

By: Bell of Kaufman

H.B. No. 120

A BILL TO BE ENTITLED

1 AN ACT
2 relating to career and technology education programs in public
3 schools, the Rural Pathway Excellence Partnership (R-PEP) program,
4 and a high school advising program, including funding for those
5 programs under the Foundation School Program, and to the new
6 instructional facility allotment and the permissible uses of
7 funding under the Foundation School Program.

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

9 SECTION 1. Section 29.182(b), Education Code, is amended to
10 read as follows:

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

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

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

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

24 (A) incorporates competencies leading to

1 academic and technical skill attainment;

2 (B) leads to:

3 (i) an industry-recognized license,
4 credential, or certificate; or

5 (ii) at the postsecondary level, an
6 associate or baccalaureate degree;

7 (C) includes opportunities for students to earn
8 college credit for coursework; and

9 (D) includes, as an integral part of the program,
10 participation by students and teachers in activities of career and
11 technical student organizations supported by the agency and the
12 State Board of Education; ~~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; and

18 (5) a course of study offered under a Junior Reserve
19 Officers' Training Corps program established under 10 U.S.C.
20 Section 2031 is considered a career and technology education
21 program.

22 SECTION 2. Subchapter 7, Chapter 29, Education Code, is
23 amended by adding Section 29.9016 to read as follows:

24 Sec. 29.9016. MILITARY PATHWAY GRANT PROGRAM. (a) The
25 agency shall establish a grant program to provide money to school
26 districts to implement a program under which the district:

27 (1) establishes a Junior Reserve Officers' Training

1 Corps program under 10 U.S.C. Section 2031 for students enrolled in
2 high school in the district;

3 (2) annually administers the Armed Services
4 Vocational Aptitude Battery test to each student participating in
5 the program described by Subdivision (1); and

6 (3) provides career counseling at least once per year
7 to each student administered the Armed Services Vocational Aptitude
8 Battery test under Subdivision (2) based on the results of the test.

9 (b) The amount of each grant awarded under the grant program
10 is \$50,000.

11 (c) The total amount of grants awarded under the grant
12 program for a school year may not exceed \$2 million.

13 SECTION 3. Section 29.912, Education Code, is amended by
14 adding Subsection (c-1) and amending Subsections (e) and (j) to
15 read as follows:

16 (c-1) A school district that has participated in the program
17 may continue to participate in the program regardless of the number
18 of students in average daily attendance in the district for the
19 current school year.

20 (e) An employee of a coordinating entity that manages a
21 partnership under the program is eligible for membership in and
22 benefits from the Teacher Retirement System of Texas if the
23 employee would be eligible for membership and benefits by holding a
24 similar position at a partnering school district. ~~[An employee is~~
25 ~~eligible for membership under this subsection if a partnership~~
26 ~~would be authorized to participate in the program, as determined by~~
27 ~~the commissioner, but for the maximum expenditure established in~~

1 ~~Section 48.118(f).~~]

2 (j) The commissioner shall make grants available for use by
3 a coordinating entity for a two-year period to assist with costs
4 associated with the planning, development, establishment, or
5 expansion, as applicable, of partnerships under the program using
6 ~~[a portion of state funds allocated under Section 48.118 as well as]~~
7 money appropriated for that purpose, federal funds, and any other
8 funds available. The commissioner may award a grant only to a
9 coordinating entity that has entered into a performance agreement
10 approved under Subsection (i) or, if in the planning stage, has
11 entered into a memorandum of understanding to enter into a
12 performance agreement, unless the source of funds does not permit a
13 grant to the coordinating entity, in which case the grant shall be
14 made to a participating school district acting as fiscal agent.
15 Eligible use of grant funds shall include planning, development,
16 establishment, or expansion of partnerships under the program. The
17 commissioner may use not more than 15 percent of the money allocated
18 for the grants to cover the cost of administering grants awarded
19 under the program and to provide technical assistance and support
20 to partnerships under the program.

21 SECTION 4. Subchapter 2, Chapter 29, Education Code, is
22 amended by adding Section 29.939 to read as follows:

23 Sec. 29.939. HIGH SCHOOL ADVISING PROGRAM. (a) The agency
24 shall establish a high school advising program through which
25 participating school districts and open-enrollment charter schools
26 provide college or career advising supports to students, either by
27 hiring employees or contracting with service providers.

1 (b) A school district or open-enrollment charter school
2 participating in the program must have at least one partnership
3 agreement with:

4 (1) if the district or school provides college
5 advisors, a public institution of higher education to support
6 students to transition successfully from high school graduation to
7 college enrollment, persistence, and completion; and

8 (2) if the district or school provides career
9 advisors:

10 (A) a vocational program at a public institution
11 of higher education;

12 (B) an employer; or

13 (C) a local workforce board.

14 (c) An advisor under the program must be trained in:

15 (1) practices relating to college advising to serve as
16 a college advisor; and

17 (2) practices relating to career advising to serve as
18 a career advisor.

19 (d) A full-time equivalent advisor under the program may not
20 have a caseload of more than 200 students and must prioritize
21 students in grade levels 11 and 12.

22 (e) The commissioner may adopt rules as necessary to
23 implement this section. In adopting rules, the commissioner shall
24 consult with the Texas Workforce Commission and the Texas Higher
25 Education Coordinating Board.

26 SECTION 5. Section 45.105(c), Education Code, is amended to
27 read as follows:

1 (c) Local school funds from district taxes, tuition fees of
2 students not entitled to a free education, other local sources, and
3 state funds not designated for a specific purpose may be used for
4 the purposes listed for state and county available funds and for
5 purchasing appliances and supplies, paying insurance premiums,
6 paying janitors and other employees, buying school sites, buying,
7 building, repairing, and renting school buildings, including
8 acquiring school buildings and sites by leasing through annual
9 payments with an ultimate option to purchase, providing advising
10 support as described by Section 48.0035(1), and educating students
11 as described by Section 48.0035(2), and, except as provided by
12 Subsection (c-1), for other purposes necessary in the conduct of
13 the public schools determined by the board of trustees. The
14 accounts and vouchers for county districts must be approved by the
15 county superintendent. If the state available school fund in any
16 municipality or district is sufficient to maintain the schools in
17 any year for at least eight months and leave a surplus, the surplus
18 may be spent for the purposes listed in this subsection.

19 SECTION 6. Subchapter A, Chapter 48, Education Code, is
20 amended by adding Sections 48.0035 and 48.0055 to read as follows:

21 Sec. 48.0035. USE OF FUNDING FOR CERTAIN PURPOSES. A school
22 district may use funding to which the district is entitled under
23 this chapter to:

24 (1) provide district graduates, during the first two
25 years after high school graduation, advising support toward the
26 successful completion of a certificate or degree program at a
27 public institution of higher education or a postsecondary

1 vocational training program; and

2 (2) educate a student who has graduated from high
3 school but is enrolled in the district in a program through which
4 the student may earn dual credit, including the Pathways in
5 Technology Early College High School (P-TECH) program under
6 Subchapter N, Chapter 29, and the Rural Pathway Excellence
7 Partnership (R-PEP) program under Section 29.912.

8 Sec. 48.0055. ENROLLMENT-BASED FUNDING. The commissioner
9 by rule shall establish the method for determining average
10 enrollment for purposes of funding provided based on average
11 enrollment under Chapter 46 and this chapter.

12 SECTION 7. Section 48.106, Education Code, is amended by
13 amending Subsection (a-1) and adding Subsection (a-2) to read as
14 follows:

15 (a-1) In addition to the amounts under Subsection (a), for
16 each student in average enrollment [~~daily attendance~~], a district
17 is entitled to \$150 [~~\$50~~] for each of the following in which the
18 student is enrolled:

19 (1) a campus designated as a P-TECH school under
20 Section 29.556; or

21 (2) a campus that is a member of the New Tech Network
22 and that focuses on project-based learning and work-based
23 education.

24 (a-2) A district is entitled to funding under Subsection
25 (a-1) for a student who has graduated from high school but is
26 enrolled in the district in a program offered under Subchapter N,
27 Chapter 29, through which the student may earn dual credit. The

1 district is not entitled to any other funding under this chapter for
2 a student described by this subsection.

3 SECTION 8. Sections 48.106(b)(1) and (1-a), Education Code,
4 are amended to read as follows:

5 (1) "Approved career and technology education
6 program":

7 (A) means:

8 (i) a sequence of career and technology
9 education courses, including technology applications courses,
10 authorized by the State Board of Education; and

11 (ii) courses offered under a Junior Reserve
12 Officers' Training Corps program established under 10 U.S.C.
13 Section 2031; and

14 (B) includes only courses that qualify for high
15 school credit.

16 (1-a) "Approved program of study" means a course
17 sequence that:

18 (A) provides students with the knowledge and
19 skills necessary for success in the students' chosen careers,
20 including the military; and

21 (B) is approved by the agency for purposes of the
22 Strengthening Career and Technical Education for the 21st Century
23 Act (Pub. L. No. 115-224).

24 SECTION 9. Section 48.118, Education Code, is amended by
25 amending Subsection (a) and adding Subsections (a-1) and (g) to
26 read as follows:

27 (a) For each full-time equivalent student in average daily

1 attendance in grades 9 through 12 in a college or career pathway
2 offered through a partnership under the Rural Pathway Excellence
3 Partnership (R-PEP) program under Section [29.912](#) who meets the
4 requirements under Subsection (g), a school district is entitled to
5 an allotment equal to the basic allotment, or, if applicable, the
6 sum of the basic allotment and the allotment under Section [48.101](#) to
7 which the district is entitled, multiplied by:

8 (1) 1.15 if the student is educationally
9 disadvantaged; or

10 (2) 1.11 if the student is not educationally
11 disadvantaged.

12 (a-1) Notwithstanding Subsection (a), a school district
13 described by Section [29.912\(c-1\)](#) may receive funding under this
14 section for up to 110 percent of the number of students who
15 qualified under Subsection (a) for the school year immediately
16 preceding the school year in which the district's enrollment first
17 reached 1,600 or more.

18 (g) To be eligible for funding under this section, a
19 partnership under the Rural Pathway Excellence Partnership (R-PEP)
20 program under Section [29.912](#) must offer at least one of the
21 following programs of study through in-person instruction, remote
22 instruction, or a hybrid of in-person and remote instruction:

23 (1) computer programming and software development; or

24 (2) a specialized skilled trade, such as:

25 (A) plumbing and pipefitting;

26 (B) electrical;

27 (C) welding;

- 1 (D) diesel and heavy equipment;
- 2 (E) aviation maintenance; or
- 3 (F) applied agricultural engineering.

4 SECTION 10. Section 48.152(a)(2), Education Code, is
5 amended to read as follows:

6 (2) "New instructional facility" includes:

- 7 (A) a newly constructed instructional facility;
- 8 (B) a repurposed instructional facility; ~~and~~
- 9 (C) a leased facility operating for the first

10 time as an instructional facility with a minimum lease term of not
11 less than 10 years; and

12 (D) a renovated portion of an instructional
13 facility to be used for the first time to provide high-cost and
14 undersubscribed career and technology education programs, as
15 determined by the commissioner.

16 SECTION 11. Section 48.152(f), Education Code, is amended
17 to read as follows:

18 (f) The amount appropriated for allotments under this
19 section may not exceed \$150 [~~\$100~~] million in a school year. If the
20 total amount of allotments to which districts are entitled under
21 this section for a school year exceeds the amount appropriated
22 under this subsection, the commissioner:

23 (1) shall reduce each district's allotment under this
24 section in the manner provided by Section 48.266(f); and

25 (2) for new instructional facilities described by
26 Subsection (a)(2)(D), may remove a career and technology education
27 program from the list of programs that qualify under that

1 subsection.

2 SECTION 12. Subchapter D, Chapter 48, Education Code, is
3 amended by adding Section 48.162 to read as follows:

4 Sec. 48.162. HIGH SCHOOL ADVISING ALLOTMENT. (a) Subject
5 to Subsections (b) and (c), for each full-time equivalent advisor
6 or contracted service provider under the high school advising
7 program established under Section 29.939, a school district is
8 entitled to \$50,000.

9 (b) The number of advisors for whom a school district may
10 receive an allotment under this section may not exceed the quotient
11 of, rounded up to the nearest whole number:

12 (1) the number of students enrolled in the district in
13 grade levels 11 and 12; and

14 (2) 200.

15 (c) Beginning with the fifth school year for which a school
16 district receives an allotment under this section, the commissioner
17 shall reduce the district's allotment by 20 percent for each school
18 year unless the district's performance under Section 48.110 for the
19 preceding school year:

20 (1) exceeded the average of the district's performance
21 under that section for the two school years preceding that school
22 year;

23 (2) was in the top 25 percent of statewide performance
24 under that section; or

25 (3) established that at least 40 percent of the
26 district's educationally disadvantaged annual graduates
27 demonstrated college, career, or military readiness as described by

1 Section 48.110(f).

2 SECTION 13. Sections 29.912(h) and 48.118(b), (c), (d), and
3 (f), Education Code, are repealed.

4 SECTION 14. Sections 29.9016 and 29.939, Education Code, as
5 added by this Act, and Section 29.912, Education Code, as amended by
6 this Act, apply beginning with the 2025-2026 school year.

7 SECTION 15. (a) Except as provided by Subsection (b) or (c)
8 of this section, this Act takes effect immediately if it receives a
9 vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2025.

13 (b) Except as provided by Subsection (c) of this section,
14 the amendments by this Act to Chapter 48, Education Code, take
15 effect September 1, 2025.

16 (c) Section 48.118(a), Education Code, as amended by this
17 Act, and Section 48.118(g), Education Code, as added by this Act,
18 take effect September 1, 2027.