearing courses\* (if the two courses have the same subject matter within the same semester)

#### **Comment 7:**

I agree with [previous] comments on the ESOL rules with TSI placement. As many of Midland College's students transition through our Adult Education program, we find that COMPASS ESL is a much better indicator of student ability. Correct placement into developmental or college course work is critical.

[Commentary stated,] "2.Regarding section 4.56, our placement test of assigning new ESL students to an appropriate level of ESL instruction (in our case, COMPASS-ESL) is explicitly mentioned as one of the tests which is superseded by the new TSI Assessment. My grave concern is that I have seen no evidence that the TSI Assessment is intended to distinguish between native-speaking developmental students and non-native-speaking students needing ESL, much less to distinguish among several levels of instruction needed by these ESL students. I am unaware that ESL instructors were invited to participate in the design of this test or the establishment of the benchmark scores for this test. My fear is that we will be saddled with a one-size-fits-all test that will do a poor job of placing ESL students in the appropriate level of instruction."

There must be a way to identify student abilities to place them successfully for language instruction.

**Response:** Staff believes the proposed ESOL waiver will provide another tool for institutions to better serve students entering with limited English proficiency and does not limit the use of any testing instrument(s) deemed appropriate by institutions, including COMPASS-ESL, for non-TSI purposes. Staff will continue to consult with faculty, staff, and administrators serving students with limited English proficiency to determine the best recommendations and policies to meet their needs.

## **Comment 8:**

## **New TSI Assessment**

The timeline for implementation is rushed and puts Amarillo College in a position to make uninformed decisions before the College Board releases information that will help us to implement the requirements. The latest communication from Dr. Suzanne Morales-Vale, Director of Developmental Education, is that the test will be released by the College Board on August 1, 2013 about 3 weeks before the start of the Fall 2013 semester. Institutions have

been told that the College Board will make a computer-based app and other resources available. The late release of this material makes it difficult for AC faculty to review the resources and meaningfully integrate them into our overall implementation plan for all TSI changes including pre-assessment advising. While institutions have the college ready and ABE cut scores, we must have access to the assessment to make thoughtful decisions about how students will be placed into our course-based and non-course based interventions. Our DE faculty and administrators are being pressed by our Student Affairs Division (registrar, academic advising, and testing services) for final processes and procedures before most of our key developmental education faculty go off-contract for 6 weeks beginning in July. Advisors need to be trained on "what the cut scores actually mean" and the faculty recommendations based upon our interventions. We fear that a rushed implementation plan will lead to inconsistent implementation at our institution and likely inconsistent results. We request more time to implement this requirement in a thoughtful and deliberate way which means having all the resources from the College Board available to us before we finalize placement protocols.

**Response:** The implementation date for the new TSI Assessment is not until the institution's first class day of fall 2013. Notwithstanding late registrants, almost all students tested for fall 2013 will use the four currently-approved assessment instruments, with application of all current policies and procedures. Institutions therefore have additional time to determine the best practices and policies in addressing the upcoming changes. Staff understands that these processes will be continuously evaluated and modified to meet students' needs.

#### **ABE students**

Our concern about a rushed implementation carries over to the initial steps taken by THECB to develop an operational plan to serve students with an ABE designation. Up to this point, the majority of the discussion from Dr. Suzanne Morales-Vale has been about funding for ABE students with an ABE designation. AC faculty and administrators believe that the ABE designation is an opportunity to use what we learned from implementing I-BEST and "I-BEST like" programs at AC over the last two years.

I-BEST programs are research-based and conspicuously absent from the "required components of developmental education programs" especially since THECB has awarded millions of dollars in grant funds and successful outcomes mirror those at community colleges around the country.

Also, the TSI assessment will have a much needed diagnostic. AC needs an opportunity to work with the new assessment and College Board tools before a plan and rules are put forward for ABE students. AC implores THECB to do whatever it can to intervene on our behalf with our Texas legislators especially regarding further action on the proposed operational plan for ABE students.

**Response:** Staff understands the complexities in meeting the needs of a newly-identified group of students, those testing into the ABE levels. Therefore, the first year of implementation of the new TSI Assessment will be a "Transition Year," whereby institutions may continue to use structures and funding models currently in place to serve students testing into the ABE levels. During this Transition Year, however, we highly recommend that institutions form local task forces including all constituents with the campus and community (student services, technology, library services, institutional effectiveness, research, continuing education, workforce education, workforce solutions, adult literacy, community-based organizations, etc.) to determine what services are currently available and identify any gaps. During this year, staff

will be asking institutional feedback and responses to inform any recommendations, guidelines, and policies that will be needed to best serve this population. *TSI Rule § 4.62 Required Program Components* were based directly on HB 1244 and focused on the populations currently being identified and funded by THECB: college ready and developmental education. It is recognized that I-BEST models do address all required program components to various degrees.

#### **ESL** students

AC supports the waiver for ESL students because the new TSI assessment is not an ESL instrument. We are pleased that we will be able to use research-based practices to properly assess the needs of our ESL students. We have concerns about the 15 hour limit on this waiver. THECB has not put forth any research or data on how it came to the 15 hour limit. There is very little information about ESL delivery in community colleges. The inclusion of ESL in the DE plan is a great step. We propose that THECB actually implements its plan for ESL research and data collection before moving forward with substantive rule making for ESL students. ESL and DE students are considered a homogenous group for DE rule-making purposes and this concerns us greatly. English proficiency is indeed a college readiness issue. However, it has a completely different body of research. We have been told that Title 19 (4.62) includes ESL. However, this is not explicitly stated in the rules. We request that ESL programs are exempt from the NCBO requirement for ESL as it contradicts the testing waiver. We received guidance from THECB that the only way an institution can receive NCBO funding for ESL is by requiring ESL students to take the new TSI assessment. Again, this contradicts the intent of the waiver. The practical guidance on reporting and funding eligibility for NCBOs for ESL students should be stated more explicitly into the rules or removed until more research is gathered on this population. AC supports the latter.

**Response:** The proposed ESOL Waiver is not mandatory but an option available to serve students with limited English proficiency who would benefit from remediation prior to taking the TSI Assessment. NCBOs are designed to serve students who may be near college-ready; we do not want to remove the NCBO option for those colleges and universities serving ESOL students who are near college ready, as demonstrated either by TSI Assessment results and/or performance in ESOL coursework.

#### **Integrated Reading and Writing**

Title 19. 4.62 (a)(2) As part of subsection(a)(2) of this section, institutions shall offer Integrated Reading and Writing(IRW) course interventions at the highest level( just below college – readiness as determined by the institution) spring 2015. AC supports offering an IRW course for students who need both reading and writing. It is a very valid way of moving students through developmental education quickly. However, if we look at the students who need both reading and writing at our campus over FA 2011, SP2012 and FA2012, an average of 42% of the students need both reading and writing. These are students who tested on the ACCUPLACER and were enrolled at Amarillo College.

The New TSI Assessment is a reading and writing assessment not an IRW assessment. In order to effectively transition to an IRW mandate, the new TSI assessment should become an IRW assessment. The lack of alignment between the required components and the mandatory assessment is troubling. It makes it harder for us to serve students not easier. Students have been assessed on their skills needed for reading and writing. If a student doesn't need reading or writing, why should he spend valuable time working on a skill he doesn't need? He should

spend his time working on the skill the assessment deems him not college-ready. If the student concentrates on only the skills he is lacking, he can move through developmental much faster. The requirement that a student must complete the IRW course when college ready - or close to college ready - in either reading or writing contradicts the overall intent of the DE reform to accelerate student completion of the developmental education course sequence. If a student barely misses the cut score in reading, a short-term may be more appropriate than an entire semester length course. AC has been successful in helping students near the cut score achieve college readiness in a few weeks. Students are free to enroll in a gateway intensive reading course and earn college credit in the same semester.

Under the proposed plan for IRW implementation, these students will have to take a course and be held back in earning college credit in the area that they are ready. The IRW requirement should only apply to students that are deficient in both reading and writing. The new TSI rules do not address these types of situations for students and do not explicitly provide us with the latitude to determine which students are best suited for an IRW course. The IRW requirement is a blanket requirement for all circumstances and conflicts with other goals evident in the TSI rule changes.

Finally, THECB staff has presented at conferences, regional meetings, and webinars since January 2012 under the premise that authority to require IRW was already in place. The presence of IRW rules after a year of webinars and trainings comes as a surprise. Under what authority was THECB operating when discussing this requirement with institutions over the last year?

AC appreciates the opportunity to comment on the proposed TSI rules. We will be watching how the rules progress thr*ou*gh the remainder of the process and welcome the opportunity to engage THECB staff in further discussion about our response.

**Response:** Staff is researching the viability of an integrated reading and writing assessment as part of the TSI program. Institutions may still use NCBOs as an option to address specific student deficits in reading, writing, or both. TEC 51.3062(i)(3) grants authority to THECB to implement required program components for developmental education.

#### **Comment 9:**

The only comment I have on this is the same I have always had. We should not even be a part of this since learners of a foreign language (ESOL) are not in any way Developmental Education students and should never have been considered such; the designation needs to be recognized for what it is.

**Response:** Higher education funding mechanisms for developmental education are determined by the Texas Legislature. Staff takes this comment under advisement.