

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 957

AN ACT

To repeal section 167.903, RSMo, and to enact in lieu thereof four new sections relating to workforce development in education.

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

Section A. Section 167.903, RSMo, is repealed and four new sections enacted in lieu thereof, to be known as sections 167.903, 167.907, 167.908, and 173.831, to read as follows:

167.903. 1. The department of elementary and secondary education shall establish a process by which each student prior to [his or her] the student's ninth grade year at a public school, including a charter school, [may] shall develop with help from the student's parent or guardian and the school's guidance counselors [a personal] an individual career and academic plan of study, which shall be reviewed [regularly, as needed] annually by [school personnel] the school's guidance counselors and the student's parent or guardian and updated based upon the needs of the student. Each plan shall present a sequence of courses and experiences that conclude with the student reaching [his or her] the student's postsecondary goals, with implementation of the plan of study transferring to the program of postsecondary education or training upon the student's high school graduation. The plan shall include, but not be limited to:

- (1) Requirements for graduation from the school district or charter school;
- (2) Career or postsecondary goals;

(3) Coursework or program of study related to career and postsecondary goals, which shall include, if relevant, opportunities that the district or school may not directly offer;

(4) Grade-appropriate and career-related experiences, as outlined in the grade-level expectations of the Missouri comprehensive guidance program; and

(5) Student assessments, interest inventories, or academic results needed to develop, review, and revise the personal plan of study, which shall include, if relevant, assessments, inventories, or academic results that the school district or charter school may not offer.

2. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program.

3. Each student prior to the completion of the second semester of the student's twelfth-grade year shall include, as part of the student's individual career and academic plan, a declaration of the student's postsecondary plans including, but not limited to, the following:

(1) Confirmation of employment upon graduation;

(2) Acceptance to an institution of higher education, whether a two-year institution or a four-year institution;

(3) Acceptance to participate in a vocational, technical, or other training program designed to prepare the student for employment; or

(4) Commitment to enlist in the Armed Forces of the United States.

167.907. 1. No student shall receive a certificate of graduation from any public school or charter school unless the student has completed and submitted the Free Application

for Federal Student Aid, as maintained by the United States Department of Education.

2. A student shall be exempt from the requirement to complete or submit the Free Application for Federal Student Aid under subsection 1 of this section if such student submits to the student's school:

(1) Written confirmation of a commitment to enlist in the Armed Forces of the United States; or

(2) A written document or form, signed by the student's parent or guardian, attesting that the student understands what the application is and has chosen not to file such application.

3. A student shall be exempt from the requirement to complete or submit the Free Application for Federal Student Aid under subsection 1 of this section if such student is unable to complete the application because of extenuating circumstances.

4. The department of elementary and secondary education shall establish a process by which each student adheres to subsection 1 of this section unless the student is exempt under the criteria under subsection 2 or subsection 3 of this section.

5. This section shall become effective on July 1, 2023.

167.908. 1. The department of higher education and workforce development shall, by rule, establish a procedure for providing the means and capability for high school students enrolled in career and technical education programs described in section 170.029 to complete an application for aid through the Employment and Training Administration of the United States Department of Labor under the federal Workforce Innovation and Opportunity Act. The department shall work with school districts that deliver career and technical education programs to educate students on the

value of the aid that is available to them through the federal Workforce Innovation and Opportunity Act, P.L. 113-128, as amended.

2. To accomplish the purposes of subsection 1 of this section, the department shall ensure that the following percentages of all department of elementary and secondary education area career centers that deliver career and technical education programs have the means and capability for students at such schools to complete an application for aid through the Employment and Training Administration of the United States Department of Labor under the federal Workforce Innovation and Opportunity Act, P.L. 113-128, as amended:

- (1) For the 2022-23 school year, fifty percent;
- (2) For the 2023-24 school year, seventy percent;
- (3) For the 2024-25 school year, ninety percent; and
- (4) For the 2025-26 school year and every school year thereafter, one hundred percent.

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) "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", a public, not-for-profit, or other entity that meets the requirements of subdivision (2) of subsection 3 of this section;

(4) "Average cost per graduate", the amount of the total program funding reimbursed to a provider divided by the total graduates for a cohort year;

(5) "Career pathways coursework", one or more courses that align with the skill needs of industries in the economy of the state or region that help an individual enter or advance within a specific occupation or occupational cluster;

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

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

(8) "Department", the department of higher education and workforce development;

(9) "Employability skills certification", a certificate earned by demonstrating professional nontechnical skills through assessment, portfolio, or observation;

(10) "Graduate", a student who has successfully completed all of the state and approved program provider requirements in order to obtain a high school diploma;

(11) "Graduation rate", the total number of graduates for the fiscal year divided by all students for the fiscal year for whom the approved program provider has received funding, calculated one fiscal year in arrears;

(12) "Graduation requirements", course and credit requirements for the approved program provider's accredited high school diploma;

(13) "High school diploma", a diploma issued by an accredited institution;

(14) "Industry-recognized credential", an education-related credential 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;

(15) "Learning plan", a documented plan for courses or credits needed for each individual in order to complete program and approved program provider graduation requirements;

(16) "Mentoring", 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 the student's future endeavors;

(17) "Milestones", objective measures of progress for which payment is made to an approved program provider under this section, including earned units of high school credit, attainment of an employability skills certificate, attainment of an industry-recognized credential, and attainment of an accredited high school diploma;

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

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

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

(21) "Unit of high school credit", 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.

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

3. (1) Before August 16, 2023, and annually thereafter, the department shall issue a request for applications for interested program providers to become approved program providers and participate in the program. Applications shall include evidence that such interested program provider meets the qualifications set forth in subdivision (2) of this subsection.

(2) Each approved program provider shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The total number of credits earned;

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

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

(5) The total number of graduates.

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

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

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

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

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

9. Any diploma issued under this section shall be recognized as a secondary school diploma by the state.

10. The director of the department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.