



FAQs

HB 2223 Implementation

Note: *THECB approved the HB 2223 amendments to TSI rules at its January 25, 2018 meeting.*

1. What is HB 2223?

House Bill 2223, sponsored by Representative Helen Giddings (Dallas), passed the 85th Texas Legislature, Regular Session, and was signed by Governor Abbott in June 2017 to accelerate underprepared students' persistence and successful completions.

2. What does HB 2223 require?

HB 2223 requires that a certain percentage of underprepared students enrolled in developmental education be reported as enrolled in a corequisite model, which allows the student to enroll in the entry-level college course but requires co-enrollment in a developmental education course/intervention designed to support the student's successful completion of the college-level course.

3. Which institutions are subject to HB 2223?

Any Texas public institution of higher education with underprepared students is subject to the requirements of HB 2223. Institutions that partner with another institution to provide developmental education to underprepared students should refer to #13.

4. When must the requirements of HB 2223 be implemented?

With regard to the corequisite requirement, the first cohort of students to which HB 2223 applies is for those students enrolling in fall 2018, where at least 25 percent of the institution's students enrolled in developmental education by subject area (mathematics/Reading, Writing, or Integrated Reading and Writing), must be enrolled in a corequisite model. In fall 2019, at least 50 percent of the institution's students enrolled in developmental education by subject area (mathematics/Reading, Writing, or Integrated Reading and Writing), must be enrolled in a corequisite model. In fall 2020, at least 75 percent of the institution's students enrolled in developmental education by subject area (mathematics/Reading, Writing, or Integrated Reading and Writing), must be enrolled in a corequisite model.

A second requirement of HB 2223, reducing the number of funded Semester Credit Hour (SCH) per student for developmental education is effective immediately but won't be assessed until fall 2018, the next biennium funding period. The number of funded developmental education SCH per student at community/technical colleges (CTC) is reduced from 27 to 18. The number of funded developmental education SCH per student at a 4-year university (U) is reduced from 18 to 9. Note that the number of funded SCH per student in

developmental education English for Speakers of Other Languages (ESOL) remains at 27 for community colleges and 18 for 4-year universities. This means while non-ESOL DE enrollments must remain at 18 SCH (CTCs) or 9 SCH (U), courses/interventions taken in DE ESOL can exceed those SCHs, up to 27(CTC) or 18 (U), respectively. The HB 2223 exemption is based on developmental education enrollment(s), not on the classification of the student as ESOL or ESL. More details can be found in Texas Administrative Code, [RULE §13.107](#).

5. HB 2223 is applicable to which group of students?

Starting in fall 2018 and continuing every semester thereafter until summer 2021, HB 2223 is applicable to any underprepared student referred to and enrolled in at least one developmental education course/intervention who does not qualify for an exemption or waiver (see #6).

6. Which students are exempt from the requirements of HB 2223?

The following students are exempt **by subject area** (i.e., do not count in the institution's required percentage for that subject area)

- Students who are reported as college ready
- Students assessed and reported at levels 1-4 on the ABE diagnostic of the TSI Assessment (TSIA). This will only apply for students whose TSIA score used for initial placement is reported to the THECB in the semester being measured.
- Students enrolled in a BASE NCBO
- Students reported as qualifying for a TSI exemption or waiver (e.g., SAT, ACT, college preparatory course, English III/Algebra II EOC, military, level 1 certificate, non-degree seeking, ESOL waiver)
- For math only: students reported as enrolled in an AAS program with a degree plan that does not require a college-level mathematics and the student chooses a natural science or WECM course instead
- Students reported as enrolled in Adult Education programs (i.e., high school equivalency, Adult Education and Literacy (AEL))

7. Are HB 2223 requirements applicable to summer enrollments?

Yes. Summer is included in the academic year, per TAC, Chapter 4, Subchapter A, Section 4.5(d), and federal financial aid now includes considerations for summer enrollments, so HB 2223 requirements are applicable to summer enrollments. As described in the Glossary of Terms for the Coordinating Board Manual (CBM), the academic year is "The 12-month period of time generally extending from September to August." However, the requirements of HB 2223 related to corequisite models do not become effective until fall 2018, so summer sessions do not need to be addressed by institutions until summer 2019. THECB staff will continue to seek feedback in the upcoming months with regard to various options to meeting HB 2223 and serving underprepared students during shortened timeframes inherent in summer.

8. How is my institution's percentage calculated to verify compliance with HB 2223?

The percentage may be calculated for two purposes: 1) for planning course/intervention schedules and sections (prior to fall) and 2) for verification of compliance (end of each semester). Steps to calculating an institution's percentage are divided into planning and verification stages and include the following:

PLANNING (prior to fall 2018 and any semester thereafter)

- Review the data from the prior fall semester to determine the number of students enrolled in DE by subject area (math and reading/writing/IRW)
- Remove students by subject area who are exempt/waived (see #6 above)
- The remaining number becomes the institution's denominator, which is then divided by .25 (or .50 or .75, depending on the required fall percentage)
- The result provides an estimate of the number of students needed to meet the requisite required minimum percentage for the current fall semester

VERIFICATION (starting fall 2018)

- Determine the number of students enrolled (on the 12th class day) in DE course/interventions/interventions (i.e., NCBOs) by subject area (math and reading/writing/IRW)
- Remove students by subject area who are exempt/waived (see #3 above)
- Determine the number of students enrolled (on the 12th class day) in a DE corequisite by subject area
- Divide the corequisite number into the total number enrolled by subject area; the result is the institution's actual percentage

9. Do ESOL students count for HB 2223?

The corequisite requirements for HB 2223 are based on developmental education enrollments, not on the classification of a student. Other than for those exemptions outlined in #6 above (including students with an ESOL waiver), any student enrolled in a DE ESOL course/intervention would be counted in the institution's enrollment number for reading/writing/IRW from which the minimum required percentage is calculated. Students enrolled in ESOL Oral Communication (CIP 32.0108.55 12, or 32.0108.64 12), or Grammar for Non-native Speakers (CIP 32.0108.57 12, or 32.0108.66 12) who are not enrolled in another eligible DE course/intervention in reading/writing are excluded.

See **Methodology for HB 2223 Calculations: CTCs:**

Note about ESOL DE courses/interventions: Students with an ESOL waiver will not be included in the calculation. Students enrolled in an ESOL Oral Communication course or NCBO (CIP 32.0108.55 12, 32.0108.64 12) or Grammar for Non-native Speakers course or NCBO (CIP 32.0108.57 12, 32.0108.66 12) will not be included in the denominator unless they are also enrolled in another eligible Reading/Writing/IRW course or intervention.

10. What counts as a corequisite?

TSI §4.53.7 defines a co-requisite (also known as mainstreaming, course/intervention pairing, and co-enrollment) as the following:

(7) Co-requisite (also known as corequisite or mainstreaming)--An instructional strategy whereby undergraduate students as defined in paragraph (24) of this section are co-enrolled or concurrently enrolled in a developmental education course or NCBO as defined in paragraph (18) of this section and the entry-level freshman course of the same subject matter within the same semester. The developmental component provides support aligned directly with the learning outcomes, instruction, and assessment of the entry-level freshman course, and makes necessary adjustments as needed in order to advance students' success in the entry-level freshman course. Participation in the entry-level freshman course is not contingent upon performance in the developmental education component of the corequisite.

What are some examples of corequisites that have been shown to be effective nationally and in Texas?

Examples include the following:

- Accelerated Learning Project (ALP) models
- Modular/Emporium labs
- Supplemental Instruction/class tutors
- Learning center tutoring labs with content experts
- 4x12 and 8x8 sequential models*

**A corequisite model can include 4x12 and 8x8 models, whereby DE and college credit enrollments occur within the same semester, but not necessarily at the same time throughout the entire semester. However, it should be noted that a corequisite model goes beyond simply allowing an underprepared to enroll in a college-credit course/intervention; that student should also be allowed to actually participate in the college-credit course/intervention. A 4x12 or 8x8 model with the following design is allowable:*

- *The student is enrolled in both DE and college credit course/intervention at the beginning of the semester,*
- *The student's transition from DE to the college-credit course/intervention is seamless so that the progressing student is not barred from entering into the latter half (i.e., college-level component) of the corequisite, and*
- *The student is provided just-in-time support, as needed, during the college-level component*

*If the model is designed so the underprepared student must first "pass" the DE component before moving on to the college-credit component, then the student at the point of passing DE is considered college ready, and the model **does not** meet the criteria because an underprepared student is not able to participate in the college-credit course/intervention.*

Based on student feedback, one important component of a corequisite model is the "just-in-time" opportunity for students to get extra help at the point in the college-credit course/intervention when they need it. Thus, while the 4x12 or 8x8 models are designed to provide the preparatory content at the beginning of the semester, model designers should ensure continuation of required support, such as additional tutoring, supplemental instruction, technological supports, and/or extra time on task throughout the entire semester to provide just-in-time support needed for the student's successful completion of the college-credit course.

11. What is the difference between a DE course and DE intervention (i.e., NCBO), and can either one be used as the DE support component of a corequisite model?

Either a DE course or a DE intervention (i.e., NCBO) can be used as the support component for a corequisite model. Institutions may use both, reserving the course structure for students needing more robust support and the intervention for those who may need less robust support (e.g., fewer than 48 SCH). A traditional DE course uses the same instruction, learning outcomes, and assessments for all students enrolled in the course, regardless of a student's demonstrated strengths and weaknesses. A DE course is generally based on seat time.

An NCBO, on the other hand, acknowledges a student's demonstrated strengths, allowing a range of flexible options to measure gains based on mastery rather than seat time. NCBOs, when reported for funding, follow the same reporting guidelines as DE course, and successful completion is based student's mastery of identified

weak areas (i.e., learning outcomes), An institution may choose not to charge a student tuition for an NCBO. This is unlike a DE course, which must be charged tuition.

12. What must I do if my institution offers no developmental education?

TSI statute (Texas Education Code, Chapter 51, Subchapter F-1) requires that all Texas public institutions of higher education assess using the TSI Assessment all non-exempt undergraduate students' readiness to enroll in freshman-level academic coursework. For students not meeting the state's college readiness benchmark, the institution, with the student, must develop a plan for academic success outlining what the student must do to attain readiness. The student's plan may include requirements to enroll in one or more DE course/intervention, which meets ACGM parameters, at a partnering institution. The partnership MOU should outline the responsibilities by each institution in meeting the requirements of HB 2223 so that each institution's role is clear and students of the partnering institutions are provided the same opportunity to enroll in corequisite models as other similarly-qualified students.

13. The legislation for HB 2223 reads: "Each institution of higher education shall develop and implement for developmental course/intervention, other than adult basic education or basic academic skills education, developmental education using a corequisite model under which a student concurrently enrolls in a developmental education course/intervention and a freshman-level course/intervention in the same subject area for each subject area for which the student is referred to developmental coursework." When referring to the "same subject area," Is a corequisite model limited to a college-level English or math course/intervention only?

The phrase "same subject area" is based on the institution's determination of whether the freshman college-level college course/intervention is classified as reading, writing, and/or mathematics-intensive. For example, if your institution has classified a freshman college-level history course/intervention as reading-intensive (i.e., the student typically would need to be TSI-met/complete in reading in order to enroll), then the student who is not college ready in the area of reading would be able to enroll in a corequisite model for the INRW and history course/intervention. The attachment "Guidelines for Reporting First College-Level Course," developed by faculty content expert advisory groups, provides guidance to institutions in determining whether a course/intervention should be reading, writing, and/or mathematics-intensive.

14. What type of support can institutions expect from THECB to help them implement HB 2223?

THECB staff will offer a number of opportunities to support institutions as they plan and implement corequisite models as required in HB 2223. Upcoming opportunities will be announced on the TSI/DE listserv (see question 16).

Moreover, a number of organizations, including those listed below, have offered to provide various professional development and technical assistance opportunities throughout the year to support institutions in developing, scaling, and enhancing their corequisite models.

- The Education Institute at Texas State University-San Marcos
- The Dana Center at the University of Texas-Austin
- Texas Association of Community Colleges
- Complete College America

Staff are also attending a number of association and agency meetings and conferences, including CASP, TCCTA, TACRAO, NTCCC, TWC, as well as various regional Guided Pathways meetings, to present information, provide guidance, and be available for specific questions from individual institutions.

For institutions seeking additional funding, THECB will be issuing in spring 2018 Requests for Applications (RFAs) to help support the development, scaling, and enhancement of their corequisite models.

15. What will happen if an institutional fails to meet the required percentage per HB 2223?

THECB staff are committed to providing professional development and technical assistance opportunities to institutions as they implement the requirements of HB 2223, and it is expected that institutions participate to the degree necessary, as well as implement their own practices and policies, to ensure their compliance. However, it should be noted that an institution not meeting the requirements of HB 2223 may be subject to an audit conducted by THECB and/or the Texas Comptroller, which can result in withholding or repayment of formula funding. Per statute, all institutions' compliance will be reported to the Texas legislature and Governor's office.

16. How can I keep up to date on the latest information regarding TSI and developmental education?

We invite all interested stakeholders to sign up on the TSI/DE Updates listserv at the following link (found on the TSI/Developmental Education webpage at www.thecb.state.tx.us/tsi)

[Please click here to subscribe to receive updates on TSI and Developmental Education.](#)

17. Which courses can be included in the corequisite model and what does "same subject matter" include?

According to TAC, rule 4.53 (7), a corequisite model must include a developmental education course/intervention and a college-level course of the same subject matter. Subject matter for HB 2223 purposes is based on the institution's classification of the college-level course as being mathematics, reading, and/or writing-intensive, based on the document [Guidelines for Reporting First-College Level Course](#). For example, many colleges classify GOVT 2305 and HIST 1301 as reading-intensive (see p. 2). Therefore, a student who is not college-ready in reading can be placed in a corequisite with IRW/GOVT 2305 or IRW/HIST 1301. Please note that Learning Framework courses (i.e., EDUC/PSYC 1300) are not allowable to be classified as mathematics, reading, and/or writing-intensive and therefore cannot be part of a corequisite model required for HB 2223. College-level courses without an institutional designation of mathematics, reading, and/or writing-intensive (i.e., college-level courses that do not have at least one TSI requirement) cannot be used in a corequisite model for HB 2223 purposes.

18. What should be done for students who are not successful in the corequisite course?

For students who completed the college-level course but did not earn a satisfactory grade, personnel (DE/college-level faculty, advisors, tutors, etc.) should review their final exam results, other assessments and assignments, as well as student behaviors (lax attendance, missing/late assignments, etc.) for diagnostic purposes to help inform modifications to students' Plan for Academic Success in addressing identified cognitive and non-cognitive issues. Based on this review, institutions should consider a "range of competency-based program options" that may be offered to assist students in becoming ready to perform freshman-level academic coursework. NOTE: *It is discouraged for institutions to simply require students to retake the full DE portion of the corequisite with the exception the decision is based on the students' revised Plan for Academic Success.*

19. Are students who are not successful in the corequisite course required to participate in additional DE?

Whether these students are required to participate in more DE is based on whether or not the student successfully completed the DE portion of the corequisite, and on models where the DE and college-credit course grades are awarded independently, as determined by the institution. If students successfully complete the DE portion of the corequisite and independent grades are awarded, those students will be considered college-ready and **cannot be required** to participate in DE courses. However, in models where the same grade is assigned based on the college-credit course and students are not successful, the institution **may require** these students to participate in more DE. (See *NOTE in #18*).

20. Will the THECB alter TSIA cut scores on reading or math anytime soon?

There are no plans at this time to undergo another Validity Study, which would be the basis for future changes, if any, to the college readiness benchmarks currently in place.

21. How will success be measured, beyond meeting enrollment benchmarks?

Success is tracked and measured following current practices for developmental and college-level outcomes:

Number, percentage, time (underprepared and college-ready)

- students becoming college-ready (for underprepared)
- students successfully completing first college-level course
- students completing 15 credits, 30 credits
- students transferring
- students completing certificates, associate, and bachelor's degrees

See [Texas Higher Education Data](#) and [Texas Accountability System](#)

22. Are the percentages for the requirements of HB 2223 calculated on an annual basis or by semester?

The required percentages for HB 2223 are calculated on a semester basis and by subject areas: mathematics and Integrated Reading & Writing (IRW).

Here is the schedule by Academic Years (AY);

- AY 2018-2019
 - an institution must enroll **25%** of its students enrolled in developmental education in a corequisite model, by subject area, in each of the fall 2018, spring 2019, summer 2019 semesters
- AY 2019-2020
 - an institution must enroll **50%** of its students enrolled in developmental education in a corequisite model, by subject area, in each of the fall 2019, spring 2020, summer 2020 semesters
- AY 2020-2021
 - an institution must enroll **75%** of its students enrolled in developmental education in a corequisite model, by subject area, in each of the fall 2020, spring 2021, summer 2021 semesters