

SENATE BILL 319

F2

7lr0155
CF HB 413

By: **The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Ferguson, Hershey, Hough, Norman, Ready, Salling, Serafini, ~~and Simonaire~~ Simonaire, and McFadden**

Introduced and read first time: January 20, 2017

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

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 24, 2017

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of establishing the Pathways in Technology Early College High (P-TECH)
4 School Program; requiring the State Department of Education, in consultation with
5 the Maryland Higher Education Commission, to administer and develop the
6 Program; requiring a P-TECH school to meet certain requirements; requiring a
7 certain memorandum of understanding to include certain provisions; prohibiting a
8 certain student from being considered a dually enrolled student under certain
9 circumstances; establishing a certain P-TECH Planning Grant Program; stating the
10 purpose of the Program; prohibiting no more than a certain number of planning
11 grants in a certain local school system; requiring certain funds and the distribution
12 of certain grants to be as provided in the State budget; prohibiting a P-TECH
13 student from being required to pay certain costs; requiring P-TECH students to be
14 included in a certain full-time equivalent enrollment calculation in a certain
15 manner; requiring certain credit hours to be included in a certain funding calculation
16 for certain community colleges; specifying the State and local shares of certain
17 supplemental grants; requiring the Department to adopt certain regulations;
18 requiring the Department, in consultation with the Commission, to make a certain
19 report to the Governor and the General Assembly on or before a certain date each
20 year; repealing certain provisions of law; altering certain defined terms; defining
21 certain terms; and generally relating to the Pathways in Technology Early College
22 High School Program.

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.



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.**

1 7-1801.

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

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

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

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

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

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

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

15 [(3)] (D) “County board” includes a consortium of county boards that have
16 an agreement to operate a P-TECH school that serves the students in the local school
17 systems that are part of the consortium.

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

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

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

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

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

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

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

1 [(ii)] **(2)** Partners with [an institution of higher education that has
2 received a certificate of approval from the Commission under Title 11, Subtitle 2 of this
3 article] **A COLLEGE PARTNER; [and]**

4 **(3) PARTNERS WITH AN INDUSTRY PARTNER; AND**

5 [(iii)] **(4)** [1. Submitted a memorandum of understanding to the
6 Department on or before March 15, 2016; and

7 2.] Has executed a memorandum of understanding in
8 accordance with [subsection (c) of this section on or before July 1, 2016] **§ 7-1802(B)(2)**
9 **OF THIS SUBTITLE.**

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

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

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

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

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

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

25 **(6) TRANSPORTATION SERVICES.**

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

28 **(I) “PATHWAY SEQUENCE” MEANS A CURRICULUM OR COURSE OF STUDY**
29 **AT A P-TECH SCHOOL THAT LEADS TO A HIGH SCHOOL DIPLOMA AND AN**
30 **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, NO MORE THAN TWO P-TECH PLANNING GRANTS 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.

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)~~ 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 AN ASSOCIATE'S DEGREE; ~~AND~~

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

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

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

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

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

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 this Act shall take effect July
1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.