

# STATE OF NEW YORK

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1131

2017-2018 Regular Sessions

## IN SENATE

January 6, 2017

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Introduced by Sen. MARCELLINO -- read twice and ordered printed, and  
when printed to be committed to the Committee on Finance

AN ACT to amend the education law, in relation to continuing the early  
college high school program and the pathways in technology early  
college high school program in this state; and making an appropriation  
therefor

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Legislative intent. The legislature hereby finds and  
2 declares it necessary to preserve and continue the New York state early  
3 college high school program and the New York state pathways in technolo-  
4 gy early college high school program (P-TECH program) in this state  
5 which provide various students, including those traditionally underrep-  
6 resented in post-secondary education, with the opportunity to access  
7 college-level courses and college degree credits at the high school  
8 level with the combined support of high school and college staff and  
9 resources, and for P-TECH programs, career training and employment in a  
10 highly skilled job upon completion of the program.

11 The early college high school program not only increases students'  
12 access to higher education, but also reduces potential costs for  
13 students in completing college degrees by allowing them to either  
14 complete a degree upon graduation from high school or to apply their  
15 earned college credits towards an associate's or baccalaureate's degree.  
16 This innovative program provides incentives to high school students to  
17 proceed to college and to earn a college degree by accelerating their  
18 overall completion of a degree. It also better prepares them for  
19 college-level coursework, which, will in turn, increase their academic  
20 performance. Ultimately, this program increases graduation rates both at  
21 the high school and college levels, especially for academically at-risk  
22 students.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 The P-TECH program, through a public-private partnership, prepares  
2 thousands of New York students for high-skill jobs of the future in  
3 technology, manufacturing, healthcare and finance. The P-TECH program  
4 provides students with a rigorous, relevant and cost-free high school  
5 and college education and a workplace learning environment with ongoing  
6 mentoring by professionals in the chosen career sector to better prepare  
7 these students for successful careers. Students also receive a commit-  
8 ment from the participating employer to be first in line for consider-  
9 ation for a job following completion of the program. Ultimately, this  
10 program increases graduation rates both at the high school and college  
11 levels and provides essential career training for academically at-risk,  
12 disadvantaged students, which at the completion of the program leads  
13 these students to a skilled job.

14 The legislature hereby finds and declares it necessary to provide  
15 funding for these programs to ensure that they continue in operation and  
16 continue to provide students with these valuable services.

17 The legislature also finds and declares it necessary to provide addi-  
18 tional funding for the state education department to administer and  
19 evaluate these critical programs. These funds will support program staff  
20 to supplement the oversight already being provided to these programs,  
21 and ensure the timely and accurate analysis of data to further enhance  
22 and validate these programs.

23 § 2. The education law is amended by adding a new section 6457 to read  
24 as follows:

25 § 6457. Grant awards for New York state early college high school  
26 programs. 1. Subject to an appropriation, the commissioner shall allo-  
27 cate funds available for early college high school programs for the  
28 purposes of increasing high school graduation rates for academically  
29 at-risk, disadvantaged and/or economically disadvantaged students and to  
30 increase their participation in post-secondary education through a  
31 network of early college high school partnerships in the state.

32 2. For the purposes of this section:

33 a. "approved early college high school program" means a formal part-  
34 nership between a school district and at least one institution of higher  
35 education, approved by the commissioner in accordance with the regu-  
36 lations of the commissioner and the request for proposals process, which  
37 provides eligible students enrolled in such program with high school  
38 courses leading to the granting of a high school diploma and college-  
39 level courses leading to the granting of at least twenty-four college  
40 credits and up to a post-secondary degree or diploma from a partner  
41 institution of higher education at no cost to the student or student's  
42 family.

43 b. "early college high school" means a public high school that offers  
44 an approved early college high school program to its students;

45 c. "eligible applicant" means a New York state school district with an  
46 approved early college high school program which partners with a not-  
47 for-profit higher education institution to offer college-level courses  
48 leading to the granting of at least twenty-four college credits and up  
49 to a post-secondary degree or diploma;

50 d. "eligible student" means a student who:

51 (i) is a resident of the school district in which the early college  
52 high school is located and is enrolled in such school district; and

53 (ii) is registered to attend such high school for the academic years  
54 for which the grant award is being sought.

1 3. Monies made available under this section shall be spent for the  
2 following purposes as further prescribed by the commissioner in the  
3 request for proposals process:

4 a. to provide additional staffing for the early college high school  
5 program, including a program director and college liaison;

6 b. student recruitment activities;

7 c. to provide professional development to promote the early college  
8 high school program, including cross-curriculum development between  
9 secondary and post-secondary education partners to ensure curriculum  
10 alignment that prepares students to succeed in college level courses  
11 while in high school;

12 d. academic and social support services to promote college readiness  
13 and a college-going culture;

14 e. transportation for students to take courses and participate in  
15 activities at the partner campus of the higher education partner; and

16 f. tuition, books and fees; provided however that tuition reimburse-  
17 ment shall only be allowable for non-remedial, credit-bearing college  
18 courses.

19 4. The commissioner shall make awards to eligible applicants for an  
20 approved early college high school program through a competitive request  
21 for proposals process. The funding cycle for this program shall be for  
22 five years commencing with the two thousand seventeen--two thousand  
23 eighteen academic year, with a new grant cycle commencing every five  
24 years. The program cycle shall be September first to August thirty-first  
25 annually.

26 a. The commissioner shall prioritize partnerships that demonstrate the  
27 willingness and capacity to serve students who have been identified as  
28 economically disadvantaged and/or academically at-risk for not success-  
29 fully completing high school or not enrolling in or succeeding in  
30 college.

31 b. Priority shall also be given to early college high school programs  
32 that were funded by the department under a prior request for proposals  
33 process, based upon demonstration of successful student outcomes as  
34 determined by the commissioner in regulations.

35 5. Eligible institutions shall file an application for approval by the  
36 commissioner in a timeframe and manner prescribed by the commissioner,  
37 demonstrating a need for such funding, including how the funding would  
38 be used and how many students would be assisted with such funding.  
39 Successful applicants will be funded as provided in accordance with the  
40 request for proposals process.

41 6. No funds pursuant to this section shall be made available to  
42 support the regular academic programs of any institution participating  
43 in this program, nor shall funds be provided for programs which are  
44 incompatible with the regents plan for the expansion and development of  
45 higher education in this state.

46 § 3. The education law is amended by adding a new section 6458 to read  
47 as follows:

48 § 6458. Grant awards for pathways in technology early college high  
49 school (P-TECH) programs. 1. Subject to an appropriation, the commis-  
50 sioner shall allocate the funds available for P-TECH programs for the  
51 purposes of preparing eligible academically at-risk and/or economically  
52 disadvantaged students for high-skill jobs including, but not limited to  
53 those in science, technology, engineering, manufacturing, healthcare and  
54 finance through a six-year academic program that combines high school,  
55 college and career training.

56 2. For the purposes of this section:

1 a. "approved pathways in technology early college high school (P-TECH)  
2 program" means a New York state P-TECH program, approved by the commis-  
3 sioner in accordance with the regulations of the commissioner and the  
4 request for proposals process, which provides eligible students enrolled  
5 in such program with high school courses leading to the granting of a  
6 high school diploma and college-level courses leading to the granting of  
7 a post-secondary degree or diploma at a partnering college approved by  
8 the department and career training with an eligible partnering employer;

9 b. "eligible applicant" means a New York state school district, which  
10 must serve as the fiscal agent. The eligible applicant may work in coop-  
11 eration with other school districts, a board of cooperative educational  
12 services, or any combination of these entities with a partnership that  
13 includes:

14 (i) one or more New York state not-for-profit higher education insti-  
15 tutions provided that at least one institution offers an associate's  
16 degree (or other two-year degree that is the industry standard for the  
17 targeted jobs) linked to the goals of the approved P-TECH program, and  
18 which awards the degree at no cost to the student/family; and

19 (ii) a regional New York state employer (or consortium of employers  
20 from related sectors) and/or industry/entity/association that requires  
21 highly skilled employees which will utilize the knowledge and skills  
22 obtained from the secondary and post-secondary programs proposed under  
23 the application and agrees to place students who successfully complete  
24 the program first in line for a job; and

25 c. "eligible student" means a student who:

26 (i) is a resident of the school district, or a resident of a component  
27 district of a consortium applicant, in which the P-TECH program is  
28 located and is enrolled in such school district; and

29 (ii) is registered to attend such high school for the academic years  
30 for which the grant award is being sought.

31 3. Monies made available under this section shall be spent for the  
32 following purposes, as further prescribed by the commissioner in the  
33 request for proposals process:

34 a. existing evidence-based and/or standards based curriculum that  
35 focuses on a career in science, technology, engineering or math-related  
36 career area within a P-TECH program;

37 b. recruitment activities for eligible students;

38 c. to provide professional development to promote the P-TECH program,  
39 including cross-curriculum development between partners and to ensure  
40 curriculum alignment that prepares students to succeed in college level  
41 courses while in high school and during career training;

42 d. up to ten percent of funds awarded under this section may be used  
43 for eligible applicants to purchase equipment needed to upgrade existing  
44 programs or new equipment to start a program;

45 e. workshops and planning meetings between partners, including counse-  
46 lors, parents, and college faculty, and business leaders to support  
47 program sustainability and build awareness in the regions on the bene-  
48 fits of having such programs;

49 f. post-secondary curriculum development that facilitates alignment  
50 and articulation with secondary programs leading to college degrees  
51 and/or other industry recognized credentials that meet the needs of  
52 employers;

53 g. service contracts between members of the partnership;

54 h. transportation for eligible students to take courses and partic-  
55 ipate in activities at the partner campus of the higher education part-  
56 ner; and

1 i. tuition, books and fees; provided that tuition reimbursement shall  
2 only be allowable for non-remedial, credit-bearing college courses.

3 4. The commissioner shall make grant awards to eligible applicants for  
4 an approved P-TECH program.

5 a. Funds must first be set aside for those approved P-TECH programs  
6 that were funded under the previous request for proposals process for  
7 any cohort of students in such program so they can obtain a cost-free  
8 associate's degree.

9 b. The commissioner may also make awards to eligible applicants for an  
10 approved P-TECH program through a competitive request for proposals  
11 process. The funding cycle for this program shall be for seven years  
12 commencing with the two thousand twenty-one--two thousand twenty-two  
13 academic year, subject to an appropriation, with a new grant cycle  
14 commencing every seven years.

15 c. The commissioner shall prioritize partnerships that demonstrate the  
16 willingness and capacity to serve students who have been identified as  
17 economically disadvantaged or academically disadvantaged and at-risk for  
18 not successfully completing high school or not enrolling in or succeed-  
19 ing in college.

20 d. For awards made under a new request for proposals process, priority  
21 shall also be given to P-TECH programs that were funded by the depart-  
22 ment under a prior request for proposals process, based upon demon-  
23 stration of successful student outcomes as determined by the commission-  
24 er in regulations.

25 5. Eligible applicants shall file an application for approval by the  
26 commissioner in a timeframe and manner prescribed by the commissioner,  
27 demonstrating a need for such funding, including how the funding would  
28 be used and how many students would be assisted with such funding.  
29 Successful applicants will be funded as provided in accordance with  
30 regulations of the commissioner and the request for proposals process.

31 6. No funds pursuant to this section shall be made available to  
32 support the regular academic programs of any institution participating  
33 in this program, nor shall funds be provided for programs which are  
34 incompatible with the regents plan for the expansion and development of  
35 higher education in this state.

36 § 4. The sum of thirty-five million dollars (\$35,000,000), or so much  
37 thereof as may be necessary, is hereby appropriated to the education  
38 department out of any moneys in the state treasury general fund to the  
39 credit of the aid to localities/local assistance account, not otherwise  
40 appropriated, as follows:

41 a. thirteen million dollars for payment of grants to eligible insti-  
42 tutions for early college high school programs in accordance with the  
43 provisions of section 6457 of the education law, as added by section two  
44 of this act. Such sum shall be payable on the audit and warrant of the  
45 state comptroller on vouchers certified or approved by the commissioner  
46 of education, in the manner prescribed by law.

47 b. twenty-three million dollars for payment of grants to eligible  
48 institutions for pathways in technology early college high school  
49 programs in accordance with the provisions of section 6458 of the educa-  
50 tion law, as added by section three of this act. Such sum shall be paya-  
51 ble on the audit and warrant of the state comptroller on vouchers certi-  
52 fied or approved by the commissioner of education, in the manner  
53 prescribed by law.

54 § 5. This act shall take effect immediately.