

BILL ANALYSIS

S.B. 2032
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Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2013, the Texas Legislature authorized an adult high school pilot program to enhance economic opportunities for adults by offering an opportunity to adults to receive a high school diploma. Legislators have acknowledged the successful impact of the pilot program, which has graduated a significant number of students. The program's positive outcomes include income increases upon graduation, increases in post-secondary enrollment, and longitudinal family impacts such as improved educational outcomes for participants' children, lower recidivism rates, and higher employment rates. The success of the pilot program warrants replication of the approach.

S.B. 2032 seeks to provide for the eligibility of public school districts, open-enrollment charter schools, and certain higher education institutions to be granted a charter to operate an adult education program and to authorize eligible entities to contract with a nonprofit to establish such a program.

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 commissioner of education in SECTION 12 of this bill.

ANALYSIS

S.B. 2032 amends the Education Code to expand the entities eligible for a charter to operate an adult education program to include the following entities, if the entity meets other applicable requirements:

- a public school district;
- an entity granted an open-enrollment charter; or
- a general academic teaching institution, public junior college, or public technical institute.

The bill authorizes such an entity, to whom a charter is granted, to contract with a nonprofit entity that is an eligible entity to operate an adult education program. The bill specifies that an entity is eligible to be granted a charter for an adult education program if the entity, or a member of the entity's executive leadership, has a successful history of providing education services to adults whose educational and training opportunities have been limited by certain marginalizing circumstances.

S.B. 2032 requires the commissioner of education to accept applications for a charter to operate an adult education program during the 60-day period beginning on September 1 of each year. The bill requires the commissioner to provide each applicant with the following:

- a written notice of the commissioner's preliminary decision to grant or deny the charter and a written explanation of the reasons for denying the charter, if applicable, not later than the 60th day following the last day of the required period for acceptance of applications; and
- an opportunity to cure any defects in the application, if applicable.

S.B. 2032 revises the restrictions on the number of charters for an adult education program authorized to be granted by the commissioner as follows:

- removes the prohibition against granting more than two such charters in a calendar year or more than six charters total;
- removes prohibition against granting such a charter before September 1, 2023, or a total of more than two charters before September 1, 2024, or four charters before September 1, 2026; and
- instead prohibits the commissioner from granting more than 10 charters for adult education programs.

S.B. 2032 changes the conditions under which the commissioner may revoke a charter to operate an adult education program from the program failing to meet the minimum performance standards on the applicable accountability framework for three consecutive school years after the first year of operation to the program failing to meet those standards for three consecutive school years after the second year of operation.

S.B. 2032 requires the commissioner to provide funding from any gifts, grants, or donations appropriated or otherwise available to the commissioner for the purpose to an eligible entity granted a charter to operate an adult education program for costs associated with implementing such a program not later than the 45th day after the date the charter is granted.

S.B. 2032 requires the commissioner to adopt rules not later than August 31, 2023, to implement and administer the application process for a charter to operate an adult education program. The bill authorizes the commissioner, in adopting rules, to establish a maximum number of students who may be enrolled in an adult education program.

S.B. 2032 repeals Section 12.255(e), Education Code.

S.B. 2032 applies beginning with the 2023-2024 school year.

EFFECTIVE DATE

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