

BILL ANALYSIS

S.B. 22
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Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that a recent evaluation of the effectiveness of the state's current tech-prep education program determined that while student performance in certain areas improved, more needs to be done to improve student postsecondary achievement or labor market outcomes. S.B. 22 seeks to address this issue by establishing a Pathways in Technology Early College High School program for students who wish to participate in a work-based education program.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education and the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

ANALYSIS

S.B. 22 repeals Education Code provisions relating to tech-prep education and instead amends the Education Code to require the commissioner of education to establish and administer a Pathways in Technology Early College High School (P-TECH) program for students who wish to participate in a work-based education program. The bill requires the P-TECH program to be open enrollment; provide for a course of study that enables a participating student in grade levels 9 through 12 to combine high school courses and postsecondary courses; allow a participating student to complete high school and on or before the sixth anniversary of the date of the student's first day of high school receive a high school diploma and an associate degree, a two-year postsecondary certificate, or industry certification and complete work-based training through an internship, apprenticeship, or other job training program; include articulation agreements with institutions of higher education in Texas to provide a participating student access to postsecondary educational and training opportunities at an institution of higher education and include memoranda of understanding with regional industry or business partners in Texas to provide a participating student access to work-based training and education; and provide a participating student flexibility in class scheduling and academic mentoring.

S.B. 22 sets out the matters that each articulation agreement must address and requires each memorandum of understanding to include an agreement that the regional industry or business partner will give to a student who receives work-based training or education from the partner under the P-TECH program first priority in interviewing for any jobs for which the student is qualified that are available on the student's completion of the program. The bill entitles a student participating in the P-TECH program to the benefits of the foundation school program in proportion to the amount of time spent by the student on high school courses, in accordance with rules adopted by the commissioner, while completing the course of study established by the

applicable articulation agreement or memorandum of understanding. The bill requires the P-TECH program to be provided at no cost to participating students.

S.B. 22 authorizes the commissioner to accept gifts, grants, and donations from any source for the P-TECH program and authorizes a private or nonprofit organization that contributes to the program to receive an Employers for Education Excellence Award. The bill requires the commissioner to collaborate with the Texas Workforce Commission and the Texas Higher Education Coordinating Board to develop and implement a plan for the P-TECH program that addresses specified issues.

S.B. 22 establishes a P-TECH advisory council and sets out the advisory council's composition. The bill establishes that a member of the advisory council serves at the will of the member's appointing authority and requires the advisory council to provide recommendations to the commissioner regarding the establishment and administration of the P-TECH program and the criteria for a campus's designation as a P-TECH school. The bill prohibits a member of the advisory council from receiving compensation for service on the advisory council but authorizes a member to receive reimbursement for actual and necessary expenses incurred in performing advisory council duties, subject to the availability of funding. The bill authorizes the advisory council to solicit and accept gifts, grants, and donations to pay for such expenses. The bill exempts the advisory council from state law governing state agency advisory committees.

S.B. 22 authorizes the board of trustees of a public school district or the governing body of an open-enrollment charter school to obtain accident medical expense, liability, or automobile insurance coverage to protect a business or entity that partners with the district or school under the P-TECH program and a student enrolled in the district or at the school who participates in the district's or school's P-TECH program and sets out requirements, including notification requirements, for such coverage. The bill prohibits the failure of any board of trustees or governing body to obtain authorized coverage, or any specific amount of coverage, from being construed as placing any legal liability on the district or school or the district's or school's officers, agents, or employees for any injury that results. The bill entitles a student who participates in the P-TECH program while enrolled in a district or at a charter school to immunity in the same manner as a professional employee of a district or an employee of a charter school, as applicable.

S.B. 22 authorizes a district or charter school that implements or seeks to implement the P-TECH program at a campus to apply to the commissioner for designation of the campus as a P-TECH school in accordance with procedures established by the commissioner. The bill requires the commissioner by rule to establish a grant program, from funds appropriated for that purpose, to assist districts and charter schools in implementing the P-TECH program at a campus designated as a P-TECH school. The bill caps at three percent of the funds appropriated for the grant program the amount that the commissioner may use to cover the cost of administering the grant program and to provide technical assistance and support to P-TECH schools. The bill adds a temporary provision set to expire December 1, 2019, to cap at \$5 million the total amount of grants that may be awarded under the grant program for the 2018-2019 state fiscal biennium . The bill requires the commissioner to establish the criteria for a campus's designation as a P-TECH school and for participation in the grant program and sets out required components of the criteria.

S.B. 22 requires the commissioner to adopt rules as necessary to administer the P-TECH program, sets out specific rules the commissioner must adopt, and authorizes the rules to provide for giving preference in receiving program benefits to a student who is in the first generation of the student's family to attend college and to establish other distinctions or criteria based on student need. The bill requires the commissioner to consult the coordinating board in administering the program and authorizes the coordinating board to adopt rules as necessary to exercise its powers and duties under the program. The bill applies beginning with the 2018-2019 school year.

S.B. 22 repeals the following provisions of the Education Code:

- Section 29.185(b)
- Subchapter T, Chapter 61

EFFECTIVE DATE

September 1, 2017.