

# SUPPLEMENTAL MATERIALS

Committee on Academic and Workforce Success

## AGENDA ITEM V-I (3)

Consideration of adopting the Commissioner's recommendation to the Committee relating to the proposed amendments to Chapter 4, Subchapter D, Sections 4.84 and 4.85 of Board rules concerning institutional agreements, and dual credit requirements

RECOMMENDATION: Approval

### Background Information:

The proposed amendments to Board rules align the rule requirements for the content and structure of dual credit institutional agreements with amendments to Texas Education Code, Section 28.009 from the passage of HB 1638, 85th Texas Legislature, Regular Session. The components of any institutional dual credit agreement established or renewed between an institution of higher education and school district as a result of HB 1638 were included in Texas Administrative Code, Section 4.84. The amendments also specify the required dual credit enrollment eligibility scores on the English II and Algebra I State of Texas Assessment of Academic Readiness End-of-Course (STAAR EOC) exams as 4000. Language was also added specifying that a dual credit class which combines college credit and high school credit-only students may only be allowed when the creation of a high school credit-only class is not financially viable for the high school.

Dr. Rex C. Peebles, Assistant Commissioner for Academic Quality and Workforce, will present this item and be available to answer questions.

Date approved by the Commissioner for publication in the *Texas Register*: January 9, 2019.

Date Published in the *Texas Register*: January 25, 2019.

The 30-day comment period with the *Texas Register* ended on: February 25, 2019.

### **Summary of comments received:**

Cypress Ridge High School submitted a comment on February 11, 2019 by the Associate Principal and on March 8, 2019, after the comment period ended, by the Principal.

**Comment:** Cypress Ridge High School comments expressed concerns about their perceived impact resulting from the proposed changes to Section 4.85 (d), which states:

(d) Composition of Class. Dual credit courses may be composed of dual credit students only or of dual and college credit students. Notwithstanding the requirements of subsection (e), exceptions for a mixed class that combines college credit and high school credit-only students [, which would also include high school credit-only students,] may be allowed only when the creation of a high school credit-only class is not financially viable for the high school and only under one of the following conditions:

(1) If the course involved is required for completion under the State Board of Education High School Program graduation requirements, and the high school involved is otherwise unable to offer such a course.

(2) If the high school credit-only students are College Board Advanced Placement or International Baccalaureate students.

(3) If the course is a career and technical/college workforce education course and the high school credit-only students are eligible to earn articulated college credit.

Cypress Ridge High School's Principal and Associate Principal commented that they perceived the rule change would prohibit the school from combining College Board Advanced Placement (AP) and dual credit students in the same class. They indicated that this would cause challenges in the creation of the school's master schedule.

**Staff Response:** Staff disagree with the Cypress Ridge High School regarding the impact the rule change would have on the ability for the school to combine AP and dual credit students. The rule change adds a condition that the high school may only combine college credit and high school credit-only students when the creation of a high school credit-only class is not financially viable for the high school. When this condition is met, the proposed rule continues to allow the high school to combine AP or International Baccalaureate students with college credit students.

No changes were made as a result of the two comments.

Chapter 4 - Rules Applying to All Public Institutions of Higher Education in Texas  
 Subchapter D - Dual Credit Partnerships Between Secondary Schools and Texas Public Colleges

- 4.81 Purpose
- 4.82 Authority
- 4.83 Definitions
- 4.84 Institutional Agreements
- 4.85 Dual Credit Requirements

4.81 – 4.83 No Changes.

4.84 Institutional Agreements

(a) Need for Institutional Agreements. For any dual credit partnership between a secondary school and a public college, an agreement must be approved by the governing boards or designated authorities (e.g., principal and chief academic officer) of both the public school district or private secondary school and the public college prior to the offering of such courses.

(b) Elements of Institutional Agreements. Any[The] dual credit agreement[partnership] must address the following elements:

- (1) Eligible Courses;
- (2) Student Eligibility;
- (3) Location of Class;
- (4) Student Composition of Class;
- (5) Faculty Selection, Supervision, and Evaluation;
- (6) Course Curriculum, Instruction, and Grading;
- (7) Academic Policies and Student Support Services;
- (8) Transcribing of Credit;
- (9) Funding; and
- (10) Defined sequences of courses, where applicable.

(c) Institutional Agreement between Public Institution of Higher Education and Public School District. Any agreement entered into or renewed between a public institution of higher education and public school district, including a memorandum of understanding or articulation agreement, must:

(1) include specific program goals aligned with the statewide goals developed under TEC 28.009, Subsection (b-1);

(2) establish, or provide a procedure for establishing, the course credits that may be earned under the agreement, including developing a course equivalency crosswalk or other method of equating high school courses with college courses and identifying the number of credits that may be earned for each course completed through the program;

(3) describe the academic supports and, if applicable, guidance that will be provided to students participating in the program;

(4) establish the institution of higher education's and the school district's respective roles and responsibilities in providing the program and ensuring the quality and instructional rigor of the program; and

(5) be posted each year on the institution of higher education's and the school district's respective Internet websites.

#### 4.85 Dual Credit Requirements

##### (a) Eligible Courses.

(1) Courses offered for dual credit by public two-year associate degree granting institutions must be identified as college-level academic courses in the current edition of the Lower Division Academic Course Guide Manual adopted by the Board or as college-level workforce education courses in the current edition of the Workforce Education Course Manual adopted by the Board.

(2) Courses offered for dual credit by public universities must be in the approved undergraduate course inventory of the university.

(3) A college course offered for dual credit must be:

(A) in the core curriculum of the public institution of higher education providing the credit;

(B) a career and technical education course; or

(C) a foreign language course.

(i) This provision does not apply to a college course for dual credit offered as part of an approved early college education program established under TEC Section 29.908 or an early college program as defined in this Subchapter.

(ii) Any college course for dual credit offered as part of an early college program as defined in this subchapter must be a core curriculum course of the public institution of higher education providing the credit, a career and technical education course, a foreign language course, or a course that satisfies specific degree plan requirements leading to the completion of a Board approved certificate, AA, AS, AAS degree program, or FOSC.

(4) Public colleges may not offer remedial and developmental courses for dual credit.

##### (b) Student Eligibility.

(1) A high school student is eligible to enroll in academic dual credit courses if the student:

(A) demonstrates college readiness by achieving the minimum passing standards under the provisions of the Texas Success Initiative as set forth in §4.57 of this title (relating to College Ready and Adult Basic Education (ABE) Standards) on relevant section(s) of an assessment instrument approved by the Board as set forth in §4.56 of this title (relating to Assessment Instrument); or

(B) demonstrates that he or she is exempt under the provisions of the Texas Success Initiative as set forth §4.54 of this title (relating to Exemptions, Exceptions, and Waivers).

(2) A high school student is also eligible to enroll in academic dual credit courses that require demonstration of TSI college readiness in reading, writing, and/or mathematics under the following conditions:

(A) Courses that require demonstration of TSI college readiness in reading and/or writing:

(i) if the student achieves a minimum score of 4000 [~~Level 2 final recommended score, as defined by the Texas Education Agency (TEA),~~] on the English II State of Texas Assessment of Academic Readiness End of Course (STAAR EOC); or

(ii) if the student achieves one of the following scores on the PSAT/NMSQT (Mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015 and the PSAT/NMSQT administered on or after October 15, 2015 is not allowable.):

(I) a combined score of 107 with a minimum of 50 on the reading test on a PSAT/NMSQT exam administered prior to October 15, 2015; or

(II) a score of 460 on the evidence-based reading and writing (EBRW) test on a PSAT/NMSQT exam administered on or after October 15, 2015; or

(iii) if the student achieves a composite score of 23 on the PLAN with a 19 or higher in English or an English score of 435 on the ACT-Aspire.

(B) Courses that require demonstration of TSI college readiness in mathematics:

(i) if the student achieves a minimum score of 4000~~[Level 2 final recommended score, as defined by TEA,]~~ on the Algebra I STAAR EOC and passing grade in the Algebra II course; or

~~[(ii) if the student achieves a Level 2 final recommended score, as defined by TEA, on the Algebra II STAAR EOC; or]~~

~~(ii)~~~~[(iii)]~~ if the student achieves one of the following scores on the PSAT/NMSQT (Mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015 and the PSAT/NMSQT administered on or after October 15, 2015 is not allowable.):

(I) a combined score of 107 with a minimum of 50 on the mathematics test on a PSAT/NMSQT exam administered prior to October 15, 2015; or

(II) a score of 510 on the mathematics test on a PSAT/NMSQT exam administered on or after October 15, 2015; or

~~(iii)~~~~[(iv)]~~ if the student achieves a composite score of 23 on the PLAN with a 19 or higher in mathematics or a mathematics score of 431 on the ACT-Aspire.

(3) A high school student is eligible to enroll in workforce education dual credit courses contained in a postsecondary Level 1 certificate program, or a program leading to a credential of less than a Level 1 certificate, at a public junior college or public technical institute and shall not be required to provide demonstration of college readiness or dual credit enrollment eligibility.

(4) A high school student is eligible to enroll in workforce education dual credit courses contained in a postsecondary Level 2 certificate or applied associate degree program under the following conditions:

(A) Courses that require demonstration of TSI college readiness in reading and/or writing:

(i) if the student achieves a minimum score of 4000~~[Level 2 final recommended score, as defined by the Texas Education Agency (TEA),]~~ on the English II STAAR EOC; or

(ii) if the student achieves one of the following scores on the PSAT/NMSQT (Mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015 and the PSAT/NMSQT administered on or after October 15, 2015 is not allowable.):

(I) a combined score of 107 with a minimum of 50 on the reading test on a PSAT/NMSQT exam administered prior to October 15, 2015; or

(II) a score of 460 on the evidence-based reading and writing (EBRW) test on a PSAT/NMSQT exam administered on or after October 15, 2015; or

(iii) if the student achieves a composite score of 23 on the PLAN with a 19 or higher in English or an English score of 435 on the ACT-Aspire.

(B) Courses that require demonstration of TSI college readiness in mathematics:

(i) if the student achieves a minimum score of 4000~~[Level 2 final recommended score, as defined by the Texas Education Agency (TEA),]~~ on the Algebra I STAAR EOC and passing grade in the Algebra II course; or

~~[(ii) if the student achieves a Level 2 final recommended score, as defined by TEA, on the Algebra II STAAR EOC; or]~~

~~(ii)~~~~[(iii)]~~ if the student achieves one of the following scores on the PSAT/NMSQT (Mixing or combining scores from the PSAT/NMSQT administered prior to October 15, 2015 and the PSAT/NMSQT administered on or after October 15, 2015 is not allowable.):

(I) a combined score of 107 with a minimum of 50 on the mathematics test on a PSAT/NMSQT exam administered prior to October 15, 2015; or

(II) a score of 510 on the mathematics test on a PSAT/NMSQT exam administered on or after October 15, 2015; or

~~(iii)~~~~[(iv)]~~ if the student achieves a composite score of 23 on the PLAN with a 19 or higher in mathematics or a mathematics score of 431 on the ACT-Aspire.

(C) A student who is exempt from taking STAAR EOC assessments may be otherwise evaluated by an institution to determine eligibility for enrolling in workforce education dual credit courses.

(5) Students who are enrolled in private or non-accredited secondary schools or who are home-schooled must satisfy paragraphs (1) - (4) of this subsection.

(6) To be eligible for enrollment in a dual credit course offered by a public college, students must meet all the college's regular prerequisite requirements designated for that course (e.g., minimum score on a specified placement test, minimum grade in a specified previous course, etc.).

(7) An institution may impose additional requirements for enrollment in courses for dual credit that do not conflict with this section.

(8) An institution is not required, under the provisions of this section, to offer dual credit courses for high school students.

(c) Location of Class. Dual credit courses may be taught on the college campus or on the high school campus. For dual credit courses taught exclusively to high school students on the high school campus and for dual credit courses taught electronically, public colleges shall comply with applicable rules and procedures for offering courses at a distance in Subchapters P and Q of this chapter (relating to Approval of Distance Education Courses and Programs for Public Institutions and Approval of Off-Campus and Self-Supporting Courses and Programs for Public Institutions). In addition, dual credit courses taught electronically shall comply with the Board's adopted Principles of Good Practice for Courses Offered Electronically.

(d) Composition of Class. Dual credit courses may be composed of dual credit students only or of dual and college credit students. Notwithstanding the requirements of subsection (e), exceptions for a mixed class that combines college credit and high school credit-only students ~~[, which would also include high school credit-only students,]~~ may be allowed only when the creation of a high school credit-only class is not financially viable for the high school and only under one of the following conditions:

(1) If the course involved is required for completion under the State Board of Education High School Program graduation requirements, and the high school involved is otherwise unable to offer such a course.

(2) If the high school credit-only students are College Board Advanced Placement or International Baccalaureate students.

(3) If the course is a career and technical/college workforce education course and the high school credit-only students are eligible to earn articulated college credit.

(e) Faculty Selection, Supervision, and Evaluation.

(1) The college shall select instructors of dual credit courses. These instructors must meet the same standards (including minimal requirements of the Southern Association of Colleges and Schools Commission on Colleges) and approval procedures used by the college to select faculty responsible for teaching the same courses at the main campus of the college.

(2) The college shall supervise and evaluate instructors of dual credit courses using the same or comparable procedures used for faculty at the main campus of the college.

(f) Course Curriculum, Instruction, and Grading. The college shall ensure that a dual credit course and the corresponding course offered at the main campus of the college are equivalent with respect to the curriculum, materials, instruction, and method/rigor of student evaluation. These standards must be upheld regardless of the student composition of the class.

(g) Academic Policies and Student Support Services.

(1) Regular academic policies applicable to courses taught at the college's main campus must also apply to dual credit courses. These policies could include the appeal process for disputed grades, drop policy, the communication of grading policy to students, when the syllabus must be distributed, etc.

(2) Students in dual credit courses must be eligible to utilize the same or comparable support services that are afforded college students on the main campus. The college is responsible for ensuring timely and efficient access to such services (e.g., academic advising and counseling), to learning materials (e.g., library resources), and to other benefits for which the student may be eligible.

(h) Transcribing of Credit. For dual credit courses, high school as well as college credit should be transcribed immediately upon a student's completion of the performance required in the course.

(i) Funding.

(1) The state funding for dual credit courses will be available to both public school districts and colleges based on the current funding rules of the State Board of Education (TEC 42.005 (g)) and the Board (TEC 61.059 (p) and (q)).

(2) The college may only claim funding for students getting college credit in core curriculum, career and technical education, and foreign language dual credit courses.

(3) This provision does not apply to students enrolled in approved early college education programs under TEC 29.908.

(4) All public colleges, universities, and health-related institutions may waive all or part of tuition and fees for a Texas high school student enrolled in a course for which the student may receive dual course credit.