

By: Murphy, Oliverson

H.B. No. 3767

A BILL TO BE ENTITLED

1 AN ACT

2 relating to measures to support the alignment of education and  
3 workforce development in the state with state workforce needs,  
4 including the establishment of the Tri-Agency Workforce  
5 Initiative.

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

7 SECTION 1. This Act shall be known as the Texas Education  
8 and Workforce Alignment Act.

9 SECTION 2. Subtitle G, Title 10, Government Code, is  
10 amended by adding Chapter 2308A to read as follows:

11 CHAPTER 2308A. TRI-AGENCY WORKFORCE INITIATIVE

12 Sec. 2308A.001. DEFINITIONS. In this chapter:

13 (1) "Agency," unless the context requires otherwise,  
14 means the Texas Education Agency.

15 (2) "Career education and training program" means:

16 (A) a career and technology education program  
17 offered by a public school;

18 (B) a career technical or workforce education  
19 program, as defined by the coordinating board, offered by an  
20 institution of higher education;

21 (C) a program administered by the commission  
22 relating to jobs training, skills development, or adult education  
23 and literacy; and

24 (D) a work-based learning program, such as an

1 apprenticeship or internship program, that receives state funding  
2 or is administered by the commission.

3 (3) "Commission" means the Texas Workforce  
4 Commission.

5 (4) "Coordinating board" means the Texas Higher  
6 Education Coordinating Board.

7 (5) "Initiative" means the Tri-Agency Workforce  
8 Initiative.

9 (6) "Institution of higher education" has the meaning  
10 assigned by Section 61.003, Education Code.

11 (7) "State workforce development goals" means the  
12 state workforce development goals developed under Section  
13 2308A.006.

14 Sec. 2308A.002. PURPOSE. The Tri-Agency Workforce  
15 Initiative is established to coordinate and optimize information  
16 and other resources as necessary to:

17 (1) align career education and training programs to  
18 workforce demands;

19 (2) provide residents of the state with timely and  
20 accurate information needed to plan education and workforce  
21 pathways; and

22 (3) enable local and state policy makers to evaluate  
23 the effectiveness of career education and training programs and  
24 progress toward the state workforce development goals.

25 Sec. 2308A.003. INTERAGENCY AGREEMENTS AND STAFFING. (a)  
26 The agency, coordinating board, and commission shall enter into one  
27 or more interagency agreements establishing policies and processes

1 for:

2 (1) sharing and matching relevant data and  
3 cooperatively managing education and workforce information  
4 collected by each respective agency; and

5 (2) coordinating the assignment of staff and other  
6 resources to the initiative as necessary to effectuate the state  
7 workforce development goals and the strategies for achieving those  
8 goals developed under Section 2308A.006.

9 (b) The time spent by an employee of the agency,  
10 coordinating board, or commission in supporting the work of the  
11 initiative is not included in calculating the number of full-time  
12 equivalent employees allotted to the respective agency under other  
13 law.

14 Sec. 2308A.004. QUARTERLY DISCUSSIONS. The commissioner of  
15 education, commissioner of higher education, and chair of the  
16 commission shall discuss the work of the initiative at least once  
17 per quarter.

18 Sec. 2308A.005. UNIFIED WORKFORCE DATA REPOSITORY. (a) The  
19 agency, coordinating board, and commission shall use the  
20 P-20/Workforce Data Repository established under Section  
21 1.005(j-1), Education Code, as the central repository of career and  
22 education data. The agency, coordinating board, and commission  
23 shall regularly review the data collected by the respective agency  
24 and incorporate into the repository data determined by the  
25 executive officer of that agency to be integral to the state  
26 workforce development goals and the strategies for achieving those  
27 goals developed under Section 2308A.006.

1        (b) Any data or reports made accessible to the public under  
2 the initiative must comply with applicable state and federal laws  
3 governing use of and access to the data.

4        (c) Where applicable, the agency, coordinating board, and  
5 commission shall ensure that records deposited in the repository  
6 are automatically matched at the student level on a timely basis to  
7 ensure that the agency, coordinating board, and commission and  
8 other entities authorized to access the repository have timely  
9 information to support higher education and workforce application,  
10 entry, and success.

11        Sec. 2308A.006. STATE WORKFORCE DEVELOPMENT GOALS AND  
12 STRATEGIES. (a) The commissioner of education, commissioner of  
13 higher education, and chair of the commission jointly shall develop  
14 and post in a prominent location on the initiative's and each  
15 respective agency's Internet website state workforce development  
16 goals and coordinated interagency strategies for achieving those  
17 goals.

18        (b) The goals developed under Subsection (a) must:

19                (1) be developed in consultation with employers;

20                (2) include goals for the attainment of employment in  
21 jobs that pay a living wage for all career education and training  
22 programs in the state;

23                (3) be disaggregated by race, ethnicity, and gender  
24 for each workforce development region; and

25                (4) provide for:

26                        (A) locally determined priorities consistent  
27 with state goals; and

1                   (B) collaborative planning and coordination with  
2 local employers, public schools, institutions of higher education,  
3 and local workforce development boards.

4           (c) The strategies developed under Subsection (a) must:

5                   (1) include strategies for expanding work-based  
6 learning;

7                   (2) articulate the ways in which the state can best  
8 leverage state and federal funding for career education and  
9 training programs; and

10                   (3) be demonstrably guided by:

11                           (A) education and workforce data;

12                           (B) evidence of success and considerations of  
13 cost-effectiveness; and

14                           (C) prioritized occupational classifications,  
15 including all target occupations and critical career pathways  
16 designated under Subsection (e).

17           (d) In consultation with employers, the commissioner of  
18 education, commissioner of higher education, and chair of the  
19 commission jointly shall update the state workforce development  
20 goals and strategies developed under Subsection (a) at least every  
21 four years, or more frequently if needed to reflect available data  
22 and circumstances.

23           (e) In consultation with employers, the commissioner of  
24 education, commissioner of higher education, and chair of the  
25 commission shall designate and update every two years a list of  
26 career pathways that includes the following two priority  
27 categories:

1           (1) target occupations, which include current needs  
2 that exist in one or more regions of the state as reflected in  
3 regional workforce assessments that:

4           (A) use the best available data and local  
5 employer requests; and

6           (B) satisfy minimum federal standards for  
7 designations, such as a foundation for qualified use of federal  
8 workforce funding; and

9           (2) critical career pathways that reflect the best  
10 statewide data and forecasts of skills and careers for which demand  
11 in the state is expected to grow that may:

12           (A) be associated with new emerging industries or  
13 new specialty occupations within an industry; or

14           (B) reflect pathways to better wages for workers  
15 with documented skills that provide promotional opportunities  
16 within or across occupations with targeted upskill training.

17           (f) Not later than June 1, 2022, the commissioner of  
18 education, commissioner of higher education, and chair of the  
19 commission jointly shall make recommendations regarding the  
20 development of a modern and publicly accessible job skills  
21 inventory for public and private sector jobs in the state,  
22 including recommendations on:

23           (1) cataloging worker skills and matching those skills  
24 to public and private sector jobs in the state;

25           (2) creating skills profiles for all jobs and career  
26 pathways designated under Subsection (e) that are vital to the  
27 state; and

1           (3) identifying skills and competencies offered by  
2 each career education and training program in the state.

3           (g) Subsection (f) and this subsection expire September 1,  
4 2023.

5           Sec. 2308A.007. CREDENTIAL LIBRARY. (a) The agency,  
6 coordinating board, and commission jointly shall establish a  
7 publicly accessible web-based library of credentials, such as  
8 diplomas, certificates, certifications, digital badges,  
9 apprenticeships, licenses, or degrees, that are:

10           (1) delivered, issued, funded, or governed by the  
11 state;

12           (2) aligned with recognized skills and industry  
13 standards;

14           (3) available to residents of the state; and

15           (4) used by employers in the state.

16           (b) The agency, coordinating board, and commission jointly  
17 shall designate a host agency or operating entity for the  
18 credential library.

19           (c) The credential library must be updated at least once per  
20 year.

21           Sec. 2308A.008. INTERNET-BASED RESOURCES. (a) The agency,  
22 coordinating board, and commission shall cooperatively establish  
23 Internet-based resources for the initiative. The resources must  
24 include:

25           (1) a central Internet website for the initiative that  
26 contains information on the state workforce development goals and  
27 the strategies for achieving those goals developed under Section

1 2308A.006;

2 (2) a unified dashboard, updated on an annual or more  
3 frequent basis, that reports progress toward accomplishment of the  
4 state workforce development goals, both statewide and  
5 disaggregated by public school and public school campus,  
6 institution of higher education campus, workforce region, and  
7 county;

8 (3) data on the outcomes of students who participate  
9 in career education and training programs, disaggregated to the  
10 extent practicable by income, race, ethnicity, and gender,  
11 including data regarding degree and credential completion,  
12 employment status and industry of employment, and earnings over  
13 time;

14 (4) guidance supporting the use of data on the  
15 dashboard described by Subdivision (2) for greater accessibility  
16 for a wide range of public, practitioner, and legislative users;

17 (5) tools enabling residents of the state to:

18 (A) explore careers that match the resident's  
19 education and skills and lead to a living wage;

20 (B) identify and evaluate education and training  
21 opportunities related to the resident's career interests; and

22 (C) connect to available jobs through existing  
23 job matching websites; and

24 (6) tools to support joint program planning,  
25 budgeting, and performance evaluation among:

26 (A) the agency, coordinating board, and  
27 commission; and



1           (B) public schools, institutions of higher  
2 education, local workforce development boards, and partnering  
3 entities.

4           (b) The agency, coordinating board, and commission jointly  
5 shall:

6                 (1) solicit public comment on the usefulness of the  
7 initiative's Internet-based resources; and

8                 (2) in January of each even-numbered year, publish a  
9 summary of the initiative's Internet-based resources, including  
10 actions taken to increase the usefulness of those resources or  
11 address comments received under Subdivision (1).

12           Sec. 2308A.009. STUDENT SUCCESS REPORTING. (a) The agency,  
13 coordinating board, and commission shall coordinate data  
14 collection and matching necessary to provide information to each  
15 public school and institution of higher education regarding the  
16 success of students previously enrolled in a career education and  
17 training program offered by the school or institution with respect  
18 to critical student outcomes, such as degree and credential  
19 completion, employment status and industry of employment, and  
20 earnings over time.

21           (b) The commissioner of education, commissioner of higher  
22 education, and chair of the commission shall ensure that the  
23 information provided under Subsection (a) is provided in a manner  
24 that complies with applicable state or federal law regarding the  
25 privacy and confidentiality of student information.

26           (c) In January of each even-numbered year, the commissioner  
27 of education, commissioner of higher education, and chair of the

1 commission jointly shall prepare, submit to the legislature, and  
2 post on the initiative's and each respective agency's Internet  
3 website a report on the impact of career and education training  
4 programs on student success and the state workforce development  
5 goals.

6 Sec. 2308A.010. OPPORTUNITY FOR COMMENT. At least 30 days  
7 before finalizing state workforce development goals, strategies  
8 for achieving those goals developed under Section 2308A.006, or a  
9 report under Section 2308A.009, the agency, coordinating board, and  
10 commission jointly shall post on the initiative's and each  
11 respective agency's Internet website the proposed goals,  
12 strategies, or report and instructions for submitting comment on  
13 those items to the agencies.

14 Sec. 2308A.011. SECURE PORTAL. (a) For purposes of state  
15 and local planning, program evaluation, and continuous improvement  
16 of local and regional education and workforce practices, the  
17 agency, coordinating board, and commission jointly shall establish  
18 and support a secure portal through which authorized personnel of  
19 approved entities can view and analyze comprehensive longitudinal  
20 and the most currently available matched data related to the  
21 progress toward meeting state workforce needs.

22 (b) The agency, coordinating board, and commission jointly  
23 shall develop role-based security protocols that ensure the privacy  
24 and confidentiality of information made accessible through the  
25 secure portal in a manner that complies with any applicable state or  
26 federal law.

27 Sec. 2308A.012. EMPLOYER RECOGNITION. (a) The governor may

1 award a Talent for Texas Champions Governor's Award to recognize  
2 leading employers in the state who are contributing to workforce  
3 improvement by supporting priority job training, reskilling, and  
4 upskilling programs and whose contributions align with strategic  
5 priorities for the state, including helping to meet regional  
6 workforce demands and enabling more residents of the state to  
7 attain jobs that pay a living wage.

8 (b) The agency, coordinating board, and commission jointly  
9 shall nominate employers for the award under this section.

10 Sec. 2308A.013. TARGETED FUNDING TO ADDRESS STATE GOALS.

11 (a) A state agency that receives funding through the Carl D. Perkins  
12 Career and Technical Education Act of 2006 (20 U.S.C. Section 2301  
13 et seq.) or the Workforce Innovation and Opportunity Act (Pub. L.  
14 No. 113-128) or any other federal funding for career education and  
15 training may, to the extent permissible under federal law, combine  
16 with, transfer to, or delegate to another state agency that  
17 receives such funding the agency's management of workforce-related  
18 funding as necessary to implement the state workforce development  
19 goals.

20 (b) The agency, coordinating board, and commission jointly  
21 shall submit to the governor and the standing legislative  
22 committees with jurisdiction over state financial alignment  
23 efforts a biennial report on how federal and state funding for  
24 career education and training programs are being spent in  
25 accordance with the state workforce development goals.

26 (c) A state agency that receives federal or state funding  
27 for career education and training programs shall include in the

1 agency's legislative appropriations request a description of how  
2 the agency's career education and training programs and  
3 expenditures align with the state workforce development goals.

4 Sec. 2308A.014. LIVING WAGE. The agency, coordinating  
5 board, and commission jointly shall determine for each county the  
6 wage that constitutes a living wage for purposes of this chapter.  
7 The determination must be based on a common standard that reflects  
8 the regionally adjusted minimum employment earnings necessary to  
9 meet a family's basic needs while also maintaining  
10 self-sufficiency.

11 Sec. 2308A.015. GIFTS, GRANTS, AND DONATIONS. (a) The  
12 agency, coordinating board, and commission may accept gifts,  
13 grants, and donations from any public or private source for  
14 purposes of the initiative.

15 (b) The agency, coordinating board, and commission shall  
16 investigate potential sources of funding from federal grants or  
17 programs that may be used for purposes of the initiative.

18 SECTION 3. Subchapter A, Chapter 204, Labor Code, is  
19 amended by adding Section 204.0025 to read as follows:

20 Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. (a)  
21 The commission shall work in consultation with employers as  
22 provided by this section to enhance and improve the reporting of  
23 employment and earnings data by employers to the commission as part  
24 of an employer's routine wage filings under this subtitle or  
25 commission rule and consistent with federal law and regulations.  
26 The enhanced wage filings must include information related to  
27 occupation and other important employment information that would

1 improve the state's labor market information.

2 (b) The commission, in consultation with employers and  
3 human resource technology providers, shall develop viable data  
4 priorities and standards for reporting and collecting enhanced wage  
5 filings described by Subsection (a).

6 (c) Not later than September 1 of each even-numbered year,  
7 the commission shall prepare and submit to the legislature and post  
8 on the commission's Internet website a report on employer  
9 participation in the enhanced wage filings described by Subsection  
10 (a), a cost-benefit analysis on the enhanced wage filings to the  
11 workforce planning process in the state, and any recommendations  
12 for legislative or other action to improve the enhanced wage  
13 filings.

14 (d) Not later than January 1, 2022, the commission shall  
15 design and implement a voluntary pilot program for the reporting  
16 and collection of enhanced wage filings described by Subsection  
17 (a). To the greatest extent possible, the commission shall include  
18 a representative sample of employers in the pilot program.

19 (e) Not later than September 1, 2022, the commission shall  
20 submit to the legislature a report on the results of the pilot  
21 program and any recommendations for legislative or other action.

22 (f) Subsections (d) and (e) and this subsection expire  
23 September 1, 2023.

24 SECTION 4. Not later than October 1, 2021, the Texas  
25 Education Agency, Texas Higher Education Coordinating Board, and  
26 Texas Workforce Commission shall hold the initial discussion  
27 required under Section 2308A.004, Government Code, as added by this

1 Act.

2 SECTION 5. (a) Not later than January 31, 2022, the Texas  
3 Education Agency, Texas Higher Education Coordinating Board, and  
4 Texas Workforce Commission shall develop the initial state  
5 workforce development goals required under Section 2308A.006,  
6 Government Code, as added by this Act.

7 (b) Not later than April 30, 2022, the Texas Education  
8 Agency, Texas Higher Education Coordinating Board, and Texas  
9 Workforce Commission shall develop the initial strategies required  
10 under Section 2308A.006, Government Code, as added by this Act.

11 SECTION 6. Not later than January 1, 2024, the Texas  
12 Education Agency, Texas Higher Education Coordinating Board, and  
13 Texas Workforce Commission shall establish the credential library  
14 required under Section 2308A.007, Government Code, as added by this  
15 Act.

16 SECTION 7. (a) Not later than September 1, 2022, the Texas  
17 Workforce Commission shall develop the data priorities and  
18 standards for reporting and collecting enhanced wage filings as  
19 required under Section 204.0025(b), Labor Code, as added by this  
20 Act.

21 (b) Not later than September 1, 2024, the Texas Workforce  
22 Commission shall submit the commission's initial report required  
23 under Section 204.0025(c), Labor Code, as added by this Act.

24 SECTION 8. (a) The Texas Education Agency, Texas Higher  
25 Education Coordinating Board, and Texas Workforce Commission are  
26 required to implement Sections 2308A.005, 2308A.007, and  
27 2308A.008, Government Code, as added by this Act, only if:

1           (1) the legislature appropriates funds for that  
2 purpose;

3           (2) federal funding is provided to the agencies for  
4 that purpose as part of any federal coronavirus disease (COVID-19)  
5 relief spending; or

6           (3) the agencies receive gifts, grants, or donations  
7 for that purpose under Section 2308A.015, Government Code, as added  
8 by this Act.

9           (b) If funding described by Subsection (a) of this section  
10 is not appropriated or otherwise made available for the purpose  
11 described by that subsection, the Texas Education Agency, Texas  
12 Higher Education Coordinating Board, and Texas Workforce  
13 Commission may, but are not required to, implement Sections  
14 2308A.005, 2308A.007, and 2308A.008, Government Code, as added by  
15 this Act, using other money available to the agencies for that  
16 purpose.

17           SECTION 9. This Act takes effect September 1, 2021.