

Chapter 144

(Senate Bill 376)

AN ACT concerning

**Pathways in Technology Early College High (P-TECH)
Schools Act of 2016**

FOR the purpose of establishing a certain ~~number~~ of State-funded Pathways in Technology Early College High (P-TECH) schools in the State; authorizing certain planning grants for P-TECH schools; requiring certain P-TECH schools to reserve at least a certain percentage of their available space for certain students; requiring certain memorandums of understanding to include certain provisions; requiring the State to provide a certain grant to P-TECH schools beginning in a certain fiscal year for certain costs; providing that the grant may not exceed a certain amount in certain fiscal years; ~~requiring a county board to pay for dual enrollment costs for certain P-TECH students; prohibiting a county board from charging certain P-TECH students for certain costs; prohibiting a community college from charging certain P-TECH students dual enrollment costs; requiring the State Department of Education to reimburse the county board for a certain amount of dual enrollment costs;~~ requiring the Department to adopt certain regulations; ~~authorizing a county board to enter into or amend certain agreements with a community college;~~ defining certain terms; ~~requiring a certain report by a certain date~~ certain reports by certain dates; subjecting certain schools to a certain ~~certification process~~ requirement under certain circumstances; providing for the construction of this Act; and generally relating to P-TECH schools.

BY adding to

Article – Education

Section ~~8-801 and 18-14A-07~~ 7-1701 to be under the new subtitle “Subtitle 17.
Pathways in Technology Early College High (P-TECH) Schools”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Education~~

~~Section 18-14A-04~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2015 Supplement)~~

Preamble

WHEREAS, The Pathways in Technology Early College High (P-TECH) School model allows students to graduate from public high school with a high school diploma and an associate degree; and

WHEREAS, Students in a P-TECH school may earn pre-apprenticeship certificates and other career certificates in addition to an associate degree; and

WHEREAS, A P-TECH school does not require academic entrance criteria, which affords all students an opportunity to receive an associate degree; and

WHEREAS, The P-TECH model is a close collaboration between the local school district, a community college, and one or more industry employers to create career-ready students who graduate from high school with an associate degree; and

WHEREAS, The P-TECH model has been successfully established in other states, including New York, Connecticut, and Illinois, and is showing promise; and

WHEREAS, Graduating more high school students with career-ready skills through a P-TECH school is consistent with the College and Career Readiness and College Completion Act of 2013; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

SUBTITLE 17. PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH (P-TECH) SCHOOLS.

~~§ 801.~~ 7-1701.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “COMMISSION” MEANS THE MARYLAND HIGHER EDUCATION COMMISSION.

(3) “COUNTY BOARD” INCLUDES A CONSORTIUM OF COUNTY BOARDS THAT HAVE AN AGREEMENT TO OPERATE A P-TECH SCHOOL THAT SERVES THE STUDENTS IN THE LOCAL SCHOOL SYSTEMS THAT ARE PART OF THE CONSORTIUM.

~~(2)~~ (4) “P-TECH CURRICULUM” MEANS A COURSE OF STUDY LEADING TO AN ASSOCIATE DEGREE OR A COMMISSION-APPROVED CERTIFICATE.

~~(3)~~ (5) “P-TECH SCHOOL” MEANS A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL THAT:

(I) IS A PUBLIC SECONDARY SCHOOL SELECTED BY THE DEPARTMENT; ~~AND~~

(II) ~~HAS~~ PARTNERS WITH AN INSTITUTION OF HIGHER EDUCATION THAT HAS RECEIVED A CERTIFICATE OF APPROVAL FROM THE COMMISSION UNDER TITLE 11, SUBTITLE 2 OF THIS ARTICLE; AND

(III) 1. SUBMITTED A MEMORANDUM OF UNDERSTANDING TO THE DEPARTMENT ON OR BEFORE MARCH 15, 2016; AND

2. HAS EXECUTED A MEMORANDUM OF UNDERSTANDING IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION ON OR BEFORE JULY 1, 2016.

~~(4)~~ (6) “P-TECH SCHOOL COSTS” MEANS THE FOLLOWING COSTS OF OPERATING A P-TECH SCHOOL AND OFFERING AND ADMINISTERING A P-TECH CURRICULUM:

(I) ADDITIONAL STAFF FOR THE P-TECH SCHOOL TO IMPLEMENT THE P-TECH CURRICULUM;

(II) INSTRUCTIONAL SUPPORT SERVICES SUCH AS PROFESSIONAL DEVELOPMENT FOR STAFF FOR THE P-TECH CURRICULUM, P-TECH CURRICULUM MATERIALS, ADDITIONAL TEACHER PLANNING, AND ADDITIONAL COORDINATION;

(III) EXTENDED DAY PROGRAMS; AND

(IV) STUDENT SUPPORT SERVICES SUCH AS COUNSELING, TUTORING, STUDENT CAREER EXPLORATION, AND STUDENT EVENTS RELATING TO P-TECH CURRICULUM AND DUAL ENROLLMENT.

~~(5)~~ (7) “P-TECH STUDENT” MEANS A FULL-TIME EQUIVALENT STUDENT ENROLLED IN A P-TECH SCHOOL.

~~(B) (1) THERE ARE FOUR STATE FUNDED P-TECH SCHOOLS IN THE STATE.~~

(B) (1) (I) THERE ARE SIX PLANNING GRANTS AUTHORIZED FOR STATE-FUNDED P-TECH SCHOOLS IN THE STATE.

(II) NO MORE THAN TWO PLANNING GRANTS MAY BE AWARDED IN ANY JURISDICTION.

(2) A P-TECH SCHOOL SHALL RESERVE AT LEAST 50% OF ITS AVAILABLE SPACE FOR STUDENTS WHO MEET THE FREE AND REDUCED PRICE MEAL INCOME CRITERIA.

~~**(2) (3) A P-TECH SCHOOL MAY BE ESTABLISHED AS A SEPARATE UNIT WITHIN A SCHOOL AS A SCHOOL WITHIN A SCHOOL.**~~

(4) A P-TECH SCHOOL SHALL BE ESTABLISHED THROUGH A MEMORANDUM OF UNDERSTANDING EXECUTED BETWEEN ONE OR MORE INDUSTRY PARTNERS, ONE OR MORE INSTITUTIONS OF HIGHER EDUCATION DESCRIBED UNDER SUBSECTION (A)(5)(II) OF THIS SECTION, AND A COUNTY BOARD.

(C) THE MEMORANDUM OF UNDERSTANDING EXECUTED UNDER SUBSECTION (B)(4) OF THIS SECTION SHALL INCLUDE THE FOLLOWING PROVISIONS:

(1) SUBSTANTIVE MENTORING OF P-TECH STUDENTS;

(2) AT LEAST ONE PAID SUMMER INTERNSHIP OF AT LEAST 6 WEEKS DURATION PER STUDENT; AND

(3) P-TECH STUDENTS ARE FIRST IN LINE FOR CONSIDERATION OF A JOB AT THE INDUSTRY PARTNER AFTER GRADUATION.

~~**(D) (1) (I) BEGINNING IN FISCAL YEAR 2017 AND IN EACH FISCAL YEAR THEREAFTER, THE STATE SHALL DISTRIBUTE P-TECH SCHOOL GRANTS TO COUNTY BOARDS FOR A P-TECH SCHOOL WITHIN A COUNTY.**~~

(II) THE GRANTS SHALL BE DISTRIBUTED PROPORTIONATELY BASED ON ENROLLMENT IN EACH P-TECH SCHOOL.

(2) THE P-TECH SCHOOL GRANTS SHALL BE USED FOR P-TECH SCHOOL COSTS.

~~**(E) (1) (H) IN FISCAL YEAR 2017 AND IN EACH FISCAL YEAR THEREAFTER AND IN ADDITION TO ANY OTHER AMOUNT PROVIDED BY LAW, THE AMOUNT PROVIDED FOR EACH P-TECH STUDENT IS \$520.**~~

~~**(H) (2) THE STATE CONTRIBUTION IS 50% FOR EACH P-TECH STUDENT.**~~

~~**(2) THE TOTAL AMOUNT OF FUNDS APPROPRIATED UNDER THIS SECTION MAY NOT EXCEED AN AMOUNT ADEQUATE TO FUND FOUR P-TECH SCHOOLS FOR THE FOLLOWING MAXIMUM NUMBER OF P-TECH STUDENTS:**~~

- ~~(I) 400 IN FISCAL YEAR 2017;~~
- ~~(II) 800 IN FISCAL YEAR 2018;~~
- ~~(III) 1,200 IN FISCAL YEAR 2019;~~
- ~~(IV) 1,600 IN FISCAL YEAR 2020;~~
- ~~(V) 2,000 IN FISCAL YEAR 2021;~~
- ~~(VI) 2,400 IN FISCAL YEAR 2022; AND~~
- ~~(VII) 2,400 IN EACH FISCAL YEAR THEREAFTER.~~

~~(E)~~ **(F) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.**

(2) THE REGULATIONS SHALL INCLUDE VERIFICATION BY THE SCHOOL DISTRICT OF:

(I) P-TECH STUDENT ENROLLMENT;

(II) P-TECH SCHOOL COSTS;

(III) THE PERFORMANCE OF THE P-TECH STUDENTS ON FEDERAL AND STATE ASSESSMENTS;

(IV) THE NUMBER OF P-TECH STUDENTS DUALY ENROLLED IN THE COMMUNITY COLLEGE; AND

(V) THE NUMBER OF P-TECH STUDENTS GRADUATING FROM THE SCHOOL, RECEIVING AN ASSOCIATE DEGREE OR COMMISSION-APPROVED CERTIFICATE, AND THE YEAR IN WHICH THEY GRADUATED AND RECEIVED THE DEGREE OR CERTIFICATE.

(G) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT, IN CONSULTATION WITH THE COMMISSION, SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY REGARDING THE IMPLEMENTATION OF P-TECH SCHOOLS IN THE STATE, INCLUDING:

(1) THE NUMBER OF STUDENTS ENROLLED IN EACH P-TECH SCHOOL;

- (2) THE INDUSTRY PARTNERS ASSOCIATED WITH EACH P-TECH SCHOOL;**
- (3) THE CURRICULUM CREATED FOR EACH P-TECH SCHOOL;**
- (4) THE PERFORMANCE OF THE P-TECH STUDENTS ON FEDERAL AND STATE ASSESSMENTS;**
- (5) THE NUMBER OF P-TECH STUDENTS DUALY ENROLLED IN A COMMUNITY COLLEGE; AND**
- (6) THE NUMBER OF P-TECH STUDENTS GRADUATING FROM THE SCHOOL, RECEIVING AN ASSOCIATE'S DEGREE OR COMMISSION-APPROVED CERTIFICATE, AND THE YEAR IN WHICH THEY GRADUATED AND RECEIVED THE DEGREE OR CERTIFICATE.**

~~18-14A-04.~~

~~(A) THIS SECTION DOES NOT APPLY TO DUALY ENROLLED P-TECH STUDENTS AS DEFINED IN § 18-14A-07 OF THIS SUBTITLE.~~

~~[(a)] (B) A public institution of higher education may not charge tuition to a dually enrolled student.~~

~~[(b)] (C) (1) Subject to subsection [(d)] (E) of this section, for each dually enrolled student who is enrolled in a public school in the county, the county board shall pay for up to a maximum of four courses in which the student is enrolled while a student in a public secondary school in the State:~~

~~(i) For a public senior institution of higher education, 75% of the cost of tuition; and~~

~~(ii) For a community college, the lesser of:~~

~~1. 5% of the target per pupil foundation amount established under § 5-202(a) of this article; or~~

~~2. 75% of the cost of tuition.~~

~~(2) For each course in excess of four in which a dually enrolled student is enrolled, the county board shall pay:~~

~~(i) For a public senior institution of higher education, 90% of the cost of tuition; and~~

~~(ii) For a community college, the lesser of:~~

~~1. 5% of the target per pupil foundation amount established under § 5-202(a) of this article; or~~

~~2. 90% of the cost of tuition.~~

~~(3) If there is an agreement before July 1, 2013, between a public school and a public institution of higher education in which the public institution of higher education charges less than 75% of the cost of tuition to a dually enrolled student, the county board shall pay the cost of tuition under the existing agreement.~~

~~[(e)](D) (1) (i) A county board may charge a dually enrolled student a fee not to exceed 90% of the amount paid under subsection [(b)(1)] (C)(1) of this section.~~

~~(ii) A county board may charge a dually enrolled student a fee not to exceed 100% of the amount paid under subsection [(b)(2)] (C)(2) of this section.~~

~~(2) A county board shall consider the financial ability of students when setting fees.~~

~~(3) A county board shall waive the fee for students who are eligible for free and reduced price meals.~~

~~[(d)](E) If there is an agreement between a public school and a public institution of higher education in which a public school agrees to pay for more than four courses at a public institution of higher education for a dually enrolled student, the public school shall pay for the number of courses under the agreement.~~

~~18-14A-07.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

~~(2) "DUAL ENROLLMENT COSTS" MEANS THE FOLLOWING COSTS AND FEES ASSOCIATED WITH A DUALLY ENROLLED P-TECH STUDENT:~~

~~(I) TUITION;~~

~~(II) TEXTBOOKS AND OTHER MATERIALS REQUIRED FOR THE COMMUNITY COLLEGE COURSES;~~

~~(III) COMMUNITY COLLEGE REGISTRATION FEES;~~

~~(IV) TRANSPORTATION TO AND FROM THE COMMUNITY COLLEGE; AND~~

~~(V) ANY OTHER NECESSARY FEES RELATED TO THE ENROLLMENT OF THE P-TECH STUDENT REQUIRED BY THE COMMUNITY COLLEGE.~~

~~(3) "DUALY ENROLLED P-TECH STUDENT" MEANS A P-TECH STUDENT WHO IS DUALY ENROLLED IN:~~

~~(i) A P-TECH SCHOOL IN THE STATE; AND~~

~~(ii) A COMMUNITY COLLEGE IN THE STATE.~~

~~(4) "P-TECH SCHOOL" HAS THE MEANING STATED IN § 8-801 OF THIS ARTICLE.~~

~~(5) "P-TECH STUDENT" HAS THE MEANING STATED IN § 8-801 OF THIS ARTICLE.~~

~~(B) A COMMUNITY COLLEGE MAY NOT CHARGE DUAL ENROLLMENT COSTS TO A P-TECH STUDENT.~~

~~(C) THE COUNTY BOARD SHALL PAY FOR THE DUAL ENROLLMENT COSTS FOR EACH DUALY ENROLLED P-TECH STUDENT.~~

~~(D) A COUNTY BOARD MAY NOT CHARGE A DUALY ENROLLED P-TECH STUDENT ANY DUAL ENROLLMENT COSTS.~~

~~(E) (1) THE DEPARTMENT SHALL REIMBURSE A COUNTY BOARD FOR 50% OF THE DUAL ENROLLMENT COSTS FOR EACH P-TECH STUDENT.~~

~~(2) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT PROVIDE FOR A SYSTEM OF REIMBURSEMENT FOR DUAL ENROLLMENT COSTS.~~

~~(F) A COUNTY BOARD MAY ENTER INTO AN AGREEMENT WITH A COMMUNITY COLLEGE OR AMEND AN EXISTING AGREEMENT WITH A COMMUNITY COLLEGE FOR THE PAYMENT OF DUAL ENROLLMENT COSTS FOR P-TECH STUDENTS AS PROVIDED FOR IN THIS SECTION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That:

~~(a) On or before December 1 of each year, the State Department of Education, in consultation with the Maryland Higher Education Commission, shall report to the~~

~~Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly regarding the implementation of P-TECH schools in Maryland, including:~~

- ~~(1) the number of students enrolled in each P-TECH school;~~
- ~~(2) the business partnership associated with each P-TECH school;~~
- ~~(3) the curriculum created for each P-TECH school;~~
- ~~(4) the performance of the P-TECH students on federal and State assessments;~~
- ~~(5) the number of P-TECH students dually enrolled in the community college; and~~
- ~~(6) the number of P-TECH students graduating from the school, receiving an associate degree, and the year in which they graduated and received the degree.~~

~~(b) Beginning with the report due on December 1, 2018, the report in subsection (a) of this section shall include information on other school districts interested in P-TECH schools and whether funding should be expanded to include additional P-TECH schools.~~

(a) The State Department of Education, in collaboration with stakeholders, including the Maryland Higher Education Commission, the Maryland Association of Community Colleges, private sector representatives with experience in the P-TECH model, and representatives of proposed P-TECH schools shall determine the optimal funding strategy for P-TECH schools in the State.

(b) On or before December 1, 2016, the State Department of Education and the Maryland Higher Education Commission shall jointly report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the Senate Budget and Taxation Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Appropriations Committee, and the House Committee on Ways and Means regarding:

(1) the status of the planning grants authorized under § 7-1701(b)(1) of the Education Article as enacted by Section 1 of this Act and the implementation of P-TECH schools in the State, including whether any of the planning grants resulted in proposed P-TECH schools that are ready to be implemented in accordance with the requirements of § 7-1701 of the Education Article as enacted by Section 1 of this Act;

(2) the number of credits a P-TECH student is expected to take from both the P-TECH school and the institution of higher education in each year of the program;

(3) the number of students that are expected to graduate with both a high school diploma and an associate's degree or Commission-approved certificate in each cohort that attends a P-TECH school;

(4) whether P-TECH students should be included in the Maryland public school enrollment count in years 5 and 6 of the program, or in any year or semester during which the majority of credits are being taken from the institution of higher education;

(5) if a P-TECH student should be included under item (4) of this subsection, a justification for the inclusion;

(6) a framework for funding the dual enrollment costs of P-TECH students that includes:

(i) the requirements of the P-TECH model to pay for student transportation, fees, and books in addition to tuition; and

(ii) a comparison and explanation for the difference, if any, from current law provisions relating to dual enrollment;

(7) an examination of P-TECH schools in other states; and

(8) recommendations for legislation to be introduced during the 2017 Legislative Session that include:

(i) a justification for, and a reasonable division of, P-TECH model costs among the State, school system, higher education and, in alignment with the P-TECH model, industry partners of the P-TECH schools, while maximizing opportunities to minimize State costs; and

(ii) whether additional P-TECH schools are ready to be implemented based on the status of the planning grants and, if so, where they may be located.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) This Act may not be construed as prohibiting a county board from establishing a P-TECH school without:

~~(1) the per pupil funding as provided in § 8-801 7-1701 of the Education Article;~~

~~(2) the dual enrollment funding as provided in § 18-14A-07 of the Education Article.~~

(b) A P-TECH school established by a county board not funded under ~~§ 8-801 or § 18-14A-07~~ § 7-1701 of the Education Article is subject to the ~~certificate of approval process of the Maryland Higher Education Commission in Title 11, Subtitle 2 of the Education Article~~ definition of a P-TECH school described under § 7-1701 of the Education Article as enacted by Section 1 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016.

Approved by the Governor, April 26, 2016.