

FIRST REGULAR SESSION

HOUSE BILL NO. 733

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PATTERSON.

1555H.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, but not limited to, 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, but not limited to, 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;

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.

- 17 (4) "Approved program provider", a public, not-for-profit, or other entity that
18 meets the requirements of subdivision (2) of subsection 3 of this section or any consortium
19 of such entities;
- 20 (5) "Average cost per graduate", the amount of the total program funding
21 reimbursed to a provider divided by the total graduates for a cohort year;
- 22 (6) "Career pathways coursework", one or more courses that align with the skill
23 needs of industries in the economy of the state or region that help an individual enter or
24 advance within a specific occupation or occupational cluster;
- 25 (7) "Career placement services", services designed to assist students in obtaining
26 employment such as career interest self-assessments and job search skills such as resume
27 development and mock interviews;
- 28 (8) "Coaching", proactive communication between the approved program provider
29 and the student related to the student's pace and progress through the student's learning
30 plan;
- 31 (9) "Department", the department of elementary and secondary education;
- 32 (10) "Employability skills certification", a certificate earned by demonstrating
33 professional nontechnical skills through assessment, portfolio, or observation;
- 34 (11) "Graduate", a student who has successfully completed all of the state and
35 approved program provider requirements in order to obtain a high school diploma;
- 36 (12) "Graduation rate", the total number of graduates for the fiscal year divided
37 by all students for the fiscal year for whom the approved program provider has received
38 funding, calculated one fiscal year in arrears;
- 39 (13) "Graduation requirements", course and credit requirements for the approved
40 program provider's accredited high school diploma;
- 41 (14) "High school diploma", a diploma issued by an accredited institution;
- 42 (15) "Industry-recognized credential", an education-related credential or
43 work-related credential that verifies an individual's qualification or competence issued by
44 a third party with the relevant authority to issue such credentials;
- 45 (16) "Learning plan", a documented plan for courses or credits needed for each
46 individual in order to complete program and approved program provider graduation
47 requirements;
- 48 (17) "Mentoring", a direct relationship between a coach and a student to facilitate
49 the completion of the student's learning plan designed to prepare the student to succeed
50 in the program and the student's future endeavors;
- 51 (18) "Milestones", objective measures of progress for which payment is made to
52 an approved program provider under this section such as earned units of high school

53 credit, attainment of an employability skills certificate, attainment of an
54 industry-recognized credential, and attainment of an accredited high school diploma;

55 (19) "Program", the workforce diploma program established in this section;

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

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

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

65 (23) "Unit of high school credit", credit awarded based on a student's
66 demonstration that the student has successfully met the content expectations for the credit
67 area as defined by subject area standards, expectations, or guidelines.

68 2. There is hereby established the "Workforce Diploma Program" within the
69 department of elementary and secondary education to assist students with obtaining a high
70 school diploma and developing employability and career technical skills. The program
71 may be delivered in campus-based, blended, or online modalities.

72 3. (1) Before August 16, 2022, and annually thereafter, the department shall issue
73 a request for qualifications for interested program providers to become approved program
74 providers and participate in the program.

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

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

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

79 (c) Provide academic skill intake assessments and transcript evaluations to each
80 student. Such academic skill intake assessments may be administered in person or online;

81 (d) Develop a learning plan for each student that integrates graduation
82 requirements and career goals;

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

85 (f) Offer remediation opportunities in literacy and numeracy, as applicable;

86 (g) Offer employability skills certification, as applicable;

87 (h) Offer career pathways course work, as applicable;

88 (i) Offer preparation for industry-recognized credentials as applicable; and

89 (j) Offer career placement services, as applicable.

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

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

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

99 5. All approved providers shall comply with requirements as provided by the
100 department to ensure:

101 (1) An accurate accounting of a student's accumulated credits toward a high school
102 diploma;

103 (2) An accurate accounting of credits necessary to complete a high school diploma;
104 and

105 (3) The provision of course work aligned to the academic performance standards
106 of the state.

107 6. (1) Except as provided in subdivision (2) of this subsection, the department shall
108 pay approved program providers for the following milestones provided by the approved
109 program provider:

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

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

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

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

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

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

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

123 (3) Payments made under this subsection shall be subject to an appropriation made
124 to the department for such purposes.

125 7. (1) Approved program providers shall submit monthly invoices to the
126 department before the eleventh calendar day of each month for milestones met in the
127 previous calendar month.

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

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

134 8. Before July sixteenth of each year, each provider shall report the following
135 metrics to the department:

136 (1) The total number of students who have been funded through the program;

137 (2) The total number of credits earned;

138 (3) The total number of employability skills certifications issued;

139 (4) The total number of industry-recognized credentials earned for each tier of
140 funding; and

141 (5) The total number of graduates.

142 9. (1) Before September sixteenth of each year, an approved eligible program
143 provider shall conduct and submit to the department the aggregate results of a survey of
144 individuals who graduated from the program of the approved eligible program provider
145 under this section. The survey shall be conducted in the year after the year in which the
146 individuals graduate and the next four consecutive years.

147 (2) The survey shall include at least the following data collection elements for each
148 year the survey is conducted:

149 (a) The individual's employment status, including whether the individual is
150 employed full-time or part-time;

151 (b) The individual's hourly wages;

152 (c) The individual's access to employer-sponsored healthcare; and

153 (d) The individual's postsecondary enrollment status, including whether the
154 individual has completed a postsecondary certificate or degree program.

155 10. (1) Upon the end of the second fiscal year of the program, the department shall
156 review data from each approved program provider to ensure that each is achieving
157 minimum program performance standards including, but not limited to:

158 (a) A minimum of a fifty percent graduation rate;

159 (b) An average cost per graduate of seven thousand dollars or less.

160 (2) Any approved program provider that fails to meet the minimum program
161 performance standards described in subdivision (1) of this subsection shall be placed on
162 probationary status for the remainder of the fiscal year by the department.

163 (3) Any approved program provider that fails to meet the minimum program
164 performance standards described in subdivision (1) of this subsection for two consecutive
165 years shall be removed from the approved provider list by the department.

166 11. (1) No approved program provider shall discriminate against a student on the
167 basis of race, color, religion, national origin, ancestry, sex, sexuality, gender, or age.

168 (2) If an approved program provider determines that a student would be better
169 served by participating in a different program, the approved provider may refer the
170 student to the state's adult basic education services.

171 12. (1) There is hereby created in the state treasury the "Workforce Diploma
172 Program Fund", which shall consist of any grants, gifts, donations, bequests, or moneys
173 appropriated under this section. The state treasurer shall be custodian of the fund. In
174 accordance with sections 30.170 and 30.180, the state treasurer may approve
175 disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in
176 the fund shall be used solely as provided in this section.

177 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
178 remaining in the fund at the end of the biennium shall not revert to the credit of the
179 general revenue fund.

180 (3) The state treasurer shall invest moneys in the fund in the same manner as other
181 funds are invested. Any interest and moneys earned on such investments shall be credited
182 to the fund.

183 13. The director of the department may promulgate all necessary rules and
184 regulations for the administration of this section. Any rule or portion of a rule, as that
185 term is defined in section 536.010, that is created under the authority delegated in this
186 section shall become effective only if it complies with and is subject to all of the provisions
187 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
188 nonseverable, and if any of the powers vested with the general assembly pursuant to
189 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
190 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
191 proposed or adopted after August 28, 2021, shall be invalid and void.

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