

By: J. Davis of Harris

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 29.253, Education Code, is amended to
read as follows:

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

1 English whenever it is appropriate for their optimum development.

2 SECTION 3. Section 29.255, Education Code, is amended to
3 read as follows:

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

26 (b) The agency, in conjunction with the Texas Economic
27 Development and Tourism Office [~~Department of Commerce~~], may adopt

1 rules to administer skill training programs for which the agency is
2 responsible, and the Texas Economic Development and Tourism Office
3 [~~Department of Commerce~~] may adopt rules to administer skill
4 training programs for which it is responsible.

5 SECTION 4. Subchapter H, Chapter 29, Education Code, is
6 amended by adding Section 29.259 to read as follows:

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

13 (b) Notwithstanding any other law and in addition to the
14 number of charters allowed under Subchapter D, Chapter 12, the
15 State Board of Education may grant, on the basis of an application
16 submitted to the board, a charter under the pilot program to a
17 single nonprofit entity described by Subsection (c) to provide an
18 adult education program for individuals described by Subsection (d)
19 to successfully complete:

20 (1) a high school program that can lead to a diploma;
21 and

22 (2) career and technology education courses that can
23 lead to industry certification.

24 (c) A nonprofit entity may be granted a charter under this
25 section only if the entity:

26 (1) has a successful history of providing education
27 services, including industry certifications and job placement

1 services, to adults 18 years of age and older whose educational and
2 training opportunities have been limited by educational
3 disadvantages, disabilities, homelessness, criminal history, or
4 similar circumstances; and

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

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

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

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

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

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

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

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

23 (2) establish specific, objective standards for
24 receiving a high school diploma, including an appropriate
25 exit-level assessment method.

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

1 (1) for participants who are 26 years of age and older,
2 an amount per participant from available funds appropriated for
3 adult basic education equal to the statewide average amount of
4 state funding per student in weighted average daily attendance that
5 would be allocated under the Foundation School Program to an
6 open-enrollment charter school under Section 12.106 were the
7 student under 26 years of age; 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 5. 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 6. This Act takes effect September 1, 2013.