

BILL ANALYSIS

S.B. 1313
By: Shapiro
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Although Texas has a high participation in career and technical education (CTE) courses, the quality of those offerings varies widely across the state. Despite instances of excellence, the state lacks a systemic approach to encourage quality CTE statewide. With large numbers of skilled workforce likely to retire in the near future, the Texas economy will soon be facing a severe shortage of human capital. While all students need a common core of essential knowledge and skills, different students find alternative delivery methods and subject matter both relevant and rewarding. Quality CTE improves attendance rates, lowers dropout rates, increases graduate rates, and improves scores on standardized tests. It also prepares students for future workforce opportunities.

S.B. 1313 includes an open enrollment charter school in provisions relating to entities for which best practices are required to be included in an online clearinghouse established by the Texas Education Agency and the Legislative Budget Board. The bill sets forth provisions relating to counseling for college and career readiness and postsecondary success; requires the creation and maintenance of a high-demand, high-wage, high-skills occupations list; provides for an increase in the career and technology education allotment for certain students; requires an economic impact study of secondary and postsecondary training and education programs; and requires the creation of education resource centers and mobile career centers as well as a related website. The bill establishes the adult basic education pilot program and the Jobs and Education for Texans (JET) grant program.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the State Board of Education in SECTION 2 of this bill.

It is the committee's opinion that rulemaking authority is expressly granted to the comptroller of public accounts in SECTIONS 9 and 12 of this bill.

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTIONS 9, 10, 11, and 16 of this bill.

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Workforce Commission and to commissioner of education in SECTION 9 of this bill.

ANALYSIS

S.B. 1313 amends the Education Code to include open enrollment charter schools among the entities whose best practices are included in an online clearinghouse established by the Texas Education Agency (TEA) and the Legislative Budget Board. The bill requires the agency, in addition to the information relating to best practices in career and technology education, to determine the appropriate topic categories for which a campus, district, or charter school may submit best practices and removes a provision specifically citing best practices information and

examples regarding instruction, dropout prevention, public school finance, resource allocation, and business practices. The bill requires TEA to ensure that online clearinghouse information relates to the best practices not only of high-performing and highly efficient campuses and districts but also of open-enrollment charter schools and academically acceptable campuses, districts, and open-enrollment charter schools that have demonstrated significant improvement in student achievement. The bill authorizes TEA to contract for the services of one or more third-party contractors to maintain a system of collecting and evaluating the best practices of campuses, school districts, and open-enrollment charter schools, rather than requiring the agency to contract for services for the development, implementation, and maintenance of such a system. The bill adds open-enrollment charter schools to entities for which the commissioner may purchase curriculum and other instructional tools from available funds for their use.

S.B. 1313 requires the clearinghouse to collect and provide information relating to best practices in career and technology education, including: model programs that connect kindergarten through grade 12 to postsecondary employment or higher education in a seamless system that includes the use of quality internship programs; courses that teach, in an applied manner, the required curriculum; models of course scheduling that allow students to participate in a coherent sequence of career and technology courses while meeting the requirement adopted for the minimum recommended and advanced high school programs that students complete four courses in each subject of the foundation curriculum. The bill requires the clearinghouse to collect information on best practices in career and technology education on counseling that:

- assists students in identifying current or emerging high-demand, high-wage occupations appropriate for the student or other occupations appropriate for and of interest to the student;
- assists students in determining the skills needed for these high-demand, high-wage occupations;
- assists students in planning courses and schedules to acquire the needed skills;
- connects students to employment opportunities and to institutions of higher education;
- provides a method to assess students' aptitudes or interests; and
- informs students about career options and levels of education and training needed to obtain entry and advanced levels of employment in current and emerging occupations regionally and statewide.

The bill further requires the collection of career and technology education best practices information on the integration into and use for the career and technology education course sequences of Internet courses, interactive television, and other innovative methods of providing instruction.

S.B. 1313 adds a temporary provision, set to expire January 31, 2011, requiring TEA, not later than January 1, 2011, to report to the governor, lieutenant governor, speaker of the house of representatives, and chair of each standing committee of the legislature with primary jurisdiction over public education recommendations regarding how to use the clearinghouse established under this provision as a dynamic technical assistance and support tool and specifies the subject matter of the recommendations.

S.B. 1313 requires the State Board of Education, each time the Texas Higher Education Coordinating Board revises the Internet database of the coordinating board's official statewide inventory of workforce education courses, to revise by rule the essential knowledge and skills of any corresponding career and technology education curriculum.

S.B. 1313 requires the Texas Workforce Commission to develop, in consultation with the Texas Workforce Investment Council, a list of current or emerging high-demand, high-wage, high-skill occupations in Texas that require licensure, certification, an associate degree, or a bachelor's

degree. The bill requires the commission to provide the research and technical support for developing the list. The bill requires council to consider the occupations list and approve a list for submission to the commissioner. The bill requires the council, on approval of the list, to deliver the list to the commissioner. The bill requires the commissioner of education, after consultation with the commissioner of higher education, to consider the list delivered and approve a final list of current or emerging high-demand, high-wage, high-skill occupations in Texas that require licensure, certification, an associate degree, or a bachelor's degree. The bill requires the list of current or emerging high-demand, high-wage, high-skill occupations in Texas that require licensure, certification, an associate degree, or a bachelor's degree to be reviewed and approved under this process every four years.

S.B. 1313 requires a student, to be entitled to a subsidy to pay the fee for a certification examination qualifying the student for a trade or occupational license or certificate, to successfully complete the career and technology program of a school district in which the student receives training and instruction specifically for employment in a current or emerging high-demand, high-wage, or high-skill trade or occupation, as determined under provisions of the bill, or to be enrolled in a special education program. The bill adds as a further requirement that the student submit to the district a written application for the subsidy in the form, time, and manner required by the district and removes a requirement for the student to demonstrate financial need. The bill requires TEA to pay each school district, rather than each eligible student, an amount equal to the costs paid by the district or student for the certification examination. The bill includes in the requirements for a district to obtain such reimbursement that the district pay the student the amount of the fee paid by the student for the examination if the district does not pay the fee for the examination. The bill makes these subsidy provisions applicable beginning with the 2009-2010 school year.

S.B. 1313 requires each counselor at an elementary or middle or junior high school, including an open-enrollment charter school offering those grades, to advise students and their parents or guardians regarding the importance of higher education; coursework designed to prepare students for postsecondary education and training, including career and technology education; the opportunity while in high school to earn college credit and industry certification; and financial aid availability and requirements. The bill requires this information to be provided in a manner that assists a student in establishing a personal graduation plan that leads to licensure, certification, an associate degree, or a bachelor's degree. The bill requires a counselor, during the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, to provide to students and their parents or guardians information regarding higher education and coursework designed to prepare students for postsecondary education and training, including career and technology education, as part of any information provided to assist a student in establishing a personal graduation plan that leads to licensure, certification, an associate degree, or a bachelor's degree. The bill requires the career and technology education information provided under these provisions to include information regarding available course and career options; current or emerging high-demand, high-wage, high-skill occupations; career options and levels of education and training needed to obtain entry and advanced levels of employment; certification requirements, licensing requirements, and high education and training requirements; the opportunity while in high school to earn college credit and industry certification; obtaining an aptitude or interest assessment; and the advantages of completing the recommended or advanced high school program. The bill makes these provisions applicable beginning with the 2009-2010 school year.

S.B. 1313 increases the career and technology education allotment by adding \$50 to the weighted allotment for each full-time equivalent student in average daily attendance in an approved career and technology education program who is enrolled in two or more advanced career and technology education classes for a total of three or more credits or is enrolled in an advanced course as part of a tech-prep program. The bill makes the increase in the career and technology education allotment applicable beginning with the 2009-2010 school year.

S.B. 1313 excludes course credit earned from an articulated or dual credit course for which a student received credit toward a high school program but that is not required to complete the degree program from being counted toward the cap on course credit in excess of the minimum number of semester credit hours required to complete the degree program for purposes of determining a student's eligibility for a rebate under the undergraduate tuition rebate program. The bill establishes that such exclusion applies to a tuition rebate regardless of the date a student enters a general academic teaching institution as a first-time freshman.

S.B. 1313 excludes an articulated or dual credit course for which a student received credit toward a high school diploma from being counted for purposes of determining whether the student has exceeded the limit on the number of semester credit hours included in the coordinating board's formula funding recommendations for higher education funding. The bill specifies that a course excluded under these provisions is a course that does not count toward the student's specific degree program and deletes a provision specifying course credit for a degree program at the institution. The bill establishes that such exclusion and specification apply beginning with the funding recommendations made by the coordinating board for the 2011-2012 academic year.

S.B. 1313 requires the coordinating board, to assess the economic benefits and preparation for employment provided by public primary and secondary schools and institutions of higher education, to identify students enrolled in the public education system and collect data on which postsecondary program, if any, the students enroll in and the type of employment the students obtain following completion of high school or the program, as applicable. The bill requires the coordinating board, in consultation with TEA, TWC, and the comptroller of public accounts, to use the education and employment data described above and any additional relevant data to assess the economic impact of secondary and postsecondary training and education. The bill requires the information to be produced in a manner that demonstrates patterns of postsecondary enrollment and employment placement, provides an assessment of the economic benefits of institutions of higher education and programs at those institutions to students and Texas, and provides an assessment of the economic benefit of public education programs that prepare students who transition directly to postsecondary employment. The bill sets forth provisions on the electronic dissemination and protection from disclosure of certain information. The bill requires the coordinating board, in conjunction with the commissioner of education, the comptroller, and TWC, to adopt rules to protect the confidentiality of student information.

S.B. 1313 requires the coordinating board, as one of the programs it adopts to support the participation and success goals in "Closing the Gaps," the state's master plan for higher education, to establish, in coordination with the commissioner of education, education resource centers to create within school communities interest in and information concerning attendance at institutions of higher education. The bill requires each center to attempt to coordinate among students, parents, school counselors, and institutions of higher education in providing access to resources helpful in preparation for attendance at and admission to institutions of higher education. The bill requires one or more person associated with each center to be trained and able to assist the families of high school students to complete the Free Application for Federal Student Aid form. The bill requires each center to provide information concerning career and technical education, including certification and licensing requirements and available course and career options and degree programs. The bill authorizes a center to be located on a high school or middle school campus or at a site within a community that is conveniently located to many students or to be a mobile center that visits schools or other places where students are likely to gather. The bill requires the coordinating board to conduct ongoing evaluations of programs adopted to implement the college readiness and success strategies action plan and to enhance the success of students at institutions of higher education and evaluations of any other programs developed to provide information concerning postsecondary educational or employment opportunities to determine the effectiveness of the programs in meeting the goals of "Closing the Gaps."

S.B. 1313 requires the coordinating board, in conjunction with the comptroller and TWC, to develop an Internet website for the purpose of providing information to the public about postsecondary educational and employment opportunities and sets out the required content of the website. The bill authorizes the coordinating board, for the purpose of developing the website, to require TEA to provide information on educational programs and outcomes and TWC to provide information on workforce programs and outcomes.

S.B. 1313 requires the coordinating board, as one of the programs it adopts to support the participation and success goals in "Closing the Gaps," in conjunction with the comptroller and TWC, to establish mobile career centers that visit schools or other places where students are likely to gather. The bill requires the mobile career centers to provide students with certain information on various occupations. The bill requires the mobile career centers to be operated, to the extent practicable, in coordination with one or more other governmental entities providing mobile programs and authorizes such centers to be funded only with private gifts, grants, or donations.

S.B. 1313 requires the coordinating board, using funds appropriated for the purpose, to establish by rule, as soon as practicable after the bill's effective date, a pilot program under which participating junior college districts and public technical institutes receive funding to establish adult education programs that focus on the provision of developmental education to support the transition from high school to college or a career and on dropout recovery. The bill requires a junior college district or public technical institute, to participate in the pilot program, to apply to the coordinating board in the manner prescribed by the board. The bill requires the application to include a detailed plan developed by the district or institute for the district's or institute's adult education program. The bill authorizes the coordinating board to select for participation in the pilot program those districts and institutes whose plans serve the purposes of the pilot program as determined by the board. The bill authorizes the coordinating board to adopt rules necessary for the administration of these pilot project provisions and, for the purpose of the initial rules, to adopt those rules in the manner provided by law for emergency rules. The bill defines "pilot program."

S.B. 1313 requires the comptroller to establish and administer the Jobs and Education for Texans (JET) fund as a dedicated account in the general revenue fund. The bill requires the following amounts to be deposited in the fund: any amounts appropriated by the legislature for the fund; interest earned on the investment of money in the fund; and gifts, grants, and other donations received for the JET fund and grant program. The bill creates an advisory board of education and workforce stakeholders to assist the comptroller in administering provisions relating to the fund. The bill sets forth the board's composition, designates the comptroller as the chairperson, and requires the board to meet at least once each quarter to review received applications and recommend awarding grants.

S.B. 1313 requires the comptroller to establish and administer the JET Grant Program to provide grants to public junior colleges, public technical institutes, and eligible nonprofit organizations that apply to the advisory board in the manner prescribed by the advisory board. The bill requires the comptroller to award the grants on the advice and recommendations of the advisory board. The bill authorizes the grants to be awards from the JET fund to expand and support programs that meet applicable requirements and that prepare low-income students for careers in high-demand occupations; to defray the startup costs associated with the development of new career and technical education programs that meet applicable requirements; and to provide scholarships for students in career and technical education programs who meet applicable requirements.

S.B. 1313 authorizes the comptroller to award a grant to an eligible nonprofit organization for the development, support, or expansion of programs to prepare low-income students for careers in high-demand occupations and sets forth eligibility requirements. The bill authorizes the matching funds required for eligibility to be obtained from any source available to the nonprofit organization. The bill requires grants awarded to nonprofit organizations to be awarded in a

manner that takes a balanced geographical distribution into consideration.

S.B. 1313 authorizes the comptroller to award a grant for the development of new career and technical education courses or programs at public junior colleges and public technical institutes. The bill restricts the use of a grant received under these provisions to the limited purposes of supporting courses or programs that prepare students for career employment in occupations that are identified by local business as being in high demand; financing initial costs of career and technical education course or program development; and financing a career and technical education course or program that leads to a license, certificate, or postsecondary degree. The bill requires the comptroller, in awarding these grants, to consider primarily the potential economic returns to Texas from the development of the career and technical education course or program and authorizes the comptroller to consider whether the course or program is part of a new, emerging industry or high-demand occupation. The bill requires a public junior college or public technical institute, as a condition of eligibility to receive a grant, to provide matching funds in accordance with comptroller rules. The bill authorizes the matching funds to be obtained from any source available to the college.

S.B. 1313 authorizes the comptroller to award a scholarship to a public junior college or public technical institute student. The bill requires a student, as a condition of eligibility to receive a scholarship, to demonstrate financial need and to be enrolled in a training program for a high-demand occupation, as determined by the comptroller on the advisory board's recommendation. The bill requires the comptroller to adopt rules as necessary for the administration of the JET grant program and fund.

S.B. 1313 establishes that it does not make an appropriation and provides that it takes effect only if a specific appropriation for its implementation is provided in a general appropriations act of the 81st Legislature.

S.B. 1313 repeals Section 29.190(b), Education Code, relating to a subsidy for certification examination.

EFFECTIVE DATE

Except as otherwise provided, on passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.