STATE OF NEW YORK

4180

2023-2024 Regular Sessions

IN SENATE

February 6, 2023

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to the creation of an adult high school workforce development demonstration project

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The education law is amended by adding a new article 107 to read as follows:

ARTICLE 107

ADULT HIGH SCHOOL WORKFORCE DEVELOPMENT DEMONSTRATION PROJECT

Section 5300. Legislative findings.
5301. Definitions.
5302. Adult high school workforce development demonstration project.
5303. Term of project; option to make permanent.

§ 5300. Legislative findings. Several states have successfully implemented secondary education programs geared towards the unique needs of adult learners and which lead to a high school diploma. By coupling rigorous academic curricula, under the high school credit accrual model, with training programs that lead to credentials for in-demand jobs and extensive wraparound support services to address barriers to success, these programs create an adult-oriented learning environment conducive to success. The Legislature hereby declares that a properly structured secondary education program for adult learners would reduce poverty levels by helping such individuals transition to the workforce or to post-secondary education.

The City of Rochester area has more than thirty-seven thousand working-age adults without high school diplomas or the equivalent, contributing to the fact that its poverty rate is higher than in all eighteen "benchmark cities" of similar size and third-worst among the seventy-five largest American cities. The child poverty rate in Rochester is

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD08201-01-3

forty-eight percent. Across the state, it is estimated there are more than one million nine hundred thousand adults without high school diplomas.

§ 5301. Definitions. As used in this article:

1. "Adult high school workforce development demonstration project" or "program" means a private or independent high school registered by the department which provides adult learners with an appropriate academic environment, career credentialing programs and access to wraparound services provided by the operator or any entity partnered with such operator to address barriers to enable adult learners to pursue and obtain, subject to satisfactory completion of the requirements set forth within this article, a high school diploma. Such program shall award high school diplomas based on credit attainment in accordance with 8 NYCRR 100.5. For purposes of the program, such adult high school workforce development demonstration project shall be located within the corporate boundaries of the city of Rochester as defined by the official city map maintained by the city of Rochester.

2. "Adult learner" means an individual over the age of twenty-one who has not earned a high school diploma or its equivalent and who is enrolled in a registered adult high school workforce development demonstration project.

3. "Operator" means a private nonprofit entity that establishes an adult high school workforce development demonstration project pursuant to this article.

4. "Wraparound services" means access to support services that are provided to the adult learner and the adult learner's family, and may include, but not be limited to, child care, transportation, housing referrals, mental health services, crisis intervention services, substance abuse and treatment services, and legal aid.

§ 5302. Adult high school workforce development demonstration project. 1. There is hereby created under the authority and supervision of the department an adult high school workforce development demonstration project, the purpose of which is to establish a pathway for adults who did not graduate from high school to earn a high school diploma and one or more workforce credentials or industry certifications, as well as the potential to earn postsecondary education credits in partnership with both local community colleges and existing certification and credentialing providers.

2. Such program shall be a not-for-profit nonpublic school and shall comply with all guidance regarding nonpublic schools as established by the department. Such program shall follow the standard application process for a new nonpublic school, as established by the department. The department shall make reasonable efforts to expedite the review and approval of any program created pursuant to this article.

3. The program shall:

(a) adopt a curriculum that is consistent with New York state learning standards, and shall consist of the completion of twenty-two credit hours with an equivalent measure of one hundred eight hours per credit;

(b) not issue a high school diploma to an adult learner unless such adult learner has satisfied the minimum requirements set by the department;

(c) consult with the New York state department of labor and may partner with New York state's community colleges or other entities to provide career and occupational educational courses that lead to industry certifications, licenses, or credentials;

(d) provide all their services to adult learners at no cost to the adult learners;

(e) provide face-to-face classroom instruction in a similar manner as provided to kindergarten through twelfth grade students; and

(f) provide access to a life coach to every adult learner.

4. Under the program, the department may approve additional locations, each of which may enroll a maximum of three hundred fifty adult learners.

5. The adult high school workforce development demonstration project shall have an advisory board which shall consist of at least five members, at least one of which shall be appointed by the department.

6. An adult high school workforce development program established under this article shall not be considered a public school for state aid purposes; however, program locations registered pursuant to this article shall be eligible to receive public funding in the form of specific appropriations, state and federal grants, and any other available workforce development resources. Such programs may also accept private contributions.

7. The department shall adopt rules and regulations necessary to administer the program authorized by this article.

§ 5303. Term of project; option to make permanent. 1. The adult high school workforce development demonstration project authorized by this article shall remain in effect for a minimum of five years after the effective date of this article.

2. If the department determines that the program is serving its intended purpose, the adult high school workforce development demonstration project shall, subject to the permission and authority of the department, become permanent and shall be renamed the adult high school workforce development program. Such program may be extended to additional regions of the state to operators who meet the requirements under the program. The department shall make such determination in consultation with the operators, the members of the operators' advisory boards, the department of labor, and other relevant stakeholders, no later than six months prior to the end of the five-year period.

§ 2. This act shall take effect immediately.