

SENATE BILL 376

F1, F2

6lr0139
CF HB 464

By: **The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Jennings, Mathias, Muse, Norman, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Waugh**

Introduced and read first time: January 28, 2016

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 1, 2016

CHAPTER _____

1 AN ACT concerning

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

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

22 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Education

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

4 Annotated Code of Maryland

5 (2014 Replacement Volume and 2015 Supplement)

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

7 ~~Article – Education~~

8 ~~Section 18-14A-04~~

9 ~~Annotated Code of Maryland~~

10 ~~(2014 Replacement Volume and 2015 Supplement)~~

11 Preamble

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

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

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

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

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

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

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

29 **Article – Education**

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

32 ~~8-801, 7-1701.~~

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

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

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

6 ~~(2)~~ (4) “P-TECH CURRICULUM” MEANS A COURSE OF STUDY
7 LEADING TO AN ASSOCIATE DEGREE OR A COMMISSION-APPROVED CERTIFICATE.

8 ~~(3)~~ (5) “P-TECH SCHOOL” MEANS A PATHWAYS IN TECHNOLOGY
9 EARLY COLLEGE HIGH SCHOOL THAT:

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

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

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

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

20 ~~(4)~~ (6) “P-TECH SCHOOL COSTS” MEANS THE FOLLOWING COSTS
21 OF OPERATING A P-TECH SCHOOL AND OFFERING AND ADMINISTERING A
22 P-TECH CURRICULUM:

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

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

29 (III) EXTENDED DAY PROGRAMS; AND

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

4 ~~(5)~~ (7) "P-TECH STUDENT" MEANS A FULL-TIME EQUIVALENT
 5 STUDENT ENROLLED IN A P-TECH SCHOOL.

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

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

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

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

15 ~~(2)~~ (3) A P-TECH SCHOOL MAY BE ESTABLISHED ~~AS A SEPARATE~~
 16 ~~UNIT WITHIN A SCHOOL~~ AS A SCHOOL WITHIN A SCHOOL.

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

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

23 (1) SUBSTANTIVE MENTORING OF P-TECH STUDENTS;

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

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

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

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

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

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

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

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

13 ~~(I) 400 IN FISCAL YEAR 2017;~~

14 ~~(II) 800 IN FISCAL YEAR 2018;~~

15 ~~(III) 1,200 IN FISCAL YEAR 2019;~~

16 ~~(IV) 1,600 IN FISCAL YEAR 2020;~~

17 ~~(V) 2,000 IN FISCAL YEAR 2021;~~

18 ~~(VI) 2,400 IN FISCAL YEAR 2022; AND~~

19 ~~(VII) 2,400 IN EACH FISCAL YEAR THEREAFTER.~~

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

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

24 **(I) P-TECH STUDENT ENROLLMENT;**

25 **(II) P-TECH SCHOOL COSTS;**

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

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

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

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

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

14 (2) THE INDUSTRY PARTNERS ASSOCIATED WITH EACH P-TECH
15 SCHOOL;

16 (3) THE CURRICULUM CREATED FOR EACH P-TECH SCHOOL;

17 (4) THE PERFORMANCE OF THE P-TECH STUDENTS ON FEDERAL
18 AND STATE ASSESSMENTS;

19 (5) THE NUMBER OF P-TECH STUDENTS DUALY ENROLLED IN A
20 COMMUNITY COLLEGE; AND

21 (6) THE NUMBER OF P-TECH STUDENTS GRADUATING FROM THE
22 SCHOOL, RECEIVING AN ASSOCIATE'S DEGREE OR COMMISSION-APPROVED
23 CERTIFICATE, AND THE YEAR IN WHICH THEY GRADUATED AND RECEIVED THE
24 DEGREE OR CERTIFICATE.

25 ~~18-14A-04.~~

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

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

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

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

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

4 1. ~~5% of the target per pupil foundation amount established~~
5 ~~under § 5-202(a) of this article; or~~

6 2. ~~75% of the cost of tuition.~~

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

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

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

12 1. ~~5% of the target per pupil foundation amount established~~
13 ~~under § 5-202(a) of this article; or~~

14 2. ~~90% of the cost of tuition.~~

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

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

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

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

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

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

31 ~~18-14A-07.~~

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

3 (2) ~~“DUAL ENROLLMENT COSTS” MEANS THE FOLLOWING COSTS AND~~
4 ~~FEEES ASSOCIATED WITH A DUALLY ENROLLED P TECH STUDENT;~~

5 (I) ~~TUITION;~~

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

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

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

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

13 (3) ~~“DUALLY ENROLLED P TECH STUDENT” MEANS A P TECH~~
14 ~~STUDENT WHO IS DUALLY ENROLLED IN:~~

15 (I) ~~A P TECH SCHOOL IN THE STATE; AND~~

16 (II) ~~A COMMUNITY COLLEGE IN THE STATE.~~

17 (4) ~~“P TECH SCHOOL” HAS THE MEANING STATED IN § 8 801 OF~~
18 ~~THIS ARTICLE.~~

19 (5) ~~“P TECH STUDENT” HAS THE MEANING STATED IN § 8 801 OF~~
20 ~~THIS ARTICLE.~~

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

23 (C) ~~THE COUNTY BOARD SHALL PAY FOR THE DUAL ENROLLMENT COSTS~~
24 ~~FOR EACH DUALLY ENROLLED P TECH STUDENT.~~

25 (D) ~~A COUNTY BOARD MAY NOT CHARGE A DUALLY ENROLLED P TECH~~
26 ~~STUDENT ANY DUAL ENROLLMENT COSTS.~~

27 (E) (1) ~~THE DEPARTMENT SHALL REIMBURSE A COUNTY BOARD FOR 50%~~
28 ~~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 (1) the status of the planning grants authorized under § 7-1701(b)(1) of the
2 Education Article as enacted by Section 1 of this Act and the implementation of P-TECH
3 schools in the State, including whether any of the planning grants resulted in proposed
4 P-TECH schools that are ready to be implemented in accordance with the requirements of
5 § 7-1701 of the Education Article as enacted by Section 1 of this Act;

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

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

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

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

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

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

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

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

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

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

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

32 SECTION 3. AND BE IT FURTHER ENACTED, That:

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

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

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

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

12 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June
 13 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.