

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 680

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FITZWATER (49).

1268H.02P

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 160, RSMo, by adding thereto six new sections relating to adult high schools.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 160, RSMo, is amended by adding thereto six new sections, to be known as sections 160.2700, 160.2705, 160.2710, 160.2715, 160.2720, and 160.2725, to read as follows:

**160.2700. For purposes of this section, "adult high school" means a school that:**

**(1) Is for individuals who do not have a high school diploma and who are twenty-one years of age or older;**

**(2) Offers an industry certification program or programs and a high school diploma in a manner that allows students to earn a diploma at the same time that they earn an industry certification;**

**(3) Offers on-site child care for children of enrolled students attending the school; and**

**(4) Is not eligible to receive funding under sections 160.415 or 163.031.**

**160.2705. 1. The department of elementary and secondary education shall authorize, before January 1, 2018, a Missouri-based nonprofit organization meeting the criteria under subsection 2 of this section to establish and operate four adult high schools, with:**

**(1) One adult high school to be located in a city not within a county;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

6           (2) One adult high school to be located in any county of the third classification  
7 without a township form of government and with more than forty-one thousand but fewer  
8 than forty-five thousand inhabitants or a county contiguous to that county;

9           (3) One adult high school to be located in any county of the first classification with  
10 more than two hundred sixty thousand but fewer than three hundred thousand inhabitants  
11 or a county contiguous to that county; and

12           (4) One adult high school to be located in any county of the first classification with  
13 more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

14           2. The department of elementary and secondary education shall grant the  
15 authorization described under subsection 1 of this section based on a bid process conducted  
16 in accordance with the rules and regulations governing purchasing through the office of  
17 administration. The successful bidder shall:

18           (1) Demonstrate the ability to establish, within twenty-one months of the receipt of  
19 the authorization, four adult high schools offering high school diplomas, an industry  
20 certification program or programs, and on-site child care for children of the students  
21 attending the high schools;

22           (2) Commit at least two million dollars in investment for the purpose of establishing  
23 the necessary infrastructure to operate four adult high schools;

24           (3) Demonstrate substantial and positive experience in providing services, including  
25 industry certifications and job placement services, to adults twenty-one years of age or  
26 older whose educational and training opportunities have been limited by educational  
27 disadvantages, disabilities, homelessness, criminal history, or similar circumstances;

28           (4) Establish a partnership with a state-supported postsecondary education  
29 institution or more than one such partnership, if a partnership or partnerships are  
30 necessary in order to meet the requirements for an adult high school;

31           (5) Establish a comprehensive plan that sets forth how the adult high schools will  
32 help address the need for a sufficiently trained workforce in the surrounding region for  
33 each adult high school;

34           (6) Establish partnerships and strategies for engaging the community and business  
35 leaders in carrying out the goals of each adult high school;

36           (7) Establish the ability to meet quality standards through certified teachers and  
37 programs that support each student in his or her goal to find a more rewarding job;

38           (8) Establish a plan for assisting students in overcoming barriers to educational  
39 success including, but not limited to, educational disadvantages; homelessness; criminal  
40 history; disability, including learning disability such as dyslexia; and similar  
41 circumstances;

(9) Establish a process for determining outcomes of the adult high school, including outcomes related to a student's ability to find a more rewarding job through the attainment of a high school diploma and job training and certification; and

(10) No bids shall include an administrative fee greater than ten percent.

3. (1) The department of elementary and secondary education shall establish academic requirements for students to obtain high school diplomas.

(2) Requirements for a high school diploma shall be based on an adult student's prior high school achievement and the remaining credits and coursework that would be necessary for the student to receive a high school diploma if he or she were in a traditional high school setting. The adult student shall meet the requirements with the same level of academic rigor as would otherwise be necessary to attain such credits.

(3) The adult high school authorized under this section shall award high school diplomas to students who successfully meet the established academic requirements. The adult high school authorized under this section shall confer the diploma as though the student earned the diploma at a traditional high school. The diploma shall have no differentiating marks, titles, or other symbols.

(4) Students at adult high schools may complete required coursework at their own pace and as available through the adult high school. They shall not be required to satisfy any specific number of class minutes. The adult high school may also make classes available to students online as may be appropriate.

(5) The department of elementary and secondary education shall not create additional regulations or burdens on the adult high school or the students attending the adult high schools beyond certifying necessary credits and ensuring that students have sufficiently mastered the subject matter to make them eligible for credit.

160.2710. 1. Any person who is twenty-one years of age or older may enroll in an adult high school if he or she has not earned a high school diploma.

2. An adult high school shall give a preference in admission to those students who receive any local, state, or federal assistance in which a person or family is required not to exceed a certain income level in order to qualify for the assistance.

160.2715. 1. An adult high school shall not receive state funding under sections 160.415 or 163.031 and shall not receive any local funding that is intended to benefit traditional public schools or charter schools in the state.

2. An adult high school may receive funding from public or private sources, including from the nonprofit organization operating the adult high school. If an adult high school receives funding from a public source, it shall operate in a manner so as not to

7 violate the provisions of article IX, section 8, or article I, section 7, of the Constitution of  
8 Missouri or the first amendment of the Constitution of the United States.

9 3. The nonprofit organization operating an adult high school shall ensure that  
10 funding for the adult high school enables it to operate year-round.

11 4. The nonprofit organization operating an adult high school shall set the following  
12 outcome expectations for the adult high school:

13 (1) Each year, at least seventy-five percent of the school's students will graduate  
14 or continue working toward a high school diploma and, if applicable, an industry  
15 certification;

16 (2) At least fifty percent of the school's graduates will attain an industry  
17 certification or enroll in higher education or more advanced skills training within six  
18 months of graduation;

19 (3) At least eighty-five percent of the school's graduates who do not enroll in higher  
20 education or more advanced skills training will be employed within six months of  
21 graduation; and

22 (4) The school's graduates who enter the workforce shall have, on average, a wage  
23 rate at least twenty percent greater than the average Missouri wage rate for individuals  
24 without high school diplomas.

160.2720. The nonprofit organization who receives the authorization described  
2 under section 160.2705 shall submit to the department of elementary and secondary  
3 education, the joint committee on education, and the offices of the governor, speaker of the  
4 house of representatives, and president pro tempore of the senate an annual report  
5 concerning evaluations of the adult high schools, including the impact the adult high  
6 schools have had in meeting industry needs in the state before December first of each year.

160.2725. The department of elementary and secondary education may promulgate  
2 rules to implement the provisions of sections 160.2700 to 160.2720. Any rule or portion of  
3 a rule, as that term is defined in section 536.010, that is created under the authority  
4 delegated in this section shall become effective only if it complies with and is subject to all  
5 of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
6 chapter 536 are nonseverable, and if any of the powers vested with the general assembly  
7 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul  
8 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
9 any rule proposed or adopted after August 28, 2017, shall be invalid and void.

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