

By: Guillen, Marquez, Gonzales, Flores

H.B. No. 636

A BILL TO BE ENTITLED

AN ACT

1
2 relating to allocation of state and federal funds for adult basic
3 education.

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

5 SECTION 1. Section 29.255, Education Code, is amended by
6 adding Subsections (c), (d), (d-1), and (e) to read as follows:

7 (c) Notwithstanding any other provision of this subchapter,
8 the agency shall allocate state and federal adult basic education
9 funds, other than federal funds set aside for state administration,
10 special projects, and staff development, based on need. Funds
11 available to a service area in which there is no eligible adult
12 basic education service provider providing student contact hours
13 shall be distributed proportionally by the agency to other eligible
14 adult basic education service providers in the county. If there are
15 no other eligible adult basic education service providers in the
16 county, the funds allocated for that county shall be distributed
17 proportionally by the agency throughout the state to eligible adult
18 basic education service providers by service area.

19 (d) The agency by rule shall establish a method by which
20 adult basic education service providers are paid on a student
21 contact hour and student performance and completion basis. In
22 adopting a method under this subsection, the agency shall require
23 that the total number of eligible student contact hours must be
24 based on the student's level of performance on a designated

1 literacy or basic skills test so that the number of eligible student
2 contact hours funded is increased for a student with a lower
3 performance level.

4 (d-1) Adult basic education service providers providing
5 student contact hours for the 2008-2009 school year are entitled to
6 at least the same level of student contact hours in the 2009-2010
7 and 2010-2011 school years as the service provider provided in the
8 2008-2009 school year. This subsection expires September 1, 2011.

9 (e) The amount of state and federal adult basic education
10 funds, other than federal funds set aside for state administration,
11 special projects, and staff development, available for a school
12 year that exceeds the amount of state and federal adult basic
13 education funds, other than federal funds set aside for state
14 administration, special projects, and staff development, available
15 in the preceding school year shall be allocated to new student
16 contact hours. The agency may not set the student contact hour rate
17 for new student contact hours at a rate higher than the average rate
18 for student contact hours in the preceding school year.

19 SECTION 2. This Act takes effect September 1, 2009.