

BILL ANALYSIS

Senate Research Center
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S.B. 2158
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Men and women reentering the community from prison or jail face challenges to finding steady, stable employment, increasing the likelihood that they may re-offend and return to confinement. Within three years, 40 percent will be reincarcerated. One reason for this is that ex-offenders lack the knowledge, training, and skills to support a successful return to communities. 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.

It costs Texas taxpayers more than \$28,000 per year to incarcerate an individual. The cost to educate and train individuals during their incarceration or community supervision so that they are better prepared to reenter society is miniscule compared to the costs to communities, victims, and families when they are not able to reintegrate successfully. Every dollar invested in prison-based education yields \$4 to \$5 of taxpayer savings in reduced incarceration costs. Expanding opportunities for incarcerated adults to complete a high school education and earn a diploma will reduce recidivism.

Texas Education Code, Chapter 12, Subchapter G, Section 12.255, authorizes an adult high school charter, the stated purpose of which is to meet industry needs for a sufficiently trained workforce within the state and strengthen the economic and educational prosperity of the state. S.B. 2158 establishes a pilot program within the state-operated facilities in the Texas Department of Criminal Justice to offer adults between the ages of 26 and 50 the opportunity to complete their high school education and earn a high school diploma. The pilot authorizes the establishment of at least three sites suitable for the pilot program.

As proposed, S.B. 2158 amends current law relating to the establishment of an adult education pilot program for certain inmates of the Texas Department of Criminal Justice.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 12.255, Education Code, by adding Subsection (a-1), as follows:

(a-1) Requires the commissioner of education (commissioner), on the basis of submitted proposals, to grant a charter to a nonprofit entity described by Section 12.256 (Charter Holder Qualifications) to provide an adult education program to inmates under the pilot program established under Section 493.035, Government Code, notwithstanding Subsection (c) (relating to prohibiting the commissioner from granting more than two charters in a calendar year or more or more than six charters total under Subchapter G (Adult High School Charter School Program)) or any other law and in addition to the number of charters allowed under Section 12.255 (Authorization for Charter) and Subchapter D (Open-Enrollment Charter School).

SECTION 2. Amends Chapter 493, Government Code, by adding Section 493.035, as follows:

Sec. 493.035. ADULT EDUCATION PILOT PROGRAM. (a) Requires the Texas Department of Criminal Justice (TDCJ) to establish a pilot program under which one or more nonprofit entities provide an adult education program under Subchapter G, Chapter 12, Education Code, to enable inmates described by Subsection (b) to successfully complete:

- (1) a high school program that can lead to a diploma; and
- (2) career and technology education courses that can lead to industry certification.

(b) Provides that an inmate who is at least 26 years of age and not more than 50 years of age is eligible to enroll in an adult education program operated under the pilot program if:

- (1) the inmate:
 - (A) has failed to complete the curriculum requirements for high school graduation; or
 - (B) has failed to perform satisfactorily on an assessment instrument required for high school graduation; and

(2) TDCJ approves the inmate's enrollment in the program after:

- (A) assessing the inmate's suitability for participation in the program using the results of the risk and needs assessment instrument adopted under Section 501.0921 (Risk Needs Assessment Instrument); and
- (B) evaluating the inmate's conduct while in the custody of TDCJ.

(c) Requires the nonprofit entity, in admitting inmates to an adult education program operated under the pilot program, to give priority to an inmate who has not earned a high school equivalency certificate.

(d) Requires TDCJ to issue a request for proposals from nonprofit entities described by Section 12.256, Education Code, to provide an adult education program under the pilot program. Requires TDCJ to require that each applicant identify in the applicant's proposal each region of this state in which the applicant is able to operate an adult education program under the pilot program.

(e) Requires TDCJ to contract with at least one qualified applicant to operate an adult education program under the pilot program.

(f) Requires TDCJ, in consultation with each nonprofit entity that TDCJ contracts with under this section, to identify at least three and not more than five facilities operated by TDCJ that are suitable to serve as sites for the pilot program.

SECTION 3. Requires TDCJ to establish and implement the pilot program required by Section 493.035, Government Code, as added by this Act, not later than September 1, 2024.

SECTION 4. Effective date: upon passage or September 1, 2023.