

1-1 By: Taylor of Galveston, et al. S.B. No. 22  
 1-2 (In the Senate - Filed January 23, 2017; January 24, 2017,  
 1-3 read first time and referred to Committee on Education;  
 1-4 March 20, 2017, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 10, Nays 0; March 20, 2017,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor of Galveston	X			
1-9 Lucio	X			
1-10 Bettencourt	X			
1-11 Campbell	X			
1-12 Hall	X			
1-13 Huffines	X			
1-14 Hughes			X	
1-15 Seliger	X			
1-16 Taylor of Collin	X			
1-17 Uresti	X			
1-18 West	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 22 By: Taylor of Galveston

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to the establishment of a Pathways in Technology Early  
 1-24 College High School (P-TECH) program and to the repeal of the  
 1-25 tech-prep program.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Chapter 29, Education Code, is amended by adding  
 1-28 Subchapter N to read as follows:

1-29 SUBCHAPTER N. PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL  
 1-30 (P-TECH) PROGRAM

1-31 Sec. 29.551. DEFINITIONS. In this subchapter:

1-32 (1) "Advisory council" means the P-TECH advisory  
 1-33 council.

1-34 (2) "Articulation agreement" means a written  
 1-35 commitment between school districts or open-enrollment charter  
 1-36 schools and institutions of higher education to a program designed  
 1-37 to provide students with a nonduplicative sequence of progressive  
 1-38 achievement leading to degrees or certificates in a work-based  
 1-39 education program.

1-40 (3) "Institution of higher education" has the meaning  
 1-41 assigned by Section 61.003.

1-42 (4) "P-TECH program" means the Pathways in Technology  
 1-43 Early College High School program established under this  
 1-44 subchapter.

1-45 Sec. 29.552. P-TECH ADVISORY COUNCIL. (a) The advisory  
 1-46 council is composed of:

1-47 (1) three members representing school districts and  
 1-48 open-enrollment charter schools appointed as follows:

1-49 (A) one member appointed by the governor;

1-50 (B) one member appointed by the lieutenant  
 1-51 governor; and

1-52 (C) one member appointed by the speaker of the  
 1-53 house of representatives;

1-54 (2) three members representing institutions of higher  
 1-55 education appointed as follows:

1-56 (A) one member appointed by the governor;

1-57 (B) one member appointed by the lieutenant  
 1-58 governor; and

1-59 (C) one member appointed by the speaker of the  
 1-60 house of representatives; and

2-1                   (3) six members representing industry or business  
2-2 partners that participate or seek to participate in the P-TECH  
2-3 program appointed as follows:  
2-4                   (A) two members appointed by the governor;  
2-5                   (B) two members appointed by the lieutenant  
2-6 governor; and  
2-7                   (C) two members appointed by the speaker of the  
2-8 house of representatives.  
2-9                   (b) A member of the advisory council serves at the will of  
2-10 the member's appointing authority.  
2-11                   (c) The advisory council shall provide recommendations to  
2-12 the commissioner regarding:  
2-13                   (1) the establishment and administration of the P-TECH  
2-14 program; and  
2-15                   (2) the criteria for a campus's designation as a P-TECH  
2-16 school under Section 29.556.  
2-17                   (d) A member of the advisory council may not receive  
2-18 compensation for service on the advisory council but, subject to  
2-19 the availability of funding, may receive reimbursement for actual  
2-20 and necessary expenses, including travel expenses, incurred in  
2-21 performing advisory council duties. The advisory council may  
2-22 solicit and accept gifts, grants, and donations to pay for those  
2-23 expenses.  
2-24                   (e) Chapter 2110, Government Code, does not apply to the  
2-25 advisory council.  
2-26                   Sec. 29.553. P-TECH PROGRAM. (a) The commissioner shall  
2-27 establish and administer a Pathways in Technology Early College  
2-28 High School (P-TECH) program for students who wish to participate  
2-29 in a work-based education program.  
2-30                   (b) The P-TECH program must:  
2-31                   (1) be open enrollment;  
2-32                   (2) provide for a course of study that enables a  
2-33 participating student in grade levels 9 through 12 to combine high  
2-34 school courses and postsecondary courses;  
2-35                   (3) allow a participating student to complete high  
2-36 school and, on or before the sixth anniversary of the date of the  
2-37 student's first day of high school:  
2-38                   (A) receive a high school diploma and an  
2-39 associate degree, a two-year postsecondary certificate, or  
2-40 industry certification; and  
2-41                   (B) complete work-based training through an  
2-42 internship, apprenticeship, or other job training program;  
2-43                   (4) include:  
2-44                   (A) articulation agreements with institutions of  
2-45 higher education in this state to provide a participating student  
2-46 access to postsecondary educational and training opportunities at  
2-47 an institution of higher education; and  
2-48                   (B) memoranda of understanding with regional  
2-49 industry or business partners in this state to provide a  
2-50 participating student access to work-based training and education;  
2-51 and  
2-52                   (5) provide a participating student flexibility in  
2-53 class scheduling and academic mentoring.  
2-54                   (c) Each articulation agreement under Subsection (b)(4)(A)  
2-55 must address:  
2-56                   (1) curriculum alignment;  
2-57                   (2) instructional materials;  
2-58                   (3) the instructional calendar;  
2-59                   (4) courses of study;  
2-60                   (5) student enrollment and attendance;  
2-61                   (6) grading periods and policies; and  
2-62                   (7) administration of statewide assessment  
2-63 instruments under Subchapter B, Chapter 39.  
2-64                   (d) Each memorandum of understanding under Subsection  
2-65 (b)(4)(B) must include an agreement that the regional industry or  
2-66 business partner will give to a student who receives work-based  
2-67 training or education from the partner under the P-TECH program  
2-68 first priority in interviewing for any jobs for which the student is  
2-69 qualified that are available on the student's completion of the

3-1 program.  
 3-2 (e) A student participating in the P-TECH program is  
 3-3 entitled to the benefits of the Foundation School Program in  
 3-4 proportion to the amount of time spent by the student on high school  
 3-5 courses, in accordance with rules adopted by the commissioner,  
 3-6 while completing the course of study established by the applicable  
 3-7 articulation agreement or memorandum of understanding under  
 3-8 Subsection (b)(4).  
 3-9 (f) The P-TECH program must be provided at no cost to  
 3-10 participating students.  
 3-11 (g) The commissioner may accept gifts, grants, and  
 3-12 donations from any source, including private and nonprofit  
 3-13 organizations, for the P-TECH program. A private or nonprofit  
 3-14 organization that contributes to the program may receive an award  
 3-15 under Section 7.113.  
 3-16 (h) The commissioner shall collaborate with the Texas  
 3-17 Workforce Commission and the Texas Higher Education Coordinating  
 3-18 Board to develop and implement a plan for the P-TECH program that  
 3-19 addresses:  
 3-20 (1) regional workforce needs;  
 3-21 (2) credit transfer policies between institutions of  
 3-22 higher education; and  
 3-23 (3) internships, apprenticeships, and other  
 3-24 work-based education programs.  
 3-25 Sec. 29.554. ACCIDENT MEDICAL EXPENSE, LIABILITY, AND  
 3-26 AUTOMOBILE INSURANCE COVERAGE. (a) The board of trustees of a  
 3-27 school district or the governing body of an open-enrollment charter  
 3-28 school may obtain accident medical expense, liability, or  
 3-29 automobile insurance coverage to protect:  
 3-30 (1) a business or entity that partners with the  
 3-31 district or school under Section 29.553 to provide students with  
 3-32 work-based training and education under the P-TECH program; and  
 3-33 (2) a student enrolled in the district or at the school  
 3-34 who participates in the district's or school's P-TECH program.  
 3-35 (b) The coverage authorized by this section must be:  
 3-36 (1) obtained from a reliable insurer authorized to  
 3-37 engage in business in this state; or  
 3-38 (2) provided through a self-funded risk pool of which  
 3-39 the school district or open-enrollment charter school is a member.  
 3-40 (c) The amount of coverage the school district or  
 3-41 open-enrollment charter school obtains must be reasonable  
 3-42 considering the financial condition of the district or school and  
 3-43 may not exceed the amount that, in the opinion of the board of  
 3-44 trustees or governing body, is reasonably necessary.  
 3-45 (d) If the board of trustees of a school district or  
 3-46 governing body of an open-enrollment charter school obtains  
 3-47 accident medical expense, liability, or automobile insurance  
 3-48 coverage under this section, the district or school shall notify  
 3-49 the parent or guardian of each student participating in the P-TECH  
 3-50 program.  
 3-51 (e) The failure of any board of trustees of a school  
 3-52 district or governing body of an open-enrollment charter school to  
 3-53 obtain coverage, or any specific amount of coverage, authorized by  
 3-54 this section may not be construed as placing any legal liability on  
 3-55 the district or school or the district's or school's officers,  
 3-56 agents, or employees for any injury that results.  
 3-57 Sec. 29.555. IMMUNITY FROM LIABILITY. A student who  
 3-58 participates in the P-TECH program while enrolled in a school  
 3-59 district or at an open-enrollment charter school is entitled to  
 3-60 immunity in the same manner as a professional employee of a school  
 3-61 district under Subchapter B, Chapter 22, or as an employee of an  
 3-62 open-enrollment charter school under Section 12.1056, as  
 3-63 applicable.  
 3-64 Sec. 29.556. P-TECH SCHOOL DESIGNATION AND GRANT PROGRAM.  
 3-65 (a) A school district or open-enrollment charter school that  
 3-66 implements or seeks to implement the P-TECH program at a campus may  
 3-67 apply to the commissioner for designation of the campus as a P-TECH  
 3-68 school in accordance with procedures established by the  
 3-69 commissioner.

4-1 (b) From funds appropriated for that purpose, the  
 4-2 commissioner by rule shall establish a grant program to assist  
 4-3 school districts and open-enrollment charter schools in  
 4-4 implementing the P-TECH program at a campus designated as a P-TECH  
 4-5 school under Subsection (a). The commissioner may use not more than  
 4-6 three percent of the funds appropriated for the grant program to  
 4-7 cover the cost of administering the grant program and to provide  
 4-8 technical assistance and support to P-TECH schools.

4-9 (b-1) The total amount of grants awarded under the grant  
 4-10 program for the state fiscal biennium ending August 31, 2019, may  
 4-11 not exceed \$5 million. This subsection expires December 1, 2019.

4-12 (c) The commissioner shall establish the criteria for a  
 4-13 campus's designation as a P-TECH school and for participation in  
 4-14 the grant program under this section. The criteria must require a  
 4-15 school district or open-enrollment charter school to:

4-16 (1) enter into an articulation agreement under Section  
 4-17 29.553 only with institutions of higher education that are  
 4-18 accredited by a national or regional accrediting agency recognized  
 4-19 by the Texas Higher Education Coordinating Board;

4-20 (2) review and, as necessary, update each memorandum  
 4-21 of understanding with a regional industry or business partner under  
 4-22 Section 29.553 at least once every two years; and

4-23 (3) explain how the district's or school's P-TECH  
 4-24 program will address regional workforce needs.

4-25 Sec. 29.557. RULES. (a) The commissioner shall adopt  
 4-26 rules as necessary to administer the P-TECH program, including  
 4-27 rules to ensure a student participating in the program is not  
 4-28 considered for accountability purposes to have dropped out of high  
 4-29 school or failed to complete the curriculum requirements for high  
 4-30 school graduation until after the sixth anniversary of the date of  
 4-31 the student's first day in high school. The rules may provide for  
 4-32 giving preference in receiving program benefits to a student who is  
 4-33 in the first generation of the student's family to attend college  
 4-34 and may establish other distinctions or criteria based on student  
 4-35 need.

4-36 (b) The commissioner shall consult the Texas Higher  
 4-37 Education Coordinating Board in administering the program. The  
 4-38 Texas Higher Education Coordinating Board may adopt rules as  
 4-39 necessary to exercise its powers and duties under this subchapter.

4-40 SECTION 2. Section 28.009(d)(2), Education Code, is amended  
 4-41 to read as follows:

4-42 (2) "Sequence of courses" means career and technical  
 4-43 education courses approved by the State Board of Education or ~~[7]~~  
 4-44 innovative courses approved by the State Board of Education that  
 4-45 are provided for local credit ~~[, or a tech-prep program of study~~  
 4-46 ~~under Section 61.852]~~.

4-47 SECTION 3. Section 39.301(c), Education Code, is amended to  
 4-48 read as follows:

4-49 (c) Indicators for reporting purposes must include:

4-50 (1) the percentage of graduating students who meet the  
 4-51 course requirements established by State Board of Education rule  
 4-52 for:

4-53 (A) the foundation high school program;

4-54 (B) the distinguished level of achievement under  
 4-55 the foundation high school program; and

4-56 (C) each endorsement described by Section  
 4-57 28.025(c-1);

4-58 (2) the results of the SAT, ACT, ~~[articulated~~  
 4-59 ~~postsecondary degree programs described by Section 61.852,]~~ and  
 4-60 certified workforce training programs described by Chapter 311,  
 4-61 Labor Code;

4-62 (3) for students who have failed to perform  
 4-63 satisfactorily, under each performance standard under Section  
 4-64 39.0241, on an assessment instrument required under Section  
 4-65 39.023(a) or (c), the performance of those students on subsequent  
 4-66 assessment instruments required under those sections, aggregated  
 4-67 by grade level and subject area;

4-68 (4) for each campus, the number of students,  
 4-69 disaggregated by major student subpopulations, that take courses

5-1 under the foundation high school program and take additional  
5-2 courses to earn an endorsement under Section 28.025(c-1),  
5-3 disaggregated by type of endorsement;

5-4 (5) the percentage of students, aggregated by grade  
5-5 level, provided accelerated instruction under Section 28.0211(c),  
5-6 the results of assessment instruments administered under that  
5-7 section, the percentage of students promoted through the grade  
5-8 placement committee process under Section 28.0211, the subject of  
5-9 the assessment instrument on which each student failed to perform  
5-10 satisfactorily under each performance standard under Section  
5-11 39.0241, and the performance of those students in the school year  
5-12 following that promotion on the assessment instruments required  
5-13 under Section 39.023;

5-14 (6) the percentage of students of limited English  
5-15 proficiency exempted from the administration of an assessment  
5-16 instrument under Sections 39.027(a)(1) and (2);

5-17 (7) the percentage of students in a special education  
5-18 program under Subchapter A, Chapter 29, assessed through assessment  
5-19 instruments developed or adopted under Section 39.023(b);

5-20 (8) the percentage of students who satisfy the college  
5-21 readiness measure;

5-22 (9) the measure of progress toward dual language  
5-23 proficiency under Section 39.034(b), for students of limited  
5-24 English proficiency, as defined by Section 29.052;

5-25 (10) the percentage of students who are not  
5-26 educationally disadvantaged;

5-27 (11) the percentage of students who enroll and begin  
5-28 instruction at an institution of higher education in the school  
5-29 year following high school graduation; and

5-30 (12) the percentage of students who successfully  
5-31 complete the first year of instruction at an institution of higher  
5-32 education without needing a developmental education course.

5-33 SECTION 4. Section 42.154(a), Education Code, is amended to  
5-34 read as follows:

5-35 (a) For each full-time equivalent student in average daily  
5-36 attendance in an approved career and technology education program  
5-37 in grades nine through 12 or in career and technology education  
5-38 programs for students with disabilities in grades seven through 12,  
5-39 a district is entitled to:

5-40 (1) an annual allotment equal to the adjusted basic  
5-41 allotment multiplied by a weight of 1.35; and

5-42 (2) \$50, if the student is enrolled in[+  
5-43 [~~(A)~~] two or more advanced career and technology  
5-44 education classes for a total of three or more credits[~~, or~~  
5-45 [~~(B)~~] ~~an advanced course as part of a tech-prep~~  
5-46 ~~program under Subchapter T, Chapter 61].~~

5-47 SECTION 5. The following provisions of the Education Code  
5-48 are repealed:

5-49 (1) Section 29.185(b); and

5-50 (2) Subchapter T, Chapter 61.

5-51 SECTION 6. This Act applies beginning with the 2018-2019  
5-52 school year.

5-53 SECTION 7. This Act takes effect September 1, 2017.

5-54 \* \* \* \* \*