

## **BILL ANALYSIS**

C.S.H.B. 3938  
By: Bell, Keith  
International Relations & Economic Development  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

During the 85th Regular Legislative Session in 2017, the legislature passed House Bill 22, which required the state to account for high school students who earn an industry-based certification as one indicator within the student achievement domain of the state's public school accountability system. Industry-based certifications represent skills and learning that demonstrate students are experienced in real-world industry skills, which makes them more competitive in the job market.

Under current law, industry-based certifications must be approved by the Texas Education Agency before a school district can receive credit towards its accountability rating. It has been suggested that the process for reviewing and approving industry-based certifications could be improved with more extensive and robust stakeholder input, especially at the regional level.

C.S.H.B. 3938 seeks to address this issue by establishing the industry-based certification advisory council to help better align career and technology education programs with current and future workforce needs of every community and region in Texas.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3938 amends the Labor Code to establish the industry-based certification advisory council to advise the Texas Workforce Commission (TWC) regarding the alignment of public high school career and technology education programs with current and future workforce needs in communities, regions, and the state. The bill provides for the advisory council's composition, terms, and vacancies on the council. The bill establishes that a member of the advisory council is not entitled to compensation for service as a member but is entitled to reimbursement for actual and necessary travel expenses incurred in performing functions as a member of the advisory council, as provided in the General Appropriations Act. The bill requires the Texas State Technical College System to provide administrative and staff support for the advisory council using existing resources.

C.S.H.B. 3938 transfers and redesignates Section 29.189, Education Code, as Section 312.003, Labor Code, and amends it to remove the Texas Education Agency (TEA), Texas Higher Education Coordinating Board (THECB), and the TWC as the agencies required to jointly

develop an inventory of industry-recognized credentials and certificates that may be earned by a public high school student through a certain career and technology education program. The bill requires the advisory council to develop the inventory, and, with respect to the inventory, does the following:

- authorizes the advisory council, in developing the inventory, to consult with local workforce boards, the Texas Workforce Investment Council, the Texas Economic Development and Tourism Office, and the THECB;
- requires the advisory council to establish a process for developing the inventory, including the criteria for inclusion of a credential or certificate in the inventory;
- requires the advisory council to annually review and revise the inventory;
- removes a requirement for TEA, the THECB, and the TWC, each year, to jointly review the inventory and provide a copy to each public school district and public institution of higher education that offers a career and technology education program to public high school students; and
- requires the TWC, each year, to adopt and if necessary review the inventory and provide the inventory to those educational institutions as well as TEA.

C.S.H.B. 3938 requires the advisory council, not later than January 1, 2022, to develop the initial inventory.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3938 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a requirement absent from the original for the Texas State Technical College System to provide administrative and staff support for the advisory council using existing resources.

The original requires the advisory council to develop the initial inventory not later than September 1, 2021. The substitute changes that deadline to January 1, 2022.