

LABOR CODE

TITLE 4. EMPLOYMENT SERVICES AND UNEMPLOYMENT

SUBTITLE B. TEXAS WORKFORCE COMMISSION; WORKFORCE DEVELOPMENT;
EMPLOYMENT SERVICES

For expiration of this chapter, see Section 317.010.

CHAPTER 317. WORKFORCE DIPLOMA PILOT PROGRAM

Sec. 317.001. DEFINITIONS. In this chapter:

(1) "Adult" means any individual who is over the age of compulsory school attendance prescribed by Section 25.085, Education Code.

(2) "Program" means the workforce diploma pilot program established under this chapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. 1055), Sec. 1, eff. September 1, 2019.

Sec. 317.002. PROGRAM ESTABLISHMENT AND ADMINISTRATION; PURPOSE. The commission, in consultation with the Texas Education Agency, shall establish and administer a workforce diploma pilot program under which eligible high school diploma-granting entities participating in the program may be reimbursed for successfully assisting adult students to obtain a high school diploma and develop technical career readiness skills and employability.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. 1055), Sec. 1, eff. September 1, 2019.

Sec. 317.003. REQUEST FOR PROGRAM PROVIDER QUALIFICATIONS. Not later than October 15 of each year, the commission shall publish a request for qualifications for providers to participate in the program.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. 1055), Sec. 1, eff. September 1, 2019.

Sec. 317.004. PROVIDER ELIGIBILITY. To be eligible to participate as a provider under the program, a provider must:

(1) apply to the commission in the manner prescribed by commission rule;

- (2) be a public, nonprofit, or private entity that is:
 - (A) authorized under the Education Code or other state law to grant a high school diploma; or
 - (B) accredited by a regional accrediting body;
- (3) have at least two years of experience providing dropout reengagement services to adult students, including recruitment, learning plan development, and proactive coaching and mentoring, leading to the obtainment of a high school diploma;
- (4) be equipped to:
 - (A) provide:
 - (i) academic skill intake assessment and transcript evaluations;
 - (ii) remediation coursework in literacy and numeracy;
 - (iii) a research-validated academic resiliency assessment and intervention;
 - (iv) employability skills development aligned to employer needs;
 - (v) career pathways coursework;
 - (vi) preparation for the attainment of industry-recognized credentials; and
 - (vii) career placement services; and
 - (B) develop a learning plan that integrates academic requirements and career goals; and
- (5) offer a course catalog that includes all courses necessary to meet high school graduation requirements in this state.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. [1055](#)), Sec. 1, eff. September 1, 2019.

Sec. 317.005. PROVIDER APPROVAL; LIST OF APPROVED PROVIDERS. (a) Not later than November 15 of each year, the commission shall publish a list of providers approved by the commission to participate in the program during the next calendar year.

(b) An approved provider maintains approval to participate in the program during a subsequent calendar year without reapplying

to the commission unless the provider is removed from the approved provider list as provided by Section 317.008.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. 1055), Sec. 1, eff. September 1, 2019.

Sec. 317.006. REIMBURSEMENT OF PROGRAM PROVIDERS FOR STUDENT ACHIEVEMENT. (a) To the extent money is available for that purpose, the commission shall reimburse each approved provider participating in the program for the achievement of the following milestones by students receiving services from the provider:

(1) \$250 for the completion of a half credit;

(2) \$250 for the completion of an employability skills certification program equal to at least one credit or the equivalent;

(3) \$250 for the attainment of an industry-recognized credential requiring not more than 50 hours of training;

(4) \$500 for the attainment of an industry-recognized credential requiring at least 50 but not more than 100 hours of training;

(5) \$750 for the attainment of an industry-recognized credential requiring more than 100 hours of training; and

(6) \$1,000 for the obtainment of a high school diploma.

(b) Not later than the 10th calendar day of each month, an approved provider participating in the program shall submit to the commission an invoice for the milestones achieved by the provider's students during the previous calendar month.

(c) The commission shall reimburse approved program providers in the order in which invoices are received by the commission until all funds available for the program are exhausted.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. 1055), Sec. 1, eff. September 1, 2019.

Sec. 317.007. ANNUAL REPORT. Not later than January 15 of each year, each approved provider that participated in the program during the previous calendar year shall report to the commission the following data regarding the provider's students for that year:

(1) the number of students for which the provider received reimbursement under the program;

(2) the total number of credits earned by the students;

(3) the total number of employability skills certification programs completed by the students;

(4) the total number of industry-recognized credentials attained by the students in each of the funding tiers described by Sections 317.006(a)(3), (4), and (5); and

(5) the number of students who obtained a high school diploma.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. 1055), Sec. 1, eff. September 1, 2019.

Sec. 317.008. PROVIDER PERFORMANCE REVIEW. (a) The commission by rule shall prescribe minimum performance standards for providers participating in the program. The minimum performance standards must include:

(1) a graduation rate of at least 50 percent; and

(2) a program cost per graduate of \$7,000 or less.

(b) For purposes of Subsections (a)(1) and (2), the commission by rule shall develop formulas to make the appropriate calculations. The graduation rate must be calculated one cohort year in arrears.

(c) The commission shall review data from each participating approved provider annually to ensure that the services offered by the provider are meeting the minimum performance standards. If the commission determines that an approved provider did not meet the minimum performance standards in the previous calendar year, the commission shall place the provider on probationary status for the remainder of the current calendar year.

(d) The commission shall remove from the approved provider list published under Section 317.005 any provider that does not meet the minimum performance standards for two consecutive calendar years.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. 1055), Sec. 1,

eff. September 1, 2019.

Sec. 317.009. REPORT. Not later than December 1 of each even-numbered year, the commission shall submit to the legislature a report on the effectiveness of the program. The commission shall include in the report a recommendation regarding whether the program should be continued, expanded, or terminated.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. [1055](#)), Sec. 1, eff. September 1, 2019.

Sec. 317.010. EXPIRATION. This chapter expires September 1, 2025.

Added by Acts 2019, 86th Leg., R.S., Ch. 110 (S.B. [1055](#)), Sec. 1, eff. September 1, 2019.