

By: Zaffirini

S.B. No. 47

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the transfer of certain functions regarding career and
3 technology education from the Texas Education Agency to the Texas
4 Higher Education Coordinating Board.

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

6 SECTION 1. Section 7.109, Education Code, is transferred to
7 Subchapter C, Chapter 61, Education Code, redesignated as Section
8 61.0764, Education Code, and amended to read as follows:

9 Sec. 61.0764 [~~7.109~~]. DESIGNATION AS STATE BOARD FOR
10 CAREER AND TECHNOLOGY EDUCATION. (a) The board is also the State
11 Board for Career and Technology Education.

12 (b) The commissioner of higher education is the executive
13 officer through whom the State Board for Career and Technology
14 Education shall carry out its policies and enforce its rules.

15 (c) The State Board for Career and Technology Education may
16 contract with the Texas Education Agency [~~Texas Higher Education~~
17 ~~Coordinating Board~~] or any other state agency to assume the
18 leadership role and administrative responsibility of the State
19 Board for Career and Technology Education for state level
20 administration of technical-vocational education programs in
21 school districts, charter schools, and other eligible primary or
22 secondary educational institutions [~~public community colleges,~~
23 ~~public technical institutes, and other eligible public~~
24 ~~postsecondary institutions~~] in this state.

1 (d) The State Board for Career and Technology Education may
2 allocate funds appropriated to the board by the legislature or
3 federal funds received by the board under the Carl D. Perkins
4 Vocational Education Act (20 U.S.C. Section 2301 et seq.) or other
5 federal law to an institution or program approved by the Texas
6 Education Agency [~~State Board of Education, the Texas Higher~~
7 ~~Education Coordinating Board,~~] or another state agency specified by
8 law.

9 SECTION 2. Section 29.182, Education Code, is transferred
10 to Subchapter C, Chapter 61, Education Code, redesignated as
11 Section 61.0765, Education Code, and amended to read as follows:

12 Sec. 61.0765 [~~29.182~~]. STATE PLAN FOR CAREER AND
13 TECHNOLOGY EDUCATION. (a) The board, in consultation with the
14 Texas Education Agency, [~~agency~~] shall prepare and biennially
15 update a state plan for career and technology education that sets
16 forth objectives for career and technology education for the next
17 biennium and long-term goals for the following five years.

18 (b) The state plan must include procedures designed to
19 ensure that:

20 (1) all secondary and postsecondary students have the
21 opportunity to participate in career and technology education
22 programs;

23 (2) the state complies with requirements for
24 supplemental federal career and technology education funding; and

25 (3) career and technology education is established as
26 a part of the total education system of this state.

27 SECTION 3. Section 29.183(b), Education Code, is amended to

1 read as follows:

2 (b) In developing a career and technology program, the board
3 of trustees shall consider the state plan for career and technology
4 education required under Section 61.0765 [~~29.182~~].

5 SECTION 4. Section 29.184(a), Education Code, is amended to
6 read as follows:

7 (a) The board of trustees of a school district may contract
8 with another school district or with a public or private
9 postsecondary educational institution or trade or technical school
10 that is regulated by this state, as designated in the state plan for
11 career and technology education required under Section 61.0765
12 [~~29.182~~], to provide career and technology classes for students in
13 the district.

14 SECTION 5. Section 29.187(c), Education Code, is amended to
15 read as follows:

16 (c) In developing a program under this section, the board of
17 trustees of a school district shall consider the state plan for
18 career and technology education required under Section 61.0765
19 [~~29.182~~].

20 SECTION 6. Section 61.076(g), Education Code, is amended to
21 read as follows:

22 (g) The council shall advise the board and the State Board
23 of Education on the coordination of postsecondary career and
24 technology activities, career and technology teacher education
25 programs offered or proposed to be offered in the colleges and
26 universities of this state, and other relevant matters, including:

27 (1) coordinating postsecondary career and technology

1 education and the articulation between postsecondary career and
2 technology education and secondary career and technology
3 education;

4 (2) facilitating the transfer of responsibilities for
5 the administration of postsecondary career and technology
6 education from the State Board of Education to the board in
7 accordance with Section 111(a)(I) of the Carl D. Perkins Vocational
8 Education Act (Pub. L. No. 98-524);

9 (3) advising the board [~~State Board of Education~~],
10 when it acts as the State Board for Career and Technology Education,
11 on the following:

12 (A) the transfer of federal funds to the Texas
13 Education Agency [~~board~~] for allotment to eligible school districts
14 or other eligible entities [~~public postsecondary institutions of~~
15 ~~higher education~~];

16 (B) the career and technology education funding
17 for projects and institutions as determined by the board when the
18 State Board for Career and Technology Education is required by
19 federal law to endorse those determinations;

20 (C) the development and updating of the state
21 plan for career and technology education and the evaluation of
22 programs, services, and activities of postsecondary career and
23 technology education and amendments to the state plan for career
24 and technology education as may relate to postsecondary education;

25 (D) other matters related to postsecondary
26 career and technology education; and

27 (E) the coordination of curricula, instructional

1 programs, research, and other functions as appropriate, including
2 school-to-work and school-to-college transition programs and
3 professional development activities; and

4 (4) advising the Texas Workforce Investment Council on
5 educational policy issues related to workforce preparation.

6 SECTION 7. (a) The transfer of the powers and duties of the
7 State Board for Career and Technology Education from the Texas
8 Education Agency to the Texas Higher Education Coordinating Board
9 as provided by this Act does not affect the validity of an action
10 taken by the State Board for Career and Technology Education before
11 the effective date of this Act, and those actions, including the
12 adoption of any rules, remain in effect on and after the effective
13 date.

14 (b) The change in law made by this Act does not affect the
15 validity of the Texas State Plan for Career and Technical
16 Education, 2008-2013, and that plan continues in effect on the
17 effective date of this Act as if approved by the Texas Higher
18 Education Coordinating Board, subject to any revision or other
19 action authorized by law by the coordinating board.

20 (c) An appropriation made before the effective date of this
21 Act to the Texas Education Agency for the administration of a power
22 or duty transferred by this Act to the Texas Higher Education
23 Coordinating Board continues in effect as an appropriation made to
24 the Texas Higher Education Coordinating Board.

25 SECTION 8. This Act takes effect September 1, 2009.