

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 644

Introduced by McDonnell, 5.

Read first time January 23, 2019

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to workforce diplomas; to amend section
- 2 48-611, Reissue Revised Statutes of Nebraska; to adopt the Nebraska
- 3 Workforce Diploma Act; to state intent relating to appropriations;
- 4 and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-611, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 48-611 The Commissioner of Labor, with the advice and aid of
4 advisory councils, shall take all appropriate steps to reduce and prevent
5 unemployment; to encourage and assist in the adoption of practical
6 methods of vocational training, retraining, and vocational guidance; to
7 promote workforce development, including, but not limited to,
8 administration of a workforce diploma program as defined in the Workforce
9 Diploma Act; to investigate, recommend, advise, and assist in the
10 establishment and operation, by municipalities, counties, school
11 districts, and the state, of reserves for public works to be used in
12 times of business depression and unemployment; to promote the
13 reemployment of unemployed workers throughout the state in every other
14 way that may be feasible; and to these ends to carry on and publish the
15 results of investigations and research studies.

16 Sec. 2. Sections 2 to 6 of this act shall be known and may be cited
17 as the Nebraska Workforce Diploma Act.

18 Sec. 3. (1) For purposes of the Nebraska Workforce Diploma Act, an
19 eligible workforce diploma program provider shall be an accredited or
20 approved, public or private, high school provider. An eligible program
21 provider shall also have at least two years of experience providing adult
22 dropout recovery services, including recruitment, learning plan
23 development, and proactive coaching and mentoring culminating in
24 qualification for a high school diploma. An eligible program participant
25 shall be at least twenty-two years of age and shall have not previously
26 earned a high school diploma or high school equivalency diploma.

27 (2) On or before August 15, 2019, and annually thereafter, the
28 Department of Labor shall request applications from eligible program
29 providers to participate in the workforce diploma program. Applications
30 shall include evidence of the following:

31 (a) Experience providing adult dropout recovery services as

1 described in subsection (1) of this section;

2 (b) The ability to provide academic skill intake assessment and
3 transcript evaluation;

4 (c) The ability to develop a learning plan that integrates academic
5 requirements and career goals;

6 (d) A course catalog that includes all of the courses necessary to
7 meet graduation requirements;

8 (e) The ability to provide remediation coursework in literacy and
9 numeracy;

10 (f) The ability to provide a research-validated academic resiliency
11 assessment and intervention;

12 (g) The ability to provide employability skills development aligned
13 to employer needs;

14 (h) The ability to provide career pathways coursework;

15 (i) The ability to provide preparation for industry-recognized
16 credentials;

17 (j) The ability to provide career placement services; and

18 (k) Accreditation or approval by the State Department of Education
19 or accreditation by a recognized regional accrediting body or
20 consolidation thereof.

21 (3) A workforce diploma program may be delivered in a campus-based,
22 blended, or online modality.

23 (4) On or before September 15, 2019, and annually thereafter, the
24 Department of Labor shall announce the approved program providers. Each
25 approved program provider shall establish a program and begin accepting
26 students on or before October 15, 2019. Except as otherwise provided in
27 the Nebraska Workforce Diploma Act, an approved program provider shall
28 not be required to reapply annually to remain an approved program
29 provider.

30 Sec. 4. (1) The Department of Labor shall reimburse each approved
31 program provider participating in the workforce diploma program for the

1 completion of the following milestones for each student:

2 (a) Two hundred fifty dollars for the completion of five credit
3 hours;

4 (b) Two hundred fifty dollars for the completion of an employability
5 skills certification program equal to at least ten credit hours;

6 (c) Two hundred fifty dollars for the attainment of an industry-
7 recognized credential requiring up to fifty hours of training;

8 (d) Five hundred dollars for the attainment of an industry-
9 recognized credential requiring fifty-one through one hundred hours of
10 training;

11 (e) Seven hundred fifty dollars for the attainment of an industry-
12 recognized credential requiring more than one hundred hours of training;
13 and

14 (f) One thousand dollars for the attainment of a high school
15 diploma.

16 (2) For purposes of this section, five credits equals one unit of
17 instruction that correlates to one semester of one course in the
18 traditional high school environment.

19 (3) An approved program provider shall submit monthly invoices to
20 the department no later than the tenth day of each month for milestones
21 met in the previous calendar month. The department shall reimburse
22 approved program providers in the order in which invoices are received
23 until all funds appropriated for the workforce diploma program are
24 exhausted.

25 Sec. 5. (1) On or before July 15, 2020, January 15, 2021, and July
26 15, 2021, each approved program provider shall report the following
27 information by fiscal year to the Department of Labor:

28 (a) Total number of students who were funded through the workforce
29 diploma program;

30 (b) Total number of credit hours earned by such students;

31 (c) Total number of employability skills certifications issued to

1 such students;

2 (d) Total number of industry-recognized credentials earned by such
3 students for each tier of funding; and

4 (e) Total number of such students who earned a high school diploma.

5 (2) The department shall review data from each approved program
6 provider within thirty days immediately following the dates prescribed in
7 subsection (1) of this section to ensure that the program offered by the
8 approved program provider is meeting minimum workforce diploma program
9 performance standards, which shall include:

10 (a) A minimum graduation rate of fifty percent defined as total
11 graduates for the state fiscal year divided by all students for the state
12 fiscal year for whom the approved program provider has received funding
13 calculated one state fiscal year in arrears; and

14 (b) Cost per graduate of seven thousand dollars or less defined as
15 total program funding reimbursed to the approved program provider divided
16 by the total graduates.

17 (3) The Department of Labor shall place an approved program provider
18 that does not meet the program performance indicators in this section on
19 probationary status for the remainder of the state fiscal year.

20 (4) An approved program provider that does not meet the minimum
21 performance standards for two consecutive state fiscal years shall be
22 removed from the approved program provider list.

23 Sec. 6. It is the intent of the Legislature to appropriate two
24 million five hundred thousand dollars each fiscal year for fiscal years
25 2019-20 and 2020-21 to the Department of Labor to carry out the Nebraska
26 Workforce Diploma Act.

27 Sec. 7. Original section 48-611, Reissue Revised Statutes of
28 Nebraska, is repealed.

29 Sec. 8. Since an emergency exists, this act takes effect when
30 passed and approved according to law.