

By: Giddings

H.B. No. 1842

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

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

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

- 21 (1) regional workforce needs;
22 (2) credit transfer policies between institutions of
23 higher education; and
24 (3) internships, apprenticeships, and other
25 work-based education programs.

26 Sec. 29.554. HEALTH BENEFIT PLAN, LIABILITY, AND AUTOMOBILE
27 INSURANCE COVERAGE. (a) The board of trustees of a school district

1 or the governing body of an open-enrollment charter school may
2 obtain health benefit plan, liability, or automobile insurance
3 coverage to protect:

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

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

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

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

12 (2) provided through a self-funded risk pool.

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

18 (d) If the board of trustees of a school district or
19 governing body of an open-enrollment charter school obtains health
20 benefit plan, liability, or automobile insurance coverage under
21 this section, the board or governing body shall notify the parent or
22 guardian of each student participating in the P-TECH program.

23 (e) The failure of any board of trustees of a school
24 district or governing body of an open-enrollment charter school to
25 obtain coverage authorized by this section may not be construed as
26 placing any legal liability on the district or school or the
27 district's or school's officers, agents, or employees for any

1 injury that results.

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

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

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

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

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

27 (1) enter into an articulation agreement under Section

1 29.553 only with institutions of higher education that are
2 accredited by a national or regional accrediting agency recognized
3 by the Texas Higher Education Coordinating Board;

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

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

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

20 (b) The commissioner shall consult the Texas Higher
21 Education Coordinating Board in administering the program. The
22 Texas Higher Education Coordinating Board may adopt rules as
23 necessary to exercise its powers and duties under this subchapter.

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

26 (2) "Sequence of courses" means career and technical
27 education courses approved by the State Board of Education or [7]

1 innovative courses approved by the State Board of Education that
2 are provided for local credit~~[, or a tech-prep program of study~~
3 ~~under Section 61.852]~~.

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

6 (c) Indicators for reporting purposes must include:

7 (1) the percentage of graduating students who meet the
8 course requirements established by State Board of Education rule
9 for:

10 (A) the foundation high school program;

11 (B) the distinguished level of achievement under
12 the foundation high school program; and

13 (C) each endorsement described by Section
14 28.025(c-1);

15 (2) the results of the SAT, ACT, ~~[articulated~~
16 ~~postsecondary degree programs described by Section 61.852,~~] and
17 certified workforce training programs described by Chapter 311,
18 Labor Code;

19 (3) for students who have failed to perform
20 satisfactorily, under each performance standard under Section
21 39.0241, on an assessment instrument required under Section
22 39.023(a) or (c), the performance of those students on subsequent
23 assessment instruments required under those sections, aggregated
24 by grade level and subject area;

25 (4) for each campus, the number of students,
26 disaggregated by major student subpopulations, that take courses
27 under the foundation high school program and take additional

1 courses to earn an endorsement under Section 28.025(c-1),
2 disaggregated by type of endorsement;

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

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

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

19 (8) the percentage of students who satisfy the college
20 readiness measure;

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

24 (10) the percentage of students who are not
25 educationally disadvantaged;

26 (11) the percentage of students who enroll and begin
27 instruction at an institution of higher education in the school

1 year following high school graduation; and

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

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

7 (a) For each full-time equivalent student in average daily
8 attendance in an approved career and technology education program
9 in grades nine through 12 or in career and technology education
10 programs for students with disabilities in grades seven through 12,
11 a district is entitled to:

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

14 (2) \$50, if the student is enrolled in[+]

15 [~~(A)~~] two or more advanced career and technology
16 education classes for a total of three or more credits[~~, or~~

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

19 SECTION 5. The following provisions of the Education Code
20 are repealed:

21 (1) Section 29.185(b); and

22 (2) Subchapter T, Chapter 61.

23 SECTION 6. This Act applies beginning with the 2018-2019
24 school year.

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