

Chapter 933

H.B. No. 3767

AN ACT

relating to measures to support the alignment of education and workforce development in the state with state workforce needs, including the establishment of the Tri-Agency Workforce Initiative.

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

SECTION 1. This Act shall be known as the Texas Education and Workforce Alignment Act.

SECTION 2. Subtitle G, Title 10, Government Code, is amended by adding Chapter 2308A to read as follows:

CHAPTER 2308A. TRI-AGENCY WORKFORCE INITIATIVE

Sec. 2308A.001. DEFINITIONS. In this chapter:

(1) "Agency," unless the context requires otherwise, means the Texas Education Agency.

(2) "Career education and training program" means:

(A) a career and technology education program offered by a public school;

(B) a career technical or workforce education program, as defined by the coordinating board, offered by an institution of higher education;

(C) a program administered by the commission relating to jobs training, skills development, or adult education and literacy; and

(D) a work-based learning program, such as an

1 apprenticeship or internship program, that receives state funding
2 or is administered by the commission.

3 (3) "Commission" means the Texas Workforce
4 Commission.

5 (4) "Coordinating board" means the Texas Higher
6 Education Coordinating Board.

7 (5) "Initiative" means the Tri-Agency Workforce
8 Initiative.

9 (6) "Institution of higher education" has the meaning
10 assigned by Section 61.003, Education Code.

11 (7) "State workforce development goals" means the
12 state workforce development goals developed under Section
13 2308A.006.

14 Sec. 2308A.002. PURPOSE. The Tri-Agency Workforce
15 Initiative is established to coordinate and improve information and
16 other resources as necessary to:

17 (1) ensure that the use of state and federal education
18 and workforce funds is efficiently aligned to achieve state
19 workforce development goals;

20 (2) align career education and training programs to
21 workforce demands; and

22 (3) enable local and state policy makers to identify
23 the workforce outcomes of participants in career education and
24 training programs and progress toward the state workforce
25 development goals.

26 Sec. 2308A.003. INTERAGENCY AGREEMENTS AND STAFFING. (a)
27 The agency, coordinating board, and commission shall enter into one

or more interagency agreements establishing policies and processes for:

(1) sharing and matching relevant data and cooperatively managing education and workforce information collected by each respective agency; and

(2) coordinating the assignment of existing staff and other resources as necessary to effectuate the state workforce development goals and the strategies for achieving those goals developed under Section 2308A.006.

(b) The time spent by an employee of the agency, coordinating board, or commission in supporting the work of the initiative is not included in calculating the number of full-time equivalent employees allotted to the respective agency under other law.

Sec. 2308A.004. QUARTERLY DISCUSSIONS. The commissioner of education, commissioner of higher education, and chair of the commission shall discuss the work of the initiative at least once per quarter.

Sec. 2308A.005. STRATEGIC PLAN FOR UNIFIED WORKFORCE DATA REPOSITORY. (a) The coordinating board shall develop a strategic plan for the operation of a unified repository for education and workforce data. In developing the plan, the coordinating board shall solicit input from the agency, the commission, and relevant stakeholders.

(b) The plan developed under Subsection (a) must include recommendations for:

(1) automatically matching records of the agency,

1 coordinating board, and commission at the student level on a timely
2 basis;

3 (2) creating publicly available tools and resources
4 regarding data on the outcomes of participants in career education
5 and training programs, including graduation rates, student debt,
6 employment status and industry of employment, and earnings over
7 time, disaggregated to the extent practicable by income, race,
8 ethnicity, and gender;

9 (3) making timely student data available to authorized
10 entities to support higher education and workforce application,
11 entry, and success; and

12 (4) creating and supporting a secure portal through
13 which authorized personnel of approved entities can view and
14 analyze comprehensive longitudinal and the most currently
15 available matched data related to the progress toward meeting state
16 workforce needs.

17 Sec. 2308A.006. STATE WORKFORCE DEVELOPMENT GOALS AND
18 STRATEGIES. (a) The commissioner of education, commissioner of
19 higher education, and chair of the commission jointly shall develop
20 and post in a prominent location on the initiative's and each
21 respective agency's Internet website state workforce development
22 goals and coordinated interagency strategies for achieving those
23 goals.

24 (b) The goals developed under Subsection (a) must:

25 (1) be developed in consultation with employers;

26 (2) include goals for the attainment of employment in
27 jobs that pay a self-sufficient wage for all career education and

1 training programs in the state;

2 (3) be disaggregated by race, ethnicity, and gender
3 for each workforce development region; and

4 (4) provide for:

5 (A) locally determined priorities consistent
6 with state goals; and

7 (B) collaborative planning and coordination with
8 local employers, public schools, institutions of higher education,
9 and local workforce development boards.

10 (c) The strategies developed under Subsection (a) must:

11 (1) include strategies for expanding work-based
12 learning;

13 (2) articulate the ways in which the state can best
14 leverage state and federal funding for career education and
15 training programs; and

16 (3) be demonstrably guided by:

17 (A) education and workforce data;

18 (B) evidence of success and considerations of
19 cost-effectiveness; and

20 (C) prioritized occupational classifications,
21 including all target occupations and critical career pathways
22 designated under Subsection (e).

23 (d) In consultation with employers, the commissioner of
24 education, commissioner of higher education, and chair of the
25 commission jointly shall update the state workforce development
26 goals and strategies developed under Subsection (a) at least every
27 four years, or more frequently if needed to reflect available data

1 and circumstances.

2 (e) In consultation with employers, the commissioner of
3 education, commissioner of higher education, and chair of the
4 commission shall designate and update every two years a list of
5 career pathways that includes the following two priority
6 categories:

7 (1) target occupations, which include current needs
8 that exist in one or more regions of the state as reflected in
9 regional workforce assessments that:

10 (A) use the best available data and local
11 employer requests; and

12 (B) satisfy minimum federal standards for
13 designations, such as a foundation for qualified use of federal
14 workforce funding; and

15 (2) critical career pathways that reflect the best
16 statewide data and forecasts of skills and careers for which demand
17 in the state is expected to grow that may:

18 (A) be associated with new emerging industries or
19 new specialty occupations within an industry; or

20 (B) reflect pathways to better wages for workers
21 with documented skills that provide promotional opportunities
22 within or across occupations with targeted upskill training.

23 Sec. 2308A.007. CREDENTIAL LIBRARY. (a) The coordinating
24 board and the commission jointly may establish a publicly
25 accessible web-based library of credentials, such as diplomas,
26 certificates, certifications, digital badges, apprenticeships,
27 licenses, or degrees, that are:

1 (1) delivered, issued, funded, or governed by the
2 state;

3 (2) aligned with recognized skills and industry
4 standards;

5 (3) available to residents of the state; and

6 (4) used by employers in the state.

7 (b) The coordinating board and the commission jointly may
8 designate a host agency or operating entity for a credential
9 library established under this section.

10 (c) In establishing a credential library under this
11 section, the coordinating board and the commission shall solicit
12 input from the agency and relevant stakeholders.

13 Sec. 2308A.008. INTERNET-BASED RESOURCES. (a) Using
14 federal funding or gifts, grants, or donations available for the
15 purpose, the coordinating board may establish Internet-based
16 resources for the initiative. The resources may include:

17 (1) a central Internet website for the initiative that
18 contains information on the state workforce development goals and
19 the strategies for achieving those goals developed under Section
20 2308A.006;

21 (2) a unified dashboard, updated on an annual or more
22 frequent basis, that reports progress toward accomplishment of the
23 state workforce development goals, both statewide and
24 disaggregated by public school and public school campus,
25 institution of higher education campus, workforce region, and
26 county;

27 (3) data on the outcomes of students who participate

in career education and training programs, disaggregated to the extent practicable by income, race, ethnicity, and gender, including data regarding degree and credential completion, employment status and industry of employment, and earnings over time;

(4) guidance supporting the use of data on the dashboard described by Subdivision (2) for greater accessibility for a wide range of public, practitioner, and legislative users;

(5) tools enabling residents of the state to:

(A) explore careers that match the resident's education and skills and lead to a self-sufficient wage;

(B) identify and evaluate education and training opportunities related to the resident's career interests; and

(C) connect to available jobs through existing job matching websites; and

(6) tools to support joint program planning, budgeting, and performance evaluation among:

(A) the agency, coordinating board, and commission; and

(B) public schools, institutions of higher education, local workforce development boards, and partnering entities.

(b) In establishing Internet-based resources for the initiative under Subsection (a), the coordinating board shall solicit input from the agency and the commission.

Sec. 2308A.009. STUDENT SUCCESS REPORTING. (a) Using federal workforce funds to the extent available for the purpose,

1 the agency and the coordinating board shall make available to each
2 public school and institution of higher education information
3 possessed by the agency, coordinating board, or commission
4 regarding the success of students previously enrolled in a career
5 education and training program offered by the school or institution
6 with respect to critical student outcomes, including degree and
7 credential completion, employment status and industry of
8 employment, and earnings over time.

9 **(b) The commissioner of education and the commissioner of**
10 higher education shall ensure that the information made available
11 under Subsection (a) is made available in a manner that complies
12 with applicable state or federal law regarding the privacy and
13 confidentiality of student information.

14 **Sec. 2308A.010. OPPORTUNITY FOR COMMENT.** At least 30 days
15 before finalizing state workforce development goals or strategies
16 for achieving those goals developed under Section 2308A.006, the
17 agency, coordinating board, and commission jointly shall post on
18 the initiative's and each respective agency's Internet website the
19 proposed goals or strategies and instructions for submitting
20 comment on those items to the agencies.

21 **Sec. 2308A.011. TARGETED FUNDING TO ADDRESS STATE GOALS.**
22 (a) A state agency that receives funding through the Carl D. Perkins
23 Career and Technical Education Act of 2006 (20 U.S.C. Section 2301
24 et seq.) or the Workforce Innovation and Opportunity Act (Pub. L.
25 No. 113-128) or any other federal funding for career education and
26 training may, to the extent permissible under federal law, combine
27 with, transfer to, or delegate to another state agency that

1 receives such funding the agency's management of workforce-related
2 funding as necessary to implement the state workforce development
3 goals.

4 (b) A state agency that receives federal or state funding
5 for career education and training programs shall include in the
6 agency's legislative appropriations request a description of how
7 the agency's career education and training programs and
8 expenditures align with the state workforce development goals.

9 Sec. 2308A.012. SELF-SUFFICIENT WAGE. The agency,
10 coordinating board, and commission jointly shall determine for each
11 county the wage that constitutes a self-sufficient wage for
12 purposes of this chapter. The determination must be based on a
13 common standard that reflects the regionally adjusted minimum
14 employment earnings necessary to meet a family's basic needs while
15 also maintaining self-sufficiency.

16 Sec. 2308A.013. GIFTS, GRANTS, AND DONATIONS. (a) The
17 agency, coordinating board, and commission may accept gifts,
18 grants, and donations from any public or private source for
19 purposes of the initiative.

20 (b) The agency, coordinating board, and commission shall
21 investigate potential sources of funding from federal grants or
22 programs that may be used for purposes of the initiative.

23 SECTION 3. Subchapter A, Chapter 204, Labor Code, is
24 amended by adding Section 204.0025 to read as follows:

25 Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. It is
26 the intent of the legislature that the commission, subject to the
27 availability of federal funding or other resources for the purpose,

1 work with employers to enhance the reporting of employment and
2 earnings data by employers to the commission as part of an
3 employer's routine wage filings under this subtitle or commission
4 rule and consistent with federal law and regulations. The enhanced
5 wage filings must include information related to occupation and
6 other important employment information that would improve the
7 state's labor market information.

8 SECTION 4. Not later than October 1, 2021, the Texas
9 Education Agency, Texas Higher Education Coordinating Board, and
10 Texas Workforce Commission shall hold the initial discussion
11 required under Section 2308A.004, Government Code, as added by this
12 Act.

13 SECTION 5. (a) Not later than January 31, 2022, the Texas
14 Education Agency, Texas Higher Education Coordinating Board, and
15 Texas Workforce Commission shall develop the initial state
16 workforce development goals required under Section 2308A.006,
17 Government Code, as added by this Act.

18 (b) Not later than April 30, 2022, the Texas Education
19 Agency, Texas Higher Education Coordinating Board, and Texas
20 Workforce Commission shall develop the initial strategies required
21 under Section 2308A.006, Government Code, as added by this Act.

22 SECTION 6. Not later than August 1, 2022, the Texas Higher
23 Education Coordinating Board shall develop the strategic plan for
24 the operation of a unified repository for education and workforce
25 data required under Section 2308A.005, Government Code, as added by
26 this Act.

27 SECTION 7. (a) The Texas Education Agency and the Texas

1 Higher Education Coordinating Board, as applicable, are required to
2 implement Sections 2308A.005 and 2308A.009, Government Code, as
3 added by this Act, only if:

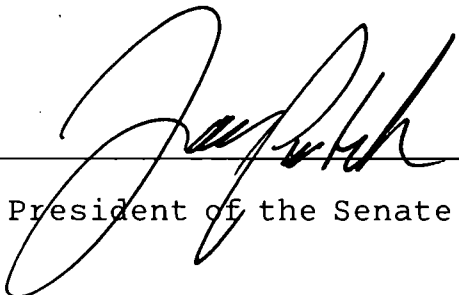
4 (1) the legislature appropriates funds for that
5 purpose; or

6 (2) the agencies receive gifts, grants, or donations
7 for that purpose under Section 2308A.013, Government Code, as added
8 by this Act.

9 (b) If funding described by Subsection (a) of this section
10 is not appropriated or otherwise made available for the purpose
11 described by that subsection, the Texas Education Agency and the
12 Texas Higher Education Coordinating Board, as applicable, may, but
13 are not required to, implement Sections 2308A.005 and 2308A.009,
14 Government Code, as added by this Act, using other money available
15 to the agencies for that purpose.

16 SECTION 8. The Texas Workforce Commission is required to
17 implement Section 204.0025, Labor Code, as added by this Act, only
18 if the legislature appropriates money specifically for that
19 purpose. If the legislature does not appropriate money specifically
20 for that purpose, the commission may, but is not required to,
21 implement that section using other appropriations available for
22 that purpose.

23 SECTION 9. This Act takes effect September 1, 2021.

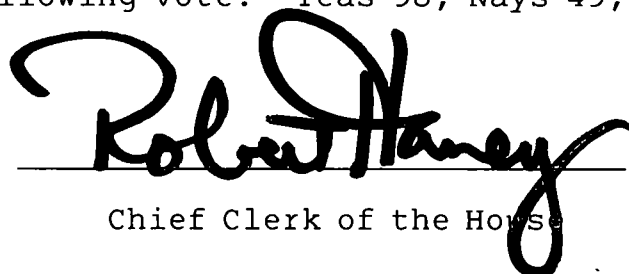


President of the Senate

H.B. No. 3767


Speaker of the House

I certify that H.B. No. 3767 was passed by the House on May 14, 2021, by the following vote: Yeas 115, Nays 26, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3767 on May 28, 2021, by the following vote: Yeas 98, Nays 49, 1 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 3767 was passed by the Senate, with amendments, on May 24, 2021, by the following vote: Yeas 30, Nays 0.



Secretary of the Senate

APPROVED: 6-16-21

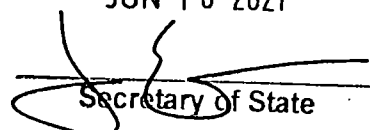
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
6 pm O'CLOCK

JUN 18 2021



Secretary of State