

## **BILL ANALYSIS**

C.S.H.B. 4921  
By: Murr  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Individuals reentering the community after being incarcerated can lack the knowledge, skills, and training needed to secure stable employment, thus increasing the risk that they will reenter confinement. According to a study by the Rand Institute, inmates who participate in any kind of educational program behind bars—from remedial math to vocational auto shop to college-level courses—are up to 43 percent less likely to reoffend and return to prison. They also appear to be far more likely to find a job after their release, and the social stability that comes with it. C.S.H.B. 4921 seeks to provide inmates greater access to educational opportunity by establishing a pilot program through which one or more nonprofit entities will operate an adult education program to enable eligible inmates to successfully complete a high school program that can lead to a diploma.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 4921 amends the Education Code to require the Windham School District, not later than September 1, 2024, to establish and implement a pilot program under which one or more nonprofit entities provide an adult education program to enable certain inmates to successfully complete a high school program that can lead to a diploma. The bill makes eligible to enroll in such an adult education program a person confined or imprisoned in the Texas Department of Criminal Justice (TDCJ) who is at least 26 years of age and not more than 50 years of age and who meets the following criteria:

- has failed to complete the curriculum requirements for high school graduation;
- has failed to perform satisfactorily on a test required for high school graduation; or
- has failed to earn a high school equivalency certificate.

C.S.H.B. 4921 requires the district to do the following with regard to the pilot program:

- enter into a memorandum of understanding with at least one nonprofit entity to provide an adult education program under the pilot program;
- require that each such nonprofit entity identify each region of Texas in which the entity is able to operate such a program; and
- identify, in consultation with each nonprofit entity with which the district enters into a memorandum of understanding, at least three schools operated by the district that are suitable to serve as sites for the pilot program.

## **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

## **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 4921 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Both the introduced and the substitute require the establishment of a pilot program that enables eligible inmates to successfully complete a high school program that can lead to a diploma. However, while the introduced required the program to be established and implemented by TDCJ, the substitute requires the program to be established and implemented by the Windham School District. The substitute also omits a requirement that appeared in the introduced for the commissioner of education, on the basis of submitted proposals, to grant a charter to a qualified nonprofit entity to provide an adult education program to inmates under the pilot program in addition to the number of charters the commissioner is allowed to grant.

The substitute changes provisions of the introduced relating to the pilot program as follows:

- omits the option present in the introduced for an adult education program provided under the pilot program to enable successful completion of a career and technology education course that can lead to industry certification as an alternative to enabling successful completion of a high school program that can lead to a diploma;
- omits the requirement for a nonprofit entity to give priority to an inmate who has not earned a high school equivalency certificate in admitting inmates to the entity's adult education program and instead includes failure to earn such a certificate as a criterion of eligibility for a program;
- omits a provision of the introduced that conditioned an inmate's eligibility to enroll in an adult education program operated under the pilot program on TDCJ approving the enrollment after assessing the inmate's suitability for participation in the program using the results of the risk and needs assessment instrument and evaluating the inmate's conduct while in TDCJ custody;
- requires the district to enter into a memorandum of understanding with at least one nonprofit entity to provide an adult education program under the pilot program, whereas the introduced required TDCJ to issue a request for proposals from nonprofit entities to provide such a program and to contract with at least one qualified applicant; and
- requires the district to identify at least three of the district's schools that are suitable to serve as sites for the pilot program, whereas the introduced required TDCJ to identify at least three and not more than five TDCJ facilities that are suitable for that purpose.