

By: Lucio III

H.B. No. 1237

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.