

## **BILL ANALYSIS**

C.S.S.B. 2139  
By: Parker  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Business leaders, employers, and education stakeholders have raised concerns regarding the lack of options for those who seek to gain basic education credentials for workforce preparedness. An educated workforce is essential to a strong economy across all sectors. Texas' workforce has a high rate of individuals with neither adequate postsecondary credentials nor a high school degree. C.S.S.B. 2139 seeks to address these concerns by establishing the Opportunity High School Diploma program to provide an alternative means by which adult students enrolled in a workforce education program at a public junior college may earn a high school diploma at the college through concurrent enrollment in a competency-based education 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 Texas Higher Education Coordinating Board in SECTION 1 of this bill.

### **ANALYSIS**

C.S.S.B. 2139 amends the Education Code to establish the Opportunity High School Diploma program to provide an alternative means by which adult students enrolled in a workforce education program at a public junior college may earn a high school diploma at the college through concurrent enrollment in a competency-based education program that enables students to demonstrate knowledge substantially equivalent to the knowledge required to earn a high school diploma in Texas. The bill requires the Texas Higher Education Coordinating Board (THECB) to administer the program in consultation with the Texas Education Agency (TEA) and the Texas Workforce Commission (TWC).

C.S.S.B. 2139 authorizes a public junior college to submit to the THECB an application to participate in the program. The application must propose an alternative competency-based high school diploma program to be offered for concurrent enrollment to adult students without a high school diploma who are enrolled in a workforce education program at the college. The proposed program may include any combination of instruction, curriculum, achievement, internships, or other means by which a student may attain knowledge sufficient to adequately prepare the student for postsecondary education or additional workforce education. The bill authorizes a public junior college to submit such an application together with one or more public junior colleges, general academic teaching institutions, public school districts, or nonprofit organizations with whom the proposed program will be offered. The bill requires the THECB to review and approve an application to participate in the program if the THECB determines that the college's proposed program will provide instruction and assessments appropriate to

ensure that a student who successfully completes the proposed program demonstrates levels of knowledge sufficiently adequate for the required preparation. The bill authorizes the THECB to coordinate with TEA to make such a determination.

C.S.S.B. 2139 prohibits the THECB from approving more than five colleges to participate in the program. The bill authorizes an approved college to take the following actions:

- enter into an agreement with one or more public junior colleges, general academic teaching institutions, public school districts, or nonprofit organizations to offer the alternative competency-based high school diploma program; and
- offer that program at any campus of the college or an entity with which the college has entered into an agreement.

C.S.S.B. 2139 authorizes a college participating in the program to award a high school diploma under the program to a student enrolled in the alternative competency-based high school diploma program offered by the college if the student performs satisfactorily on tests prescribed by THECB rule. A high school diploma awarded under the program is equivalent to a high school diploma awarded under the foundation high school program.

C.S.S.B. 2139 requires the THECB and TWC to coordinate to jointly identify funding mechanisms, including grants, interagency contracts, financial aid, or subsidies, available to public junior colleges and students to encourage and facilitate participation in the program. The bill entitles a participating college to receive funding for the program under statutory provisions relating to state appropriation for public junior colleges in the manner provided by THECB rule.

C.S.S.B. 2139 adds a temporary provision set to expire September 1, 2027, requiring the THECB to submit to the legislature a progress report on the effectiveness of the program and any recommendations for legislative or other action not later than December 1, 2026. The bill authorizes the THECB to adopt rules as necessary to implement the program.

#### **EFFECTIVE DATE**

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

#### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 2139 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

Whereas the engrossed established the Opportunity High School Diploma program as a pilot program set to expire September 1, 2027, the substitute establishes it as a permanent program with no expiration date. Accordingly, the substitute makes the following changes to the provision of the engrossed requiring the THECB to submit a report on the program's effectiveness:

- specifies that the report is a progress report;
- replaces the requirement for the report to include recommendations regarding whether the pilot program should be continued, expanded, or terminated with a requirement for the report to include any recommendations for legislative or other action; and
- sets the report requirement to expire September 1, 2027.

The substitute includes a provision not in the engrossed that authorizes a public junior college to submit an application together with one or more applicable entities with whom the proposed program will be offered.