By:  Menéndez S.B. No. 2077

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Building Better Futures Program to support educational and occupational skills training opportunities and support services for students with intellectual and developmental disabilities at public and private institutions of higher education.

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

SECTION 1.  Chapter 61, Education Code, is amended by adding Subchapter 00 to read as follows:

SUBCHAPTER 00. BUILDING BETTER FUTURES PROGRAM

Sec. 61.9971.  PROGRAM PURPOSE. The purpose of the Building Better Futures Program is to facilitate the delivery by institutions of higher education and private or independent institutions of higher education of educational and occupational skills training opportunities and support services to students with intellectual and developmental disabilities in an inclusive and age-appropriate environment.

Sec. 61.9972.  ADMINISTRATION; RULES. (a) The board shall administer the Building Better Futures Program and adopt any rules necessary to implement the program or this subchapter.

(b) The board may develop a competitive application process for the award of funds to eligible institutions under the program.

(c) A program or course offered under the Building Better Futures Program is exempt from the requirements of Sections 61.0512 and 61.822.

Sec. 61.9973.  INSTITUTION ELIGIBILITY. (a) To be eligible to participate in the Building Better Futures Program, an institution of higher education or private or independent institution of higher education:

(1)  must:

(A) be approved by or awaiting approval from the United States Department of Education to offer a comprehensive transition and postsecondary program for students with intellectual or developmental disabilities;

(B) develop and implement a selective admissions process to select eligible students under Section 61.9974 for admission to the institution's comprehensive transition and postsecondary program; and

(C) award a certificate to each student who successfully completes the Building Better Futures Program at the institution; and

(2)  may not allow credit hours completed under the Building Better Futures Program to be transferred toward an associate or baccalaureate degree program.

(b)  The board shall establish criteria to ensure that each eligible institution that has requested but not yet received approval from the United States Department of Education for the institution's comprehensive transition and postsecondary program obtains that approval not later than the third anniversary of the date the institution is initially selected by the board for participation in the Building Better Futures Program.

Sec. 61.9974.  STUDENT ELIGIBILITY. (a) To be eligible to participate in the Building Better Futures Program, an applicant must:

(1) apply for admission to a comprehensive transition and postsecondary program, or a program that is awaiting approval from the United States Department of Education as a comprehensive transition and postsecondary program, at an eligible institution;

(2) be a citizen or a lawful permanent resident of the United States;

(3) be a resident of this state under Section 54.052, except as provided by Subsection (d) of this section;

(4) have an intellectual or developmental disability diagnosed by a physician, psychologist, or other individual qualified by license or statute to make such a diagnosis;

(5) be able and willing to learn and participate in an inclusive classroom and work setting; and

(6)  not be a danger to the applicant's self or others,

as determined by the accepting institution.

(b)  An applicant who is a lawful permanent resident of the United States must submit with the applicant's application a copy of the applicant's lawful permanent resident form.

(c)  An eligible institution may require an applicant or the applicant's parent or guardian to provide proof of residency as evidenced by one of the following:

(1) information from the Free Application for Federal Student Aid;

(2) a driver's license issued by the Department of Public Safety that has not expired;

(3) documentation of payment for personal or real property taxes for the previous year;

(4) vehicle registration issued by the Texas Department of Motor Vehicles that has not expired;

(5) a voter registration certificate issued in this state that has not expired; or

(6) documentation under Section 54.053.

(d)  An applicant who is not a resident of this state may be eligible to participate in the Building Better Futures Program at an eligible institution only if an opening is available after all resident applicants are admitted.

Sec. 61.9975.  AWARD OF FUNDS.  The board may award funds under the Building Better Futures Program only to eligible institutions to be used by the institutions to facilitate the delivery of educational and occupational skills training opportunities and support services to students participating in the program.

Sec. 61.9976.  FUNDING.  The board may use any available revenue, including legislative appropriations, and may solicit and accept gifts, grants, and donations from a public or private source for the purposes of this subchapter.

SECTION 2.  The Texas Higher Education Coordinating Board shall adopt rules to administer Subchapter 00, Chapter 61, Education Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.