

BILL ANALYSIS

Senate Research Center

S.B. 1746
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Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Background

Workforce continuing education (CE) courses are an important tool for preparing students for the workforce. These types of courses provide opportunities for high school students who may not be able to take advantage of traditional dual credit workforce offerings and they help students gain immediate employment while in high school and beyond graduation. These programs often align with the endorsements found in H.B. 5 and have been used effectively as a dropout prevention tool. However, direction from the legislature is not clear as to what constitutes workforce continuing education courses or how the Texas Higher Education Coordinating Board should treat minors enrolled in these courses for the reimbursement of contact hours. S.B. 1746 seeks to provide further direction with regard to workforce continuing education offered by public junior colleges.

Purpose and Goal of S.B. 1746

The goal of S.B. 1746 is to provide clarity on which continuing education courses are eligible for state formula funding. The bill makes clear that CE courses delivered to high school students enrolled upon the completion of their sophomore year may be reported for fundable contact hours.

S.B. 1746 clarifies that courses delivered at zero-dollar tuition would be fundable under the formula, provided that all or a significant portion of the college's costs for facilities, instructor salaries, equipment, and other expenses for the course are covered by business, industry, or other local public or private entities.

This bill also makes clear that continuing education courses eligible for funding do not include frameworks courses, basic employability skills courses, or basic learning skills courses unless the community college uses local funds.

Further, the bill requires the Texas Higher Education Coordinating Board to adopt any rules the coordinating board considers necessary for the administration of the bill's provisions and, in adopting those rules, to use the procedures established by the Negotiated Rulemaking Act.

As proposed, S.B. 1746 amends current law relating to workforce continuing education offered by public junior colleges.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 130.305, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 130, Education Code, by adding Subchapter L, as follows:

SUBCHAPTER L. WORKFORCE CONTINUING EDUCATION

Sec. 130.301. DEFINITIONS. Defines "adult," "avocational course," "coordinating board," "workforce continuing education," and "workforce continuing education course."

Sec. 130.302. FORMULA FUNDING FOR WORKFORCE CONTINUING EDUCATION COURSES. Requires contact hours attributable to the enrollment of a student in a workforce continuing education course offered by a public junior college, notwithstanding Section 130.003 (State Appropriation for Public Junior Colleges) or any other law, to be included in the contact hours used to determine the college's proportionate share of state money appropriated and distributed to public junior colleges under Sections 130.003 and 130.0031 (Transfers: When Made), regardless of whether the college waives all or part of the tuition or fees for the course under Section 130.304.

Sec. 130.303. WORKFORCE CONTINUING EDUCATION FOR HIGH SCHOOL STUDENTS. (a) Authorizes a public junior college to offer, or to enter into an agreement with a school district, organization, or other person that operates a high school to offer, workforce continuing education courses to a person who is enrolled in high school on the completion of the person's sophomore year; is enrolled in a school that is not formally organized as a high school and is at least 16 years of age; or is attending high school while incarcerated, is at least 16 years of age, and is not eligible for release from incarceration before the person's 18th birthday.

(b) Provides that courses eligible under this section do not include learning frameworks courses, basic employability skills courses, or basic learning skills courses.

(c) Provides that community interest continuing education courses are not eligible for formula funding under Section 130.302, but public junior colleges are authorized to offer such courses using local funds.

Sec. 130.304. WAIVER OF TUITION AND FEES FOR WORKFORCE CONTINUING EDUCATION COURSES. Authorizes a public junior college to waive all or part of the tuition or fees charged to a student for a workforce continuing education course.

Sec. 130.305. RULES. Requires the Texas Higher Education Coordinating Board (THECB) to adopt any rules THECB considers necessary for the administration of this subchapter. Requires THECB, in adopting those rules to use the negotiated rulemaking procedures under Chapter 2008 (Negotiated Rulemaking), Government Code.

SECTION 2. Effective date: September 1, 2017.