

By: Creighton, et al. S.B. No. 1786  
(VanDeaver, King, Ward Johnson, Kitzman, et al.)

Substitute the following for S.B. No. 1786:

By: Wilson C.S.S.B. No. 1786

A BILL TO BE ENTITLED

AN ACT

relating to public higher education.

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

SECTION 1. Section 28.0095(a), Education Code, is amended by adding Subdivision (5) to read as follows:

(5) "School district" includes the Windham School District.

SECTION 2. Sections 28.0095(c), (e), and (f), Education Code, are amended to read as follows:

(c) A student is eligible to enroll at no cost in a dual credit course under the program if the student:

(1) is enrolled:

(A) in a grade level from 9 through 12 ~~[high school]~~ in a school district or charter school; and

(B) in a dual credit course at a participating institution of higher education; and

(2) was educationally disadvantaged at any time during:

(A) the school year in which the student enrolls in the dual credit course described by Subdivision (1)(B); or

(B) the four school years preceding the student's enrollment in the dual credit course described by Subdivision (1)(B).

(e) Each school district or charter school shall:

1           (1) on the ~~[a high school student's]~~ enrollment of a  
2 student in a grade level from 9 through 12 in a dual credit course,  
3 determine whether the student meets the criteria for the program  
4 under Subsection (c)(2); and

5           (2) notify the institution of higher education that  
6 offers the dual credit course in which the student is enrolled of  
7 the district's or school's determination under Subdivision (1).

8           (f) A school district or charter school may make the  
9 determination under Subsection (e)(1) based on the district's or  
10 school's records, the agency's records, or any other method  
11 authorized by commissioner or coordinating board rule. If the  
12 district or school bases the determination on a method other than  
13 the agency's records, the district or school shall report the  
14 method used and the data on which the method is based to the agency  
15 for purposes of verification. The agency shall make available to  
16 school districts and charter schools any available and relevant  
17 data for making the determination required under Subsection (e)(1).

18           SECTION 3. Subchapter [A](#), Chapter [56](#), Education Code, is  
19 amended by adding Section 56.0035 to read as follows:

20           Sec. 56.0035. RULES. (a) The Texas Higher Education  
21 Coordinating Board may adopt rules necessary to carry out the  
22 purposes of this chapter, including any rules necessary to  
23 administer federal financial aid or grant programs or provide  
24 federal money to institutions of higher education under Title IV of  
25 the Higher Education Act of 1965 (20 U.S.C. Section 1070 et seq.) or  
26 another federal law or program.

27           (b) Notwithstanding Section 61.0331, the Texas Higher

Education Coordinating Board is not required to use negotiated rulemaking to adopt rules necessary to administer federal financial aid or grant programs or provide federal money to institutions of higher education under Title IV of the Higher Education Act of 1965 (20 U.S.C. Section 1070 et seq.) or another federal law or program.

SECTION 4. Section 61.003(2), Education Code, is amended to read as follows:

(2) "Public junior college" means any junior college associated with a junior college district described by Subchapter J, Chapter 130 [~~listed as a public junior college in accordance with Section 61.063~~].

SECTION 5. Subchapter B, Chapter 61, Education Code, is amended by adding Section 61.0275 to read as follows:

Sec. 61.0275. ADOPTION BY REFERENCE. The board may adopt by reference a manual or policy document as a rule.

SECTION 6. Section 130A.005, Education Code, is amended by adding Subsection (d) to read as follows:

(d) The coordinating board may use the emergency rulemaking procedures established under Section 2001.034, Government Code, to adopt rules necessary to align the funding formulas under this chapter with appropriations or other legislative action. The coordinating board is not required to make the finding described by Section 2001.034(a), Government Code, to adopt rules under this subsection.

SECTION 7. Section 130A.101(c), Education Code, is amended to read as follows:

(c) The measurable outcomes considered for purposes of

performance tier funding are:

(1) the number of credentials of value awarded, as determined by the coordinating board based on analyses of wages and costs associated with the credential, including degrees, certificates, and other credentials from credit and non-credit programs that equip students for continued learning and greater earnings in the state economy, with an additional weight for placement of students who earn that credential in a high-demand occupation, as defined by coordinating board rule, or an appropriate proxy determined by the coordinating board based on available data;

(2) the number of students who earn at least 15 semester credit hours or the equivalent at the junior college district and:

(A) subsequently transfer to:

(i) a general academic teaching institution, as that term is defined by Section 61.003; or

(ii) a private or independent institution of higher education, as that term is defined by Section 61.003, that offers four-year degree programs; or

(B) are enrolled in a structured co-enrollment program, as authorized by coordinating board rule; and

(3) the number of students who complete a sequence of at least 15 semester credit hours or the equivalent for dual credit or dual enrollment courses, as defined by coordinating board rule, that apply toward academic or workforce program requirements at the postsecondary level.

SECTION 8. Subchapter C, Chapter 130A, Education Code, is amended by adding Section 130A.102 to read as follows:

Sec. 130A.102. CREDENTIALS OF VALUE. (a) For purposes of Section 130A.101(c)(1), the coordinating board shall designate a credential as a credential of value if the credential:

(1) provides a positive return on investment for a student who received the credential, as measured by earning or being expected to earn cumulative wages at least equal to the cumulative median earnings for high school graduates in this state and earning at least the individual self-sufficient wage, as defined by coordinating board rule, during the period specified by coordinating board rule but not more than 10 years after the date on which the credential is received; and

(2) allows a student who received the credential to recoup the net cost of attendance at a public junior college, including opportunity cost, where:

(A) the net cost of attendance is the net cost of attendance used for purposes of financial aid at the college less any aid received by the student; and

(B) opportunity cost is the difference between cumulative median earnings for high school graduates in this state and cumulative median earnings for students while enrolled in the certificate or degree program leading to the credential for:

(i) a period of two years for an associate degree program;

(ii) a period of four years for a baccalaureate degree program; and

1                   (iii) a period determined by coordinating  
2 board rule based on the program's design for a certificate or degree  
3 program not described by Subparagraph (i) or (ii).

4           (b) The coordinating board shall calculate the return on  
5 investment for a credential under Subsection (a)(1) using the most  
6 current data available to the coordinating board from:

7                   (1) the integrated postsecondary education data  
8 system maintained by the National Center for Education Statistics;

9                   (2) wage records obtained from the Texas Workforce  
10 Commission;

11                   (3) the American Community Survey by the United States  
12 Census Bureau;

13                   (4) the coordinating board's data reporting systems;

14 or

15                   (5) other data sources selected by the coordinating  
16 board.

17           (c) In adopting a definition of individual self-sufficient  
18 wage for purposes of Subsection (a)(1), the coordinating board  
19 shall ensure the definition is correlated with the statewide median  
20 of the self-sufficient wage determined under Section [2308A.012](#),  
21 Government Code.

22           (d) The coordinating board may designate a credential in  
23 education or health care as a credential of value regardless of  
24 whether the credential meets the criteria under Subsection (a) if  
25 the coordinating board determines the designation is necessary to  
26 ensure the workforce needs of this state are met in those fields.

27           (e) The coordinating board shall adopt rules as necessary to

implement this section in alignment with the long-range master plan for higher education in this state developed under Section 61.051(a-1).

SECTION 9. Chapter 2308A, Government Code, is amended by adding Section 2308A.0115 to read as follows:

Sec. 2308A.0115. COORDINATION OF GRANT PROGRAMS FOR SECONDARY AND POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS. (a) For the establishment, implementation, and expansion of secondary and postsecondary career and technical education programs that are aligned with the state workforce development goals, the agency, coordinating board, and commission shall coordinate the competitive grant programs for those programs, including:

(1) the Jobs and Education for Texans (JET) Grant Program under Chapter 134, Education Code;

(2) the grant program established under the Pathways in Technology Early College High School (P-TECH) program under Section 29.556, Education Code;

(3) the Texas Reskilling and Upskilling through Education (TRUE) Program established under Subchapter T-2, Chapter 61, Education Code; and

(4) federal career and technical education grant programs, including grant programs under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. Section 2301 et seq.).

(b) In coordinating grant programs under Subsection (a), the agency, coordinating board, and commission shall jointly:

1           (1) address career and technical education program  
2 startup and delivery costs by aligning two or more grant funding  
3 streams;

4           (2) identify and work to reduce duplication in grant  
5 programs across the agency, coordinating board, and commission;

6           (3) identify opportunities to structure grant funding  
7 for career and technical education projects that support  
8 secondary-to-postsecondary career pathways, including by providing  
9 for career and technical education dual credit or the attainment of  
10 postsecondary credentials by secondary students;

11           (4) identify opportunities to structure grant funding  
12 for career and technical education projects that are:

13                   (A) aligned with the attainment of credentials of  
14 value, as designated by the coordinating board for purposes of  
15 Section [130A.101](#)(c)(1), Education Code; and

16                   (B) designed to meet state workforce needs in  
17 high-demand fields; and

18           (5) to the extent possible, prioritize comprehensive  
19 funding of facilities, equipment, instructional materials, and  
20 faculty and staff for program development and delivery to best meet  
21 the state workforce development goals.

22           SECTION 10. Section [204.0025](#), Labor Code, is amended to  
23 read as follows:

24           Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The  
25 commission shall [~~It is the intent of the legislature that the~~  
26 ~~commission, subject to the availability of federal funding or other~~  
27 ~~resources for the purpose,~~] work with employers to enhance the



1 reporting of employment and earnings data by employers to the  
2 commission as part of an employer's routine wage filings under this  
3 subtitle or commission rule and consistent with federal law and  
4 regulations. The enhanced wage filings must include information  
5 related to wage, industry, occupational field, full-time and  
6 part-time status, county of primary employment, remote work status,  
7 [occupation] and other important employment information necessary  
8 to conduct the assessment required under Section 302.0205 ~~[that~~  
9 ~~would improve the state's labor market information]~~.

10 SECTION 11. Subchapter A, Chapter 302, Labor Code, is  
11 amended by adding Section 302.0205 to read as follows:

12 Sec. 302.0205. REGIONAL LABOR DEMAND ASSESSMENT. (a) In  
13 this section, "institution of higher education" has the meaning  
14 assigned by Section 61.003, Education Code.

15 (b) The commission shall conduct a biennial assessment of  
16 available regional labor demands across this state using the best  
17 available state and federal labor market data, as determined by the  
18 commission, to allow institutions of higher education to better  
19 align educational programs with workforce needs. The assessment  
20 must:

21 (1) analyze current and projected workforce needs in  
22 each region of this state over a 10-year period, disaggregated to  
23 the extent possible by wage, industry, occupational field,  
24 full-time and part-time status, county of primary employment, and  
25 remote work status; and

26 (2) identify for each region and county of this state  
27 the industries and occupations that lead to an individual

1 self-sufficient wage, as defined by Texas Higher Education  
2 Coordinating Board rule in accordance with Section 130A.102,  
3 Education Code.

4 (c) The commission may coordinate with other state  
5 agencies, including the Texas Higher Education Coordinating Board  
6 and the Texas Education Agency, to conduct the assessment under  
7 this section.

8 (d) In conducting the assessment under this section, the  
9 commission may:

10 (1) obtain any data the commission is authorized by  
11 law to obtain from a state or federal agency or institution of  
12 higher education at no cost to the commission;

13 (2) obtain expedited access at no cost to the  
14 commission to data available through a center for education  
15 research established under Section 1.005, Education Code; and

16 (3) contract with a state agency or institution of  
17 higher education to conduct or assist in conducting the assessment.

18 (e) If the commission contracts with an institution of  
19 higher education to conduct or assist in conducting the assessment  
20 under Subsection (d)(3), the Texas Higher Education Coordinating  
21 Board and the Texas Education Agency shall enter into a data sharing  
22 agreement with the institution to provide to the institution any  
23 data necessary to conduct the assessment.

24 (f) Not later than March 1 of each odd-numbered year, the  
25 commission shall provide the results of the assessment to:

26 (1) the governor;

27 (2) the lieutenant governor;

1           (3) the speaker of the house of representatives;

2           (4) the standing legislative committees with primary  
3 jurisdiction over higher education;

4           (5) the Texas Higher Education Coordinating Board;

5           (6) the Texas Education Agency;

6           (7) institutions of higher education; and

7           (8) public schools.

8           SECTION 12. Section 28.0095, Education Code, as amended by  
9 this Act, applies beginning with the 2025-2026 school year.

10          SECTION 13. The Texas Higher Education Coordinating Board  
11 may identify rules required by the passage of Section 56.0035,  
12 Education Code, as added by this Act, that must be adopted on an  
13 emergency basis for purposes of the 2025-2026 academic year and may  
14 use the procedures established under Section 2001.034, Government  
15 Code, for adopting those rules. The coordinating board is not  
16 required to make the finding described by Section 2001.034(a),  
17 Government Code, to adopt emergency rules under this section.

18          SECTION 14. Not later than December 1, 2026, the Texas  
19 Higher Education Coordinating Board shall evaluate the data  
20 available under Section 204.0025, Labor Code, as amended by this  
21 Act, to identify the effects of transitioning to a county-by-county  
22 definition of individual self-sufficient wage for purposes of  
23 Section 130A.102, Education Code, as added by this Act.

24          SECTION 15. (a) Section 130A.102, Education Code, as added  
25 by this Act, applies to associate degrees awarded by a public junior  
26 college beginning with the 2025-2026 academic year. That section  
27 applies to other degrees and certificates awarded by a public

1 junior college beginning with the 2027-2028 academic year.

2 (b) Not later than August 1, 2027, the Texas Higher  
3 Education Coordinating Board, in consultation with the standing  
4 advisory committee established under Section 130.001, Education  
5 Code, shall adopt rules implementing Section 130A.102, Education  
6 Code, as added by this Act, for each certificate program offered by  
7 a public junior college.

8 SECTION 16. (a) Except as provided by Subsection (b) of this  
9 section, this Act takes effect immediately if it receives a vote of  
10 two-thirds of all the members elected to each house, as provided by  
11 Section 39, Article III, Texas Constitution. If this Act does not  
12 receive the vote necessary for immediate effect, this Act takes  
13 effect September 1, 2025.

14 (b) Section 130A.101(c), Education Code, as amended by this  
15 Act, and Section 130A.102, Education Code, as added by this Act,  
16 take effect September 1, 2025.