

CHAPTER 478

S.B. No. 1142

AN ACT

relating to an adult high school diploma and industry certification charter school pilot program for adults 19 to 50 years of age.

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

SECTION 1. Subchapter H, Chapter 29, Education Code, is amended by adding Section 29.259 to read as follows:

Sec. 29.259. ADULT HIGH SCHOOL DIPLOMA AND INDUSTRY CERTIFICATION CHARTER SCHOOL PILOT PROGRAM. (a) In this section, "adult education" means services and instruction provided below the college level for adults by a nonprofit entity described by Subsection (e).

(b) The commissioner shall establish an adult high school diploma and industry certification charter school pilot program as provided by this section as a strategy for meeting industry needs for a sufficiently trained workforce within the state.

(c) The agency shall adopt and administer a standardized secondary exit-level assessment instrument appropriate for assessing adult education program participants who successfully complete high school curriculum requirements under a program provided under this section. The commissioner shall determine the level of performance considered to be satisfactory on the secondary exit-level assessment instrument for receipt of a high school diploma by an adult education program participant in a program provided under this section.

1        (d) Notwithstanding any other law and in addition to the  
2 number of charters allowed under Subchapter D, Chapter 12, a  
3 charter under the pilot program may, on the basis of an application  
4 submitted, be granted to a single nonprofit entity described by  
5 Subsection (e) to provide an adult education program for not more  
6 than 150 individuals described by Subsection (g) to successfully  
7 complete:

- 8            (1) a high school program that can lead to a diploma;  
9 and  
10           (2) career and technology education courses that can  
11 lead to industry certification.

12        (e) A nonprofit entity may be granted a charter under this  
13 section only if the entity:

14           (1) has a successful history of providing education  
15 services, including industry certifications and job placement  
16 services, to adults 18 years of age and older whose educational and  
17 training opportunities have been limited by educational  
18 disadvantages, disabilities, homelessness, criminal history, or  
19 similar circumstances; and

20           (2) agrees to commit at least \$1 million to the adult  
21 education program offered.

22        (f) A nonprofit entity granted a charter under this section  
23 may partner with a public junior college to provide career and  
24 technology courses that lead to industry certification.

25        (g) A person who is at least 19 years of age and not more  
26 than 50 years of age is eligible to enroll in the adult education  
27 program under this section if the person has not earned a high

1 school equivalency certificate and:

2 (1) has failed to complete the curriculum requirements  
3 for high school graduation; or

4 (2) has failed to perform satisfactorily on an  
5 assessment instrument required for high school graduation.

6 (h) The nonprofit entity must include in its charter  
7 application the information required by Subsection (i).

8 (i) A charter granted under this section must:

9 (1) include a description of the adult education  
10 program to be offered under this section; and

11 (2) establish specific, objective standards for  
12 receiving a high school diploma, including satisfactory  
13 performance on the standardized secondary exit-level assessment  
14 instrument described by Subsection (c).

15 (j) Funding for an adult education program under this  
16 section is provided based on the following:

17 (1) for participants who are 26 years of age and older,  
18 an amount per participant from available general revenue funds  
19 appropriated for the pilot program equal to the statewide average  
20 amount of state funding per student in weighted average daily  
21 attendance that would be allocated under the Foundation School  
22 Program to an open-enrollment charter school under Section 12.106  
23 were the student under 26 years of age; and

24 (2) for participants who are at least 19 years of age  
25 and under 26 years of age, an amount per participant through the  
26 Foundation School Program equal to the amount of state funding per  
27 student in weighted average daily attendance that would be

1 allocated under the Foundation School Program for the student's  
2 attendance at an open-enrollment charter school in accordance with  
3 Section 12.106.

4 (k) Sections 12.107 and 12.128 apply as though funds under  
5 this section were funds under Subchapter D, Chapter 12.

6 (1) Not later than December 1 of each even-numbered year,  
7 beginning December 1, 2016, the agency shall prepare and deliver to  
8 the governor, lieutenant governor, speaker of the house of  
9 representatives, and presiding officer of each standing  
10 legislative committee with primary jurisdiction over public  
11 education or economic development a report that:

12 (1) evaluates any adult education program operated  
13 under a charter granted under this section; and

14 (2) makes recommendations regarding the abolition,  
15 continuation, or expansion of the pilot program.

16 (m) The commissioner shall adopt rules necessary to  
17 administer the pilot program under this section. In adopting  
18 rules, the commissioner may modify charter school requirements only  
19 to the extent necessary for the administration of a charter school  
20 under this section that provides for adult education.

21 SECTION 2. Subsection (a), Section 42.003, Education Code,  
22 is amended to read as follows:

23 (a) A student is entitled to the benefits of the Foundation  
24 School Program if, on September 1 of the school year, the student:

25 (1) is 5 years of age or older and under 21 years of age  
26 and has not graduated from high school, or is at least 21 years of  
27 age and under 26 years of age and has been admitted by a school

1 district to complete the requirements for a high school diploma; or  
2 (2) is at least 19 years of age and under 26 years of  
3 age and is enrolled in an adult high school diploma and industry  
4 certification charter school pilot program under Section 29.259.

5 SECTION 3. This Act takes effect September 1, 2013.

David Newhurst  
President of the Senate

Joe Straus  
Speaker of the House

I hereby certify that S.B. No. 1142 passed the Senate on April 10, 2013, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 16, 2013, by the following vote: Yeas 29, Nays 0.

Aatsy Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 1142 passed the House, with amendment, on May 10, 2013, by the following vote: Yeas 99, Nays 36, two present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

14 JUNE '13  
Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
1011M O'CLOCK

JUN 14 2013

[Signature]  
Secretary of State