

BILL ANALYSIS

C.S.H.B. 1497
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Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Federal law provides funding to states to support efforts to better develop the skills of students who elect to enroll in career and technical education programs at the secondary or postsecondary level. To meet requirements for these funds, the Texas Education Agency (TEA) developed a career and technical education plan in coordination with the Texas Higher Education Coordinating Board that designates the TEA as the agency responsible for the management and disbursement of the federal funding. The State Board of Education (SBOE) is designated by other law as the State Board for Career and Technology Education, with the authority to allocate federal funds. There is no explicit provision in law, however, to address how the funds should be allocated between higher education and public education. The career and technical education plan developed by the TEA and the coordinating board denotes that the funding split is based on contact hours and that the TEA consults with the coordinating board to recommend to the SBOE the appropriate split between the two agencies, but confusion remains. C.S.H.B. 1497 seeks to clarify the allocation of these federal career and technical education funds.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1497 amends the Education Code to require at least 40 percent of any federal funds allocated by the State Board for Career and Technology Education to an institution or program approved by the State Board of Education, the Texas Higher Education Coordinating Board, or another state agency specified by law to be allocated to support career and technical education at the postsecondary or adult level. The bill makes its provisions applicable beginning with an allocation of federal funds made on or after the expiration of the Texas State Plan for Career and Technical Education, 2008-2013, and makes a nonsubstantive change.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1497 differs from the original by requiring at least 40 percent of certain federal funds allocated by the State Board for Career and Technology Education to an institution or program approved by the State Board of Education, the Texas Higher Education Coordinating Board, or another state agency specified by law to be allocated to support career and technology education at the postsecondary or adult level, whereas the original requires the State Board for Career and Technology Education to allocate certain federal funds to an approved institution or program to support career and technology education at the secondary and postsecondary levels in proportion to calculations of relative student utilization determined for each approved program based on

input from the Texas Education Agency and the coordinating board. The substitute omits provisions contained in the original relating to the determination of such student utilization.

C.S.H.B. 1497 differs from the original by making the bill's provisions applicable beginning with an allocation of federal funds made on or after the expiration of the Texas State Plan for Career and Technical Education, 2008-2013, whereas the original makes the bill's provisions applicable beginning with an allocation of federal funds made on or after the bill's effective date with an exception under which the board, in making an allocation on or after that date, may allocate the funds in a manner that deviates from the specified requirements to the extent necessary to comply with a grant awarded or an agreement entered into before the bill's effective date under the Texas State Plan for Career and Technical Education, 2008-2013, or to comply with federal law.