

By: Gates

H.B. No. 2615

A BILL TO BE ENTITLED

AN ACT

relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system.

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

ARTICLE 1. VOCATIONAL EDUCATION PROGRAMS

SECTION 1.01. Subtitle F, Title 2, Education Code, is amended by adding Chapter 30B to read as follows:

CHAPTER 30B. VOCATIONAL EDUCATION PROGRAMS

Sec. 30B.001. DEFINITION. In this chapter, "board" means the State Board of Education.

Sec. 30B.002. PURPOSE. The purpose of a vocational education program operated under this chapter and authorized as a campus or campus program under Subchapter C, Chapter 12, is to provide public education to high school students:

(1) whose educational needs are better served by tailored vocational education and training; and

(2) for whom a P-TECH program established under Subchapter N, Chapter 29, is not academically appropriate or would not provide adequate vocational opportunities.

Sec. 30B.003. VOCATIONAL EDUCATION PROGRAM. (a) Each vocational education program authorized under Subchapter C,

1 Chapter 12, and operating under this chapter shall offer students
2 who reside in the district a program that is:

3 (1) aligned with mathematics, English language, and
4 other skills and content adequate for the vocational education
5 program as well as essential knowledge and skills for vocational
6 education developed by the board, including essential knowledge and
7 skills in English language arts, mathematics, science, and social
8 studies, that are tailored to vocational education curriculum;

9 (2) designed to allow students to satisfy requirements
10 related to:

11 (A) industry-recognized credentials and
12 certificates included in the inventory required by Section 312.003,
13 Labor Code; or

14 (B) industry-defined and industry-recognized
15 skill standards developed under Section 2308.109, Government Code;
16 and

17 (3) tailored to serve as an entry point to high-wage
18 and high-growth jobs and industries as determined by the board with
19 the assistance of the Texas Workforce Commission.

20 (b) The board shall establish minimum curriculum
21 requirements for a vocational education program operated under this
22 chapter. In providing curriculum requirements, the board shall
23 require the successful completion of not more than 24 credits for
24 graduation and the issuance of a diploma under Section 30B.004. Not
25 fewer than 10 credits of the minimum curriculum requirements must
26 be credits earned in vocational education courses offered under the
27 program.

1 (c) A vocational education program may require the
2 completion of additional credits that are not included in the
3 minimum curriculum requirements established by the board as
4 requirements for graduation and the issuance of a diploma under
5 Section 30B.004 provided that the program does not require the
6 successful completion of more than 24 credits.

7 (d) In providing the minimum curriculum requirements under
8 Subsection (b), the board shall require:

9 (1) one credit in a course that provides instruction
10 in the basic knowledge and skills necessary to:

11 (A) successfully run an independent business;

12 and

13 (B) develop entrepreneurship;

14 (2) one-half credit in a course providing instruction
15 regarding the relationship between business and government;

16 (3) one-half credit in a course in industrial arts;

17 (4) one credit in Algebra I; and

18 (5) one credit in English I.

19 (d-1) In providing the minimum curriculum requirements
20 under Subsection (b), the board may not require curriculum based on
21 essential knowledge and skills identified for a course of
22 instruction intended for students enrolled in a P-TECH program
23 established under Subchapter N, Chapter 29. The minimum curriculum
24 requirements under Subsection (b) may only be based on essential
25 knowledge and skills identified by the board and described by
26 Subsection (a)(1).

27 (e) The board by rule shall provide curriculum standards for

1 the courses described by Subsection (d).

2 (f) The board by rule shall allow for a student to satisfy
3 the one-half credit requirement for a course described by:

4 (1) Subsection (d)(2) by earning one-half credit for a
5 course in government offered under the foundation high school
6 program; and

7 (2) Subsection (d)(3) by earning one-half credit for a
8 course in fine arts offered under the foundation high school
9 program.

10 (g) The board by rule may require that one or more courses
11 described by Subsection (d) or (f) provide basic instruction in
12 technical writing.

13 (g-1) The agency shall provide support to the board in
14 establishing the minimum curriculum requirements under Subsection
15 (b).

16 (h) In offering a vocational education program under this
17 chapter, a school district may form partnerships between the
18 district and public junior colleges, public technical institutes,
19 public state colleges, and any other public postsecondary
20 institutions in this state offering academic or technical education
21 or vocational training under a certificate program or an associate
22 degree program.

23 (i) A school district may use state funding received under
24 Chapter 48 that is available for the purpose to pay tuition costs
25 for district students enrolled in the district's vocational
26 education program and receiving academic or technical education or
27 vocational training from a college or institution under a

1 partnership entered into under Subsection (h).

2 Sec. 30B.004. VOCATIONAL HIGH SCHOOL DIPLOMA.

3 Notwithstanding any other law, agency rule, or school district
4 policy, a student enrolled in a district's vocational education
5 program is entitled to receive a high school diploma from the
6 district if the student:

7 (1) successfully completes the required curriculum
8 established by the board under Section 30B.003(b);

9 (2) satisfies any other high school graduation
10 requirements provided by commissioner rule for students obtaining a
11 high school diploma under the district's vocational education
12 program; and

13 (3) either:

14 (A) achieves satisfactory performance on each
15 end-of-course assessment instrument administered to the student
16 under Section 39.023(c); or

17 (B) is determined to be qualified to graduate by
18 the student's individual graduation committee established under
19 Section 28.0258 for the student by the district operating the
20 vocational education program.

21 Sec. 30B.005. ENROLLMENT ELIGIBILITY. A student is
22 eligible to enroll in a school district's vocational education
23 program if:

24 (1) the district has received the form indicating
25 informed consent for the student under Section 30B.006; and

26 (2) the student attends a high school campus of the
27 district and has completed the student's 10th grade year.

1 Sec. 30B.006. INFORMED CONSENT. (a) Before a student may
2 enroll in a school district's vocational education program, the
3 student and the student's parent, guardian, or other person
4 standing in parental relation to the student must be advised by a
5 school counselor concerning:

6 (1) specific benefits of graduating under the
7 foundation high school program established under Section 28.025;

8 (2) specific benefits of graduating under a vocational
9 education program with a diploma and earning industry-recognized
10 credentials through the program;

11 (3) the differences between the curriculum
12 requirements for obtaining a diploma under a vocational education
13 program and the curriculum requirements for obtaining a diploma
14 under the foundation high school program, including specific
15 foundation high school program courses that will be replaced by
16 vocational education program courses; and

17 (4) the number of additional credits that may be
18 required to graduate under the foundation high school program if
19 the student chooses to cease participation in a vocational
20 education program and resume participation in the foundation high
21 school program.

22 (b) After receiving the required counseling described by
23 Subsection (a), the student's parent, guardian, or other person
24 standing in parental relation to the student may provide written
25 permission for the student to enroll in the school district's
26 vocational education program, on a form adopted by the agency, to
27 the school counselor.

1 Sec. 30B.007. ASSESSMENT INSTRUMENTS. (a) A school
2 district may adopt and administer assessment instruments necessary
3 for a student enrolled in the district's vocational education
4 program to earn an industry-recognized license, credential, or
5 certificate.

6 (b) A student enrolled in a district's vocational education
7 program shall be administered the end-of-course assessment for each
8 secondary level course in which the student enrolls that is listed
9 in Section 39.023(c), as provided by that section, including the
10 end-of-course assessments for Algebra I and English I. A student
11 enrolled in a district's vocational education program may not be
12 administered an assessment instrument under Section 39.023 that is
13 not required to be administered to the student under federal law.

14 (c) The commissioner may not waive the application of
15 Subsection (b) under Section 7.056 or any other law. This
16 subsection does not prohibit the commissioner from waiving the
17 administration of assessment instruments otherwise required to be
18 administered to students under federal law in accordance with
19 waiver authority granted to the commissioner by the United States
20 Department of Education.

21 Sec. 30B.008. REIMBURSEMENT FOR CERTAIN EXAMS. (a)
22 Subject to Subsection (b), a student enrolled in a school
23 district's vocational education program is entitled to
24 reimbursement from the district for the cost paid by the student for
25 an exam administered under Section 30B.007 that qualifies the
26 student for an industry-recognized license, credential, or
27 certificate.

1 (b) A student may receive reimbursement under this section
2 for the cost paid for one examination in each school year.

3 Sec. 30B.009. ACHIEVEMENT INDICATORS. (a) The
4 commissioner shall adopt a set of achievement indicators for school
5 district students enrolled in a district's vocational education
6 program based on recommendations provided by the Texas Workforce
7 Investment Council.

8 (b) The achievement indicators adopted by the commissioner
9 must measure outcomes for a school district's vocational education
10 program with respect to:

11 (1) preparing students for success in:

12 (A) achieving industry-recognized licenses,
13 credentials, and certificates;

14 (B) training in postsecondary occupational
15 programs; and

16 (C) entering the workforce;

17 (2) reducing outcome differentials among students
18 from different racial and ethnic groups and socioeconomic
19 backgrounds; and

20 (3) informing parents and employers regarding the
21 performance of school district vocational education programs and
22 students who enroll in those programs.

23 (c) Each school district that operates a vocational
24 education program under this chapter shall submit to the
25 commissioner all relevant information the commissioner determines
26 necessary to evaluate the district's vocational education program
27 based on the achievement indicators adopted under this section.

1 (c-1) Each year, the commissioner shall determine for each
2 vocational education program operated under this chapter a cohort
3 to evaluate the implementation and effectiveness of the vocational
4 education program.

5 (d) The commissioner shall annually publish a report on the
6 performance of vocational education programs operated under this
7 chapter based on the achievement indicators and the evaluation of
8 the cohorts established under Subsection (c-1).

9 Sec. 30B.010. MINIMUM INSTRUCTOR QUALIFICATIONS. (a) A
10 person employed by a school district as a vocational education
11 instructor of a district's vocational education program must have
12 demonstrated subject matter expertise related to the subject
13 taught, including:

14 (1) professional work experience;

15 (2) formal training and education;

16 (3) holding a relevant, active, industry-recognized
17 license, credential, or certificate; or

18 (4) any combination of Subdivisions (1), (2), and (3).

19 (b) A person employed by a school district as a vocational
20 education instructor of a district's vocational education program
21 must have received at least 20 hours of classroom management
22 training as determined by the board of trustees of the district.

23 Sec. 30B.011. MEMBERSHIP IN TEACHER RETIREMENT SYSTEM OF
24 TEXAS. A school district employee who provides services under the
25 district's vocational education program and qualifies for
26 membership in the Teacher Retirement System of Texas shall be
27 covered under the system to the same extent another qualified

1 employee of a school district is covered.

2 Sec. 30B.012. BUSINESS AND INDUSTRY PARTNERSHIPS. (a) A
3 school district operating a vocational education program under this
4 chapter may partner with private sector businesses to ensure
5 students have sufficient opportunities to participate in
6 apprenticeship training programs and other workplace-based
7 education.

8 (b) A school district may sponsor apprenticeship training
9 programs under Chapter 133 for students enrolled in the district's
10 vocational education program.

11 Sec. 30B.013. LIMITATION ON CAREER AND TECHNOLOGY EDUCATION
12 ALLOTMENT. For each student enrolled in a school district's
13 vocational education program, the district's entitlement to the
14 career and technology education allotment under Section 48.106 is
15 limited to the amount determined by the commissioner in accordance
16 with Subsection (a-1) of that section.

17 Sec. 30B.014. STUDY ON IMPLEMENTATION AND EFFECTIVENESS OF
18 VOCATIONAL EDUCATION PROGRAMS. (a) The board shall conduct an
19 annual study on the implementation and effectiveness of vocational
20 education programs operated under this chapter.

21 (b) Not later than December 31 of each year, the board shall
22 submit to the legislature and the special committee established
23 under Section 30B.015 a report on the results of the study and any
24 recommendations for legislative or other action.

25 (c) The agency shall provide support to the board in
26 conducting the study under Subsection (a).

27 Sec. 30B.015. LEGISLATIVE OVERSIGHT COMMITTEE. (a) The

1 legislative oversight committee on vocational education programs
2 is composed of six members as follows:

3 (1) three members of the senate appointed by the
4 lieutenant governor; and

5 (2) three members of the house of representatives
6 appointed by the speaker of the house of representatives.

7 (b) The committee shall:

8 (1) meet at least twice a year; and

9 (2) receive the report issued under Section 30B.014
10 and any other information regarding the implementation and
11 effectiveness of the vocational education programs operated under
12 this chapter, including information regarding rules relating to
13 vocational education programs adopted or proposed for adoption by
14 the board.

15 (c) The committee may request reports and other information
16 from the agency, the board, or a school district relating to the
17 operation of vocational education programs under this chapter.

18 (d) The committee shall review specific recommendations for
19 legislation related to this chapter that are contained in the
20 report submitted under Section 30B.014 or that are otherwise
21 proposed by the agency, the board, a school district, or relevant
22 stakeholders.

23 (e) The committee shall monitor the operation of the
24 vocational education programs under this chapter with emphasis on
25 the manner of implementation and effectiveness of the programs to
26 achieve the purpose described by Section 30B.002.

27 (f) Not later than December 31 of each even-numbered year,

1 the committee shall file a report with the governor, lieutenant
2 governor, and speaker of the house of representatives.

3 (g) The report under Subsection (f) must include a
4 description of any problems identified by the committee with
5 respect to the implementation and effectiveness of vocational
6 education programs operated under this chapter and the committee's
7 recommendations regarding proposed legislative actions to address
8 those problems.

9 ARTICLE 2. OPERATION OF VOCATIONAL EDUCATION PROGRAM AS CAMPUS OR
10 CAMPUS PROGRAM

11 SECTION 2.01. Section 12.056, Education Code, is amended by
12 adding Subsection (c) to read as follows:

13 (c) Notwithstanding Subsection (b), requirements related to
14 high school graduation under Section 28.025 do not apply to the
15 issuance of a diploma under a vocational education program under
16 Chapter 30B operated as a campus or campus program under this
17 subchapter if the program is administered in accordance with
18 Chapter 30B and any applicable rules adopted by the State Board of
19 Education under that chapter.

20 SECTION 2.02. Section 28.016(b), Education Code, is amended
21 to read as follows:

22 (b) The instruction must include information regarding:

23 (1) the creation of a high school personal graduation
24 plan under Section 28.02121;

25 (2) the distinguished level of achievement described
26 by Section 28.025(b-15);

27 (3) each endorsement described by Section

1 28.025(c-1);

2 (4) college readiness standards; ~~and~~

3 (5) potential career choices and the education needed
4 to enter those careers; and

5 (6) programs of study offered through a vocational
6 education program under Chapter 30B operated as a campus or campus
7 program under Subchapter C, Chapter 12.

8 SECTION 2.03. Section 29.182(b), Education Code, is amended
9 to read as follows:

10 (b) The state plan must include procedures designed to
11 ensure that:

12 (1) all secondary and postsecondary students have the
13 opportunity to participate in career and technology education
14 programs;

15 (2) the state complies with requirements for
16 supplemental federal career and technology education funding;

17 (3) career and technology education is established as
18 a part of the total education system of this state and constitutes
19 an option for student learning that provides a rigorous course of
20 study consistent with the required curriculum under Section 28.002
21 and under which a student may receive specific education in a career
22 and technology program that:

23 (A) incorporates competencies leading to
24 academic and technical skill attainment;

25 (B) leads to:

26 (i) an industry-recognized license,
27 credential, or certificate; or

1 (ii) at the postsecondary level, an
2 associate or baccalaureate degree;

3 (C) includes opportunities for students to earn
4 college credit for coursework; ~~and~~

5 (D) includes, as an integral part of the program,
6 participation by students and teachers in activities of career and
7 technical student organizations supported by the agency and the
8 State Board of Education; and

9 (E) includes the opportunity for students to
10 participate in focused vocational education through a vocational
11 education program under Chapter 30B operated as a campus or campus
12 program under Subchapter C, Chapter 12; and

13 (4) a school district provides, to the greatest extent
14 possible, to a student participating in a career and technology
15 education program opportunities to enroll in dual credit courses
16 designed to lead to a degree, license, or certification as part of
17 the program.

18 ARTICLE 3. APPLICATION OF CERTAIN STUDENT-BASED ALLOTMENTS

19 REGARDING VOCATIONAL EDUCATION PROGRAM STUDENTS

20 SECTION 3.01. Section 48.106, Education Code, is amended by
21 amending Subsections (a) and (c) and adding Subsection (a-2) to
22 read as follows:

23 (a) Subject to Subsection (a-2), for ~~For~~ each full-time
24 equivalent student in average daily attendance in an approved
25 career and technology education program in grades 7 through 12, a
26 district is entitled to an annual allotment equal to the basic
27 allotment, or, if applicable, the sum of the basic allotment and the

1 allotment under Section 48.101 to which the district is entitled,
2 multiplied by:

3 (1) 1.1 for a full-time equivalent student in career
4 and technology education courses not in an approved program of
5 study;

6 (2) 1.28 for a full-time equivalent student in levels
7 one and two career and technology education courses in an approved
8 program of study, as identified by the agency; and

9 (3) 1.47 for a full-time equivalent student in levels
10 three and four career and technology education courses in an
11 approved program of study, as identified by the agency.

12 (a-2) For each full-time equivalent student in average
13 daily attendance in a vocational education program operated under
14 Chapter 30B and authorized under Subchapter C, Chapter 12, only the
15 first 10 hours of instructional hours provided to those students
16 under the program each week qualify toward the district's
17 entitlement to the allotment under Subsection (a)(1), and the
18 commissioner shall proportionately reduce the amount of the
19 entitlement accordingly to an amount that reflects the limitation
20 on qualified instructional hours per week using a method adopted by
21 the commissioner.

22 (c) At least 65 [~~55~~] percent of the funds allocated under
23 this section must be used in providing career and technology
24 education programs in grades 7 through 12.

25 SECTION 3.02. Sections 48.110(b), (f), and (h), Education
26 Code, are amended to read as follows:

27 (b) For purposes of the outcomes bonus under this section,

1 the commissioner shall determine the threshold percentage as
2 provided by Subsection (g) for college, career, or military
3 readiness as described by Subsection (f) for each of the following
4 cohorts:

5 (1) annual graduates who are educationally
6 disadvantaged;

7 (2) annual graduates who are not educationally
8 disadvantaged; ~~and~~

9 (3) annual graduates who are enrolled in a special
10 education program under Subchapter A, Chapter 29, regardless of
11 whether the annual graduates are educationally disadvantaged; and

12 (4) annual graduates who are enrolled in a vocational
13 education program under Chapter 30B.

14 (f) For purposes of this section, an annual graduate
15 demonstrates:

16 (1) college readiness if the annual graduate:

17 (A) both:

18 (i) achieves college readiness standards
19 used for accountability purposes under Chapter 39 on the ACT, the
20 SAT, or an assessment instrument designated by the Texas Higher
21 Education Coordinating Board under Section 51.334; and

22 (ii) during a time period established by
23 commissioner rule, enrolls at a postsecondary educational
24 institution; or

25 (B) earns an associate degree from a
26 postsecondary educational institution approved by the Texas Higher
27 Education Coordinating Board while attending high school or during

1 a time period established by commissioner rule;

2 (2) career readiness if:

3 (A) the annual graduate:

4 (i) [~~(A)~~] achieves college readiness
5 standards used for accountability purposes under Chapter 39 on the
6 ACT, the SAT, or an assessment instrument designated by the Texas
7 Higher Education Coordinating Board under Section 51.334; and

8 (ii) [~~(B)~~] during a time period established
9 by commissioner rule, earns an industry-accepted certificate; or

10 (B) the annual graduate earns an
11 industry-recognized license, credential, or certificate under a
12 vocational education program under Chapter 30B; and

13 (3) military readiness if the annual graduate:

14 (A) achieves a passing score set by the
15 applicable military branch on the Armed Services Vocational
16 Aptitude Battery; and

17 (B) during a time period established by
18 commissioner rule, enlists in the armed forces of the United States
19 or the Texas National Guard.

20 (h) On application by a school district, the commissioner
21 may allow annual graduates from the district to satisfy the
22 requirement for demonstrating career readiness under Subsection
23 (f)(2)(A)(ii) [~~(f)(2)(B)~~] by successfully completing a coherent
24 sequence of courses required to obtain an industry-accepted
25 certificate. The district must demonstrate in the application that
26 the district is unable to provide sufficient courses or programs to
27 enable students enrolled at the district to earn an

1 industry-accepted certificate within the time period established
2 by the commissioner under Subsection (f)(2)(A)(ii) [~~(f)(2)(B)~~].
3 The commissioner by rule shall provide the criteria required for an
4 application under this subsection.

5 ARTICLE 4. TRANSITION; EFFECTIVE DATE

6 SECTION 4.01. Not later than December 1, 2024, the
7 appropriate appointing authority shall appoint the members to the
8 legislative oversight committee on vocational education programs
9 as required by Section 30B.015, Education Code, as added by this
10 Act.

11 SECTION 4.02. This Act applies beginning with the 2023-2024
12 school year.

13 SECTION 4.03. This Act takes effect immediately if it
14 receives a vote of two-thirds of all the members elected to each
15 house, as provided by Section 39, Article III, Texas Constitution.
16 If this Act does not receive the vote necessary for immediate
17 effect, this Act takes effect September 1, 2023.