

SUBJECT: Creating a work-based, dual-credit education program

COMMITTEE: Public Education — favorable, without amendment

VOTE: 11 ayes — Huberty, Bernal, Allen, Bohac, Deshotel, Dutton, Gooden, K. King, Koop, Meyer, VanDeaver

0 nays

SENATE VOTE: On final passage, March 28 — 31-0

WITNESSES: For — Joe Arnold, BASF, Texas Association of Manufacturers, Texas Chemical Council; Israel Cordero, Dallas ISD and the Texas Urban Council; Sandy Dochen, IBM; Priscilla Camacho, Metro 8 Chambers of Commerce, San Antonio Chamber of Commerce; Mario Lozoya, Toyota; (*Registered, but did not testify*: Julie Cowan, AISD board of trustees; Mark Wiggins, Association of Texas Professional Educators; Elizabeth Nezda, AT&T; Robin Painovich, Career & Technical Association of Texas; Dana Chiodo, Computing Technology Industry Association (CompTIA); Virginia Martinez Schaefer, Dallas Regional Chamber; Julie Linn, District-Charter Alliance; Daniel Womack, Dow Chemical; Lizzette Gonzalez Reynolds, Foundation for Excellence in Education; Annie Spilman, National Federation of Independent Business/Texas; Marc Rodriguez, Plumbing Heating Contractors Association, PHCC; Jordan Williford, Project Lead the Way; Seth Rau, San Antonio ISD; Kinnan Golemon, Shell Oil Company; Paul Rodriguez, South Texas College; Shannon Noble, Texas Air Conditioning Contractors Association; Courtney Boswell, Texas Aspires; Miranda Goodsheller, Texas Association of Business; Dustin Meador, Texas Association of Community Colleges; Barry Haenisch, Texas Association of Community Schools; Amy Beneski, Texas Association of School Administrators; Grover Campbell, Texas Association of School Boards; Elizabeth Lippincott, Texas Border Coalition; Justin Yancy, Texas Business Leadership Council; Scott Stewart, Texas Chemical Council; Amy Swank, Texas Economic Development Council; Ellen Arnold, Texas PTA; Colby Nichols, Texas Rural Education Association; Instructional Materials

Coordinators' Association of Texas; Mike Meroney, Texas Workforce Coalition, Huntsman Corporation and BASF Corporation; Drew Scheberle, The Greater Austin Chamber of Commerce; James Thurston, United Ways of Texas)

Against — None

On — Michael Reeser, Texas State Technical College System; Will Adams, Texas Trial Lawyers Association; (*Registered, but did not testify*: Kara Belew and Quentin Suffren, Texas Education Agency)

DIGEST:

SB 22 would add subch. N to Education Code, ch. 29 to create a work-based education program called Pathways in Technology Early College High School (P-TECH) program. The bill would establish a grant program to help districts and charter schools implement the P-TECH program.

Program requirements. The program would be established by the Commissioner of Education to provide a course of study that would enable a participating student to combine high school and postsecondary courses. Students in the P-TECH program would be allowed six years to receive a high school diploma and an associate degree, a two-year postsecondary certificate, or industry certification. They also would be required to complete work-based training through an internship, apprenticeship, or other job-training program.

The program would require written agreements of commitments between school districts or open-enrollment charter schools and institutions of higher education on issues including curriculum alignment, instructional materials, instructional calendar, attendance, and grading policies.

The program also would require memoranda of understanding with regional industry or business partners in Texas to provide participating students access to work-based training and education. Each MOU would include an agreement that the regional industry or business partner would give students who complete the program first priority in interviewing for available jobs for which the students were qualified.

The commissioner would 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 addressed regional workforce needs, credit transfer policies between institutions of higher education, and internships, apprenticeships, and other work-based education programs.

Funding and grants. The P-TECH program would be provided at no cost to participating students, who would be entitled to the benefits of the Foundation School Program in proportion to the amount of time spent on high school courses in accordance with rules adopted by the commissioner.

The commissioner would be required to establish a grant program to help districts and charter schools implement the program at a campus designated as a P-TECH school. No more than 3 percent of the funds appropriated for the grant program could be used to cover administrative costs and for technical assistance. The total amount of grants awarded could not exceed \$5 million for fiscal 2018-19. This limit would expire December 1, 2019.

For a campus to be designated as a P-TECH school and to participate in the grant program, the district would have to:

- enter into an articulation agreement only with accredited institutions of higher education;
- review and, as necessary, update each MOU at least once every two years; and
- explain how the district's or school's P-TECH program would address regional workforce needs.

The commissioner would be authorized to accept gifts, grants, and donations from any source, including private and nonprofit organizations, for the P-TECH program.

Insurance and liability. A school board or charter school governing body would be authorized to obtain accident medical expense, liability, or automobile insurance coverage to protect students and business or entity partners. Coverage in an amount that was reasonably necessary could be obtained from a reliable Texas insurer or through a self-funded risk pool. The district or charter school would be required to notify parents or guardians of the insurance coverage. Failure of a school board to obtain coverage, or any specific amount of coverage, could not be construed as placing any legal liability on the district or school or their employees.

A student who participated in the P-TECH program would be entitled to immunity in the same manner as a professional employee of a district or charter school.

Advisory council. The bill would create an advisory council composed of three members representing districts and charter schools, three members representing higher education institutions, and six members representing industry or business partners. The appointments would be made by the governor, lieutenant governor, and House speaker as specified in the bill.

The council would provide recommendations to the commissioner on establishing and administering the program and criteria for a campus's designation as a P-TECH school. A member of the advisory council could not receive compensation but could receive reimbursement, if available, for travel and other necessary expenses. The council would be authorized to solicit and accept gifts, grants, and donations to pay for expenses.

Other provisions. Existing statutory language for a tech-prep program under Education Code, ch. 61, subch. T would be repealed.

The bill would take effect September 1, 2017, and would apply beginning with the 2018-19 school year.

SUPPORTERS
SAY:

SB 22 would establish the Pathways in Technology Early College High School, a nationally proven innovative high school model that would create a clear pathway from high school to college and career. Through

partnerships between high schools, community colleges, and industry, the bill would enable students to obtain both a high school diploma and associate's degree or certification in six years. This would save students and their families college tuition costs. Students also would receive workforce training that could lead to a good job in an in-demand manufacturing or technical field. This would help meet the growing need in Texas for educated, trained, and career-ready graduates.

The bill would expand on the state's successful early college high school program with a focus on students seeking career and technical education. Dallas ISD is working with 48 industry partners to open 23 early college technical high schools. The district reports there already are 5,000 applicants for 2,700 seats, demonstrating the pent-up demand for this type of program.

The grant program established by the bill would help districts with start-up costs for equipment and staff training. The Senate-passed general appropriations act includes \$5 million for the P-TECH program.

Concerns about high school students endangering themselves or others are overblown. P-TECH instructors and industry partners would ensure that students were not placed into workplace situations without being properly prepared so as not to jeopardize workplace compliance with federal safety standards.

The bill would clean up the Education Code by repealing a federally funded tech-prep program that has not been funded since 2010.

**OPPONENTS
SAY:**

SB 22 should not provide students with the same immunity from liability given to professional employees of a school district. Students as young as freshmen in high school could be exposed to highly technical and potentially dangerous workplaces such as chemical and manufacturing plants and construction sites. Due to their youth and possible lack of judgment, the students could pose a risk to themselves, co-workers, and the public. If someone was injured by a P-TECH student they could be denied legal recourse due to the immunity provisions. A better standard

would be liability that is granted to direct service volunteers, which would allow a cause of action for gross negligence.

NOTES:

According to the Legislative Budget Board's fiscal note, SB 22 would cost \$5 million through fiscal 2018-19 for the grant program established and limited by the bill. In fiscal 2020-21, after the \$5 million cap had expired, the Texas Education Agency estimates that it would award 19 two-year grants valued at an average of \$650,000, resulting in a total cost in grant awards of \$12.4 million for the biennium.

Two companion bills, HB 1237 by Lucio and HB 1842 by Giddings, were referred to the House Public Education Committee.