

2017 LEGISLATIVE ROUNDUP

By: Jenna Leventoff

July 26, 2017

Middle-skill jobs, which require some postsecondary education, but not a four-year degree, account for 54 percent of United States' labor market, but only 44 percent of the country's workers are trained to fill them. Many employers struggle to find employees with the skills needed to fill job openings. This year, numerous states enacted legislation to help close the skills gap by expanding job-driven financial aid policies, increasing work-based learning opportunities (particularly apprenticeships), and increasing the use of workforce data. This paper outlines 2017's key state legislative actions.

Data Sharing and Use

Data is essential for helping multiple audiences make good decisions. Data can be used by policymakers and program managers to evaluate programs to ensure that they are performing well, and to help students and workers make decisions about postsecondary options. Policymakers can also use data to determine whether there are enough trained workers to fulfill a state's future occupational needs. However, none of these data uses are possible without analysis.

- [AR S 441](#) - This bill creates the Legislative Task Force on Workforce Education Excellence in order to review and research ways to improve Arkansas's Career and Technical Education (CTE) and workforce development programs, and to align CTE and workforce development. The 16-member commission shall include representatives from the legislature and industry. The commission's work will include (1) reviewing outcomes of secondary and postsecondary CTE and workforce programs; (2) reviewing the current and future workforce needs of the state, (3) recommending strategies to meet the state's workforce need, (4) researching methods to create an inter-agency data sharing plan, and (5) reviewing ways to reduce duplication and align CTE and workforce development programs. The final report shall be filed with the legislative and executive branches by September 1, 2018.
- [CT HB 5590](#)- This bill codifies the state's existing longitudinal data system and governing board. It also requires the state's Labor Commissioner to develop a universal intake form for persons entering American Job Centers or Workforce Development Board facilities. The Commissioner must then use the information from the standardized



intake forms for an annual report to the General Assembly, including: the number of people using American Job Center or Workforce Development Board services; the employment rates and average wages of persons who utilized those services; the number of people in various pathways; and the industry sectors in which completers find employment.

- [MD HB 680](#) - This bill extends the amount of time that the Maryland Longitudinal Data System Center can use student and workforce data. The new law increases the time from 5 to 20 years, thus enabling long-term longitudinal analysis.
- [ND SB 2104](#) - This bill codifies existing practice by allowing the state's information technology department to disclose unemployment insurance data for approved research studies pursuant to a memorandum of understanding.
- [NV A 202](#) – NV A 202 would require the Legislative Commission to appoint a committee to conduct a study of the cost and affordability of the state's higher education system. Part of the bill requires the Commission to examine areas where education supply is not meeting education demand (including nursing and teaching).
- [SC HB 3969](#) – This bill requires the Revenue and Fiscal Affairs Office, in coordination with other government branches, to develop, implement, and maintain a longitudinal data system that includes the information necessary to determine if the state's students are college and career ready. This bill is intended to encourage cross-agency collaboration in order to find the outcomes of public high school students utilizing the state's existing longitudinal data system.
- [UT SB 194](#) – This bill replaces Utah's longitudinal data system, the Utah Data Alliance (UDA) with the Utah Data Research Center (UDRC) in order to unify decision making. The UDRC will be governed by a director who can create a comprehensive vision and research agenda and will be advised by a cross-agency advisory board composed of representatives from K-12, postsecondary, career and technical education, workforce services, and health agencies. This bill also increases the state's research capacity by shifting research from individual agencies to the UDRC, and by allowing the UDRC to hire necessary staff. UT SB 194 also mandates data submission from the State Board of Education, the State Board of Regents, the Utah College of Applied Technology, the Department of Workforce Services, and the Department of Health. Finally, this bill encourages greater data use by requiring the UDRC to create an "online data visualization portal" that will provide the public and others with access to linked, aggregated, and de-identified data. Users can query data, and view that data in a customizable way.
- [VA HB 1664](#) – This bill moves administration of the Virginia Longitudinal Data System (VLDS) to the State Council of Higher Education (SCHEV). The bill also allows SCHEV to work with federal agencies to get wage information for Virginia's sizeable federal

workforce, and reauthorizes language set to expire requiring SCHEV to publish reports on post-completion wage and debt outcomes.

- [WA SB 5285](#) - This bill requires the Workforce Training and Education Coordinating Board to conduct a report about the demand in the agriculture, natural resources, outdoor recreation, and environmental sectors, with the goal of allowing educators to develop programs and inform students about possible careers. The study must include, in part, an assessment of data from the state Employment Security Department, the U.S. Census Bureau's Longitudinal Employer-Household Dynamics dataset, and interviews with a sampling of major employers.

Job Driven Financial Aid

Job-driven financial aid policies provide money to students seeking access to workforce training and education programs that would lead to middle-skill credentials. They are often created to fill the gaps left by traditional aid. For example, many working adults want to get training in programs that are too short to be eligible for federal Perkins loans. Through job-driven financial aid policies, states can provide tuition waivers or grants to students enrolled in short-term occupational programs, thus enabling working learners to access programs and credentials that can lead to family supporting careers. For example, Indiana and Virginia have both passed bills to provide students with scholarships for non-credit courses, while other states have focused on providing aid to students working towards an Associate's degree.

- [AR SB 528](#) - This bill creates the Arkansas Workforce Challenge Scholarship Program, which provides funds to eligible students in programs leading to associate degrees or certificates in proscribed high-demand fields, including healthcare and information technology. The scholarships will be paid for using excess lottery proceeds.
- [AR H 1426](#) – This law creates the Arkansas Future Grant Program, which provides up to two years of tuition and fees to eligible students at publicly funded postsecondary institutions who enroll in a program leading to a certification or associate degree in a regional high-demand field, or a STEM field. Students who receive the grant must (1) receive monthly mentoring; (2) complete at least 15 hours of community service a semester; (3) live in Arkansas for three years after graduation; and (4) find employment within six months (unless the Department of Higher Education and the Department of Workforce Services determine no employment is available or there are other special circumstances).
- [AZ H 2388](#) – Arizona previously had a postsecondary education grant program, whose enacting legislation lapsed. This bill establishes a similar grant program called the *private* postsecondary education grant program. The main difference between the two is that the private postsecondary education grant program expands eligibility to students earning associate's degrees. The program is administered by the Commission for Postsecondary Education, and provides funds that students can use toward tuition, fees,

and book costs. Eligible students must be attending an accredited institution to earn a bachelor's or associates degree in STEM or related fields.

- [IN HB 1008](#) and [SB 198](#) – This bill creates the high value workforce ready credit-bearing grant, which would provide last-dollar tuition assistance to students enrolled in a certificate program at Ivy Tech Community College or Vincennes University leading to an in-demand field. It also creates the high value workforce ready noncredit-bearing grant for students enrolled in eligible non-credit programs. The Department of Workforce Development would work with Commission for Higher Education to determine which non-credit courses are eligible after evaluating workforce demand and needs, employment and wage data, program content, and completion data. This legislation also provides \$119.9 million for career and technical education courses in FY 2019, an increase of \$4.8 million.
- [MT H 185](#) - This bill created the Montana promise grant program, which provides grants to students enrolled at least half-time in Montana's community colleges, 2-year colleges, or tribal colleges; and who take courses leading to transfer, degrees, or credentials. The grants, awarded per term, will be the greater of \$75 per credit, or the remaining tuition after other grants are applied. If there are more eligible students than available grant funding, the Board of Regents may give priority to students who, among other things, are in programs leading to a credential in a high-demand field.
- [TN HB 0531](#) and [TN SB 1218](#) – The [Tennessee Reconnect Act](#) provides adult learners with last dollar scholarships to Tennessee's community colleges and Colleges of Applied Technology. Among other things, eligible students must not have an associate or bachelor degree, must be Tennessee residents, and must participate in a "college success program." The scholarship is part of Governor Haslam's Drive to 55 effort, to ensure that 55 percent of Tennesseans have a postsecondary credential by 2025.
- [VA SB 1032](#) and [VA HB 1848](#) - Previous law provided grants to foster youth to pay for tuition and fees at comprehensive community colleges. This bill expands eligibility for the program to students enrolled in non-credit workforce training programs.

Skills Equity

Skills equity policies are those that expand equitable access to middle-skill training, credentials, and careers - particularly for those who have faced barriers to economic opportunity. This year, many states tried to promote equitable access to skills training by making it easier for adult learners to obtain high school equivalencies or diplomas.

- [IA HF 473](#) - Previously, Iowa residents had only one way to earn a high school equivalency diploma -- the HiSET exam. IA HF 473, however, provides students with more ways to earn a high school equivalency, including adult diploma programs at Iowa's community colleges. This will allow more of Iowa's adults to earn a high school equivalency.

- [IN HB 1281](#) - IN HB 1281 allows students to use their state financial aid for Prior Learning Assessments, so that students with prior education or experience can skip coursework that would be repetitive. Students can use the state aid funds for a prior learning assessment if the assessment has been approved by the Indiana Commission for Higher Education, and costs less than half of tuition and fees at Ivy Tech Community College of Indiana.
- [KY H 113](#) - This bill allows administrative bodies to issue licenses or certificates to honorably discharged military members or veterans if their training during service provided them with the necessary experience and skills for that license or certificate.
- [MD HB 1381](#) and [MD S 866](#) – These bills allow the State Department of Education, in consultation with the Department of Labor, Licensing, and Regulation, to approve up to 6 adult high school pilot programs to enable adult learners to earn a high school diploma. Applications to participate in the pilot program shall include (1) descriptions of assessments for measuring college and career readiness; (2) descriptions of any partnerships with other organizations or businesses that would help provide learners with job skills, industry certifications, or postsecondary credentials; and (3) a description of the available advisory services to help students establish a career pathway in a high-need and growing industry and to transition into postsecondary education and industry credentialing opportunities. Each pilot program shall also offer learners wraparound services including childcare, transportation, and housing referrals.
- [TX SB 276](#) - Given a current waitlist, TX S 276 eliminates the cap of 150 students for the adult education and industry certification charter school program. The bill also requires the Commissioner to develop performance metrics, including the percentage of participants who successfully complete a CTE program and obtain an industry certification, and the percent of program participants who increase their earnings because of the program.
- [TX S 1220](#) - This bill requires the Department of Family and Protective services to collaborate with relevant entities, including workforce development boards, foster care transition centers, and technical colleges to help foster youth obtain high school diplomas, industry certifications, and career guidance.
- [WA S 5347](#) - This bill increases the amount of time that Temporary Assistance for Needy Families (TANF) recipients may receive vocational education training, from one year to two years.

Work Based Learning

Work-based learning combines classroom instruction and on-the-job training. Many work-based learning opportunities, such as apprenticeships, are paid, and allow students to obtain skills and credentials while supporting themselves financially. This year, much of the legislation

to expand work-based learning opportunities centered on providing tax credits to employers who employ apprentices.

- [AR SB 505](#) - AR SB 505 combines the tax credits in the Youth Apprenticeship Program and the Youth Apprenticeship/Work Based Learning Program. Under the bill, employers are eligible to receive a tax credit for each apprentice, not to exceed \$10,000 total. The credit is the lesser of \$2,000, or 10% of the apprentice's wages. The bill also removes the requirement that employers can only get tax credits for hiring apprentices who are under 21 years old.
- [KY HB 206](#) – In part, KY HB 206 enables apprentices to use Kentucky Educational Excellence Scholarship funds (funded through the state's lottery) to cover the costs associated with apprenticeships. Previously, students could only use the funds for traditional higher education.
- [MD SB 317](#) - MD SB 317, the More Jobs for Marylanders Act, includes a business tax credit linked to job training, an apprenticeship tax credit, and financial aid for students in non-credit training. The More Jobs for Marylanders Program provides a tax credit to new or existing manufacturers that create a certain number of jobs in Baltimore City, an economically distressed county, or on a site of 3,000 or more acres. To be eligible, the business must also offer an ongoing skills enhancement or postsecondary education program that's approved by the Department of Commerce. MD SB 317 also has a number of provisions related to apprenticeship. First, it creates an apprenticeship tax credit. Employers can receive a \$1,000 tax credit for each apprentice they hire, who is enrolled in a registered apprenticeship and has been employed for at least 7 full months of the taxable year. The total amount of tax credits under this provision may not exceed \$500,000. Second, the Division of Workforce Development and Adult learning (within the Department of Labor, Licensing and Regulation (DLLR)) must partner with other state agencies to identify opportunities to create registered apprenticeships to meet the workforce needs of those departments. Furthermore, DLLR must explore ways to combine youth apprenticeship and registered apprenticeship. Lastly, the bill creates the Workforce Development Sequence scholarships, which provides up to \$2,000 in aid to students enrolled in non-credit workforce development programs at Maryland Community Colleges.
- [MD H 810](#) – This bill all the state's Division of Workforce Development and Adult Learning to approve apprentices, apprenticeship programs, and standards that have already been registered in other states upon the program sponsor's request.
- [MN S 1456](#) – This bill has two notable work-based learning components. Section 175.45 convenes industry representatives to identify occupational competency standards for advanced manufacturing, health care, information technology, and agriculture work-based learning programs called "dual-training programs." The industry representatives also take over identifying, developing, and implementing the dual-training programs from the Commissioner of Labor and Industry. Section 175.46 creates the Youth Skills

Training Program. The program will provide grants to local partnerships to implement work-based skills training programs in high-growth, high-demand occupations for student learners who are older than 16. Local partnerships can use grants to (1) recruit additional employers to provide on-the-job training; (2) recruit students and monitor their progress and outcomes; (3) coordinate training activities amongst relevant parties; (4) coordinate academic components of the training program; (5) coordinate transportation for students; (6) or conduct other beneficial activities. The legislation specifies that at least 60 percent of participants should receive a recognized credential upon completion of the program.

- [MT HB 308](#) - Montana HB 308 creates an apprenticeship tax credit for employers. Employers will receive a tax credit of \$750 for each apprentice employed in a state-registered apprenticeship program, and \$1500 for each veteran employed in a state-registered apprenticeship program.
- [NY A 3009](#) – In the relevant part, this bill establishes the Empire State Apprenticeship Tax Credit, which provides up to \$10 million annually to employers who hire apprentices. Employers must apply for the tax credit. Those engaged with in-demand occupations or industries of regional growth sectors (including clean energy, health care and technology) may receive a preference. The amount of the tax credit is increased for apprentices further into their programs, and apprentices that are disadvantaged youth.
- [RI S 826](#) - This resolution requests that the Governor's Workforce Board and the Rhode Island Department of Labor and Training develop a plan to expand skill and competency based apprenticeships across an array of sectors, and assist employers to register their apprenticeship programs. The resolution requests a progress report by January 1, 2018.
- [TN S 1231](#) – This bill allows the Tennessee Board of Regents and the Tennessee Higher Education Commission to develop curricula for work-based learning courses within the state's Labor Education Alignment Program (LEAP). LEAP is intended to reduce Tennessee's skills gap using data to identify skills gaps and by encouraging collaboration between education and industry. The bill also eliminates employer liability (absent willful or gross negligence) to encourage more employers to participate.
- [TX SB 22](#) - The Pathways in Technology Early College High School (P-TECH) program is a 6-year program that enables high school students to combine high school and postsecondary courses, receive a high school diploma and postsecondary credential, and complete work-based learning training. Employers who provide work-based learning under the P-TECH program must agree to give successful completers priority in interviewing for related jobs. This bill establishes a P-TECH program in Texas, and provides \$5 million in planning grants.
- [UT S 263](#) - This bill amends existing law to require the Career and Technical Education Board to study and make recommendations about (1) successful work-based learning

programs in other states; (2) the potential benefits and challenges of a statewide work-based learning program in high schools; and (3) the opportunities and challenges for cooperation between government agencies and industry.

- [VA SB 999](#) and [VA HB 1592](#) – These bills require comprehensive community colleges to develop policies and procedures to award credit to students who successfully complete registered apprenticeship programs in fields that are aligned with that college’s credit-bearing programs.
- [WV HB 2555](#) - Existing law allows tax credits for employers who hire registered apprentices in construction trades. The tax credit provides \$2 per each hour the apprentice works, not to exceed the lesser of \$2,000 or 50% of actual wages paid. Previously, only apprenticeships jointly administered by labor and management trustees were eligible for that credit. HB 2555 removes that requirement, thus enabling more employers to qualify.