

By: Taylor of Galveston, et al.  
(Lucio III)

S.B. No. 22

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the establishment of a Pathways in Technology Early  
3 College High School (P-TECH) program and to the repeal of the  
4 tech-prep program.

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

6 SECTION 1. Chapter 29, Education Code, is amended by adding  
7 Subchapter N to read as follows:

8 SUBCHAPTER N. PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL  
9 (P-TECH) PROGRAM

10 Sec. 29.551. DEFINITIONS. In this subchapter:

11 (1) "Advisory council" means the P-TECH advisory  
12 council.

13 (2) "Articulation agreement" means a written  
14 commitment between school districts or open-enrollment charter  
15 schools and institutions of higher education to a program designed  
16 to provide students with a nonduplicative sequence of progressive  
17 achievement leading to degrees or certificates in a work-based  
18 education program.

19 (3) "Institution of higher education" has the meaning  
20 assigned by Section 61.003.

21 (4) "P-TECH program" means the Pathways in Technology  
22 Early College High School program established under this  
23 subchapter.

24 Sec. 29.552. P-TECH ADVISORY COUNCIL. (a) The advisory

1 council is composed of:

2 (1) three members representing school districts and  
3 open-enrollment charter schools appointed as follows:

4 (A) one member appointed by the governor;

5 (B) one member appointed by the lieutenant  
6 governor; and

7 (C) one member appointed by the speaker of the  
8 house of representatives;

9 (2) three members representing institutions of higher  
10 education appointed as follows:

11 (A) one member appointed by the governor;

12 (B) one member appointed by the lieutenant  
13 governor; and

14 (C) one member appointed by the speaker of the  
15 house of representatives; and

16 (3) six members representing industry or business  
17 partners that participate or seek to participate in the P-TECH  
18 program appointed as follows:

19 (A) two members appointed by the governor;

20 (B) two members appointed by the lieutenant  
21 governor; and

22 (C) two members appointed by the speaker of the  
23 house of representatives.

24 (b) A member of the advisory council serves at the will of  
25 the member's appointing authority.

26 (c) The advisory council shall provide recommendations to  
27 the commissioner regarding:

1           (1) the establishment and administration of the P-TECH  
2 program; and

3           (2) the criteria for a campus's designation as a P-TECH  
4 school under Section 29.556.

5           (d) A member of the advisory council may not receive  
6 compensation for service on the advisory council but, subject to  
7 the availability of funding, may receive reimbursement for actual  
8 and necessary expenses, including travel expenses, incurred in  
9 performing advisory council duties. The advisory council may  
10 solicit and accept gifts, grants, and donations to pay for those  
11 expenses.

12           (e) Chapter 2110, Government Code, does not apply to the  
13 advisory council.

14           Sec. 29.553. P-TECH PROGRAM. (a) The commissioner shall  
15 establish and administer a Pathways in Technology Early College  
16 High School (P-TECH) program for students who wish to participate  
17 in a work-based education program.

18           (b) The P-TECH program must:

19                   (1) be open enrollment;

20                   (2) provide for a course of study that enables a  
21 participating student in grade levels 9 through 12 to combine high  
22 school courses and postsecondary courses;

23                   (3) allow a participating student to complete high  
24 school and, on or before the sixth anniversary of the date of the  
25 student's first day of high school:

26                           (A) receive a high school diploma and an  
27 associate degree, a two-year postsecondary certificate, or

1 industry certification; and

2 (B) complete work-based training through an  
3 internship, apprenticeship, or other job training program;

4 (4) include:

5 (A) articulation agreements with institutions of  
6 higher education in this state to provide a participating student  
7 access to postsecondary educational and training opportunities at  
8 an institution of higher education; and

9 (B) memoranda of understanding with regional  
10 industry or business partners in this state to provide a  
11 participating student access to work-based training and education;  
12 and

13 (5) provide a participating student flexibility in  
14 class scheduling and academic mentoring.

15 (c) Each articulation agreement under Subsection (b)(4)(A)  
16 must address:

17 (1) curriculum alignment;

18 (2) instructional materials;

19 (3) the instructional calendar;

20 (4) courses of study;

21 (5) student enrollment and attendance;

22 (6) grading periods and policies; and

23 (7) administration of statewide assessment  
24 instruments under Subchapter B, Chapter 39.

25 (d) Each memorandum of understanding under Subsection  
26 (b)(4)(B) must include an agreement that the regional industry or  
27 business partner will give to a student who receives work-based

1 training or education from the partner under the P-TECH program  
2 first priority in interviewing for any jobs for which the student is  
3 qualified that are available on the student's completion of the  
4 program.

5 (e) A student participating in the P-TECH program is  
6 entitled to the benefits of the Foundation School Program in  
7 proportion to the amount of time spent by the student on high school  
8 courses, in accordance with rules adopted by the commissioner,  
9 while completing the course of study established by the applicable  
10 articulation agreement or memorandum of understanding under  
11 Subsection (b)(4).

12 (f) The P-TECH program must be provided at no cost to  
13 participating students.

14 (g) The commissioner may accept gifts, grants, and  
15 donations from any source, including private and nonprofit  
16 organizations, for the P-TECH program. A private or nonprofit  
17 organization that contributes to the program may receive an award  
18 under Section 7.113.

19 (h) The commissioner shall collaborate with the Texas  
20 Workforce Commission and the Texas Higher Education Coordinating  
21 Board to develop and implement a plan for the P-TECH program that  
22 addresses:

23 (1) regional workforce needs;

24 (2) credit transfer policies between institutions of  
25 higher education; and

26 (3) internships, apprenticeships, and other  
27 work-based education programs.

1       Sec. 29.554. ACCIDENT MEDICAL EXPENSE, LIABILITY, AND  
2 AUTOMOBILE INSURANCE COVERAGE. (a) The board of trustees of a  
3 school district or the governing body of an open-enrollment charter  
4 school may obtain accident medical expense, liability, or  
5 automobile insurance coverage to protect:

6           (1) a business or entity that partners with the  
7 district or school under Section 29.553 to provide students with  
8 work-based training and education under the P-TECH program; and

9           (2) a student enrolled in the district or at the school  
10 who participates in the district's or school's P-TECH program.

11       (b) The coverage authorized by this section must be:

12           (1) obtained from a reliable insurer authorized to  
13 engage in business in this state; or

14           (2) provided through a self-funded risk pool of which  
15 the school district or open-enrollment charter school is a member.

16       (c) The amount of coverage the school district or  
17 open-enrollment charter school obtains must be reasonable  
18 considering the financial condition of the district or school and  
19 may not exceed the amount that, in the opinion of the board of  
20 trustees or governing body, is reasonably necessary.

21       (d) If the board of trustees of a school district or  
22 governing body of an open-enrollment charter school obtains  
23 accident medical expense, liability, or automobile insurance  
24 coverage under this section, the district or school shall notify  
25 the parent or guardian of each student participating in the P-TECH  
26 program.

27       (e) The failure of any board of trustees of a school

1 district or governing body of an open-enrollment charter school to  
2 obtain coverage, or any specific amount of coverage, authorized by  
3 this section may not be construed as placing any legal liability on  
4 the district or school or the district's or school's officers,  
5 agents, or employees for any injury that results.

6 Sec. 29.555. IMMUNITY FROM LIABILITY. A student who  
7 participates in the P-TECH program while enrolled in a school  
8 district or at an open-enrollment charter school is entitled to  
9 immunity in the same manner as a professional employee of a school  
10 district under Subchapter B, Chapter 22, or as an employee of an  
11 open-enrollment charter school under Section 12.1056, as  
12 applicable.

13 Sec. 29.556. P-TECH SCHOOL DESIGNATION AND GRANT PROGRAM.

14 (a) A school district or open-enrollment charter school that  
15 implements or seeks to implement the P-TECH program at a campus may  
16 apply to the commissioner for designation of the campus as a P-TECH  
17 school in accordance with procedures established by the  
18 commissioner.

19 (b) From funds appropriated for that purpose, the  
20 commissioner by rule shall establish a grant program to assist  
21 school districts and open-enrollment charter schools in  
22 implementing the P-TECH program at a campus designated as a P-TECH  
23 school under Subsection (a). The commissioner may use not more than  
24 three percent of the funds appropriated for the grant program to  
25 cover the cost of administering the grant program and to provide  
26 technical assistance and support to P-TECH schools.

27 (b-1) The total amount of grants awarded under the grant

1 program for the state fiscal biennium ending August 31, 2019, may  
2 not exceed \$5 million. This subsection expires December 1, 2019.

3 (c) The commissioner shall establish the criteria for a  
4 campus's designation as a P-TECH school and for participation in  
5 the grant program under this section. The criteria must require a  
6 school district or open-enrollment charter school to:

7 (1) enter into an articulation agreement under Section  
8 29.553 only with institutions of higher education that are  
9 accredited by a national or regional accrediting agency recognized  
10 by the Texas Higher Education Coordinating Board;

11 (2) review and, as necessary, update each memorandum  
12 of understanding with a regional industry or business partner under  
13 Section 29.553 at least once every two years; and

14 (3) explain how the district's or school's P-TECH  
15 program will address regional workforce needs.

16 Sec. 29.557. RULES. (a) The commissioner shall adopt  
17 rules as necessary to administer the P-TECH program, including  
18 rules to ensure a student participating in the program is not  
19 considered for accountability purposes to have dropped out of high  
20 school or failed to complete the curriculum requirements for high  
21 school graduation until after the sixth anniversary of the date of  
22 the student's first day in high school. The rules may provide for  
23 giving preference in receiving program benefits to a student who is  
24 in the first generation of the student's family to attend college  
25 and may establish other distinctions or criteria based on student  
26 need.

27 (b) The commissioner shall consult the Texas Higher

1 Education Coordinating Board in administering the program. The  
2 Texas Higher Education Coordinating Board may adopt rules as  
3 necessary to exercise its powers and duties under this subchapter.

4 SECTION 2. Section 28.009(d)(2), Education Code, is amended  
5 to read as follows:

6 (2) "Sequence of courses" means career and technical  
7 education courses approved by the State Board of Education or ~~[~~  
8 innovative courses approved by the State Board of Education that  
9 are provided for local credit ~~[, or a tech-prep program of study~~  
10 ~~under Section 61.852]~~.

11 SECTION 3. Section 39.301(c), Education Code, is amended to  
12 read as follows:

13 (c) Indicators for reporting purposes must include:

14 (1) the percentage of graduating students who meet the  
15 course requirements established by State Board of Education rule  
16 for:

17 (A) the foundation high school program;

18 (B) the distinguished level of achievement under  
19 the foundation high school program; and

20 (C) each endorsement described by Section  
21 28.025(c-1);

22 (2) the results of the SAT, ACT, ~~[articulated~~  
23 ~~postsecondary degree programs described by Section 61.852,~~ and  
24 certified workforce training programs described by Chapter 311,  
25 Labor Code;

26 (3) for students who have failed to perform  
27 satisfactorily, under each performance standard under Section

1 39.0241, on an assessment instrument required under Section  
2 39.023(a) or (c), the performance of those students on subsequent  
3 assessment instruments required under those sections, aggregated  
4 by grade level and subject area;

5 (4) for each campus, the number of students,  
6 disaggregated by major student subpopulations, that take courses  
7 under the foundation high school program and take additional  
8 courses to earn an endorsement under Section 28.025(c-1),  
9 disaggregated by type of endorsement;

10 (5) the percentage of students, aggregated by grade  
11 level, provided accelerated instruction under Section 28.0211(c),  
12 the results of assessment instruments administered under that  
13 section, the percentage of students promoted through the grade  
14 placement committee process under Section 28.0211, the subject of  
15 the assessment instrument on which each student failed to perform  
16 satisfactorily under each performance standard under Section  
17 39.0241, and the performance of those students in the school year  
18 following that promotion on the assessment instruments required  
19 under Section 39.023;

20 (6) the percentage of students of limited English  
21 proficiency exempted from the administration of an assessment  
22 instrument under Sections 39.027(a)(1) and (2);

23 (7) the percentage of students in a special education  
24 program under Subchapter A, Chapter 29, assessed through assessment  
25 instruments developed or adopted under Section 39.023(b);

26 (8) the percentage of students who satisfy the college  
27 readiness measure;

1           (9) the measure of progress toward dual language  
2 proficiency under Section 39.034(b), for students of limited  
3 English proficiency, as defined by Section 29.052;

4           (10) the percentage of students who are not  
5 educationally disadvantaged;

6           (11) the percentage of students who enroll and begin  
7 instruction at an institution of higher education in the school  
8 year following high school graduation; and

9           (12) the percentage of students who successfully  
10 complete the first year of instruction at an institution of higher  
11 education without needing a developmental education course.

12           SECTION 4. Section 42.154(a), Education Code, is amended to  
13 read as follows:

14           (a) For each full-time equivalent student in average daily  
15 attendance in an approved career and technology education program  
16 in grades nine through 12 or in career and technology education  
17 programs for students with disabilities in grades seven through 12,  
18 a district is entitled to:

19           (1) an annual allotment equal to the adjusted basic  
20 allotment multiplied by a weight of 1.35; and

21           (2) \$50, if the student is enrolled in[+  
22           ~~[(A)]~~ two or more advanced career and technology  
23 education classes for a total of three or more credits[~~, or~~

24           ~~[(B) an advanced course as part of a tech-prep~~  
25 ~~program under Subchapter T, Chapter 61].~~

26           SECTION 5. The following provisions of the Education Code  
27 are repealed:

1           (1) Section 29.185(b); and

2           (2) Subchapter T, Chapter 61.

3           SECTION 6. This Act applies beginning with the 2018-2019  
4 school year.

5           SECTION 7. This Act takes effect September 1, 2017.