

**HOUSE . . . . . No. 4119**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jeffrey N. Roy*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to adult education and workforce.

PETITION OF:

| NAME:                 | DISTRICT/ADDRESS:   | DATE ADDED:     |
|-----------------------|---------------------|-----------------|
| <i>Jeffrey N. Roy</i> | <i>10th Norfolk</i> | <i>8/3/2023</i> |

**HOUSE . . . . . No. 4119**

By Representative Roy of Franklin, a petition (subject to Joint Rule 12) of Jeffrey N. Roy that the Executive Office of Education establish an adult workforce diploma program to assist certain adults in obtaining high school diplomas and developing employability and career technical skills. Education.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to adult education and workforce.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The executive office of education shall establish an adult workforce  
2 diploma program to assist adults age 22 and older to obtain a high school diploma and develop  
3 employability and career technical skills. The workforce diploma program may be delivered in  
4 campus-based, online, or hybrid modalities or a combination thereof.

5 For the purposes of this section the following words shall have the following meanings:

6 “Academic skill intake assessment,” a criterion-referenced assessment of numeracy and  
7 literacy skill with high reliability and validity. Assessments can be administered in person or  
8 online.

9 “Accredited”, holding an active accreditation from one of the seven United States  
10 regional accreditors, including:

11 (i) Middle States Commission on Higher Education;

- 12 (ii) New England Association of Schools and Colleges;
- 13 (iii) Higher Learning Commission;
- 14 (iv) Northwest Commission on Colleges and Universities;
- 15 (v) Southern Association of Colleges and Schools Commission on Colleges;
- 16 (vi) Accrediting Commission for Schools, Western Association of Schools and Colleges;
- 17 (vii) Accrediting Commission for Community and Junior Colleges; or
- 18 (viii) any successor entities or consolidations of the above, including Cognia.

19 “Approved program provider,” a public, non-profit, or other entity that meets the  
20 requirements of Section 2 below.

21 “Average cost per graduate,” total program funding dispersed to an approved program  
22 provider for a cohort during the time period from the beginning of the cohort through the end of  
23 the measurement period divided by the total number of students who graduated from the cohort  
24 during the measurement period.

25 “Career pathways coursework,” one or more courses that help a student enter or advance  
26 within a specific occupation or occupational cluster.

27 “Career advising services,” services designed to assist students in obtaining employment,  
28 including but not limited to resume development and mock interviews.

29 “Coaching,” proactive communication between the approved program provider and the  
30 student related to the student’s pace and progress through their learning plan.

31 “Cohort,” students who enter the program between July 1 and June 30 of each program  
32 year.

33 “Employability skills certification,” a certificate earned by demonstrating professional  
34 non-technical skills through assessment, and shall include but are not limited to the program  
35 standards of the United States Department of Labor’s “Skills to Pay the Bills: Mastering Soft  
36 Skills for Workplace Success.”

37 “Executive office”, the executive office of education.

38 “Graduate,” a student who has successfully completed all of the approved program  
39 provider requirements in order to obtain a high school diploma.

40 “Graduation rate,” the total number of graduates from a cohort who graduated during the  
41 measurement period divided by the total number of students included in the same cohort for  
42 which a provider has received funding.

43 “Graduation requirements,” course and credit requirements needed to earn a high school  
44 diploma from an approved program provider.

45 “High school diploma,” a diploma issued by an Accredited institution. A diploma issued  
46 under this section is recognized as a secondary school diploma by the commonwealth of  
47 Massachusetts.

48 “Learning plan,” a documented plan for courses and/ or credits needed for each  
49 individual in order to complete program and approved program provider graduation  
50 requirements.

51           “Measurement period,” the two-year period beginning July 1 of the year the cohort  
52 begins through June 30 of the subsequent state fiscal year.

53           “Mentoring,” a direct relationship between a coach and a student to facilitate the  
54 completion of the student’s learning plan designed to prepare the student to succeed in the  
55 program and their future endeavors.

56           “Milestones,” objective measures of progress for which payment is made to an approved  
57 program provider under this section, including earned units of high school credit, attainment of  
58 an employability skills certificate, attainment of an industry-recognized credential or stackable  
59 credentials, and attainment of an accredited high school diploma.

60           “Probationary status,” the status of any approved program providers that does not meet  
61 the program performance standards as identified in Section 3 and 4.

62           “Request for qualifications,” A request for interested public, non-profit, or other entities  
63 to submit evidence that they meet the qualifications established in section X all of which once  
64 confirmed by the executive office of labor and workforce development that they meet the  
65 qualifications become approved program providers.

66           “Student,” a participant in the workforce diploma program who is age 22 or older, who is  
67 a resident of the commonwealth, and who has not yet earned a high school diploma.

68           “Transcript evaluation,” a documented summary of credits earned in previous public or  
69 private accredited high schools compared with program and approved program provider  
70 graduation requirements.

71 “Unit of high school credit,” credit awarded based on a student’s demonstration that they  
72 have successfully met the content expectations for the credit area as defined by subject area  
73 standards, expectations, or guidelines.

74 “Workforce credential,” a third-party credential that is either a part of a sequence of  
75 credentials that can be accumulated over time to build an individual’s qualifications to advance  
76 along a career pathway and results in a certificate, or verifies an individual’s qualification or  
77 competence and that is issued by a third party with the relevant authority to issue said credential.

78 “Workforce diploma program,” program to assist adults 22 and older to obtain a high  
79 school diploma and develop employability and career technical skills.

80 SECTION 2. The executive office shall issue a request for qualifications for entities to  
81 become approved program providers and participate in the workforce diploma program by  
82 August 15 or annually thereafter. The criteria for approved program providers shall include, but  
83 shall not be limited to:

- 84 i) regionally accredited high school diploma-granting entity;
- 85 ii) ability to provide Academic Skill Intake Assessments and Transcript Evaluations;
- 86 iii) ability to develop a Learning Plan for each Student that integrates Graduation  
87 Requirements and career goals;
- 88 iv) provides a course catalog that includes all courses necessary to meet Graduation  
89 Requirements;
- 90 v) ability to provide remediation opportunities in literacy and numeracy;

- 91 vi) ability to provide Employability Skills Certification;
- 92 vii) ability to provide Career Pathways Coursework;
- 93 viii) ability to provide preparation for Workforce Credentials;
- 94 ix) ability to provide Career Advising Services.

95 An approved program provider may not receive funding for a student under this section if  
96 the approved program provider receives federal or state funding or private tuition for that  
97 student.

98 The executive office shall announce the approved program providers no later than  
99 October 15, with authorization for the approved program providers to begin enrolling students  
100 starting no later than November 15, annually. Approved program providers shall maintain their  
101 approval without reapplying annually provided that the provider has not been removed from the  
102 approved program provider list in accordance with section 4.

103 The executive office shall pay approved program providers for the completion of the  
104 following milestones by each student.

- 105 a. \$250 for the completion of each half Unit of High School Credit
- 106 b. \$250 for the attainment of an Employability Skills Certification
- 107 c. \$250 for the attainment of a Workforce Credential Requiring up to 50 hours of  
108 training
- 109 d. \$500 for the attainment of a Workforce Credential Requiring between 51-100  
110 hours of training

111 e. \$750 for the attainment of a Workforce Credential requiring more than 100 hours  
112 of training

113 f. \$1,000 for the attainment of an Accredited High School Diploma

114 Approved program providers shall submit monthly invoices to the executive office no  
115 later than the 10th calendar day of each month for milestones met in the previous calendar  
116 month. The executive office shall pay approved program providers in the order in which invoices  
117 are submitted until all available funds are exhausted. The executive office shall provide a written  
118 update to approved program providers by the last calendar day of each month including the  
119 aggregate total dollars that have been paid to approved program providers to date and the  
120 estimated number of enrollments still available for the program year.

121 SECTION 3. On or before August 15 of the second fiscal year of the program, Approved  
122 Program Providers shall provide a report covering paragraphs (i) through (vii) of this section.  
123 On or before August 15, after the conclusion of the first measurement period of the program and  
124 each year thereafter in which program payments were disbursed for the prior state fiscal year,  
125 each approved program provider that received payments pursuant to Section 2 under the program  
126 for the preceding state fiscal year shall report the following information to the department by  
127 cohort:

128 i) the total number of students for whom the approved program provider has  
129 received payments;

130 ii) the total number of credits earned by students for whom the approved program  
131 provider is receiving payments;

132           iii)     the total number of employability skills certifications issued to students for whom  
133 the approved program provider is receiving payments;

134           iv)     the total number of workforce credentials earned for each tier of funding  
135 described in section 2 by students for whom the approved program provider is receiving  
136 payments;

137           v)     the total number of students for whom the approved program provider is receiving  
138 payments who receive high school diplomas;

139           vi)     the average cost per graduate for the cohort for which the measurement period  
140 ended in the prior state fiscal year and updated average cost per graduate for any previous cohort  
141 for which the measurement period has ended but the students from the cohort achieved one of the  
142 outcomes described in section 3 in the prior state fiscal year;

143           vii)    The graduation rate for the cohort for which the measurement period ended in the  
144 prior state fiscal year and updated graduation rate from any previous cohort for which the  
145 measurement period has ended but students from the cohort achieved one of the outcomes  
146 described in section 2.

147           SECTION 4. Beginning at the end of the second fiscal year of the program, the executive  
148 office shall review data from each approved program provider to ensure that each is achieving  
149 minimum program performance standards, including minimum of 50% graduation rate for each  
150 cohort measurement period, as developed by the department. The average cost per graduate shall  
151 be \$7,000 or less for each cohort's measurement period.

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153           The executive office shall place an approved program provider that does not meet the  
154 minimum program performance standards identified in Section 3 and 4 probationary status for  
155 the remainder of the fiscal year. During this period, an approved program provider must provide  
156 any additional reporting required by the department. The provider must provide biweekly reports  
157 as prescribed by the requirements in Section 3. An approved program provider that does not  
158 meet the minimum performance standards for two consecutive years shall be removed from the  
159 approved program provider list.