

# STATE OF NEW YORK

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1692

2019-2020 Regular Sessions

## IN SENATE

January 15, 2019

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Introduced by Sen. MONTGOMERY -- 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.

23 The P-TECH program, through a public-private partnership, prepares  
24 thousands of New York students for high-skill jobs of the future in  
25 technology, manufacturing, healthcare and finance. The P-TECH program  
26 provides students with a rigorous, relevant and cost-free high school

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

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1 and college education and a workplace learning environment with ongoing  
2 mentoring by professionals in the chosen career sector to better prepare  
3 these students for successful careers. Students also receive a commit-  
4 ment from the participating employer to be first in line for consider-  
5 ation for a job following completion of the program. Ultimately, this  
6 program increases graduation rates both at the high school and college  
7 levels and provides essential career training for academically at-risk,  
8 disadvantaged students, which at the completion of the program leads  
9 these students to a skilled job.

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

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

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

21 § 6457. Grant awards for New York state early college high school  
22 programs. 1. Subject to an appropriation, the commissioner shall allo-  
23 cate funds available for early college high school programs for the  
24 purposes of increasing high school graduation rates for academically  
25 at-risk, disadvantaged and/or economically disadvantaged students and to  
26 increase their participation in post-secondary education through a  
27 network of early college high school partnerships in the state.

28 2. For the purposes of this section:

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

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

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

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

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

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

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

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

3 b. student recruitment activities;

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

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

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

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

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

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

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

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

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

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

45 § 6458. Grant awards for pathways in technology early college high  
46 school (P-TECH) programs. 1. Subject to an appropriation, the commis-  
47 sioner shall allocate the funds available for P-TECH programs for the  
48 purposes of preparing eligible academically at-risk and/or economically  
49 disadvantaged students for high-skill jobs including, but not limited to  
50 those in science, technology, engineering, manufacturing, healthcare and  
51 finance through a six-year academic program that combines high school,  
52 college and career training.

53 2. For the purposes of this section:

54 a. "approved pathways in technology early college high school (P-TECH)  
55 program" means a New York state P-TECH program, approved by the commis-  
56 sioner in accordance with the regulations of the commissioner and the

1 request for proposals process, which provides eligible students enrolled  
2 in such program with high school courses leading to the granting of a  
3 high school diploma and college-level courses leading to the granting of  
4 a post-secondary degree or diploma at a partnering college approved by  
5 the department and career training with an eligible partnering employer;

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

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

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

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

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

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

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

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

34 b. recruitment activities for eligible students;

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

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

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

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

50 g. service contracts between members of the partnership;

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

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

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

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

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

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

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

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

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

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

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

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

52 § 5. This act shall take effect immediately.