

By: J. Davis of Harris, Deshotel, Huberty,
Farney, Murphy

H.B. No. 1831

Substitute the following for H.B. No. 1831:

By: Villarreal

C.S.H.B. No. 1831

A BILL TO BE ENTITLED

AN ACT

relating to an adult high school diploma and industry certification
charter school pilot program for adults 19 to 50 years of age.

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

SECTION 1. Section 29.251(1), Education Code, is amended to
read as follows:

(1) "Adult education" means services and instruction
provided below the college level for adults by public local
education agencies, public nonprofit agencies, nonprofit entities
providing services and instruction as described by Section 29.259,
or community-based organizations.

SECTION 2. Section 29.252(a), Education Code, is amended to
read as follows:

(a) The agency shall:

(1) provide adequate staffing to develop, administer,
and support a comprehensive statewide adult education program and
coordinate related federal and state programs for education and
training of adults;

(2) develop, implement, and regulate a comprehensive
statewide program for community level education services to meet
the special needs of adults;

(3) develop the mechanism and guidelines for
coordination of comprehensive adult education and related skill
training services for adults with other agencies, both public and

1 private, in planning, developing, and implementing related
2 programs, including community education programs;

3 (4) administer all state and federal funds for adult
4 education and related skill training in this state, except in
5 programs for which another entity is specifically authorized to do
6 so under other law;

7 (5) prescribe and administer standards and
8 accrediting policies for adult education;

9 (6) prescribe and administer rules for teacher
10 certification for adult education;

11 (7) accept and administer grants, gifts, services, and
12 funds from available sources for use in adult education;

13 (8) adopt or develop and administer a standardized
14 assessment mechanism for assessing all adult education program
15 participants who need literacy instruction, adult basic education,
16 or secondary education leading to an adult high school diploma or
17 the equivalent;

18 (9) adopt and administer a standardized secondary
19 exit-level assessment instrument appropriate for assessing adult
20 education program participants who successfully complete high
21 school curriculum requirements under a program provided under
22 Section 29.259;

23 (10) collaborate with the Texas Workforce Commission
24 to improve the coordination and implementation of adult education
25 and literacy services in this state; and

26 (11) [~~(10)~~] monitor and evaluate educational and
27 employment outcomes of students who participate in the agency's

1 adult education and literacy programs.

2 SECTION 3. Section 29.253, Education Code, is amended to
3 read as follows:

4 Sec. 29.253. PROVISION OF ADULT EDUCATION PROGRAMS. Adult
5 education programs shall be provided by public school districts,
6 public junior colleges, public universities, public nonprofit
7 agencies, and community-based organizations approved in accordance
8 with state statutes and rules adopted by the State Board of
9 Education. A nonprofit entity described by Section 29.259 may also
10 provide an adult education program as provided by that section. The
11 programs must be designed to meet the education and training needs
12 of adults to the extent possible within available public and
13 private resources. Bilingual education may be the method of
14 instruction for students who do not function satisfactorily in
15 English whenever it is appropriate for their optimum development.

16 SECTION 4. Section 29.2531, Education Code, is amended to
17 read as follows:

18 Sec. 29.2531. ADULT EDUCATION ASSESSMENT. (a) The agency
19 [~~Texas Education Agency~~] shall, in consultation with the Texas
20 Higher Education Coordinating Board, review the standardized
21 assessment mechanism required under Section 29.252(a)(8) and
22 recommend any changes necessary to align the assessment with the
23 assessments designated under Section 51.3062 to allow for the
24 proper placement of a student in an adult basic education course or
25 to provide the student with the proper developmental or English as a
26 second language coursework, as appropriate.

27 (b) The commissioner shall determine the level of

1 performance considered to be satisfactory on a secondary exit-level
2 assessment instrument described by Section 29.252(a)(9) for
3 receipt of a high school diploma by an adult education program
4 participant in a program provided under Section 29.259.

5 SECTION 5. Section 29.255, Education Code, is amended to
6 read as follows:

7 Sec. 29.255. FUNDING. (a) Funds shall be appropriated to
8 implement statewide adult basic education, adult bilingual
9 education, high school equivalency, and high school credit programs
10 to eliminate illiteracy in this state and to implement and support a
11 statewide program to meet the total range of adult needs for adult
12 education, related skill training, and pilot programs to
13 demonstrate the effectiveness of the community education concept.
14 The agency shall ensure that public local education agencies,
15 public nonprofit agencies, nonprofit entities providing programs
16 under Section 29.259, and community-based organizations have
17 direct and equitable access to those funds. An additional sum of
18 money may be appropriated to the Texas Economic Development and
19 Tourism Office [~~Department of Commerce~~] for the purpose of skill
20 training in direct support of industrial expansion and start-up,
21 and those locations, industries, and occupations designated by the
22 Texas Economic Development and Tourism Office [~~Department of~~
23 ~~Commerce~~], when such training is also in support of the basic
24 purposes of this subchapter. To fulfill the basic purposes of this
25 subchapter, an additional sum of money may be appropriated for
26 skill training that is conducted to support the expansion of
27 civilian employment opportunities on United States military

1 reservations.

2 (b) The agency, in conjunction with the Texas Economic
3 Development and Tourism Office [~~Department of Commerce~~], may adopt
4 rules to administer skill training programs for which the agency is
5 responsible, and the Texas Economic Development and Tourism Office
6 [~~Department of Commerce~~] may adopt rules to administer skill
7 training programs for which it is responsible.

8 SECTION 6. Subchapter H, Chapter 29, Education Code, is
9 amended by adding Section 29.259 to read as follows:

10 Sec. 29.259. ADULT HIGH SCHOOL DIPLOMA AND INDUSTRY
11 CERTIFICATION CHARTER SCHOOL PILOT PROGRAM. (a) The commissioner
12 shall establish an adult high school diploma and industry
13 certification charter school pilot program as provided by this
14 section as a strategy for meeting industry needs for a sufficiently
15 trained workforce within the state.

16 (b) Notwithstanding any other law and in addition to the
17 number of charters allowed under Subchapter D, Chapter 12, the
18 State Board of Education may grant, on the basis of an application
19 submitted to the board, a charter under the pilot program to a
20 single nonprofit entity described by Subsection (c) to provide an
21 adult education program for not more than 150 individuals described
22 by Subsection (e) to successfully complete:

23 (1) a high school program that can lead to a diploma;

24 and

25 (2) career and technology education courses that can
26 lead to industry certification.

27 (c) A nonprofit entity may be granted a charter under this

1 section only if the entity:

2 (1) has a successful history of providing education
3 services, including industry certifications and job placement
4 services, to adults 18 years of age and older whose educational and
5 training opportunities have been limited by educational
6 disadvantages, disabilities, homelessness, criminal history, or
7 similar circumstances; and

8 (2) agrees to commit at least \$1 million to the adult
9 education program offered.

10 (d) A nonprofit entity granted a charter under this section
11 may partner with a public junior college to provide career and
12 technology courses that lead to industry certification.

13 (e) A person who is at least 19 years of age and not more
14 than 50 years of age is eligible to enroll in the adult education
15 program under this section if the person has not earned a high
16 school equivalency certificate and:

17 (1) has failed to complete the curriculum requirements
18 for high school graduation; or

19 (2) has failed to perform satisfactorily on an
20 assessment instrument required for high school graduation.

21 (f) The nonprofit entity must include in its charter
22 application the information required by Subsection (g).

23 (g) A charter granted under this section must:

24 (1) include a description of the adult education
25 program to be offered under this section; and

26 (2) establish specific, objective standards for
27 receiving a high school diploma, including satisfactory

1 performance on the standardized secondary exit-level assessment
2 instrument described by Section 29.252(a)(9) as provided under
3 Section 29.2531.

4 (h) Funding for an adult education program under this
5 section is provided based on the following:

6 (1) for participants who are 26 years of age and older,
7 from funds appropriated for that purpose; and

8 (2) for participants who are at least 19 years of age
9 and under 26 years of age, an amount per participant through the
10 Foundation School Program equal to the amount of state funding per
11 student in weighted average daily attendance that would be
12 allocated under the Foundation School Program for the student's
13 attendance at an open-enrollment charter school in accordance with
14 Section 12.106.

15 (i) Sections 12.107 and 12.128 apply as though funds under
16 this section were funds under Subchapter D, Chapter 12.

17 (j) Not later than December 1 of each even-numbered year,
18 beginning December 1, 2016, the agency shall prepare and deliver to
19 the governor, lieutenant governor, speaker of the house of
20 representatives, and presiding officer of each standing
21 legislative committee with primary jurisdiction over public
22 education or economic development a report that:

23 (1) evaluates any adult education program operated
24 under a charter granted under this section; and

25 (2) makes recommendations regarding the abolition,
26 continuation, or expansion of the pilot program.

27 (k) The commissioner shall adopt rules necessary to

1 administer the pilot program under this section. In adopting
2 rules, the commissioner may modify charter school requirements only
3 to the extent necessary for the administration of a charter school
4 under this section that provides for adult education.

5 SECTION 7. Section 42.003(a), Education Code, is amended to
6 read as follows:

7 (a) A student is entitled to the benefits of the Foundation
8 School Program if, on September 1 of the school year, the student:

9 (1) is 5 years of age or older and under 21 years of age
10 and has not graduated from high school, or is at least 21 years of
11 age and under 26 years of age and has been admitted by a school
12 district to complete the requirements for a high school diploma; or

13 (2) is at least 19 years of age and under 26 years of
14 age and is enrolled in an adult high school diploma and industry
15 certification charter school pilot program under Section 29.259.

16 SECTION 8. This Act takes effect September 1, 2013.