

BILL ANALYSIS

C.S.H.B. 2554
By: Gates
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that Texas has a lack of workforce development for in-demand, high-wage growth professions like plumbing, welding, construction, and electrical work, among others. With the increasing average age of master electricians and plumbers, it is clear that fewer young Texans are entering those fields, despite the opportunities they offer. While career and technical education in the public school system is effective in giving middle and high school students exposure to the skills needed to participate in many careers immediately after high school, a student simply does not have enough hours in the school day to simultaneously participate in the existing academic programs and pursue a rigorous vocational education that leads to a certification or credential. C.S.H.B. 2554 provides students a new path to earn a high school diploma and graduate with industry-based credentials and on-the-job experience, enabling them to enter careers in these professions immediately.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the State Board of Education in SECTION 1.01 of this bill.

ANALYSIS

C.S.H.B. 2554 amends the Education Code to set out provisions relating to the operation of a vocational education program for eligible high school students whose needs are better served by focused vocational education and training. The bill requires each vocational education program granted a campus charter or campus program charter to offer students who reside in the applicable public school district a program that is aligned with one of the following:

- industry-recognized credentials and certificates included in an inventory developed by the Texas Education Agency, the Texas Higher Education Coordinating Board, and the Texas Workforce Commission for purposes of high school career and technology education programs; or
- industry-defined and industry-recognized skill standards developed under the Workforce Investment Act.

C.S.H.B. 2554 requires the State Board of Education (SBOE) to establish minimum curriculum requirements for a vocational education program operated as provided by the bill. The bill establishes the following regarding those requirements:

- the SBOE must require the successful completion of not more than 24 credits for graduation and the issuance of a vocational high school diploma; and

- not less than 10 credits of the minimum curriculum requirements must be earned in vocational education courses offered under the program.

The bill authorizes a vocational education program to require the completion of additional credits beyond the SBOE minimum curriculum requirements as requirements for graduation and the issuance of a vocational high school diploma, provided that the program does not require the successful completion of more than 24 credits.

C.S.H.B. 2554 requires the inclusion of the following courses in the minimum curriculum requirements:

- one-half credit in a course that provides instruction in the basic knowledge and skills necessary to successfully run an independent business and develop entrepreneurship;
- one-half credit in a course providing instruction regarding the relationship between business and government; and
- one-half credit in a course in industrial arts.

The bill authorizes the SBOE by rule to provide curriculum standards for these courses and requires the SBOE by rule to allow the following substitutions to satisfy those requirements:

- one-half credit for a government course offered under the foundation high school program may satisfy the requirement for a course on the relationship between business and government; and
- one-half credit for a fine arts course offered under the foundation high school program may satisfy the requirement for a course in industrial arts.

The bill authorizes the SBOE by rule to require the required courses or their permitted substitutes to provide basic instruction in technical writing.

C.S.H.B. 2554 authorizes a district, in offering a vocational education program, to form partnerships between the district and any public postsecondary institutions in Texas offering academic or technical education or vocational training under a certificate program or an associate degree program. The bill authorizes a district to use foundation school program funding available for the purpose to pay tuition costs for students receiving academic or technical education or vocational training from a postsecondary institution under such a partnership. The bill authorizes a district offering a vocational education program to partner with private sector businesses for purposes of apprenticeship training programs and other workplace-based education and to sponsor adult apprenticeship training programs for the program's enrolled students under applicable state law.

C.S.H.B. 2554 requires a student and the student's parent, guardian, or other person with parental standing to receive certain counseling from a school counselor before the student enrolls in a vocational education program and provides for the submission of a written consent form. The bill establishes a student's eligibility to enroll in a district's vocational education program if the student attends a district high school campus and has completed the 10th grade year and the district has received the student's consent form.

C.S.H.B. 2554 entitles a student who successfully completes the course requirements for a vocational education program to receive a high school diploma from the district in accordance with applicable commissioner of education rules. The bill clarifies that the issuance of a diploma under such a program is exempt from graduation requirements that would otherwise apply to a campus or program operated, respectively, under a campus charter or campus program charter if the vocational education program is administered in accordance with the bill's provisions and with any applicable rules adopted by the SBOE.

C.S.H.B. 2554 authorizes a district to adopt and administer tests necessary for a vocational education program student to earn an industry-recognized license, credential, or certificate. The bill entitles an applicable student to an exam subsidy for an exam that qualifies the student for such a license, credential, or certificate. The bill provides for the commissioner's authority with regard to state testing of vocational education program students as follows:

- prohibits the commissioner from requiring a student enrolled in such a program to be administered any test required for statewide assessment purposes whose administration is not required under federal law;
- prohibits the commissioner from waiving that prohibition on application by a school campus or district, or under any other law; and
- expressly does not prohibit the commissioner from waiving the administration of tests otherwise required under federal law in accordance with appropriate federal waiver authority.

C.S.H.B. 2554 requires the commissioner to adopt a set of achievement indicators for students enrolled in a vocational education program, based on recommendations provided by the Texas Workforce Investment Council, and sets out certain outcomes the indicators must measure. The bill provides for each participating district's submission of relevant information to the commissioner for purposes of evaluation based on the indicators and requires the commissioner to publish an annual report on the performance of the programs.

C.S.H.B. 2554 requires the following minimum qualifications for a person employed by a district as a vocational education program instructor:

- appropriate subject matter expertise, including expertise demonstrated through professional work experience; formal training and education; a relevant, active, industry-recognized license, credential, or certificate; or any combination of those qualifications; and
- at least 20 hours of classroom management training as determined by the district board.

The bill requires the Teacher Retirement System of Texas (TRS) to cover a district employee who qualifies for TRS membership and who provides services under a vocational education program to the same extent as another qualified district employee is covered.

C.S.H.B. 2554 limits a district's entitlement to the career and technology education allotment with respect to students enrolled in a vocational education program as follows:

- for each full-time equivalent student in average daily attendance in such a program, only the first 10 instructional hours per week provided to those students under the program qualify toward the district's entitlement; and
- the commissioner must proportionately reduce the amount of the entitlement to an amount that reflects this limitation, using a method adopted by the commissioner.

The bill establishes that an annual graduate who earns an industry-recognized license, credential, or certificate under a vocational education program demonstrates career readiness for purposes of the college, career, or military readiness outcomes bonus.

C.S.H.B. 2554 requires information regarding the vocational education programs established by the bill to be included in certain required instruction on high school, college, and career preparation in grades seven and eight. The bill requires the state plan for career and technology education to include procedures designed to ensure that the opportunity for students to participate in focused vocational education through those programs is a component of statewide career and technology education.

C.S.H.B. 2554 applies beginning with the 2021-2022 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2554 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the substitute and the original provide for a vocational education program to provide focused vocational education and training to high school students, the substitute does not authorize such programs to be provided through the establishment of joint vocational school districts, as in the original. The substitute requires such programs instead to be operated by existing school districts under a campus charter or campus program charter.

Accordingly, the substitute does not include provisions that appeared in the original relating to the following:

- the governance of a joint vocational school district by a board of trustees, including related powers and duties;
- the applicability of laws relating to open meetings, public information, local government records, and public purchasing and contracting to the joint vocational school district;
- foundation school program funding of a joint vocational school district;
- provisions relating to facilities, including the leasing, purchasing, financing, construction, and rehabilitation of facilities;
- discretionary designation as a charter district for bond issue purposes;
- student participation in competitions and activities sanctioned or conducted by the University Interscholastic League;
- the adoption of a code of conduct and related behavioral management matters; and
- compliance with criminal history background reviews and other restrictions on the employment of persons in certain roles.

The substitute does not include certain enrollment eligibility criteria that appeared in the original relating to the admission of non-resident students and students who are not enrolled in any Texas high school.

While the original set a maximum of 12 credits that the SBOE may require for graduation from a vocational education program, the substitute increases the maximum requirement for graduation and issuance of a diploma under the program to 24 credits, of which a minimum of 10 credits must be earned in vocational education courses. The substitute clarifies the authority provided in the original for a district to require the completion of additional credits beyond the minimum curriculum requirements set by the SBOE by specifying that any additional credits required by a program are subject to the 24-credit maximum.

The substitute revises certain minimum curriculum requirements from the original as follows:

- includes requirements for two additional one-half credit courses on the relationship between business and government and on industrial arts, respectively;
- provides for the option to satisfy those additional requirements by substituting an applicable course from the foundation high school program; and
- adds an authorization for the SBOE to require certain technical writing instruction.

The substitute includes a provision that was not in the original limiting the career and technology education allotment entitlement of a district that provides a vocational education program with respect to the students enrolled in the program.

The substitute expands the content of the student and parent counseling required by the original for informed consent purposes to include certain details regarding the differences in graduation and curriculum requirements between the foundation high school program and a vocational education program.