

Chapter 591

(Senate Bill 319)

AN ACT concerning

Pathways in Technology Early College High (P-TECH) School Act of 2017

FOR the purpose of establishing the Pathways in Technology Early College High (P-TECH) School Program; requiring the State Department of Education, in consultation with the Maryland Higher Education Commission, to administer and develop the Program; requiring a P-TECH school to meet certain requirements; requiring a certain memorandum of understanding to include certain provisions; prohibiting a certain student from being considered a dually enrolled student under certain circumstances; establishing a certain P-TECH Planning Grant Program; stating the purpose of the Program; prohibiting no more than a certain number of planning grants in a certain local school system, beginning in a certain fiscal year; requiring certain funds ~~and the distribution of certain grants~~ to be as provided in the State budget; prohibiting certain grants from being awarded to establish a certain school until a certain cohort of students completes a certain pathway sequence; prohibiting a P-TECH student from being required to pay certain costs; requiring P-TECH students to be included in a certain full-time equivalent enrollment calculation in a certain manner; requiring certain credit hours to be included in a certain funding calculation for certain community colleges; specifying the State and local shares of certain supplemental grants; requiring the Department to adopt certain regulations; requiring the Department, in consultation with the Commission, to make a certain report to the Governor and the General Assembly on or before a certain date each year; requiring the Department, in consultation with the Commission, to submit a certain analysis and evaluation to the Governor and the General Assembly on or before a certain date; repealing certain provisions of law; altering certain defined terms; defining certain terms; and generally relating to the Pathways in Technology Early College High School Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(a)(6), 7–1801, ~~and~~ 16–305(b)(12), and 16–502(e)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 7–1802 through 7–1806

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

Article – Education

5–202.

(a) (6) “Full–time equivalent enrollment” means the sum of:

(i) The number of students enrolled in grades 1 through 12 or their equivalent in regular day school programs on September 30 of the previous school year;

(ii) Except as provided in item (iii) of this paragraph, the product of the number of students enrolled in kindergarten programs on September 30 of the prior school year and:

1. 0.60 in fiscal year 2004;
2. 0.70 in fiscal year 2005;
3. 0.80 in fiscal year 2006;
4. 0.90 in fiscal year 2007; and
5. 1.00 in fiscal year 2008 and each fiscal year thereafter;

(iii) In Garrett County, the number of students enrolled in kindergarten programs on September 30 of the prior school year; [and]

(iv) The number of full–time equivalent students, as determined by a regulation of the Department, enrolled in evening high school programs during the previous school year; **AND**

(V) THE NUMBER OF P–TECH STUDENTS, AS PROVIDED IN § 7–1804(B) OF THIS ARTICLE.

7–1801.

(a) [(1)] In this [section] **SUBTITLE** the following words have the meanings indicated.

(B) “COLLEGE PARTNER” MEANS AN INSTITUTION OF HIGHER EDUCATION THAT:

(1) HAS RECEIVED A CERTIFICATE OF APPROVAL FROM THE COMMISSION UNDER TITLE 11, SUBTITLE 2 OF THIS ARTICLE;

(2) HAS ENTERED INTO A MEMORANDUM OF UNDERSTANDING WITH A P-TECH SCHOOL;

(3) HELPS TO DEVELOP AND COORDINATE THE PATHWAY SEQUENCE;
AND

(4) PROVIDES STUDENT SUPPORT SERVICES TO P-TECH STUDENTS.

[(2)] (C) “Commission” means the Maryland Higher Education Commission.

[(3)] (D) “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.

(E) “INDUSTRY PARTNER” MEANS AN EMPLOYER THAT:

(1) HAS ENTERED INTO A MEMORANDUM OF UNDERSTANDING WITH A P-TECH SCHOOL;

(2) HELPS DEVELOP AND COORDINATE THE PATHWAY SEQUENCE;
AND

(3) PROVIDES MENTORING AND INTERNSHIP OPPORTUNITIES FOR P-TECH STUDENTS.

[(4)] “P-TECH curriculum” means a course of study leading to an associate degree or a Commission-approved certificate.]

[(5)] (F) “P-TECH school” means a Pathways in Technology Early College High school that:

[(i)] (1) Is a public secondary school selected by the Department;

[(ii)] (2) 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] **A COLLEGE PARTNER; [and]**

(3) PARTNERS WITH AN INDUSTRY PARTNER; AND

[(iii)] (4) [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] **§ 7-1802(B)(2) OF THIS SUBTITLE.**

[(6)] (G) “P-TECH school costs” means the following costs of operating a P-TECH school and offering and administering a [P-TECH curriculum] **PATHWAY SEQUENCE:**

[(i)] (1) Additional staff for the P-TECH school to implement the [P-TECH curriculum] **PATHWAY SEQUENCE;**

[(ii)] (2) Instructional support services [such as] **INCLUDING** professional development for staff for the [P-TECH curriculum, P-TECH curriculum] **PATHWAY SEQUENCE, PATHWAY SEQUENCE** materials, additional teacher planning, and additional coordination;

[(iii)] (3) Extended day programs; [and]

[(iv)] (4) Student support services [such as] **INCLUDING** counseling, tutoring, student career exploration, and student events relating to [P-TECH curriculum and dual enrollment] **A PATHWAY SEQUENCE;**

(5) STUDENT TEXTBOOKS, MATERIALS, OR TECHNOLOGY THAT A STUDENT IS REQUIRED TO USE AS PART OF THE PATHWAY SEQUENCE; AND

(6) TRANSPORTATION SERVICES.

[(7)] (H) “P-TECH student” means a [full-time equivalent] student enrolled in a P-TECH school.

(I) “PATHWAY SEQUENCE” MEANS A CURRICULUM OR COURSE OF STUDY AT A P-TECH SCHOOL THAT LEADS TO A HIGH SCHOOL DIPLOMA AND AN ASSOCIATE’S DEGREE THAT MAY BE COMPLETED WITHIN A 6-YEAR TIME PERIOD.

(J) “PROGRAM” MEANS THE PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL PROGRAM.

[(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.

(3) A P-TECH school may be established 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) 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.

(2) The State contribution is 50% for each P-TECH student.

(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 dually 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 dually 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.]

7-1802.

(A) (1) THERE IS A PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL PROGRAM IN THE STATE.

(2) THE DEPARTMENT, IN CONSULTATION WITH THE COMMISSION, SHALL ADMINISTER AND DEVELOP THE PROGRAM TO ASSIST COUNTY BOARDS IN ESTABLISHING P-TECH SCHOOLS.

(B) (1) A P-TECH SCHOOL:

(I) SHALL:

1. RESERVE AT LEAST 50% OF ITS AVAILABLE SPACE FOR STUDENTS WHO MEET THE FREE AND REDUCED PRICE MEAL INCOME CRITERIA; AND

2. BE ESTABLISHED THROUGH A MEMORANDUM OF UNDERSTANDING EXECUTED BETWEEN ONE OR MORE INDUSTRY PARTNERS, ONE OR MORE COLLEGE PARTNERS, AND A COUNTY BOARD; AND

(II) MAY BE ESTABLISHED AS A SCHOOL WITHIN A SCHOOL.

(2) THE MEMORANDUM OF UNDERSTANDING EXECUTED IN ACCORDANCE WITH PARAGRAPH (1)(I)2 OF THIS SUBSECTION SHALL INCLUDE PROVISIONS ENSURING THAT:

(I) EACH P-TECH STUDENT RECEIVES:

1. SUBSTANTIVE MENTORING BY AN INDUSTRY PARTNER; AND

2. AT LEAST ONE PAID SUMMER INTERNSHIP OF AT LEAST 6 WEEKS' DURATION WITH AN INDUSTRY PARTNER; AND

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

(C) A STUDENT WHO IS ENROLLED IN A P-TECH SCHOOL MAY NOT BE CONSIDERED A DUALY ENROLLED STUDENT UNDER TITLE 18, SUBTITLE 14A OF THIS ARTICLE.

7-1803.

(A) (1) THERE IS A P-TECH PLANNING GRANT PROGRAM IN THE STATE.

(2) THE PURPOSE OF THE P-TECH PLANNING GRANT PROGRAM IS TO PROVIDE GRANTS TO COUNTY BOARDS TO PLAN AND DEVELOP P-TECH SCHOOLS IN THE STATE.

(B) ~~IN EACH YEAR~~ EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, BEGINNING IN FISCAL YEAR 2018, NO MORE THAN ~~TWO~~ ONE P-TECH PLANNING GRANTS GRANT MAY BE AWARDED IN A LOCAL SCHOOL SYSTEM.

(C) FUNDS FOR THE P-TECH PLANNING GRANT PROGRAM ~~AND DISTRIBUTION OF GRANTS~~ SHALL BE AS PROVIDED IN THE STATE BUDGET.

(D) BEGINNING IN FISCAL YEAR 2019, NO NEW P-TECH PLANNING GRANT MAY BE AWARDED TO ESTABLISH A NEW P-TECH SCHOOL UNTIL THE 2016-2017 COHORT OF P-TECH STUDENTS COMPLETES THE 6-YEAR PATHWAY SEQUENCE.

7-1804.

(A) A P-TECH STUDENT MAY NOT BE REQUIRED TO PAY ANY COST THAT IS RELATED TO ENROLLMENT AND PARTICIPATION IN THE PROGRAM, INCLUDING TUITION AND MANDATORY FEES.

(B) P-TECH STUDENTS SHALL BE INCLUDED IN THE FULL-TIME EQUIVALENT ENROLLMENT UNDER § 5-202 OF THIS ARTICLE AS FOLLOWS:

~~(1) MULTIPLY THE NUMBER OF STUDENTS WHO ARE ENROLLED IN YEARS ONE THROUGH FOUR OF THE PROGRAM BY 1.00;~~

~~(2)~~ MULTIPLY THE NUMBER OF STUDENTS WHO ARE ENROLLED IN THE FIFTH YEAR OF THE PROGRAM BY 0.50; AND

~~(3)~~ (2) MULTIPLY THE NUMBER OF STUDENTS WHO ARE ENROLLED IN THE SIXTH YEAR OF THE PROGRAM BY 0.25.

(C) STUDENT CREDIT HOURS EARNED AT A COMMUNITY COLLEGE BY A P-TECH STUDENT SHALL BE INCLUDED IN THE FULL-TIME EQUIVALENT STUDENT CALCULATION ESTABLISHED IN ~~§ 16-305~~ §§ 16-305 AND 16-502 OF THIS ARTICLE.

(D) (1) (I) A P-TECH SUPPLEMENTAL COLLEGE GRANT IS AN AMOUNT EQUAL TO THE TUITION AND MANDATORY FEES THAT WOULD NORMALLY BE CHARGED FOR THE CLASSES IN WHICH THE P-TECH STUDENT IS ENROLLED.

(II) THE STATE SHARE OF A P-TECH SUPPLEMENTAL COLLEGE GRANT SHALL BE CALCULATED AND DISTRIBUTED BY THE STATE TO COLLEGE PARTNERS AND EQUALS:

1. 50% FOR COUNTIES THAT RECEIVED A GRANT UNDER § 16-501 OF THE LOCAL GOVERNMENT ARTICLE IN THE PRIOR FISCAL YEAR; OR

2. 25% FOR COUNTIES THAT DID NOT RECEIVE A GRANT UNDER § 16-501 OF THE LOCAL GOVERNMENT ARTICLE IN THE PRIOR FISCAL YEAR.

(III) THE LOCAL SHARE OF A P-TECH SUPPLEMENTAL COLLEGE GRANT SHALL BE CALCULATED AND DISTRIBUTED BY A COUNTY BOARD TO COLLEGE PARTNERS AND EQUALS THE AMOUNT NOT PAID BY THE STATE UNDER THIS PARAGRAPH.

(2) (i) THE STATE SHARE OF A P-TECH SUPPLEMENTAL SCHOOL GRANT IS NOT LESS THAN \$750 PER P-TECH STUDENT PER SCHOOL YEAR AND SHALL BE USED FOR P-TECH SCHOOL COSTS.

(ii) THE STATE SHARE OF A P-TECH SUPPLEMENTAL SCHOOL GRANT SHALL BE CALCULATED AND DISTRIBUTED BY THE DEPARTMENT TO COUNTY BOARDS.

(iii) A COUNTY BOARD THAT RECEIVES A P-TECH SUPPLEMENTAL SCHOOL GRANT SHALL MATCH 100% OF THE STATE SHARE.

7-1805.

THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

7-1806.

~~(A)~~ (A) ON OR BEFORE DECEMBER 1 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 ON THE IMPLEMENTATION OF THE PROGRAM 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 PATHWAY SEQUENCE CREATED FOR EACH P-TECH SCHOOL;

(4) HOW P-TECH STUDENTS PERFORMED ON FEDERAL AND STATE ASSESSMENTS;

(5) THE NUMBER OF P-TECH STUDENTS GRADUATING FROM EACH P-TECH SCHOOL AND RECEIVING A HIGH SCHOOL DIPLOMA AND AN ASSOCIATE'S DEGREE; ~~AND~~

(6) THE YEAR IN WHICH EACH P-TECH STUDENT GRADUATED AND RECEIVED THE DEGREE;

(7) THE NUMBER OF P-TECH STUDENTS IN EACH P-TECH SCHOOL WHO RECEIVE PAID INTERNSHIPS WITH EACH INDUSTRY PARTNER;

(8) THE NUMBER OF P-TECH STUDENTS IN EACH P-TECH SCHOOL ON TRACK FOR ON-TIME COMPLETION OF THE PATHWAY SEQUENCE;

(9) THE RATE OF ATTRITION, IF ANY, FROM EACH P-TECH SCHOOL BY GRADE AND BY COHORT;

(10) THE NUMBER OF STUDENTS AT EACH P-TECH SCHOOL WHO HAVE AN IEP PLAN, HAVE A 504 PLAN, OR ARE ENGLISH LANGUAGE LEARNERS;

(11) THE PERCENTAGE OF P-TECH STUDENTS WHO MEET THE FREE AND REDUCED MEAL PLAN INCOME CRITERIA IN EACH P-TECH SCHOOL;

(12) THE NUMBER OF P-TECH STUDENTS IN EACH P-TECH SCHOOL WHO, BY THE FOURTH YEAR OF THE PATHWAY SEQUENCE, COMPLETE THE REQUIREMENTS FOR A HIGH SCHOOL DIPLOMA;

(13) THE NUMBER OF P-TECH STUDENTS IN EACH P-TECH SCHOOL WHO ARE EMPLOYED AFTER COMPLETION OF THE PATHWAY SEQUENCE WITH EACH INDUSTRY PARTNER OR WHO MATRICULATE TO A PUBLIC OR PRIVATE SENIOR HIGHER EDUCATION INSTITUTION AFTER FINISHING THE PATHWAY SEQUENCE;

~~(B) ON OR BEFORE DECEMBER 1 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 ON:~~

~~(1) (7) (14)~~ THE BASE AND SUPPLEMENTAL COSTS OF OPERATING A P-TECH SCHOOL;

~~(2) (8) (15)~~ THE TOTAL AMOUNT OF FUNDS DISTRIBUTED TO EACH P-TECH SCHOOL IN ACCORDANCE WITH THIS SUBTITLE;

~~(3) (9) (16)~~ AN ACCOUNTING OF EACH P-TECH SCHOOL'S EXPENDITURES; AND

~~(4) (10) (17)~~ WHETHER ALL FUNDS DISTRIBUTED UNDER THIS SUBTITLE WERE SPENT.

(B) ON OR BEFORE DECEMBER 1, 2023, THE DEPARTMENT, IN CONSULTATION WITH THE COMMISSION, SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY:

(1) AN ANALYSIS OF THE ANNUAL DATA REPORTED UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) AN EVALUATION OF WHETHER THE P-TECH PROGRAM IS SUCCESSFUL IN PREPARING STUDENTS FOR THE WORKFORCE OR FOR FURTHER POSTSECONDARY EDUCATION.

16-305.

(b) (12) “Student credit hours” means student credit hours, **INCLUDING THOSE EARNED BY A P-TECH STUDENT AS PROVIDED IN § 7-1804(C) OF THIS ARTICLE**, or contact hours, which are eligible, under the regulations issued by the Maryland Higher Education Commission, for inclusion in State funding calculations.

16-502.

(e) “Full-time equivalent student” means the quotient of the number of student credit hours, **INCLUDING THOSE EARNED BY A P-TECH STUDENT AS PROVIDED UNDER § 7-1804(C) OF THIS ARTICLE**, produced in the fiscal year 2 years prior to the fiscal year for which the State appropriation is calculated divided by 30, as certified by the Maryland Higher Education Commission.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that no additional P-TECH school shall be established other than those that receive a P-TECH Planning Grant in fiscal year 2017 or 2018 until the P-TECH Program is shown to be successful in preparing students for the workforce or for further postsecondary education.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved by the Governor, May 25, 2017.