

BILL ANALYSIS

Senate Research Center
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H.B. 3662
By: Clardy et al. (Seliger)
Education
5/13/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties assert there is need for school districts and public institutions of higher education to establish innovative programs designed to prepare students for careers in demand in Texas. These parties contend that in establishing these programs, school districts and institutions should be granted flexibility to adopt new approaches to instruction and accountability requirements. The parties are interested in establishing programs that will emphasize competency-based learning, career and technical education collaborations, workforce-focused innovations, high school courses that will yield college credit, and career and technical education pathways.

H.B. 3662 amends current law relating to the Texas Workforce Innovation Needs Program and authorizes a fee.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 29.922, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 29, Education Code, by adding Section 29.922, as follows:

Sec. 29.922. TEXAS WORKFORCE INNOVATION NEEDS PROGRAM. (a) Defines "private or independent institution of higher education" and "program" in this section.

(b) Establishes the Texas Workforce Innovation Needs Program (program) to:

(1) provide selected school districts, public institutions of higher education, and private or independent institutions of higher education with the opportunity to establish innovative programs designed to prepare students for careers for which there is demand in this state; and

(2) use the results of those programs to inform the governor, legislature, and commissioner of education (commissioner) concerning methods for transforming public education and higher education in this state by improving student learning and career preparedness.

(c) Requires a school district, public institution of higher education, or private or independent institution of higher education, to apply to participate in the program, to use the form and apply in the time and manner established by commissioner rule. Requires that the application process require each applicant district or institution of higher education to submit a detailed plan as required by Subsections (d) and (e) of the instruction and accountability the applicant would provide under the program.

(d) Provides that a plan submitted under Subsection (c):

(1) is required to:

(A) be designed to support improved instruction of and learning by students and provide evidence of the accurate assessment of the quality of learning on campus;

(B) describe any waiver of an applicable prohibition, requirement, or restriction for which the district or institution of higher education intends to apply; and

(C) include any other information required by commissioner rule; and

(2) is authorized to, if submitted by a school district, designate one or more campuses rather than the entire district to participate in the program.

(e) Requires that a plan submitted under Subsection (c), in addition to satisfying the requirements under Subsection (d)(1), to the greatest extent appropriate for the grade or higher education levels served under the program, either to:

(1) focus on engagement of students in competency-based learning as necessary to earn postsecondary credentials, including career and technical certificates; associate's degrees; bachelor's degrees; and graduate degrees; or

(2) incorporate career and technical courses into dual enrollment courses or into the early college education program under Section 29.908 (Early College Education Program) to provide students the opportunity to earn a career or technical certificate or associate's degree.

(f) Requires the commissioner, from among the school districts and institutions of higher education that apply as required under this section, to select those school districts and institutions of higher education that present the plans that are most likely to be effective in producing the next generation of higher performing public schools and institutions of higher education that provide education and training in an innovative form and manner to prepare students for careers for which there is demand in this state.

(g) Requires the commissioner to convene program leaders periodically to discuss methods to transform learning opportunities for all students, build cross-institution support systems and training, and share best practices tools and processes.

(h) Authorizes a school district or institution of higher education participating in the program or the commissioner, for purposes of this section, to accept gifts, grants, or donations from any source, including a private or governmental entity.

(i) Authorizes the commissioner, to cover the costs of administering the program, to charge a fee to a school district or institution of higher education participating in the program.

(j) Requires the commissioner, in consultation with interested school districts, institutions of higher education, and other appropriate interested persons, to adopt rules as necessary for purposes of this section.

(k) Requires the commissioner, not later than December 1, 2014, and not later than December 1, 2016, with the assistance of school districts and institutions of higher education participating in the program, to submit to the governor and the legislature reports concerning the performance and progress of the program participants. Requires that the report submitted not later than December 1, 2014,

include any recommendation by the commissioner concerning legislative authorization necessary for the commissioner to waive a prohibition, requirement, or restriction that applies to a program participant and other school district or institution of higher education interested in beginning a similar program. Requires the commissioner, to prepare for implementation of a commissioner waiver, to seek any necessary federal waiver. Provides that this subsection expires January 1, 2020.

SECTION 2. Effective date: upon passage or September 1, 2013.