

HOUSE BILL 2460

By White

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to an adult workforce diploma pilot
program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, is amended by adding the following language as a new chapter:

49-19-101. This chapter shall be known and may be cited as the "Adult workforce diploma pilot program."

49-19-102.

As used in this chapter:

(1) "Academic skill intake assessment" means an online or in person criterion-referenced assessment of numeracy and literacy skill with high reliability and validity as determined by third-party research;

(2) "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;

(3) "Approved program provider" means a public, nonprofit, or other entity selected by the department of labor and workforce development to administer online, in person, or hybrid programs through which eligible students can earn a high school diploma and develop employability and career and technical skills;

(4) "Career pathways coursework" means one (1) or more courses that align with the skill needs of industries in the economy of the state or region that helps a student enter or advance within a specific occupation or occupational cluster;

(5) "Career placement services" means services designed to assist students in obtaining employment, including career interest self-assessments, job search skills, resume development, and mock interviews;

(6) "Coaching" means proactive communication between the approved program provider and the student related to the student's pace and progress through the student's learning plan;

(7) "Department" means the department of labor and workforce development;

(8) "Eligible student" or "student" means a participant in the adult workforce diploma pilot program who:

(A) Is at least nineteen (19) years of age;

(B) Is a resident of the state; and

(C) Has not obtained a high school diploma;

(9) "Employability skills certification" means a certificate earned by demonstrating professional, non-technical skills through an assessment, portfolio, or observation;

(10) "Graduation rate" means the total number of an approved program provider's high school graduates for a fiscal year divided by the number of eligible students for the same fiscal year for whom the provider has received funding, calculated one (1) fiscal year in arrears;

(11) "Graduation requirement" means a course and credit requirement for a high school diploma from an approved program provider's regionally accredited high school;

(12) "High school diploma" means a diploma issued by a regionally accredited institution. A diploma issued under this section is recognized as a secondary school diploma;

(13) "Industry-recognized credential" means an education- or work-related credential that verifies an individual's qualification or competence issued by a third party with the relevant authority to issue such credentials;

(14) "Learning plan" means a documented plan for courses and credits needed for a student to complete the provider's graduation requirements;

(15) "Mentoring" means a direct relationship between a coach and a student to facilitate the completion of the student's learning plan designed to prepare the student to succeed in the program and in future endeavors;

(16) "Pilot program" means the adult workforce diploma pilot program created in this chapter;

(17) "Transcript evaluation" means a documented summary of credits earned in previously attended regionally accredited public or private high schools compared with the approved program provider's graduation requirements; and

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

49-19-103.

The department of labor and workforce development shall establish an adult workforce diploma pilot program to assist adults nineteen (19) years of age or older in obtaining a high school diploma and developing employability and career and technical

skills. The educational portion of the pilot program shall operate in the three (3) fiscal years beginning with the 2020–2021 fiscal year.

49-19-104.

(a) The department shall, by August 15, 2020, and by August 15 of each of the following years in which the pilot program will be in effect, issue a request for applications from program providers interested in participating in the pilot program.

(b) The department shall review all applications submitted pursuant to subsection (a) to determine whether the program provider meets all of the qualifications to be an approved program provider under § 49-19-105.

(c) The department shall approve any program provider that meets all of the qualifications to be an approved program provider under § 49-19-105, unless the program provider was previously removed from the list of approved program providers, in accordance with § 49-19-108.

(d) The department shall, by September 15, 2020, and by September 15 of each of the following years in which the pilot program will be in effect, notify each applicant whether the department approved the applicant as a program provider. The department shall publish the list of all approved program providers on the department's website.

(e) Approved program providers may begin enrolling eligible students upon notification of approved provider status.

(f) Upon receiving designation as an approved program provider, the approved program provider remains approved and is not required to reapply annually, unless the provider is removed by the department from the list of approved program providers, in accordance with § 49-19-108.

49-19-105.

(a) Applications submitted pursuant to § 49-19-104 must include evidence that a program provider:

(1) Operates a regionally accredited high school that awards high school diplomas;

(2) Has a minimum of two (2) years of experience providing adult dropout recovery services;

(3) Does not receive federal funding or state funding for, or payments of tuition directly from, students participating in the pilot program;

(4) Maintains a course catalog that includes all courses necessary to meet the provider's high school graduation requirements; and

(5) Has the ability to provide:

(A) An academic skills intake assessment and transcript evaluation for each student;

(B) A learning plan for each student that integrates graduation requirements and career goals;

(C) Remediation opportunities in literacy and numeracy;

(D) An employability skills certification;

(E) Career pathways coursework;

(F) Preparation for industry-recognized credentials; and

(G) Career placement services.

49-19-106.

(a) The pilot program shall provide payments to an approved program provider for outcomes achieved by eligible students enrolled in the approved program provider's program. The department shall disburse payments to approved program providers in the following amounts for each eligible student's completion of the following outcomes:

(1) Two hundred fifty dollars (\$250) for each half-unit of high school credit completed;

(2) Two hundred fifty dollars (\$250) for the completion of an employability skills certification program;

(3) Two hundred fifty dollars (\$250) for the completion of an industry-recognized credential requiring up to fifty (50) hours of training;

(4) Five hundred dollars (\$500) for the completion of an industry-recognized credential requiring not less than fifty-one (51) hours nor more than one hundred (100) hours of training;

(5) Seven hundred fifty dollars (\$750) for the completion of an industry-recognized credential requiring more than one hundred (100) hours of training; and

(6) One thousand dollars (\$1,000) for the attainment of a regionally accredited high school diploma.

(b) An approved program provider shall submit invoices to the department no later than the tenth day of the month following an eligible student's completion of an outcome described in subsection (a).

(c) The department shall pay approved program providers in the order in which invoices are submitted until all funds appropriated for the pilot program for the fiscal year are exhausted.

(d) The department shall provide a report to approved program providers by the last day of each month. The report must include:

(1) The total amount of funds that have been paid to approved program providers to the date of the report's issue; and

(2) An estimate of the remaining amount of funding available for the pilot program for the fiscal year.

(e) The department shall not distribute to approved program providers more than ten million dollars (\$10,000,000) to fund the pilot program.

49-19-107.

(a) By August 1, 2021, and by August 1 after the end of a fiscal year in which the pilot program is in effect, each approved program provider shall report the following information for the immediately preceding fiscal year to the department:

(1) Total number of students for whom the approved program provider has received payments;

(2) Total number of credits earned by students for whom the approved program provider has received payments;

(3) Total number of employability skills certifications issued to students for whom the approved program provider has received payments;

(4) Total number of industry-recognized credentials issued for each tier of funding to students for whom the approved program provider has received payments;

(5) Total number of high school diplomas awarded to students for whom the approved program provider has received payments; and

(6) Other information as the department may specify.

49-19-108.

(a) Beginning September 1, 2022, and by every September 1 after the end of every subsequent fiscal year in which the pilot program is in effect, the department shall review data received from each approved program provider, pursuant to § 49-19-107, to

ensure that each approved program provider is meeting minimum program performance standards, including:

- (1) Maintaining at least a fifty percent (50%) graduation rate among students for whom the approved program provider has received payments; and
- (2) Maintaining an average cost per graduate of seven thousand dollars (\$7,000) or less, calculated by dividing total program funding reimbursed to the provider for a fiscal year by the total graduates for that fiscal year, calculated one (1) fiscal year in arrears.

(b)

(1) If an approved program provider does not meet the minimum program performance standards identified in subsection (a), the department must place the approved program provider on probationary status for the remainder of the fiscal year.

(2) An approved program provider that does not meet the minimum performance standards for two (2) consecutive fiscal years, including any probationary period, must be removed from the approved program provider list.

49-19-109.

(a) The department shall submit a report on the outcomes of the pilot program to the education committee of the senate and to the education committee of the house of representatives by October 1, 2022, and by October 1 following each subsequent fiscal year in which the pilot program is in effect.

(b) The department shall submit a final report on the outcomes of the pilot program to the education committee of the senate and to the education committee of the house of representatives by October 1, 2023.

SECTION 2. This act shall not be construed to be an appropriation of funds, and no funds shall be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.