By:  Bowers, et al. (Senate Sponsor - Kolkhorst) H.B. No. 5264

(In the Senate - Received from the House May 8, 2023; May 10, 2023, read first time and referred to Committee on Natural Resources & Economic Development; May 22, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; May 22, 2023, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Blanco            X

Hall              X

Hancock           X

Hughes            X

LaMantia          X

Miles             X

Sparks            X

COMMITTEE SUBSTITUTE FOR H.B. No. 5264 By:  Kolkhorst

A BILL TO BE ENTITLED

AN ACT

relating to the adoption and use of certain performance indicators to measure and evaluate career school or college programs.

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

SECTION 1.  Subchapter B, Chapter 132, Education Code, is amended by adding Section 132.027 to read as follows:

Sec. 132.027.  PERFORMANCE INDICATORS. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b)  The commission shall adopt a set of performance indicators for the purpose of measuring and evaluating career schools or colleges and the quality of the learning and achievement of students enrolled in programs operated by career schools or colleges. The commission periodically shall review the indicators and make appropriate revisions based on that review.

(c)  The performance indicators adopted under Subsection (b) must allow for the assessment of a career school or college program with respect to:

(1)  industry recognition of the program and the corresponding value that industry attaches to the program and to any certifications or licenses related to the program;

(2)  the rate at which students are able to successfully complete the program;

(3)  the availability of a program-related certification or license after a student completes the program;

(4)  the likelihood that a certification or license related to the program will:

(A)  lead to postsecondary work, an apprenticeship program, or established industry credentials; or

(B)  support employment in this state;

(5)  whether a program-related certification or license will be awarded by an independent third-party organization using predetermined standards for knowledge, skills, and competencies;

(6)  the inclusion of accepted best practices for the program that align to best practices contained in:

(A)  widely accepted industry standards; or

(B)  standards established by an independent third-party organization with expertise in gathering information from employers related to the value attached to any certifications or licenses related to the program; and

(7)  for a nursing education program, whether the program has resulted in a decrease in the number of clinical practice positions available to students enrolled in nursing programs in institutions of higher education in the region in which the program is offered.

(d)  The commission shall:

(1)  develop a methodology for determining the minimum acceptable standards for a career school or college based on the performance indicators adopted under Subsection (b);

(2)  evaluate annually between 15 and 20 percent of career school and college programs in this state for compliance with the minimum acceptable standards described by Subdivision (1); and

(3)  coordinate with the Texas Board of Nursing and other appropriate state agencies in implementing and administering this section.

(e)  A career school or college offering a program that fails to meet the minimum standards developed under Subsection (d) is ineligible to:

(1)  enter into a contract with a local workforce development board with respect to that program; or

(2)  obtain nursing clinical practice positions in this state until the career school or college provides evidence satisfactory to the commission and the Texas Board of Nursing that a nursing education program offered by the career school or college will not result in a decrease in the number of nursing clinical practice positions available to students enrolled in nursing programs in institutions of higher education in the region in which the program is offered.

(f)  Not later than September 1 of each year, the commission shall publish a list of each career school and college program that has been reviewed by the commission and that meets the minimum acceptable standards developed under Subsection (d).

(g)  Rules adopted by the commission under Section 132.021 must include rules for the periodic review of performance indicators.

(h)  On request by the commission, the Texas Board of Nursing and other appropriate state agencies shall coordinate with the commission for purposes of Subsection (d)(3), including by providing available data or other information to the commission.

SECTION 2.  Not later than September 1, 2025, the Texas Workforce Commission shall publish the initial list required under Section 132.027(f), Education Code, as added by this Act.

SECTION 3.  This Act takes effect September 1, 2023.

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