STATE OF NEW YORK

7319

2021-2022 Regular Sessions

IN ASSEMBLY

May 5, 2021

Introduced by M. of A. JENSEN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to continuing the New York State Pathways in Technology Early College High School Program in this state

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

Section 1. The education law is amended by adding a new article 107 to read as follows:

ARTICLE 107
NEW YORK STATE PATHWAYS IN TECHNOLOGY EARLY COLLEGE HIGH SCHOOL PROGRAM

Section 5300. Grant awards for New York State pathways in technology early college high school programs.

§ 5300. Grant awards for New York State pathways in technology early college high school programs. 1. For the purposes of this section:

a. "NYS Pathways in Technology Early College High School Program" or "NYS P-TECH Program" means a program which provides eligible students enrolled in such program with high school courses leading to the granting of a high school diploma, college-level courses leading to the granting of a post-secondary degree at a partnering institution, and career training with an eligible partnering employer operated by a New York state school district or a board of cooperative educational services that forms a partnership with:

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

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

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

(iii) a regional New York state healthcare provider which employs and supervises certified nursing assistants or licensed practical nurses pursuant to article one hundred thirty-nine of this chapter, and provides students a pathway to earn education credentials sufficient to allow for his or her licensure in such professions.

b. "Approved NYS P-TECH Program" means a NYS P-TECH Program and such program was approved by the commissioner in accordance with the regulations of the commissioner and any request for proposals process under this section.

c. "Eligible applicant" means a New York state school district, including those districts with career and technical high schools, or a board of cooperative educational services, either of which must serve as the fiscal agent. The eligible applicant may work in cooperation with other school districts, a board of cooperative educational services, or any combination of these as a consortium applicant.

d. "Eligible student" means a student who:

(i) is a resident of the school district, or a resident of a component district of a consortium, in which the NYS P-TECH Program is located and is enrolled in such school district; and

(ii) is registered to attend such high school.

e. "Previously funded NYS P-TECH Program" means a NYS P-TECH Program that was approved by the commissioner in any prior request for proposals process before the effective date of this section.

2. a. Subject to an appropriation and the procedures established in this section, the commissioner shall allocate the funds available for NYS P-TECH Programs for the purposes of preparing eligible academically at-risk and/or economically disadvantaged students for high-skill jobs including, but not limited to those in science, technology, engineering, manufacturing, healthcare, and finance through a six-year academic program that combines high school, college, and career training. Funding shall be available to previously funded, approved programs, and new programs, with priority given to those programs that have already received funding.

b. Notwithstanding any other provision of law to the contrary, a program shall be eligible for funding under this section and shall not have to apply for funding under this section if it was a previously funded program or an approved NYS P-TECH Program that was funded under a prior request for proposals process; and its contracts have been continuously renewed by the department in accordance with all applicable laws since the effective date of this section; provided that such program shall meet certain benchmarks and program requirements as prescribed by the department in order to demonstrate that it continues to be a successful NYS P-TECH Program. If the program fails to meet such benchmarks and program requirements, it may be subject to certain corrective action as described in regulations of the commissioner, which may include but not be limited to establishing timelines to meet program standards, a limitation on enrollment, termination of the contract and/or closure of the program and/or requiring a teach-out agreement with an approved NYS P-TECH Program to describe how students will be transferred to such program upon closure.

c. Any NYS P-TECH Program approved pursuant to a prior request for proposals process shall not be required to re-apply for funds under this section unless they are offering a new NYS P-TECH Program, as determined by the commissioner.

3. a. Subject to an appropriation the commissioner shall make awards to eligible applicants for the establishment of new NYS P-TECH Programs through a competitive request for proposals process.

b. The commissioner shall prioritize eligible applicants that demonstrate the willingness and capacity to serve students who have been identified as economically disadvantaged and/or academically at-risk for not successfully completing high school or not enrolling in or succeeding in college.

c. Eligible applicants shall file an application for approval by the commissioner in a timeframe and manner prescribed by the commissioner, demonstrating a need for such funding, including how the funding would be used and how many students would be assisted with such funding. Successful applicants will be funded in accordance with the regulations of the commissioner.

4. a. Monies made available under this section shall be spent for the following purposes, as further prescribed by the commissioner in regulations of the commissioner:

(i) to provide additional staffing for the NYS P-TECH Program, including but not limited to a program director and college liaison;

(ii) for an existing evidence-based and/or standards based curriculum including but not limited to a focus on a career in science, technology, engineering, or math-related career area within a NYS P-TECH Program;

(iii) for recruitment activities for eligible students;

(iv) to provide professional development to promote the NYS P-TECH Program, including cross-curriculum development between partners and to ensure curriculum alignment that prepares students to succeed in college-level courses while in high school and during career training;

(v) up to ten percent of funds awarded under this section may be used to purchase equipment needed to upgrade existing programs or new equipment to start a program; provided that a program may seek permission from the commissioner for a waiver of the ten percent cap, and such request must include a justification for why equipment in excess of the cap is necessary to accomplish the goals of the NYS P-TECH Program;

(vi) for workshops and planning meetings between partners, including counselors, parents, and college faculty, and business leaders to support program sustainability and build awareness in the district on the benefits of having such programs;

(vii) for post-secondary curriculum development that facilitates alignment and articulation with secondary programs leading to college degrees and/or other industry recognized credentials that meet the needs of employers;

(viii) for service contracts between members of the partnership;

(ix) for transportation for eligible students to take courses and participate in activities at the NYS P-TECH site, at partner employers' locations, and at the partner campus of the higher education partner; and

(x) for tuition, books and fees; provided that tuition reimbursement shall only be allowable for non-remedial, credit-bearing college courses.

b. No funds pursuant to this section shall be made available to support the regular academic programs of any school district or institution or institutions participating in this program, nor shall funds be

provided for programs which are incompatible with the regents plans for the expansion and development of higher education in this state.

§ 2. This act shall take effect immediately. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.