

By: Gates

H.B. No. 128

A BILL TO BE ENTITLED

AN ACT

relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system.

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

ARTICLE 1. VOCATIONAL EDUCATION PROGRAMS

SECTION 1.01. Subtitle F, Title 2, Education Code, is amended by adding Chapter 30B to read as follows:

CHAPTER 30B. VOCATIONAL EDUCATION PROGRAMS

Sec. 30B.001. DEFINITION. In this chapter, "board" means the State Board of Education.

Sec. 30B.002. PURPOSE. The purpose of a vocational education program operated under this chapter and authorized as a campus or campus program under a charter granted under Subchapter C, Chapter 12, is to provide public education to high school students whose educational needs are better served by focused vocational education and training.

Sec. 30B.003. VOCATIONAL EDUCATION PROGRAM. (a) Each vocational education program granted a charter under Subchapter C, Chapter 12, and operating under this chapter shall offer students who reside in the district a program that is aligned with:

(1) industry-recognized credentials and certificates

1 included in the inventory required by Section 29.189; or

2 (2) industry-defined and industry-recognized skill
3 standards developed under Section 2308.109, Government Code.

4 (b) The board shall establish minimum curriculum
5 requirements for a vocational education program operated under this
6 chapter. In providing curriculum requirements, the board shall
7 require the successful completion of not more than 24 credits for
8 graduation and the issuance of a diploma under Section 30B.004. Not
9 less than 10 credits of the minimum curriculum requirements must be
10 credits earned in vocational education courses offered under the
11 program.

12 (c) A vocational education program may require the
13 completion of additional credits that are not included in the
14 minimum curriculum requirements established by the board, as
15 requirements for graduation and the issuance of a diploma under
16 Section 30B.004 provided that the program does not require the
17 successful completion of more than 24 credits.

18 (d) In providing the minimum curriculum requirements under
19 Subsection (b), the board shall require:

20 (1) one-half credit in a course that provides
21 instruction in the basic knowledge and skills necessary to:

22 (A) successfully run an independent business;
23 and

24 (B) develop entrepreneurship;

25 (2) one-half credit in a course providing instruction
26 regarding the relationship between business and government; and

27 (3) one-half credit in a course in industrial arts.

1 (e) The board by rule may provide curriculum standards for
2 the courses described by Subsection (d).

3 (f) The board by rule shall allow for a student to satisfy
4 the one-half credit requirement for a course described by:

5 (1) Subsection (d)(2) by earning one-half credit for a
6 course in government offered under the foundation high school
7 program; and

8 (2) Subsection (d)(3) by earning one-half credit for a
9 course in fine arts offered under the foundation high school
10 program.

11 (g) The board by rule may require that one or more courses
12 described by Subsection (d) or (f) provide basic instruction in
13 technical writing.

14 (h) In offering a vocational education program under this
15 chapter, a school district may form partnerships between the
16 district and public junior colleges, public technical institutes,
17 public state colleges, and any other public postsecondary
18 institutions in this state offering academic or technical education
19 or vocational training under a certificate program or an associate
20 degree program.

21 (i) A school district may use state funding received under
22 Chapter 48 that is available for the purpose to pay tuition costs
23 for district students enrolled in the district's vocational
24 education program and receiving academic or technical education or
25 vocational training from a college or institution under a
26 partnership entered into under Subsection (h).

27 Sec. 30B.004. VOCATIONAL HIGH SCHOOL DIPLOMA.

1 Notwithstanding any other law, agency rule, or school district
2 policy, a student who successfully completes the course
3 requirements for a district's vocational education program is
4 entitled to receive a high school diploma from the district in
5 accordance with commissioner rules concerning high school
6 graduation requirements for students obtaining a high school
7 diploma under a district's vocational education program.

8 Sec. 30B.005. ENROLLMENT ELIGIBILITY. A student is
9 eligible to enroll in a school district's vocational education
10 program if:

11 (1) the district has received the form indicating
12 informed consent for the student under Section 30B.006; and

13 (2) the student attends a high school campus of the
14 district and has completed the student's 10th grade year.

15 Sec. 30B.006. INFORMED CONSENT. (a) Before a student may
16 enroll in a school district's vocational education program, the
17 student and the student's parent, guardian, or other person
18 standing in parental relation to the student must be advised by a
19 school counselor concerning:

20 (1) specific benefits of graduating under the
21 foundation high school program established under Section 28.025;

22 (2) specific benefits of graduating under a vocational
23 education program with a diploma and earning industry-recognized
24 credentials through the program;

25 (3) the differences between the curriculum
26 requirements for obtaining a diploma under a vocational education
27 program and the curriculum requirements for obtaining a diploma

1 under the foundation high school program, including specific
2 foundation high school program courses that will be replaced by
3 vocational education program courses; and

4 (4) the number of additional credits that may be
5 required to graduate under the foundation high school program if
6 the student chooses to cease participation in a vocational
7 education program and resume participation in the foundation high
8 school program.

9 (b) After receiving the required counseling described by
10 Subsection (a), the student's parent, guardian, or other person
11 standing in parental relation to the student may provide written
12 permission for the student to enroll in the school district's
13 vocational education program, on a form adopted by the agency, to
14 the school counselor.

15 Sec. 30B.007. ASSESSMENT INSTRUMENTS. (a) A school
16 district may adopt and administer assessment instruments necessary
17 for a student enrolled in the district's vocational education
18 program to earn an industry-recognized license, credential, or
19 certificate.

20 (b) Notwithstanding any other law, the commissioner may not
21 require that a student enrolled in a district's vocational
22 education program be administered an assessment instrument under
23 Section 39.023 that is not required to be administered to the
24 student under federal law.

25 (c) The commissioner may not waive the application of
26 Subsection (b) under Section 7.056 or any other law. This
27 subsection does not prohibit the commissioner from waiving the

1 administration of assessment instruments otherwise required to be
2 administered to students under federal law, in accordance with
3 waiver authority granted to the commissioner by the United States
4 Department of Education.

5 Sec. 30B.008. EXAM SUBSIDY. A student enrolled in a school
6 district's vocational education program is entitled to an exam
7 subsidy for an exam administered under Section 30B.007 that
8 qualifies the student for an industry-recognized license,
9 credential, or certificate.

10 Sec. 30B.009. ACHIEVEMENT INDICATORS. (a) The
11 commissioner shall adopt a set of achievement indicators for school
12 district students enrolled in a district's vocational education
13 program based on recommendations provided by the Texas Workforce
14 Investment Council.

15 (b) The achievement indicators adopted by the commissioner
16 must measure outcomes for a school district's vocational education
17 program with respect to:

18 (1) preparing students for success in:

19 (A) achieving industry-recognized licenses,
20 credentials, and certificates;

21 (B) training in postsecondary occupational
22 programs; and

23 (C) entering the workforce;

24 (2) reducing outcome differentials among students
25 from different racial and ethnic groups and socioeconomic
26 backgrounds; and

27 (3) informing parents and employers regarding the

1 performance of school district vocational education programs and
2 students who enroll in those programs.

3 (c) Each school district that operates a vocational
4 education program under this chapter shall submit to the
5 commissioner all relevant information the commissioner determines
6 necessary to evaluate the district's vocational education program
7 based on the achievement indicators adopted under this section.

8 (d) The commissioner shall annually publish a report on the
9 performance of vocational education programs operated under this
10 chapter based on the achievement indicators.

11 Sec. 30B.010. MINIMUM INSTRUCTOR QUALIFICATIONS. (a) A
12 person employed by a school district as a vocational education
13 instructor of a district's vocational education program must have
14 demonstrated subject matter expertise related to the subject
15 taught, including:

- 16 (1) professional work experience;
17 (2) formal training and education;
18 (3) holding a relevant, active, industry-recognized
19 license, credential, or certificate; or
20 (4) any combination of Subdivisions (1), (2), and (3).

21 (b) A person employed by a school district as a vocational
22 education instructor of a district's vocational education program
23 must have received at least 20 hours of classroom management
24 training as determined by the board of trustees of the district.

25 Sec. 30B.011. MEMBERSHIP IN TEACHER RETIREMENT SYSTEM OF
26 TEXAS. A school district employee who provides services under the
27 district's vocational education program and qualifies for

1 membership in the Teacher Retirement System of Texas shall be
2 covered under the system to the same extent another qualified
3 employee of a school district is covered.

4 Sec. 30B.012. BUSINESS AND INDUSTRY PARTNERSHIPS. (a) A
5 school district operating a vocational education program under this
6 chapter may partner with private sector businesses to ensure
7 students have sufficient opportunities to participate in
8 apprenticeship training programs and other workplace-based
9 education.

10 (b) A school district may sponsor apprenticeship training
11 programs under Chapter 133 for students enrolled in the district's
12 vocational education program.

13 Sec. 30B.013. LIMITATION ON CAREER AND TECHNOLOGY EDUCATION
14 ALLOTMENT. For each student enrolled in a school district's
15 vocational education program, the district's entitlement to the
16 career and technology education allotment under Section 48.106 is
17 limited to the amount determined by the commissioner in accordance
18 with Subsection (a-1) of that section.

19 ARTICLE 2. OPERATION OF VOCATIONAL EDUCATION PROGRAM AS CAMPUS OR
20 CAMPUS PROGRAM CHARTER

21 SECTION 2.01. Section 12.056, Education Code, is amended by
22 adding Subsection (c) to read as follows:

23 (c) Notwithstanding Subsection (b), requirements related to
24 high school graduation under Section 28.025 do not apply to the
25 issuance of a diploma under a vocational education program under
26 Chapter 30B operated as a campus or campus program under a charter
27 granted under this subchapter if the program is administered in

1 accordance with Chapter 30B and any applicable rules adopted by the
2 State Board of Education under that chapter.

3 SECTION 2.02. Section 28.016(b), Education Code, is amended
4 to read as follows:

5 (b) The instruction must include information regarding:

6 (1) the creation of a high school personal graduation
7 plan under Section 28.02121;

8 (2) the distinguished level of achievement described
9 by Section 28.025(b-15);

10 (3) each endorsement described by Section
11 28.025(c-1);

12 (4) college readiness standards; ~~and~~

13 (5) potential career choices and the education needed
14 to enter those careers; and

15 (6) programs of study offered through a vocational
16 education program under Chapter 30B operated as a campus or campus
17 program under a charter granted under Subchapter C, Chapter 12.

18 SECTION 2.03. Section 29.182(b), Education Code, is amended
19 to read as follows:

20 (b) The state plan must include procedures designed to
21 ensure that:

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

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

27 (3) career and technology education is established as

1 a part of the total education system of this state and constitutes
2 an option for student learning that provides a rigorous course of
3 study consistent with the required curriculum under Section 28.002
4 and under which a student may receive specific education in a career
5 and technology program that:

6 (A) incorporates competencies leading to
7 academic and technical skill attainment;

8 (B) leads to:

9 (i) an industry-recognized license,
10 credential, or certificate; or

11 (ii) at the postsecondary level, an
12 associate or baccalaureate degree;

13 (C) includes opportunities for students to earn
14 college credit for coursework; ~~and~~

15 (D) includes, as an integral part of the program,
16 participation by students and teachers in activities of career and
17 technical student organizations supported by the agency and the
18 State Board of Education; and

19 (E) includes the opportunity for students to
20 participate in focused vocational education through a vocational
21 education program under Chapter 30B operated as a campus or campus
22 program under a charter granted under Subchapter C, Chapter 12; and

23 (4) a school district provides, to the greatest extent
24 possible, to a student participating in a career and technology
25 education program opportunities to enroll in dual credit courses
26 designed to lead to a degree, license, or certification as part of
27 the program.

ARTICLE 3. APPLICATION OF CERTAIN STUDENT-BASED ALLOTMENTS

REGARDING VOCATIONAL EDUCATION PROGRAM STUDENTS

SECTION 3.01. Section 48.106, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Subject to Subsection (a-1), for ~~For~~ each full-time equivalent student in average daily attendance in an approved career and technology education program in grades 7 through 12, a district is entitled to:

(1) an annual allotment equal to the basic allotment multiplied by a weight of 1.35; and

(2) \$50 for each of the following in which the student is enrolled:

(A) two or more advanced career and technology education classes for a total of three or more credits;

(B) a campus designated as a P-TECH school under Section 29.556; or

(C) a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education.

(a-1) For each full-time equivalent student in average daily attendance in a vocational education program operated under Chapter 30B and authorized as a campus or campus program under a charter granted under Subchapter C, Chapter 12, only the first 10 hours of instructional hours provided to those students under the program each week qualify toward the district's entitlement to the allotment under Subsection (a)(1), and the commissioner shall

1 proportionately reduce the amount of the entitlement accordingly to
2 an amount that reflects the limitation on qualified instructional
3 hours per week using a method adopted by the commissioner.

4 SECTION 3.02. Sections 48.110(f) and (h), Education Code,
5 are amended to read as follows:

6 (f) For purposes of this section, an annual graduate
7 demonstrates:

8 (1) college readiness if the annual graduate:

9 (A) achieves college readiness standards used
10 for accountability purposes under Chapter 39 on the ACT, the SAT, or
11 an assessment instrument designated by the Texas Higher Education
12 Coordinating Board under Section 51.334; and

13 (B) during a time period established by
14 commissioner rule, enrolls at a postsecondary educational
15 institution;

16 (2) career readiness if:

17 (A) the annual graduate:

18 (i) [~~(A)~~] achieves college readiness
19 standards used for accountability purposes under Chapter 39 on the
20 ACT, the SAT, or an assessment instrument designated by the Texas
21 Higher Education Coordinating Board under Section 51.334; and

22 (ii) [~~(B)~~] during a time period established
23 by commissioner rule, earns an industry-accepted certificate; or

24 (B) the annual graduate earns an
25 industry-recognized license, credential, or certificate under a
26 vocational education program under Chapter 30B; and

27 (3) military readiness if the annual graduate:

1 (A) achieves a passing score set by the
2 applicable military branch on the Armed Services Vocational
3 Aptitude Battery; and

4 (B) during a time period established by
5 commissioner rule, enlists in the armed forces of the United
6 States.

7 (h) On application by a school district, the commissioner
8 may allow annual graduates from the district to satisfy the
9 requirement for demonstrating career readiness under Subsection
10 (f)(2)(A)(ii) [~~(f)(2)(B)~~] by successfully completing a coherent
11 sequence of courses required to obtain an industry-accepted
12 certificate. The district must demonstrate in the application that
13 the district is unable to provide sufficient courses or programs to
14 enable students enrolled at the district to earn an
15 industry-accepted certificate within the time period established
16 by the commissioner under Subsection (f)(2)(A)(ii) [~~(f)(2)(B)~~].
17 The commissioner by rule shall provide the criteria required for an
18 application under this subsection.

19 ARTICLE 4. TRANSITION; EFFECTIVE DATE

20 SECTION 4.01. This Act applies beginning with the 2021-2022
21 school year.

22 SECTION 4.02. This Act takes effect immediately if it
23 receives a vote of two-thirds of all the members elected to each
24 house, as provided by Section 39, Article III, Texas Constitution.
25 If this Act does not receive the vote necessary for immediate
26 effect, this Act takes effect September 1, 2021.