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H.B. No. 1956

Substitute the following for H.B. No. 1956:

By: Perez

C.S.H.B. No. 1956

A BILL TO BE ENTITLED

AN ACT

relating to an adult high school diploma and industry certification  
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 29.258,  
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 29.258;

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 29.258 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 29.258.

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 29.258, 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 29.258 to read as follows:

10 Sec. 29.258. ADULT HIGH SCHOOL DIPLOMA AND INDUSTRY  
11 CERTIFICATION PILOT PROGRAM. (a) The commissioner shall establish  
12 an adult high school diploma and industry certification pilot  
13 program as provided by this section to enhance economic  
14 opportunities for eligible adults 19 to 50 years of age.

15 (b) Notwithstanding Section 29.2535, the commissioner may  
16 designate a single nonprofit entity described by Subsection (c) to  
17 provide an adult education program for not more than 150  
18 individuals described by Subsection (g) to successfully complete:

19 (1) high school curriculum requirements to receive a  
20 high school diploma; and

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

23 (c) An adult high school diploma and industry certification  
24 program may be provided by a nonprofit entity under this section  
25 that:

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;

5 (2) develops an adult education program specifically  
6 designed for individuals described by Subsection (g);

7 (3) agrees to commit at least \$1 million to the adult  
8 education program offered; and

9 (4) applies as provided by Subsection (e).

10 (d) The commissioner by rule shall establish minimum  
11 standards for an adult education program under this section. The  
12 program must:

13 (1) provide a dropout recovery curriculum that:

14 (A) offers courses to complete high school  
15 curriculum requirements; and

16 (B) includes career and technology education  
17 courses that can lead to industry certification; and

18 (2) offer a high school diploma to a participant who:

19 (A) completes all high school curriculum  
20 requirements in compliance with Section 28.025; and

21 (B) performs satisfactorily on a secondary  
22 exit-level assessment instrument described by Section  
23 29.252(a)(9).

24 (e) To be designated to provide an adult education program  
25 under this section, a nonprofit entity described by Subsection (c)  
26 must submit an application to the commissioner in the time and  
27 manner prescribed by commissioner rule that describes:

1           (1) the adult education program to be offered,  
2 including the required curriculum as provided by Section 28.002;

3           (2) the governing structure for providing the adult  
4 education program to be offered;

5           (3) the process through which the nonprofit entity  
6 will adopt an annual budget for providing the adult education  
7 program to be offered; and

8           (4) the facilities to be used for the adult education  
9 program to be offered.

10          (f) A nonprofit entity designated to provide an adult  
11 education program under this section:

12           (1) may partner with a public junior college to  
13 provide career and technology education courses that can lead to  
14 industry certification; and

15           (2) must enter into a memorandum of understanding with  
16 one or more school districts or open-enrollment charter schools  
17 that will award high school diplomas to adult education program  
18 participants who successfully complete curriculum requirements for  
19 high school graduation.

20          (g) A person who is at least 19 years of age and not more  
21 than 50 years of age is eligible to enroll in the adult education  
22 program under this section if the person has not earned a high  
23 school equivalency certificate and:

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

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

1       (h) The commissioner shall adopt rules as necessary to  
2 authorize school districts and open-enrollment charter schools to  
3 issue diplomas to eligible participants under this section. A  
4 participant issued a diploma from a school district or  
5 open-enrollment charter school under this section is not considered  
6 a student enrolled in the district or school for accountability  
7 purposes under Chapter 39.

8       (i) Funding for an adult education program under this  
9 section is provided as follows:

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

12           (2) for participants who are at least 19 years of age  
13 and under 26 years of age, an amount per participant through the  
14 Foundation School Program equal to the amount of state funds per  
15 student in weighted average daily attendance that would be  
16 allocated under the Foundation School Program for the student's  
17 attendance at schools in the school district in which the  
18 participant resides.

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

25           (1) evaluates any adult education program operated  
26 under this section; and

27           (2) makes recommendations regarding the abolition,



1 continuation, or expansion of the pilot program.

2 (k) The commissioner shall adopt rules necessary to  
3 administer the pilot program under this section.

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

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

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

12 (2) is at least 19 years of age and under 26 years of  
13 age and is enrolled in an adult high school diploma and industry  
14 certification pilot program under Section 29.258.

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