

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2038
100TH GENERAL ASSEMBLY

3318H.03C

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
2 known as section 173.831, to read as follows:

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

- 2 **(1) "Academic skill intake assessment", a criterion-referenced assessment of**
3 **numeracy and literacy skills with high reliability and validity as determined by third party**
4 **research;**
5 **(2) "Accredited", holding an active accreditation from one of the seven United**
6 **States regional accreditors, including the Middle States Commission on Higher Education,**
7 **the New England Association of Schools and Colleges, the Higher Learning Commission,**
8 **the Northwest Commission on Colleges and Universities, the Southern Association of**
9 **Colleges and Schools, the Western Association of Schools and Colleges, and the Accrediting**
10 **Commission for Community and Junior Colleges, as well as any successor entities or**
11 **consolidations of the above, including AdvancEd or Cognia;**
12 **(3) "Adult dropout recovery services", includes but is not limited to sourcing,**
13 **recruitment, and engagement of eligible students, learning plan development, active**
14 **teaching, and proactive coaching and mentoring, resulting in an accredited high school**
15 **diploma;**
16 **(4) "Approved program provider", a public, not-for-profit, or other entity that**
17 **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 elementary and secondary education;
- 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
50 an 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 elementary and secondary education to assist students with obtaining a high**
68 **school diploma and developing employability and career technical skills. The program**
69 **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) Provide academic skill intake assessments and transcript evaluations to each**
78 **student. Such academic skill intake assessments may be administered in person or online;**

79 **(d) Develop a learning plan for each student that integrates graduation**
80 **requirements and career goals;**

81 **(e) Provide a course catalog to each student that includes all courses necessary to**
82 **meet graduation requirements;**

83 **(f) Offer remediation opportunities in literacy and numeracy to each student;**

84 **(g) Offer employability skills certification to each student;**

85 **(h) Offer career pathways coursework to each student;**

86 **(i) Offer preparation for industry-recognized credentials to each student; and**

87 **(j) Offer career placement services to each student.**

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

91 **4. (1) The department shall announce the approved program providers before**
92 **October sixteenth annually, with authorization for the approved program providers to**
93 **begin enrolling students starting before November fifteenth annually.**

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

97 **5. All approved providers shall comply with requirements as provided by the**
98 **department to ensure:**

99 **(1) An accurate accounting of a student's accumulated credits toward a high school**
100 **diploma;**

101 **(2) An accurate accounting of credits necessary to complete a high school diploma;**
102 **and**

103 **(3) The provision of course work aligned to the academic performance standards**
104 **of the state.**

105 **6. (1) Except as provided in subdivision (2) of this subsection, the department shall**
106 **pay approved program providers for the following milestones provided by the approved**
107 **program provider:**

108 **(a) Two hundred fifty dollars for the completion of each half unit of high school**
109 **credit;**

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

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

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

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

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

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

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

123 7. (1) Approved program providers shall submit monthly invoices to the
124 department before the eleventh calendar day of each month for milestones met in the
125 previous calendar month.

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

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

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

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

135 (2) The total number of credits earned;

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

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

139 (5) The total number of graduates.

140 9. (1) Before September sixteenth of each year, an approved eligible program
141 provider shall conduct and submit to the department the results of a survey of each
142 individual who graduated from the program of the approved eligible program provider
143 under this section. The survey shall be conducted in the year after the year in which the
144 individual graduates and the next four consecutive years.

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

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

149 (b) The individual's hourly wages;

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

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

153 10. (1) Upon the end of the second fiscal year of the program, the department shall
154 review data from each approved program provider to ensure that each is achieving
155 minimum program performance standards, including:

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

157 (b) A cost per graduate of seven thousand dollars or less.

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

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

164 11. (1) No approved program provider shall discriminate against a student on the
165 basis of race, color, religion, national origin, ancestry, sex, sexuality, gender, age as it
166 relates to employment, disability, marital status, or familial status as it relates to housing;
167 except that, all approved program providers shall comply with all applicable provisions
168 of section 566.149.

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

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

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

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

184 13. The director of the department may promulgate all necessary rules and
185 regulations for the administration of this section. Any rule or portion of a rule, as that
186 term is defined in section 536.010, that is created under the authority delegated in this
187 section shall become effective only if it complies with and is subject to all of the provisions
188 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
189 nonseverable, and if any of the powers vested with the general assembly pursuant to
190 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
191 subsequently held unconstitutional, then the grant of rule making authority and any rule
192 proposed or adopted after August 28, 2020, shall be invalid and void.

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