

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 594

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE ADULT WORKFORCE HIGH SCHOOL DIPLOMA PROGRAM; AMENDING SEC-
2 TION 33-107, IDAHO CODE, TO PROVIDE FOR THE ADULT WORKFORCE HIGH SCHOOL
3 DIPLOMA PROGRAM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER
4 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-142, IDAHO
5 CODE, TO ESTABLISH PROVISIONS REGARDING THE ADULT WORKFORCE HIGH SCHOOL
6 DIPLOMA PROGRAM, TO DEFINE TERMS, TO PROVIDE APPROVAL CRITERIA, TO
7 PROVIDE FOR DESIRED MILESTONES, TO PROVIDE FOR CERTAIN REPORTING, TO
8 PROVIDE FOR PAYMENTS TO PROVIDERS, TO PROVIDE REPORTING REQUIREMENTS,
9 AND TO PROVIDE FOR THE REMOVAL OF CERTAIN PROVIDERS; AMENDING CHAPTER
10 9, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-912, IDAHO
11 CODE, TO ESTABLISH THE ADULT DIPLOMA WORKFORCE FUND; AND DECLARING AN
12 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
13

14 Be It Enacted by the Legislature of the State of Idaho:

15 SECTION 1. That Section 33-107, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board
18 shall have power to:

19 (1) Perform all duties prescribed for it by the school laws of the
20 state;

21 (2) Acquire, hold and dispose of title, rights and interests in real and
22 personal property;

23 (3) Have general supervision, through its executive departments and
24 offices, of all entities of public education supported in whole or in part by
25 state funds;

26 (4) (a) Delegate to its executive secretary, to its executive officer,
27 or to such other administrators as the board may appoint, such powers as
28 said officers require to carry out and administer the policies, orders
29 and directives of the board;

30 (b) Delegate to its executive officer, if necessary to enhance ef-
31 fectiveness and efficiency, such powers as he requires to exercise
32 discretionary authority and to perform duties vested in the state board
33 related to the operation, control and management of Idaho's state uni-
34 versities and colleges and other agencies under the supervision and
35 governance of the state board, and to perform duties and render deci-
36 sions prescribed to the state board involving the exercise of judgment
37 and discretion that affect the public schools in Idaho;

38 (c) Delegate to the presidents of Idaho's state universities and col-
39 leges, if necessary to enhance effectiveness and efficiency, such pow-
40 ers as said officers require to exercise discretionary authority and to
41 perform duties vested in the state board related to the operation, con-
42 trol and management of Idaho's state universities and colleges;

1 (d) Delegate to its executive secretary, the superintendent of public
 2 instruction, if necessary to enhance effectiveness and efficiency,
 3 such powers as he requires to perform duties and render decisions
 4 prescribed to the state board involving the exercise of judgment and
 5 discretion that affect the public schools in Idaho;

6 (e) Delegations of powers under this subsection must be adopted as
 7 statements of agency action by the state board, as provided in section
 8 33-105(2), Idaho Code, and pursuant to a process that provides for no-
 9 tice, opportunity for input and formal adoption by the state board;

10 (5) Through its executive departments and offices:

11 (a) Enforce the school laws of the state; ~~and~~

12 (b) Study the educational conditions and needs of the state and recom-
 13 mend to the legislature needed changes in existing laws or additional
 14 legislation;

15 (6) In addition to the powers conferred by chapter 24, title 33, Idaho
 16 Code:

17 (a) Maintain a register of postsecondary educational institutions ap-
 18 proved to provide programs and courses that lead to a degree or ~~which~~
 19 that provide, offer and sell degrees in accordance with the procedures
 20 established in chapter 24, title 33, Idaho Code; ~~and~~

21 (b) Determine whether to accept academic credit at public postsec-
 22 ondary educational institutions in Idaho. Academic credit shall not
 23 be transferred into any Idaho public postsecondary institution from a
 24 postsecondary educational institution or other entity that is not ac-
 25 credited by an organization recognized by the board; ~~and~~

26 (c) Maintain a register of proprietary schools approved to conduct,
 27 provide, offer or sell a course or courses of study in accordance with
 28 the procedures established in chapter 24, title 33, Idaho Code;

29 (7) Prescribe the courses and programs of study to be offered at the
 30 public institutions of higher education, after consultation with the pres-
 31 idents of the affected institutions;

32 (8) Approve new courses and programs of study to be offered at commu-
 33 nity colleges organized pursuant to chapter 21, title 33, Idaho Code, when
 34 the courses or programs of study are academic in nature and the credits de-
 35 rived therefrom are intended to be transferable to other state institutions
 36 of higher education for credit toward a baccalaureate degree; ~~and~~ when the
 37 courses or programs of study have been authorized by the board of trustees of
 38 the community college; ~~and~~

39 (9) Administer the adult workforce high school diploma program in ac-
 40 cordance with the provisions of section 33-142, Idaho Code.

41 SECTION 2. That Chapter 1, Title 33, Idaho Code, be, and the same is
 42 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 43 ignated as Section 33-142, Idaho Code, and to read as follows:

44 33-142. ADULT WORKFORCE HIGH SCHOOL DIPLOMA PROGRAM. (1) The adult
 45 workforce high school diploma program is hereby established for the pur-
 46 pose of assisting adults twenty-two (22) years of age or older in obtaining
 47 a high school diploma and developing employability and career technical
 48 skills. The adult workforce high school diploma program may be delivered

1 in a campus-based modality, online modality, or a combination of both such
2 modalities.

3 (2) For the purpose of this section:

4 (a) "Academic skills intake assessment" means a criterion-referenced
5 assessment of numeracy and literacy skills with high reliability and
6 validity as determined by third-party research. Assessments can be
7 administered in person or online.

8 (b) "Accredited" means holding an active accreditation from a United
9 States regional accreditor, including the:

10 (i) Accrediting commission for community and junior colleges;

11 (ii) Higher learning commission;

12 (iii) Middle states commission on higher education;

13 (iv) New England association of schools and colleges;

14 (v) Northwest commission on colleges and universities;

15 (vi) Southern association of colleges and schools commission on
16 colleges;

17 (vii) Western association of schools and colleges;

18 (viii) Cognia; or

19 (ix) Any successor entities or consolidations of the regional ac-
20 creditors described in this paragraph.

21 (c) "Approved program provider" means a public, nonprofit, or other en-
22 tity that meets the requirements of subsection (3) of this section. An
23 approved program provider may not receive funding for a student under
24 this section if the approved program provider receives federal or state
25 funding or private tuition for that student.

26 (d) "Average cost per graduate" means the total program funding dis-
27 bursed to an approved program provider for a cohort during the measure-
28 ment period divided by the total number of students who graduated from
29 the cohort during the measurement period.

30 (e) "Career advising services" means services designed to assist stu-
31 dents in obtaining employment, including but not limited to resume de-
32 velopment and mock interviews.

33 (f) "Career pathways coursework" means one (1) or more courses that
34 help a student enter or advance within a specific occupation or occupa-
35 tional cluster.

36 (g) "Coaching" means proactive communication between the approved pro-
37 gram provider and the student related to the student's pace and progress
38 through the student's learning plan.

39 (h) "Cohort" means the students who enter the program between July 1 and
40 June 30 of each program year.

41 (i) "Employability skills certification" means a certificate earned
42 by demonstrating professional, nontechnical skills through assessment
43 and shall include but not be limited to the program standards of the
44 United States department of labor's "skills to pay the bills: mastering
45 soft skills for workplace success" program.

46 (j) "Graduate" means a student who has successfully completed all of
47 the approved program provider requirements in order to obtain a high
48 school diploma.

49 (k) "Graduation rate" means the total number of graduates from a cohort
50 who graduated during the measurement period divided by the total num-

1 ber of students included in the same cohort for which a provider has re-
2 ceived funding.

3 (l) "Graduation requirements" means course, credit, and curriculum re-
4 quirements aligned to the graduation requirements needed to earn a high
5 school diploma from an approved program provider in the state of Idaho.

6 (m) "High school diploma" means a diploma issued by an accredited in-
7 stitution. A diploma issued pursuant to the provisions of this section
8 is recognized as a secondary school diploma by the state of Idaho.

9 (n) "Learning plan" means a documented plan for courses or credits
10 needed for each individual in order to complete the state course,
11 credit, and curriculum requirements for graduation.

12 (o) "Measurement period" means the two (2) year period beginning July 1
13 of the year the cohort begins the program through June 30 of the subse-
14 quent state fiscal year.

15 (p) "Mentoring" means a direct relationship between a coach and a
16 student to facilitate the completion of the student's learning plan
17 designed to prepare the student to succeed in the program and the stu-
18 dent's future endeavors.

19 (q) "Milestones" means objective measures of progress for which pay-
20 ment is made to an approved program provider under this section, includ-
21 ing earned units of high school credit, attainment of an employability
22 skills certificate, attainment of workforce credentials, and attain-
23 ment of an accredited high school diploma.

24 (r) "Request for applications" means a request for interested public,
25 nonprofit, or other entities to submit evidence that they meet the qual-
26 ifications established in subsection (3) of this section to become an
27 approved program provider.

28 (s) "Student" means a participant in the adult workforce high school
29 diploma program who is twenty-two (22) years of age or older, who is a
30 resident of Idaho, and who has not yet earned a high school diploma.

31 (t) "Transcript evaluation" means a documented summary of credits
32 earned in previous public or private accredited high schools compared
33 with program and approved program provider graduation requirements.

34 (u) "Unit of high school credit" means credit awarded based on a stu-
35 dent's demonstration that the student has successfully met the content
36 expectations for the credit area, as defined by subject area standards,
37 expectations, or guidelines.

38 (v) "Workforce credential" means a third-party credential that either
39 is part of a sequence of credentials that can be accumulated over time to
40 build an individual's qualifications to advance along a career pathway
41 and results in a certificate or verifies an individual's qualification
42 or competence and that is issued by a third party with the relevant au-
43 thority to issue said credential.

44 (w) "Workforce diploma program" means a program to assist adults
45 twenty-two (22) years of age or older to obtain a high school diploma and
46 develop employability and career technical skills.

47 (3) By August 15, 2024, and annually thereafter, the state board of ed-
48 ucation shall issue a request for applications for entities to become ap-
49 proved program providers and participate in the adult workforce high school
50 diploma program established in this section. Once the state board of educa-

1 tion verifies that the applicant meets the criteria established in this sub-
2 section, it shall approve the applicant as an approved program provider. In
3 order to become an approved program provider, an entity must be a regionally
4 accredited high school diploma-granting entity and have the ability to:

5 (a) Provide academic skills intake assessments and transcript evalua-
6 tions;

7 (b) Develop a learning plan for each student that integrates graduation
8 requirements and career goals;

9 (c) Provide a course catalog that includes all courses and credits nec-
10 essary to fulfill graduation requirements in the state of Idaho;

11 (d) Provide remediation opportunities in literacy and numeracy;

12 (e) Provide employability skills certification;

13 (f) Provide career pathways coursework;

14 (g) Provide preparation for workforce credentials; and

15 (h) Provide career advising services.

16 (4) The state board of education shall announce the approved program
17 providers no later than October 15 each year, with authorization for the ap-
18 proved program providers to begin enrolling students starting no later than
19 November 15, annually. Approved program providers shall maintain their ap-
20 proved status without reapplying annually as long as the provider continues
21 to meet the requirements set forth in subsection (3) of this section and has
22 not been removed from the approved program provider list in accordance with
23 the provisions of subsection (9) of this section.

24 (5) The state board of education shall pay approved program providers
25 for the completion of the following milestones by each student:

26 (a) Two hundred fifty dollars (\$250) for the completion of each half
27 unit of a high school credit;

28 (b) Two hundred fifty dollars (\$250) for the attainment of an employa-
29 bility skills certification;

30 (c) Two hundred fifty dollars (\$250) for the attainment of a workforce
31 credential requiring up to fifty (50) hours of training;

32 (d) Five hundred dollars (\$500) for the attainment of a workforce cre-
33 dential requiring between fifty-one (51) and one hundred (100) hours of
34 training;

35 (e) Seven hundred fifty dollars (\$750) for the attainment of a work-
36 force credential requiring more than one hundred (100) hours of train-
37 ing; and

38 (f) One thousand dollars (\$1,000) for the attainment of an accredited
39 high school diploma.

40 (6) (a) Approved program providers shall submit monthly invoices to the
41 state board of education no later than the tenth calendar day of each
42 month for milestones met in the previous calendar month.

43 (b) The state board of education shall pay approved program providers
44 in the order in which invoices are submitted until all available funds
45 are exhausted.

46 (c) The state board of education shall provide a written update to ap-
47 proved program providers by the last calendar day of each month, includ-
48 ing the aggregate total dollars that have been paid to approved program
49 providers to date and the estimated number of enrollments still avail-
50 able for the program year.

1 (7) On or before August 15 of the second fiscal year of the program, ap-
 2 proved program providers shall report the following required information to
 3 the state board of education:

4 (a) The total number of students for whom the approved program provider
 5 has received payments;

6 (b) The total number of credits earned by students for whom the approved
 7 program provider is receiving payments;

8 (c) The total number of employability skills certifications issued to
 9 students for whom the approved program provider is receiving payments;

10 (d) The total number of workforce credentials earned for each tier of
 11 funding described in subsection (5) of this section by students for whom
 12 the approved program provider is receiving payments; and

13 (e) The total number of students for whom the approved program provider
 14 is receiving payments who receive high school diplomas.

15 (8) On or before August 15 after the conclusion of the first measurement
 16 period of the program and each year thereafter in which program payments were
 17 disbursed for the prior state fiscal year, each approved program provider
 18 that received payments pursuant to subsection (5) of this section for the
 19 preceding state fiscal year shall report, in addition to the information re-
 20 quired by subsection (7) of this section, the following information to the
 21 state board of education, broken down by cohort:

22 (a) The average cost per graduate for the cohort for which the measure-
 23 ment period ended in the prior state fiscal year and updated average
 24 cost per graduate for any previous cohort for which the measurement
 25 period has ended but students from the cohort achieved one (1) of the
 26 outcomes described in subsection (5) of this section in the prior state
 27 fiscal year; and

28 (b) The graduation rate for the cohort for which the measurement period
 29 ended in the prior state fiscal year and updated graduation rate from
 30 any previous cohort for which the measurement period has ended but stu-
 31 dents from the cohort achieved one (1) of the outcomes described in sub-
 32 section (5) of this section.

33 (9) (a) Beginning with the end of the second fiscal year of the program,
 34 the state board of education shall review data from each approved pro-
 35 gram provider to ensure that each provider is achieving minimum program
 36 performance standards, including:

37 (i) A minimum of fifty percent (50%) graduation rate for each co-
 38 hort's measurement period; and

39 (ii) An average cost per graduate of seven thousand dollars
 40 (\$7,000) or less for each cohort's measurement period.

41 (b) The state board of education shall place any approved program
 42 provider that does not meet the minimum program performance standards
 43 identified in paragraph (a) of this subsection on probationary status
 44 for the remainder of the fiscal year. An approved program provider that
 45 does not meet the minimum performance standards for two (2) consecutive
 46 years shall be removed from the approved program provider list.

47 SECTION 3. That Chapter 9, Title 33, Idaho Code, be, and the same is
 48 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 49 ignated as Section 33-912, Idaho Code, and to read as follows:

1 33-912. ADULT DIPLOMA WORKFORCE FUND. (1) There is hereby created in
2 the state treasury the adult diploma workforce fund. Moneys in the fund
3 shall be used to create a pilot program for the issuance of accredited high
4 school diplomas for adults twenty-two (22) years of age or older pursuant to
5 section 33-142, Idaho Code.

6 (2) Moneys in the fund shall be subject to legislative appropriation
7 and shall consist of:

- 8 (a) Legislative transfers and appropriations; and
9 (b) Interest earned on idle moneys in the fund.

10 SECTION 4. An emergency existing therefor, which emergency is hereby
11 declared to exist, this act shall be in full force and effect on and after
12 July 1, 2024.