

House Engrossed

commerce authority; adult workforce education.

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2501

AN ACT

AMENDING TITLE 41, CHAPTER 10, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; RELATING TO THE ARIZONA COMMERCE AUTHORITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 10, Arizona Revised Statutes, is
3 amended by adding article 2, to read:

4 ARTICLE 2. ADULT WORKFORCE DIPLOMA PROGRAM

5 41-1529. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "ACADEMIC SKILL INTAKE ASSESSMENT" MEANS A CRITERION-REFERENCED
8 ASSESSMENT OF NUMERACY AND LITERACY SKILL WITH HIGH RELIABILITY AND
9 VALIDITY THAT IS DETERMINED BY THIRD PARTY RESEARCH AND THAT MAY BE
10 ADMINISTERED IN PERSON OR ONLINE.

11 2. "ACCREDITED PROVIDER" MEANS AN ENTITY THAT IS CURRENTLY
12 ACCREDITED BY A UNITED STATES REGIONAL ACCREDITATION ORGANIZATION OR ANY
13 SUCCESSOR ENTITY.

14 3. "ADULT DROPOUT RECOVERY SERVICES" INCLUDES SOURCING, RECRUITING
15 AND ENGAGING ELIGIBLE STUDENTS, DEVELOPING LEARNING PLANS, ACTIVE TEACHING
16 AND PROACTIVE COACHING AND MENTORING THAT RESULT IN A HIGH SCHOOL DIPLOMA.

17 4. "APPROVED PROGRAM PROVIDER" MEANS A PUBLIC, NONPROFIT OR OTHER
18 ENTITY THAT MEETS THE REQUIREMENTS OF THIS ARTICLE AND THAT DOES NOT
19 RECEIVE FEDERAL OR STATE FUNDING OR PRIVATE TUITION FOR A STUDENT WHO IS
20 FUNDED THROUGH THE PROGRAM.

21 5. "CAREER PATHWAYS COURSEWORK" MEANS ONE OR MORE COURSES THAT
22 ALIGN WITH THE SKILL NEEDS OF INDUSTRIES IN THE ECONOMY OF THIS STATE OR
23 REGION AND THAT ASSIST AN INDIVIDUAL TO ENTER OR ADVANCE WITHIN A SPECIFIC
24 OCCUPATION OR OCCUPATIONAL CLUSTER.

25 6. "CAREER PLACEMENT SERVICES" MEANS SERVICES THAT ARE DESIGNED TO
26 ASSIST STUDENTS IN OBTAINING EMPLOYMENT, INCLUDING CAREER INTEREST
27 SELF-ASSESSMENTS, JOB SEARCH SKILLS, RÉSUMÉ DEVELOPMENT AND MOCK
28 INTERVIEWS.

29 7. "COACHING" MEANS PROACTIVE COMMUNICATION BETWEEN THE APPROVED
30 PROGRAM PROVIDER AND THE STUDENT RELATING TO THE STUDENT'S PACE AND
31 PROGRESS THROUGH THE STUDENT'S LEARNING PLAN.

32 8. "COST PER GRADUATE" MEANS THE AMOUNT THAT IS CALCULATED BY
33 DIVIDING THE TOTAL PROGRAM FUNDING FOR AN APPROVED PROGRAM PROVIDER FOR A
34 FISCAL YEAR COHORT BY THE TOTAL NUMBER OF GRADUATES FOR THAT FISCAL YEAR
35 COHORT.

36 9. "EMPLOYABILITY SKILLS CERTIFICATION" MEANS A CERTIFICATE THAT IS
37 EARNED BY DEMONSTRATING PROFESSIONAL NONTECHNICAL SKILLS THROUGH AN
38 ASSESSMENT, PORTFOLIO OR OBSERVATION.

39 10. "GRADUATE" MEANS A STUDENT WHO HAS SUCCESSFULLY COMPLETED ALL
40 STATE AND APPROVED PROGRAM PROVIDER REQUIREMENTS TO EARN A HIGH SCHOOL
41 DIPLOMA.

42 11. "GRADUATION RATE" MEANS THE TOTAL GRADUATES FOR THE FISCAL YEAR
43 DIVIDED BY ALL STUDENTS FOR THE FISCAL YEAR FOR WHOM THE APPROVED PROGRAM
44 PROVIDER HAS RECEIVED FUNDING, CALCULATED ONE FISCAL YEAR IN ARREARS.

1 12. "GRADUATION REQUIREMENTS" MEANS COURSE AND CREDIT REQUIREMENTS
2 FOR THE APPROVED PROGRAM PROVIDER'S HIGH SCHOOL DIPLOMA.

3 13. "HIGH SCHOOL DIPLOMA" MEANS A DIPLOMA THAT IS ISSUED BY AN
4 ACCREDITED PROVIDER AND THAT IS RECOGNIZED AS A SECONDARY SCHOOL DIPLOMA
5 BY THIS STATE.

6 14. "INDUSTRY-RECOGNIZED CREDENTIAL" MEANS AN EDUCATION-RELATED OR
7 WORK-RELATED CREDENTIAL THAT VERIFIES AN INDIVIDUAL'S QUALIFICATION OR
8 COMPETENCE AND THAT IS ISSUED BY A THIRD PARTY WITH THE RELEVANT AUTHORITY
9 TO ISSUE THE CREDENTIAL.

10 15. "LEARNING PLAN" MEANS A DOCUMENTED PLAN THAT BOTH:

11 (a) IS DESIGNED TO PREPARE A STUDENT TO SUCCEED IN THE PROGRAM AND
12 THE STUDENT'S FUTURE ENDEAVORS.

13 (b) IDENTIFIES THE COURSES AND CREDITS THAT ARE NEEDED FOR A
14 STUDENT TO COMPLETE THE PROGRAM AND THAT ARE APPROVED PROGRAM PROVIDER
15 GRADUATION REQUIREMENTS.

16 16. "MENTORING" MEANS A DIRECT RELATIONSHIP BETWEEN A COACH AND A
17 STUDENT TO FACILITATE THE COMPLETION OF THE STUDENT'S LEARNING PLAN.

18 17. "MILESTONES" MEANS OBJECTIVE MEASURES OF PROGRESS FOR WHICH
19 PAYMENT IS MADE TO AN APPROVED PROGRAM PROVIDER UNDER THIS ARTICLE,
20 INCLUDING EARNING UNITS OF HIGH SCHOOL CREDIT, EARNING AN EMPLOYABILITY
21 SKILLS CERTIFICATE, EARNING AN INDUSTRY-RECOGNIZED CREDENTIAL AND EARNING
22 A HIGH SCHOOL DIPLOMA.

23 18. "PROGRAM" MEANS THE ADULT WORKFORCE DIPLOMA PROGRAM.

24 19. "STUDENT" MEANS A PARTICIPANT IN THE PROGRAM WHO IS AT LEAST
25 TWENTY-ONE YEARS OF AGE, WHO IS A RESIDENT OF THIS STATE AND WHO HAS NOT
26 EARNED A HIGH SCHOOL DIPLOMA.

27 20. "TRANSCRIPT EVALUATION" MEANS A DOCUMENTED SUMMARY OF CREDITS
28 THAT WERE EARNED IN PREVIOUS PUBLIC OR PRIVATE ACCREDITED HIGH SCHOOLS
29 COMPARED WITH PROGRAM AND APPROVED PROGRAM PROVIDER GRADUATION
30 REQUIREMENTS.

31 21. "UNIT OF HIGH SCHOOL CREDIT" MEANS A CREDIT THAT IS AWARDED
32 BASED ON A STUDENT'S DEMONSTRATION THAT THE STUDENT HAS SUCCESSFULLY MET
33 THE CONTENT EXPECTATIONS FOR THE CREDIT AREA AS DEFINED BY SUBJECT AREA
34 STANDARDS, EXPECTATIONS OR GUIDELINES.

35 41-1529.01. Adult workforce diploma program: fund:
36 appropriation; annual report

37 A. THE ADULT WORKFORCE DIPLOMA PROGRAM IS ESTABLISHED WITHIN THE
38 AUTHORITY TO ASSIST A PERSON WHO IS AT LEAST TWENTY-ONE YEARS OF AGE IN
39 EARNING A HIGH SCHOOL DIPLOMA AND DEVELOPING CRITICAL EMPLOYABILITY AND
40 CAREER AND TECHNICAL SKILLS TO PREPARE FOR EMPLOYMENT.

41 B. THE ADULT WORKFORCE DIPLOMA PROGRAM FUND IS ESTABLISHED
42 CONSISTING OF LEGISLATIVE APPROPRIATIONS, GIFTS, GRANTS AND OTHER
43 DONATIONS. THE CHIEF EXECUTIVE OFFICER SHALL ADMINISTER THE FUND. MONIES
44 IN THE FUND ARE CONTINUOUSLY APPROPRIATED. THE SUM OF \$5,000,000 IS
45 APPROPRIATED FROM THE STATE GENERAL FUND EACH FISCAL YEAR TO THE FUND.

1 C. ON OR BEFORE AUGUST 15 OF EACH YEAR, THE AUTHORITY SHALL ISSUE A
2 REQUEST FOR QUALIFICATIONS FOR PROGRAM PROVIDERS TO PARTICIPATE IN THE
3 PROGRAM. TO BE APPROVED, A PROGRAM PROVIDER SHALL MEET ALL OF THE
4 FOLLOWING:

- 5 1. BE OPERATING AN ACCREDITED HIGH SCHOOL DIPLOMA PROGRAM.
- 6 2. HAVE AT LEAST TWO YEARS OF EXPERIENCE IN PROVIDING ADULT DROPOUT
7 RECOVERY SERVICES.
- 8 3. FOR EACH STUDENT, HAVE THE ABILITY TO DEVELOP A LEARNING PLAN
9 THAT INTEGRATES GRADUATION REQUIREMENTS AND CAREER GOALS.
- 10 4. PROVIDE A COURSE CATALOG THAT INCLUDES ALL COURSES THAT ARE
11 NECESSARY TO MEET GRADUATION REQUIREMENTS.
- 12 5. HAVE THE ABILITY TO PROVIDE ALL OF THE FOLLOWING:
 - 13 (a) REMEDIATION OPPORTUNITIES IN LITERACY AND NUMERACY.
 - 14 (b) EMPLOYABILITY SKILLS CERTIFICATION.
 - 15 (c) CAREER PATHWAYS COURSEWORK.
 - 16 (d) PREPARATION FOR INDUSTRY-RECOGNIZED CREDENTIALS.
 - 17 (e) CAREER PLACEMENT SERVICES.
 - 18 (f) ACADEMIC SKILL INTAKE ASSESSMENTS AND TRANSCRIPT EVALUATIONS.

19 D. ON OR BEFORE OCTOBER 15 OF EACH YEAR, THE AUTHORITY SHALL
20 APPROVE ALL QUALIFIED PROGRAM PROVIDERS AND PLACE THOSE PROVIDERS ON AN
21 APPROVED PROGRAM PROVIDERS LIST. APPROVED PROGRAM PROVIDERS SHALL BEGIN
22 ENROLLING STUDENTS ON OR BEFORE NOVEMBER 15 OF EACH YEAR. APPROVED
23 PROGRAM PROVIDERS MAINTAIN APPROVAL STATUS UNLESS THE APPROVED PROGRAM
24 PROVIDER IS REMOVED FROM THE APPROVED PROGRAM PROVIDERS LIST PURSUANT TO
25 SUBSECTION J OF THIS SECTION.

26 E. THE AUTHORITY SHALL PAY APPROVED PROGRAM PROVIDERS THE FOLLOWING
27 AMOUNTS FOR EACH STUDENT WHO COMPLETES THE FOLLOWING MILESTONES:

- 28 1. \$250 FOR EACH COMPLETED HALF UNIT OF HIGH SCHOOL CREDIT.
- 29 2. \$250 FOR EACH EARNED EMPLOYABILITY SKILLS CERTIFICATION.
- 30 3. \$250 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL THAT
31 REQUIRES UP TO FIFTY HOURS OF TRAINING.
- 32 4. \$500 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL THAT
33 REQUIRES AT LEAST FIFTY HOURS BUT NOT MORE THAN ONE HUNDRED HOURS OF
34 TRAINING.
- 35 5. \$750 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL THAT
36 REQUIRES MORE THAN ONE HUNDRED HOURS OF TRAINING.
- 37 6. \$1,000 FOR EACH EARNED HIGH SCHOOL DIPLOMA.

38 F. THE AUTHORITY SHALL PAY APPROVED PROGRAM PROVIDERS ONLY THE
39 HIGHER AMOUNT FOR EACH STUDENT WHO ACHIEVES MORE THAN ONE MILESTONE IN A
40 SINGLE COURSE.

41 G. APPROVED PROGRAM PROVIDERS SHALL SUBMIT MONTHLY INVOICES TO THE
42 AUTHORITY NOT LATER THAN THE TENTH CALENDAR DAY OF EACH MONTH FOR
43 MILESTONES MET IN THE PREVIOUS CALENDAR MONTH. THE AUTHORITY SHALL PAY
44 APPROVED PROGRAM PROVIDERS IN THE ORDER IN WHICH INVOICES ARE SUBMITTED
45 UNTIL ALL AVAILABLE MONIES ARE EXHAUSTED. THE AUTHORITY SHALL PROVIDE A

1 WRITTEN UPDATE TO THE APPROVED PROGRAM PROVIDERS BY THE LAST CALENDAR DAY
2 OF EACH MONTH, INCLUDING THE AGGREGATE TOTAL DOLLARS THAT HAVE BEEN PAID
3 TO APPROVED PROGRAM PROVIDERS TO DATE AND THE ESTIMATED NUMBER OF
4 ENROLLMENTS STILL AVAILABLE FOR THE PROGRAM YEAR.
5 H. ON OR BEFORE JULY 15 OF EACH YEAR, EACH APPROVED PROGRAM
6 PROVIDER SHALL REPORT THE FOLLOWING TO THE AUTHORITY:
7 1. THE TOTAL NUMBER OF STUDENTS WHO WERE FUNDED THROUGH THE
8 PROGRAM.
9 2. THE TOTAL NUMBER OF EARNED CREDITS.
10 3. THE TOTAL NUMBER OF ISSUED EMPLOYABILITY SKILLS CERTIFICATIONS.
11 4. THE TOTAL NUMBER OF EARNED INDUSTRY-RECOGNIZED CREDENTIALS FOR
12 EACH TIER OF FUNDING.
13 5. THE TOTAL NUMBER OF STUDENTS WHO GRADUATED THROUGH THE PROGRAM.
14 I. BEGINNING WITH THE END OF THE SECOND FISCAL YEAR OF THE PROGRAM,
15 THE AUTHORITY SHALL REVIEW DATA FROM EACH APPROVED PROGRAM PROVIDER TO
16 ENSURE THAT EACH APPROVED PROGRAM PROVIDER IS ACHIEVING MINIMUM PROGRAM
17 PERFORMANCE STANDARDS, INCLUDING:
18 1. A GRADUATION RATE OF AT LEAST FIFTY PERCENT.
19 2. A COST PER GRADUATE OF \$7,000 OR LESS.
20 J. THE AUTHORITY SHALL PLACE AN APPROVED PROGRAM PROVIDER THAT DOES
21 NOT MEET THE MINIMUM PROGRAM PERFORMANCE STANDARDS PRESCRIBED IN
22 SUBSECTION I OF THIS SECTION ON PROBATIONARY STATUS FOR THE REMAINDER OF
23 THE FISCAL YEAR. AN APPROVED PROGRAM PROVIDER THAT DOES NOT MEET THE
24 MINIMUM PERFORMANCE STANDARDS FOR TWO CONSECUTIVE YEARS SHALL BE REMOVED
25 FROM THE APPROVED PROGRAM PROVIDERS LIST.
26 41-1529.02. Program termination
27 THE PROGRAM ESTABLISHED BY THIS ARTICLE ENDS ON JULY 1, 2030
28 PURSUANT TO SECTION 41-3102.