

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0955.01 Brita Darling x2241

HOUSE BILL 19-1236

HOUSE SPONSORSHIP

Gray and Sullivan, Buckner, Galindo, Van Winkle

SENATE SPONSORSHIP

Todd,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A WORKFORCE DIPLOMA PILOT**
102 **PROGRAM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the workforce diploma pilot program (program) in the department of education (department) to award completion payments to qualified providers for the attainment of certain outcomes achieved by eligible students enrolled in the courses or programs, including earning high school diplomas, course credits, or industry-recognized training certificates. The department shall administer the program.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Based on criteria listed in the bill, the department shall prepare a list of qualified providers. A qualified provider may be a public, nonprofit, or private accredited, degree-granting organization with at least 2 years of experience in providing adult dropout recovery services resulting in an accredited high school diploma, as well as other criteria.

The bill includes performance standards for qualified providers and allows the department to suspend or remove providers from the list of qualified providers for failing to meet those standards.

The bill sets forth the amount of the payments qualified providers receive for each performance goal met by their eligible students.

Qualified providers receiving payments must report certain information to the department. The department shall report to certain committees of the general assembly summarizing the information reported by qualified providers.

The bill repeals the program in 2022.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 10.3 to
3 title 22 as follows:

4 **ARTICLE 10.3**

5 **Workforce Diploma Pilot Program**

6 **22-10.3-101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY FINDS AND DECLARES THAT:

8 (a) IN COLORADO, APPROXIMATELY FOUR HUNDRED THOUSAND
9 ADULTS DO NOT HAVE A HIGH SCHOOL CREDENTIAL;

10 (b) RESEARCH SHOWS THAT AS MANY AS EIGHTY PERCENT OF THE
11 INDIVIDUALS WHO LEFT HIGH SCHOOL WITHOUT A DIPLOMA DID SO FOR
12 NONACADEMIC REASONS, INCLUDING THE NEED TO WORK TO SUPPORT
13 THEMSELVES OR THEIR FAMILIES; BECOMING PARENTS; BULLYING OR
14 SOCIAL ANXIETY; OR FALLING TOO FAR BEHIND TO GRADUATE ON TIME;

15 (c) EDUCATION IS A SIGNIFICANT ECONOMIC DRIVER; ACCORDING
16 TO COLUMBIA UNIVERSITY ECONOMIST, HENRY LEVIN, THE AVERAGE
17 COST TO THE STATE FOR A STUDENT WHO DROPS OUT OF HIGH SCHOOL IS

1 TWO HUNDRED FIFTY-EIGHT THOUSAND TWO HUNDRED FORTY DOLLARS IN
2 SOCIAL SERVICES, INCARCERATION EXPENSES, AND LOST INCOME FROM
3 TAXES OVER THE INDIVIDUAL'S LIFETIME; AND

4 (d) WHEN COMBINED WITH LOST WAGES, THE TOTAL OPPORTUNITY
5 COST FOR ONE HIGH SCHOOL DROPOUT IS SEVEN HUNDRED FIFTY-FIVE
6 THOUSAND NINE HUNDRED DOLLARS.

7 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT BY
8 CREATING A WORKFORCE DIPLOMA PILOT PROGRAM THAT PROVIDES
9 COLORADO ADULTS WITH THE OPPORTUNITY TO COMPLETE A HIGH SCHOOL
10 DIPLOMA, WHILE TRANSFERRING THE RISK TO PROVIDERS WHO RECEIVE
11 PERFORMANCE PAYMENTS ONLY WHEN THOSE STUDENTS MEET
12 PERFORMANCE MILESTONES, THE STATE CAN BETTER MEET ITS
13 WORKFORCE GOALS FOR FUTURE ECONOMIC GROWTH.

14 **22-10.3-102. Definitions.** AS USED IN THIS ARTICLE 10.3, UNLESS
15 THE CONTEXT OTHERWISE REQUIRES:

16 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
17 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

18 (2) "ELIGIBLE STUDENT" MEANS A STUDENT WHO:

19 (a) IS AT LEAST TWENTY-ONE YEARS OF AGE;

20 (b) IS A RESIDENT OF THE STATE OF COLORADO; AND

21 (c) IS NOT RECEIVING STATE-FUNDED PAYMENTS FOR THE FULL
22 COST OF THE SAME COURSES OR PROGRAMS.

23 (3) "PROGRAM" MEANS THE WORKFORCE DIPLOMA GRANT PILOT
24 PROGRAM CREATED IN SECTION 22-10.3-103.

25 (4) "QUALIFIED PROVIDER" MEANS A PUBLIC, NONPROFIT, OR
26 PRIVATE ACCREDITED, DIPLOMA-GRANTING INSTITUTION WITH AT LEAST
27 TWO YEARS OF EXPERIENCE PROVIDING ADULT DROPOUT RECOVERY

1 SERVICES CULMINATING IN AN ACCREDITED HIGH SCHOOL DIPLOMA,
2 INCLUDING RECRUITMENT, LEARNING PLAN DEVELOPMENT, AND
3 PROACTIVE COACHING AND MENTORING, AND THAT MEETS THE CRITERIA
4 SET FORTH IN SECTION 22-10.3-103 (3).

5 **22-10.3-103. Workforce diploma pilot program - creation -**
6 **payments - rules.** (1) THERE IS CREATED IN THE DEPARTMENT, IN THE
7 OFFICE WITHIN THE DEPARTMENT THAT IS RESPONSIBLE FOR ADULT
8 EDUCATION, THE WORKFORCE DIPLOMA PILOT PROGRAM TO PROVIDE
9 PERFORMANCE PAYMENTS TO QUALIFIED PROVIDERS FOR ELIGIBLE
10 STUDENTS ENROLLED IN A QUALIFIED PROVIDER'S COURSES OR PROGRAMS
11 WHO ATTAIN CERTAIN OUTCOMES, AS DESCRIBED IN SUBSECTION (5) OF
12 THIS SECTION.

13 (2) ON OR BEFORE AUGUST 15, 2019, AND ON OR BEFORE AUGUST
14 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL ISSUE A REQUEST
15 FOR QUALIFICATIONS FOR PROVIDERS TO PARTICIPATE IN THE PROGRAM AS
16 QUALIFIED PROVIDERS.

17 (3) THE CRITERIA NECESSARY TO BE A QUALIFIED PROVIDER
18 INCLUDES:

19 (a) EXPERIENCE PROVIDING DROPOUT RECOVERY SERVICES, AS
20 PROVIDED IN SECTION 22-10.3-102 (4);

21 (b) THE ABILITY TO PROVIDE ACADEMIC SKILL INTAKE
22 ASSESSMENT AND TRANSCRIPT EVALUATIONS;

23 (c) THE ABILITY TO DEVELOP A LEARNING PLAN THAT INTEGRATES
24 ACADEMIC REQUIREMENTS AND CAREER GOALS;

25 (d) THE ABILITY TO PROVIDE ALL COURSES NECESSARY TO MEET OR
26 EXCEED THE STATE BOARD OF EDUCATION'S HIGH SCHOOL GRADUATION
27 REQUIREMENTS TO ACHIEVE A HIGH SCHOOL DIPLOMA;

1 (e) THE ABILITY TO PROVIDE REMEDIAL COURSE WORK IN
2 LITERACY AND NUMERACY;

3 (f) THE ABILITY TO PROVIDE A RESEARCH-VALIDATED ACADEMIC
4 RESILIENCY ASSESSMENT AND INTERVENTION;

5 (g) THE ABILITY TO PROVIDE EMPLOYABILITY SKILLS
6 DEVELOPMENT ALIGNED TO EMPLOYER NEEDS;

7 (h) THE ABILITY TO PROVIDE CAREER PATHWAYS COURSE WORK;

8 (i) THE ABILITY TO PROVIDE PREPARATION FOR
9 INDUSTRY-RECOGNIZED CREDENTIALS;

10 (j) THE ABILITY TO PROVIDE CAREER PLACEMENT SERVICES; AND

11 (k) HIGH SCHOOL DIPLOMA ACCREDITATION BY A RECOGNIZED
12 REGIONAL ACCREDITING BODY OR CONSOLIDATION REGIONAL
13 ACCREDITING BODY.

14 (4) (a) THE DEPARTMENT SHALL REVIEW QUALIFICATIONS FROM
15 PROVIDERS SUBMITTED PURSUANT TO SUBSECTION (2) OF THIS SECTION TO
16 DETERMINE WHETHER THE PROVIDER MEETS THE CRITERIA TO BE A
17 QUALIFIED PROVIDER UNDER THE PROGRAM. WITHIN THIRTY DAYS AFTER
18 SUBMISSION OF QUALIFICATIONS PURSUANT TO SUBSECTION (2) OF THIS
19 SECTION, THE DEPARTMENT SHALL PUBLISH A LIST OF PROVIDERS THAT
20 MEET THE CRITERIA FOR A QUALIFIED PROVIDER PURSUANT TO SUBSECTION
21 (3) OF THIS SECTION. A QUALIFIED PROVIDER IS ELIGIBLE FOR PROGRAM
22 PAYMENTS FOR OUTCOMES ACHIEVED THIRTY OR MORE DAYS AFTER THE
23 DEPARTMENT PUBLISHES THE LIST OF QUALIFIED PROVIDERS.

24 (b) ONCE THE DEPARTMENT DETERMINES THAT A PROVIDER IS A
25 QUALIFIED PROVIDER UNDER THE PROGRAM, THE PROVIDER REMAINS A
26 QUALIFIED PROVIDER WITHOUT THE NEED TO REAPPLY ANNUALLY, UNLESS
27 THE PROVIDER IS REMOVED BY THE DEPARTMENT FROM THE LIST OF

1 QUALIFIED PROVIDERS PURSUANT TO SUBSECTION (7) OF THIS SECTION.

2 (5) (a) EXCEPT AS PROVIDED IN SUBSECTION (5)(b) OF THIS
3 SECTION, THE DEPARTMENT SHALL DISBURSE PAYMENTS TO QUALIFIED
4 PROVIDERS IN THE FOLLOWING AMOUNTS FOR EACH ELIGIBLE STUDENT'S
5 COMPLETION OR ATTAINMENT OF THE FOLLOWING OUTCOMES:

6 (I) TWO HUNDRED FIFTY DOLLARS FOR COMPLETION OF EACH
7 HALF-CREDIT;

8 (II) ONE THOUSAND DOLLARS FOR COMPLETION OF AN ACCREDITED
9 HIGH SCHOOL DIPLOMA;

10 (III) TWO HUNDRED FIFTY DOLLARS FOR COMPLETION OF AN
11 EMPLOYABILITY SKILLS CERTIFICATION PROGRAM EQUAL TO AT LEAST ONE
12 CARNEGIE UNIT;

13 (IV) TWO HUNDRED FIFTY DOLLARS FOR ATTAINMENT OF AN
14 INDUSTRY-RECOGNIZED CREDENTIAL REQUIRING UP TO FIFTY HOURS OF
15 TRAINING;

16 (V) FIVE HUNDRED DOLLARS FOR ATTAINMENT OF AN
17 INDUSTRY-RECOGNIZED CREDENTIAL REQUIRING BETWEEN FIFTY-ONE AND
18 ONE HUNDRED HOURS OF TRAINING; AND

19 (VI) SEVEN HUNDRED FIFTY DOLLARS FOR ATTAINMENT OF AN
20 INDUSTRY-RECOGNIZED CREDENTIAL REQUIRING MORE THAN ONE
21 HUNDRED HOURS OF TRAINING.

22 (b) (I) THE TOTAL AMOUNT OF PAYMENTS DISBURSED TO ONE OR
23 MORE QUALIFIED PROVIDERS MUST NOT EXCEED SEVEN THOUSAND
24 DOLLARS FOR AN INDIVIDUAL ELIGIBLE STUDENT.

25 (II) A QUALIFIED PROVIDER THAT RECEIVES TUITION OR OTHER
26 PAYMENT FROM AN ELIGIBLE STUDENT SHALL NOT ALSO RECEIVE A
27 PAYMENT FROM THE PROGRAM ON BEHALF OF THE ELIGIBLE STUDENT FOR

1 THE SAME COURSE OR PROGRAM.

2 (6) (a) QUALIFIED PROVIDERS SHALL SUBMIT INVOICES ON AN
3 ONGOING BASIS TO THE DEPARTMENT FOR PAYMENTS FOR STUDENT
4 COMPLETION OR ATTAINMENT OF GOALS SET FORTH IN SUBSECTION (5) OF
5 THIS SECTION. THE DEPARTMENT SHALL DETERMINE THE SUBMISSION
6 DATES FOR THE INVOICES. SUBJECT TO AVAILABLE APPROPRIATIONS,
7 QUALIFIED PROVIDERS WHO SUBMIT INVOICES ON OR BEFORE THE DATES
8 DETERMINED BY THE DEPARTMENT SHALL RECEIVE PAYMENTS. IF
9 AVAILABLE APPROPRIATIONS ARE INSUFFICIENT TO SATISFY ALL INVOICES
10 RECEIVED BY THE SUBMISSION DATE, THE DEPARTMENT SHALL REDUCE
11 ALL GRANT PAYMENTS BY THE SAME PERCENTAGE UNTIL THE GRANT
12 MONEY IS EXHAUSTED.

13 (b) THE DEPARTMENT SHALL PUBLISH MONTHLY REPORTS FOR
14 QUALIFIED PROVIDERS INDICATING THE TOTAL AMOUNT OF PAYMENTS
15 DISBURSED PURSUANT TO THE PROGRAM AND THE TOTAL NUMBER OF
16 STUDENTS ENROLLED IN THE PROGRAM.

17 (7) (a) (I) THE DEPARTMENT SHALL REVIEW DATA FROM EACH
18 QUALIFIED PROVIDER TO ENSURE THE PROGRAMS OFFERED BY EACH
19 QUALIFIED PROVIDER ARE MEETING MINIMUM PROGRAM PERFORMANCE
20 STANDARDS, INCLUDING A MINIMUM FIFTY PERCENT HIGH SCHOOL
21 GRADUATION RATE FROM THE QUALIFIED PROVIDER'S PROGRAMS,
22 CALCULATED ONE YEAR IN ARREARS.

23 (II) FOR PURPOSES OF SUBSECTION (7)(a)(I) OF THIS SECTION:

24 (A) THE HIGH SCHOOL GRADUATION RATE FOR A QUALIFIED
25 PROVIDER IS DETERMINED BY DIVIDING THE TOTAL NUMBER OF HIGH
26 SCHOOL GRADUATES FOR THE COHORT YEAR BY THE TOTAL NUMBER OF
27 ALL STUDENTS FOR THE COHORT YEAR FOR WHICH THE QUALIFIED

1 PROVIDER HAS RECEIVED PAYMENTS; AND

2 (B) THE QUALIFIED PROVIDER'S COST PER GRADUATE IS NOT MORE
3 THAN SEVEN THOUSAND DOLLARS, DETERMINED BY DIVIDING THE TOTAL
4 PAYMENTS RECEIVED BY THE QUALIFIED PROVIDER FOR THE COHORT YEAR
5 DIVIDED BY THE TOTAL NUMBER OF STUDENTS EARNING A HIGH SCHOOL
6 DIPLOMA.

7 (b) THE DEPARTMENT SHALL PLACE A QUALIFIED PROVIDER THAT
8 DOES NOT MEET THE PROGRAM PERFORMANCE STANDARDS ESTABLISHED
9 IN THIS SECTION ON PROBATIONARY STATUS FOR THE REMAINDER OF THE
10 STATE FISCAL YEAR.

11 (c) THE DEPARTMENT SHALL REMOVE A QUALIFIED PROVIDER
12 FROM THE LIST OF QUALIFIED PROVIDERS IF THE PROVIDER DOES NOT MEET
13 THE PERFORMANCE STANDARDS FOR TWO CONSECUTIVE YEARS.

14 **22-10.3-104. Pilot program reporting.** (1) ON OR BEFORE
15 AUGUST 15, 2020, AND ON OR BEFORE AUGUST 15 EACH YEAR
16 THEREAFTER IN WHICH PROGRAM PAYMENTS WERE DISBURSED FOR THE
17 PRIOR STATE FISCAL YEAR, EACH QUALIFIED PROVIDER THAT RECEIVED
18 PAYMENTS PURSUANT TO SECTION 22-10.3-103 UNDER THE PILOT
19 PROGRAM FOR THE PRECEDING STATE FISCAL YEAR SHALL REPORT THE
20 FOLLOWING INFORMATION TO THE DEPARTMENT:

21 (a) THE TOTAL NUMBER OF ELIGIBLE STUDENTS FOR WHOM THE
22 QUALIFIED PROVIDER HAS RECEIVED PAYMENTS;

23 (b) THE TOTAL NUMBER OF CREDITS EARNED BY ELIGIBLE
24 STUDENTS FOR WHOM THE QUALIFIED PROVIDER IS RECEIVING PAYMENTS;

25 (c) THE TOTAL NUMBER OF EMPLOYABILITY SKILLS
26 CERTIFICATIONS ISSUED TO ELIGIBLE STUDENTS FOR WHOM THE QUALIFIED
27 PROVIDER IS RECEIVING PAYMENTS;

1 (d) THE TOTAL NUMBER OF INDUSTRY-RECOGNIZED CREDENTIALS
2 EARNED FOR EACH TIER OF FUNDING DESCRIBED IN SECTION 22-10.3-103
3 (5)(a) BY ELIGIBLE STUDENTS FOR WHOM THE QUALIFIED PROVIDER IS
4 RECEIVING PAYMENTS; AND

5 (e) THE TOTAL NUMBER OF ELIGIBLE STUDENTS FOR WHOM THE
6 QUALIFIED PROVIDER IS RECEIVING PAYMENTS WHO RECEIVE HIGH SCHOOL
7 DIPLOMAS.

8 (2) ON OR BEFORE OCTOBER 15, 2020, AND ON OR BEFORE
9 OCTOBER 15, 2021, THE DEPARTMENT SHALL SUBMIT TO THE EDUCATION
10 AND THE BUSINESS AFFAIRS AND LABOR COMMITTEES OF THE HOUSE OF
11 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES; AND TO THE
12 EDUCATION AND THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEES
13 OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, A REPORT LISTING
14 PROGRAM QUALIFIED PROVIDERS AND SUMMARIZING THE INFORMATION
15 RECEIVED FROM QUALIFIED PROVIDERS PURSUANT TO SUBSECTION (1) OF
16 THIS SECTION.

17 **22-10.3-105. Repeal of article.** THIS ARTICLE 10.3 IS REPEALED,
18 EFFECTIVE JULY 1, 2022.

19 **SECTION 2. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety.