

SECOND REGULAR SESSION

HOUSE BILL NO. 2038

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PATTERSON.

3318H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to the workforce diploma program.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be known as section 173.831, to read as follows:

173.831. 1. As used in this section, the following terms mean:

(1) “Academic skill intake assessment”, a criterion-referenced assessment of numeracy and literacy skills with high reliability and validity as determined by third party research;

(2) “Accredited”, holding an active accreditation from one of the seven United States regional accreditors, including the Middle States Commission on Higher Education, the New England Association of Schools and Colleges, the Higher Learning Commission, the Northwest Commission on Colleges and Universities, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, and the Accrediting Commission for Community and Junior Colleges, as well as any successor entities or consolidations of the above, including AdvancEd or Cognia;

(3) “Adult dropout recovery services”, includes but is not limited to sourcing, recruitment, and engagement of eligible students, learning plan development, active teaching, and proactive coaching and mentoring, resulting in an accredited high school diploma;

(4) “Approved program provider”, a public, not-for-profit, or other entity that meets the requirements of subdivision (2) of subsection 3 of this section;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 (5) “Average cost per graduate”, the amount of the total program funding
19 reimbursed to a provider divided by the total graduates for a cohort year;
- 20 (6) “Career pathways coursework”, one or more courses that align with the skill
21 needs of industries in the economy of the state or region that help an individual enter or
22 advance within a specific occupation or occupational cluster;
- 23 (7) “Career placement services”, services designed to assist students in obtaining
24 employment, including career interest self-assessments and job search skills, including
25 resume development and mock interviews;
- 26 (8) “Coaching”, proactive communication between the approved program provider
27 and the student related to the student’s pace and progress through the student’s learning
28 plan;
- 29 (9) “Department”, the department of higher education and workforce development;
- 30 (10) “Employability skills certification”, a certificate earned by demonstrating
31 professional nontechnical skills through assessment, portfolio, or observation;
- 32 (11) “Graduate”, a student who has successfully completed all of the state and
33 approved program provider requirements in order to obtain a high school diploma;
- 34 (12) “Graduation rate”, the total number of graduates for the fiscal year divided
35 by all students for the fiscal year for whom the approved program provider has received
36 funding, calculated one fiscal year in arrears;
- 37 (13) “Graduation requirements”, course and credit requirements for the approved
38 program provider’s accredited high school diploma;
- 39 (14) “High school diploma”, a diploma issued by an accredited institution;
- 40 (15) “Industry-recognized credential”, an education-related credential or
41 work-related credential that verifies an individual’s qualification or competence issued by
42 a third party with the relevant authority to issue such credentials;
- 43 (16) “Learning plan”, a documented plan for courses or credits needed for each
44 individual in order to complete program and approved program provider graduation
45 requirements;
- 46 (17) “Mentoring”, a direct relationship between a coach and a student to facilitate
47 the completion of the student’s learning plan designed to prepare the student to succeed
48 in the program and the student’s future endeavors;
- 49 (18) “Milestones”, objective measures of progress for which payment is made to an
50 approved program provider under this section, including earned units of high school
51 credit, attainment of an employability skills certificate, attainment of an
52 industry-recognized credential, and attainment of an accredited high school diploma;
- 53 (19) “Program”, the workforce diploma program established in this section;

54 (20) “Request for qualifications”, a request for interested potential program
55 providers to submit evidence that they meet the qualifications established in subsection 3
56 of this section;

57 (21) “Student”, a participant in the program established in this section who is
58 twenty-one years of age or older, who is a resident of Missouri, and who has not yet earned
59 a high school diploma;

60 (22) “Transcript evaluation”, a documented summary of credits earned in previous
61 public or private accredited high schools compared with the program and approved
62 program provider graduation requirements;

63 (23) “Unit of high school credit”, credit awarded based on a student’s
64 demonstration that the student has successfully met the content expectations for the credit
65 area as defined by subject area standards, expectations, or guidelines.

66 2. There is hereby established the “Workforce Diploma Program” within the
67 department of higher education and workforce development to assist students with
68 obtaining a high school diploma and developing employability and career technical skills.
69 The program may be delivered in campus-based, blended, or online modalities.

70 3. (1) Before August 16, 2021, and annually thereafter, the department shall issue
71 a request for qualifications for interested program providers to become approved program
72 providers and participate in the program.

73 (2) Each approved program provider shall meet all of the following qualifications:

74 (a) Be an accredited high school diploma-granting entity;

75 (b) Have a minimum of two years of experience providing adult dropout recovery
76 services;

77 (c) Have the ability to provide academic skill intake assessments and transcript
78 evaluations. Such academic skill intake assessments may be administered in person or
79 online;

80 (d) Have the ability to develop a learning plan for each student that integrates
81 graduation requirements and career goals;

82 (e) Provide a course catalog that includes all courses necessary to meet graduation
83 requirements;

84 (f) Have the ability to provide remediation opportunities in literacy and numeracy;

85 (g) Have the ability to provide employability skills certification;

86 (h) Have the ability to provide career pathways coursework;

87 (i) Have the ability to provide preparation for industry-recognized credentials; and

88 (j) Have the ability to provide career placement services.

89 (3) Upon confirmation by the department that an interested program provider
90 meets all of the qualifications listed in subdivision (2) of this subsection, an interested
91 program provider shall become an approved program provider.

92 4. (1) The department shall announce the approved program providers before
93 October sixteenth annually, with authorization for the approved program providers to
94 begin enrolling students starting before November fifteenth annually.

95 (2) Approved program providers shall maintain their approval without reapplying
96 annually if the approved program provider has not been removed from the approved
97 program provider list under this section.

98 5. (1) Except as provided in subdivision (2) of this subsection, the department shall
99 pay approved program providers for the completion of the following milestones by each
100 student:

101 (a) Two hundred fifty dollars for the completion of each half unit of high school
102 credit;

103 (b) Two hundred fifty dollars for attaining an employability skills certification;

104 (c) Two hundred fifty dollars for attaining an industry-recognized credential
105 requiring no more than fifty hours of training;

106 (d) Five hundred dollars for attaining an industry-recognized credential requiring
107 at least fifty-one but no more than one hundred hours of training;

108 (e) Seven hundred fifty dollars for attaining an industry-recognized credential
109 requiring more than one hundred hours of training;

110 (f) One thousand dollars for attaining an accredited high school diploma.

111 (2) No approved program provider shall receive funding for a student under this
112 section if the approved program provider receives federal or state funding or private
113 tuition for that student.

114 6. (1) Approved program providers shall submit monthly invoices to the
115 department before the eleventh calendar day of each month for milestones met in the
116 previous calendar month.

117 (2) The department shall pay approved program providers in the order in which
118 invoices are submitted until all available funds are exhausted.

119 (3) The department shall provide a written update to approved program providers
120 by the last calendar day of each month. The update shall include the aggregate total
121 dollars that have been paid to approved program providers to date and the estimated
122 number of enrollments still available for the program year.

123 7. Before July sixteenth of each year, each provider shall report the following
124 metrics to the department:

- 125 (1) The total number of students who have been funded through the program;
126 (2) The total number of credits earned;
127 (3) The total number of employability skills certifications issued;
128 (4) The total number of industry-recognized credentials earned for each tier of
129 funding; and
130 (5) The total number of graduates.
- 131 8. (1) Upon the end of the second fiscal year of the program, the department shall
132 review data from each approved program provider to ensure that each is achieving
133 minimum program performance standards, including:
134 (a) A minimum of a fifty percent graduation rate;
135 (b) A cost per graduate of seven thousand dollars or less.
136 (2) Any approved program provider that fails to meet the minimum program
137 performance standards described in subdivision (1) of this subsection shall be placed on
138 probationary status for the remainder of the fiscal year by the department.
139 (3) Any approved program provider that fails to meet the minimum program
140 performance standards described in subdivision (1) of this subsection for two consecutive
141 years shall be removed from the approved provider list by the department.
- 142 9. Any diploma issued under this section shall be recognized as a secondary school
143 diploma by the state.
- 144 10. The director of the department may promulgate all necessary rules and
145 regulations for the administration of this section. Any rule or portion of a rule, as that
146 term is defined in section 536.010, that is created under the authority delegated in this
147 section shall become effective only if it complies with and is subject to all of the provisions
148 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
149 nonseverable, and if any of the powers vested with the general assembly pursuant to
150 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
151 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
152 proposed or adopted after August 28, 2020, shall be invalid and void.

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