

REFERENCE TITLE: **commerce authority; adult workforce education**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2123

Introduced by
Representative Kaiser

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 ONE OF THE SEVEN REGIONAL ACCREDITATION ORGANIZATIONS OR ANY
13 SUCCESSOR ENTITY.

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

18 4. "AVERAGE COST PER GRADUATE" MEANS THE AMOUNT THAT IS CALCULATED
19 BY DIVIDING THE TOTAL PROGRAM FUNDING THAT IS REIMBURSED TO AN APPROVED
20 PROGRAM PROVIDER FOR A FISCAL YEAR COHORT BY THE TOTAL NUMBER OF GRADUATES
21 FOR THAT FISCAL YEAR COHORT.

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

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

30 7. "COHORT" MEANS THE STUDENTS WHO ENTER THE PROGRAM BETWEEN JULY 1
31 AND JUNE 30 OF EACH PROGRAM YEAR.

32 8. "EMPLOYABILITY SKILLS CERTIFICATION" MEANS A CERTIFICATE THAT IS
33 EARNED BY DEMONSTRATING PROFESSIONAL NONTECHNICAL SKILLS THROUGH AN
34 ASSESSMENT, PORTFOLIO OR OBSERVATION.

35 9. "GRADUATE" MEANS A STUDENT WHO HAS SUCCESSFULLY COMPLETED ALL
36 STATE AND APPROVED PROGRAM PROVIDER REQUIREMENTS TO EARN A HIGH SCHOOL
37 DIPLOMA.

38 10. "GRADUATION RATE" MEANS THE TOTAL GRADUATES FROM A COHORT
39 DIVIDED BY THE TOTAL NUMBER OF STUDENTS.

40 11. "GRADUATION REQUIREMENTS" MEANS COURSE AND CREDIT REQUIREMENTS
41 FOR THE APPROVED PROGRAM PROVIDER'S HIGH SCHOOL DIPLOMA.

42 12. "HIGH SCHOOL DIPLOMA" MEANS A DIPLOMA THAT IS ISSUED BY AN
43 ACCREDITED PROVIDER AND THAT IS RECOGNIZED AS A SECONDARY SCHOOL DIPLOMA
44 BY THIS STATE.

1 13. "INDUSTRY-RECOGNIZED CREDENTIAL" MEANS AN EDUCATION-RELATED OR
2 WORK-RELATED CREDENTIAL THAT VERIFIES AN INDIVIDUAL'S QUALIFICATION OR
3 COMPETENCE AND THAT IS ISSUED BY A THIRD PARTY WITH THE RELEVANT AUTHORITY
4 TO ISSUE THE CREDENTIAL.

5 14. "LEARNING PLAN" MEANS A DOCUMENTED PLAN THAT BOTH:
6 (a) IS DESIGNED TO PREPARE A STUDENT TO SUCCEED IN THE PROGRAM AND
7 THE STUDENT'S FUTURE ENDEAVORS.

8 (b) IDENTIFIES THE COURSES AND CREDITS THAT ARE NEEDED FOR A
9 STUDENT TO COMPLETE THE PROGRAM AND THAT ARE APPROVED PROGRAM PROVIDER
10 GRADUATION REQUIREMENTS.

11 15. "MILESTONES" MEANS OBJECTIVE MEASURES OF PROGRESS FOR WHICH
12 PAYMENT IS MADE TO AN APPROVED PROGRAM PROVIDER UNDER THIS ARTICLE,
13 INCLUDING EARNED UNITS OF HIGH SCHOOL CREDIT, EARNING AN EMPLOYABILITY
14 SKILLS CERTIFICATE, EARNING AN INDUSTRY-RECOGNIZED CREDENTIAL AND EARNING
15 A HIGH SCHOOL DIPLOMA.

16 16. "PROGRAM" MEANS THE ADULT WORKFORCE DIPLOMA PROGRAM.

17 17. "REQUEST FOR QUALIFICATIONS" MEANS A REQUEST FOR INTERESTED
18 POTENTIAL PROGRAM PROVIDERS TO SUBMIT EVIDENCE THAT THEY MEET THE
19 QUALIFICATIONS PRESCRIBED BY SECTION 41-1529.01.

20 18. "STACKABLE CREDENTIAL" MEANS A THIRD-PARTY CREDENTIAL THAT IS
21 PART OF A SEQUENCE OF CREDENTIALS THAT CAN BE ACCUMULATED OVER TIME TO
22 BUILD UP AN INDIVIDUAL'S QUALIFICATIONS TO ADVANCE ALONG A CAREER PATHWAY.

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

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

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

34 41-1529.01. Adult workforce diploma program; fund;
35 appropriation; annual report

36 A. THE ADULT WORKFORCE DIPLOMA PROGRAM IS ESTABLISHED WITHIN THE
37 AUTHORITY TO ASSIST A PERSON WHO IS AT LEAST TWENTY-ONE YEARS OF AGE IN
38 EARNING A HIGH SCHOOL DIPLOMA AND DEVELOPING CRITICAL EMPLOYABILITY AND
39 CAREER AND TECHNICAL SKILLS TO PREPARE FOR EMPLOYMENT. THE PROGRAM MAY BE
40 DELIVERED IN A CAMPUS-BASED, ONLINE OR BLENDED MODALITY.

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 \$6,000,000 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 ELIGIBLE PROGRAM PROVIDERS TO PARTICIPATE
3 IN THE PROGRAM. TO BE APPROVED, A PROGRAM PROVIDER SHALL MEET ALL OF THE
4 FOLLOWING:
5 1. BE OPERATING A REGIONALLY ACCREDITED HIGH SCHOOL DIPLOMA
6 GRANTING ENTITY.
7 2. FOR EACH STUDENT, HAVE THE ABILITY TO DEVELOP A LEARNING PLAN
8 THAT INTEGRATES GRADUATION REQUIREMENTS AND CAREER GOALS.
9 3. PROVIDE A COURSE CATALOG THAT INCLUDES ALL COURSES THAT ARE
10 NECESSARY TO MEET GRADUATION REQUIREMENTS.
11 4. HAVE THE ABILITY TO PROVIDE ALL OF THE FOLLOWING:
12 (a) REMEDIATION OPPORTUNITIES IN LITERACY AND NUMERACY.
13 (b) EMPLOYABILITY SKILLS CERTIFICATION.
14 (c) CAREER PATHWAYS COURSEWORK.
15 (d) PREPARATION FOR INDUSTRY-RECOGNIZED CREDENTIALS AND STACKABLE
16 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 I 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 OR STACKABLE
31 CREDENTIAL THAT REQUIRES UP TO FIFTY HOURS OF TRAINING.
32 4. \$500 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL OR STACKABLE
33 CREDENTIAL THAT REQUIRES AT LEAST FIFTY HOURS BUT NOT MORE THAN ONE
34 HUNDRED HOURS OF TRAINING.
35 5. \$750 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL OR STACKABLE
36 CREDENTIAL THAT REQUIRES MORE THAN ONE HUNDRED HOURS OF TRAINING.
37 6. \$1,000 FOR EACH ATTAINED HIGH SCHOOL DIPLOMA.
38 F. APPROVED PROGRAM PROVIDERS SHALL SUBMIT MONTHLY INVOICES TO THE
39 AUTHORITY NOT LATER THAN THE TENTH CALENDAR DAY OF EACH MONTH FOR
40 MILESTONES MET IN THE PREVIOUS CALENDAR MONTH. THE AUTHORITY SHALL PAY
41 APPROVED PROGRAM PROVIDERS IN THE ORDER IN WHICH INVOICES ARE SUBMITTED
42 UNTIL ALL AVAILABLE MONIES ARE EXHAUSTED. THE AUTHORITY SHALL PROVIDE A
43 WRITTEN UPDATE TO THE APPROVED PROGRAM PROVIDERS BY THE LAST CALENDAR DAY
44 OF EACH MONTH, INCLUDING THE AGGREGATE TOTAL DOLLARS THAT HAVE BEEN PAID

1 TO APPROVED PROGRAM PROVIDERS TO DATE AND THE ESTIMATED NUMBER OF
2 ENROLLMENTS STILL AVAILABLE FOR THE PROGRAM YEAR.
3 G. ON OR BEFORE JULY 15 OF EACH YEAR, EACH APPROVED PROGRAM
4 PROVIDER SHALL REPORT THE FOLLOWING TO THE AUTHORITY:
5 1. THE TOTAL NUMBER OF STUDENTS WHO WERE FUNDED THROUGH THE
6 PROGRAM.
7 2. THE TOTAL NUMBER OF EARNED CREDITS.
8 3. THE TOTAL NUMBER OF ISSUED EMPLOYABILITY SKILLS CERTIFICATIONS.
9 4. THE TOTAL NUMBER OF EARNED INDUSTRY-RECOGNIZED CREDENTIALS OR
10 STACKABLE CREDENTIALS EARNED FOR EACH TIER OF FUNDING.
11 5. THE TOTAL NUMBER OF STUDENTS WHO GRADUATED THROUGH THE PROGRAM.
12 H. BEGINNING WITH THE END OF THE SECOND FISCAL YEAR OF THE PROGRAM,
13 THE AUTHORITY SHALL REVIEW DATA FROM EACH APPROVED PROGRAM PROVIDER TO
14 ENSURE THAT EACH APPROVED PROGRAM PROVIDER IS ACHIEVING MINIMUM PROGRAM
15 PERFORMANCE STANDARDS, INCLUDING:
16 1. A GRADUATION RATE OF AT LEAST FIFTY PERCENT.
17 2. AN AVERAGE COST PER GRADUATE OF \$7,000 OR LESS.
18 I. THE AUTHORITY SHALL PLACE AN APPROVED PROGRAM PROVIDER THAT DOES
19 NOT MEET THE MINIMUM PROGRAM PERFORMANCE STANDARDS PRESCRIBED IN
20 SUBSECTION H OF THIS SECTION ON PROBATIONARY STATUS FOR THE REMAINDER OF
21 THE FISCAL YEAR. AN APPROVED PROGRAM PROVIDER THAT DOES NOT MEET THE
22 MINIMUM PERFORMANCE STANDARDS FOR TWO CONSECUTIVE YEARS SHALL BE REMOVED
23 FROM THE APPROVED PROGRAM PROVIDERS LIST.