

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 766 Session of 2021

INTRODUCED BY BARTOLOTTA, STREET, COLLETT, YUDICHAK, AUMENT, MENSCH, SAVAL, MARTIN, KEARNEY, COMITTA AND L. WILLIAMS, JUNE 15, 2021

SENATOR MARTIN, EDUCATION, AS AMENDED, JUNE 21, 2022

AN ACT

1 Establishing the Adult Education and Workforce Recovery Grant
2 Program and the Adult Education and Workforce Recovery Grant
3 Program Fund; and imposing powers and duties on the
4 Department of Education.

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1 The General Assembly of the Commonwealth of Pennsylvania  
2 hereby enacts as follows:

3 CHAPTER 1  
4 PRELIMINARY PROVISIONS

5 Section 101. Short title.

6 This act shall be known and may be cited as the Adult  
7 Education and Workforce Recovery Grant Program Act.

8 Section 102. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Adult education provider." An approved educational agency,  
13 institution or organization making use of either professional or  
14 voluntary personnel. The term includes:

15 (1) A school district.

16 (2) An intermediate unit.

17 (3) An area career and technical school.

18 (4) A community college.

19 (5) A literacy council.

20 (6) A local library.

21 (7) A community-based organization that is private, a  
22 nonprofit organization and representative of communities or  
23 significant parts of communities and provides adult or family  
24 literacy education programs.

25 (8) An educational entity recognized by the Secretary of  
26 Education for providing appropriate and effective adult basic  
27 or family literacy education programs.

28 (9) An education entity recognized by the Secretary of  
29 Education for providing appropriate and effective education  
30 exclusively to adult populations.

1 "Department." The Department of Education of the  
2 Commonwealth.

3 "Eligible program participant." ~~An individual who has~~ <--  
4 ~~attained 18 years of age and satisfies one of the following:~~

5 ~~(1) is basic skills deficient;~~

6 ~~(2) does not have a secondary school diploma or its~~  
7 ~~recognized equivalent and has not achieved an equivalent~~  
8 ~~level of education;~~

9 ~~(3) is an English language learner; or~~

10 ~~(4) requires additional training to reenter the~~

11 ~~workforce after a job loss.~~ AN INDIVIDUAL WHO: <--

12 (1) HAS ATTAINED 18 YEARS OF AGE AND SATISFIES ONE OF  
13 THE FOLLOWING:

14 (I) IS BASIC SKILLS DEFICIENT;

15 (II) DOES NOT HAVE A SECONDARY SCHOOL DIPLOMA OR ITS  
16 RECOGNIZED EQUIVALENT AND HAS NOT ACHIEVED AN EQUIVALENT  
17 LEVEL OF EDUCATION;

18 (III) IS AN ENGLISH LANGUAGE LEARNER; OR

19 (IV) REQUIRES ADDITIONAL TRAINING TO REENTER THE  
20 WORKFORCE AFTER A JOB LOSS OR GAP IN EMPLOYMENT; AND

21 (2) HAS BEEN ADVERSELY IMPACTED BY THE COVID-19 PUBLIC  
22 HEALTH EMERGENCY.

23 "Fund." The Adult Education and Workforce Recovery Grant  
24 Program Fund established by this act.

25 "Grant." A grant issued by the department under this act.

26 "High school equivalency credential." The Commonwealth  
27 Secondary School Diploma available to residents of this  
28 Commonwealth who do not possess a high school diploma and have  
29 met the criteria specified in 22 Pa. Code § 4.72 (relating to  
30 credentials other than the high school diploma).

1 "Program." The Adult Education and Workforce Recovery Grant  
2 Program established by this act.

3 CHAPTER 3

4 ADULT EDUCATION AND WORKFORCE RECOVERY

5 GRANT PROGRAM

6 Section 301. Establishment.

7 (a) General rule.--The Adult Education and Workforce  
8 Recovery Grant Program is established in the department. The  
9 program shall provide grants as provided in this act.

10 (b) Fund.--The Adult Education and Workforce Recovery Grant  
11 Program Fund is established in the State Treasury.

12 (c) Source of fund.--

13 (1) The sum of \$15,000,000 in Federal money paid to the  
14 Commonwealth under the American Rescue Plan Act of 2021  
15 (Public Law 117-2, 135 Stat. 4) shall be transferred to the  
16 fund and, subject to payment of administrative costs as  
17 provided in section 304, shall be allocated as follows:

18 (i) Eighty percent of the remaining money in the  
19 fund shall be used to provide grants to the entities  
20 described in paragraphs (1), (2), (3), (4), (5), (6), (7)  
21 and (8) of the definition of "adult education provider"  
22 in section 102.

23 (ii) Twenty percent of the remaining money in the  
24 fund shall be used to provide grants to entities  
25 described in paragraph (9) of the definition of "adult  
26 education provider" in section 102 for programs that  
27 serve adult learners who hold a secondary diploma or its  
28 recognized equivalent and need additional training to  
29 reenter the workforce.

30 (2) The department may reallocate between the grants

1 specified in paragraph (1) (i) and (ii) any unspent funds  
2 resulting from insufficient applicants following the initial  
3 grant application period.

4 (d) Administration.--The department shall make competitive  
5 grants available to adult education providers for the following  
6 purposes:

7 (1) Upskilling working-age adults for the post-COVID  
8 workforce.

9 (2) Providing support to adult learners in completing a  
10 high school equivalency credential.

11 (3) Providing technical training or job training  
12 necessary to secure employment to participants coenrolled in  
13 adult basic education or transitioning directly from adult  
14 basic education.

15 (4) Providing tuition assistance for grant participants  
16 coenrolled in adult basic education or transitioning directly  
17 from adult basic education.

18 (5) Providing digital literacy training.

19 (6) Providing career services, including career  
20 exploration, planning and support identifying and evaluating  
21 education and job training programs.

22 Section 302. Grants.

23 (a) Eligibility.--An adult education provider shall be  
24 eligible to apply for a grant under the program.

25 (b) Guidelines.--The department shall develop guidelines  
26 that specify the requirements for grants. The guidelines shall  
27 include:

28 (1) The grant application process.

29 (2) Allowed and disallowed expenses.

30 (3) The method by which grantees will be evaluated on

1 performance to include outcome-based metrics.

2 (c) Awards.--

3 (1) The department may not award a grant in excess of  
4 \$500,000 to a qualified applicant.

5 (2) The department may award a grant for a multipartner  
6 collaboration, in which case the dollar limit in paragraph  
7 (1) shall not apply.

8 Section 303. Procedure for grant issuance.

9 (a) Application.--An eligible adult education provider may  
10 submit an application to the department requesting a grant.

11 (b) Application requirements.--A completed application must  
12 describe the proposed grant activities in the form and manner  
13 prescribed by the department. An application must include all of  
14 the following:

15 (1) A description of the programming and services the  
16 adult education provider will offer in support of one or more  
17 of the purposes outlined in section 301(d).

18 (2) A description of the manner in which the adult  
19 education provider will meet the guidelines under section  
20 302(b).

21 (3) A projection of costs associated with the proposed  
22 grant activities, including an enumeration of opportunities  
23 to leverage other funding and programming resources.

24 (4) Information on occupations that will be the focus of  
25 the program, including data on local demand.

26 (5) A description of strategies to recruit eligible  
27 program participants.

28 (6) Information on industry-recognized credentials or  
29 certifications awarded to program participants upon  
30 completion of an education or job training.

1 (7) A start date for the proposed grant activities.

2 (8) A list of clear objectives and measurable goals that  
3 the adult education provider will seek to achieve.

4 (9) AN ATTESTATION THAT GRANT MONEY WILL ONLY BE USED TO <--  
5 PROVIDE PROGRAMMING AND SERVICES TO ELIGIBLE PROGRAM  
6 PARTICIPANTS WHO HAVE BEEN ADVERSELY IMPACTED BY THE COVID-19  
7 PUBLIC HEALTH EMERGENCY.

8 (c) Approval process.--The department shall review and  
9 approve grant applications that, in the sole discretion of the  
10 department, satisfy the requirements of this act.

11 (d) Contractual relationship.--Within 30 days of the  
12 completion of the approval process, the department shall enter  
13 into a contract with each adult education provider approved for  
14 a grant. The contract shall require the signatories to provide  
15 the services described in the approved application from money  
16 appropriated or distributed for this purpose.

17 Section 304. Limit on administrative costs.

18 No more than 5% of the money in the fund may be used by the  
19 department for administrative costs.

20 CHAPTER 9

21 REPORTING

22 Section 901. Annual report.

23 Not later than September 1 of each year AFTER GRANTS ARE <--  
24 AWARDED, the department shall submit a report regarding the  
25 implementation and outcomes of grants over the previous fiscal  
26 year to the following:

27 (1) The Governor.

28 (2) The chairperson and minority chairperson of the  
29 Appropriations Committee of the Senate.

30 (3) The chairperson and minority chairperson of the

1 Appropriations Committee of the House of Representatives.

2 (4) The chairperson and minority chairperson of the  
3 Education Committee of the Senate.

4 (5) The chairperson and minority chairperson of the  
5 Education Committee of the House of Representatives.

6 Section 902. Report contents.

7 In addition to information or analysis required by the  
8 department, the annual report shall include information about  
9 each grant awarded, including ~~whether:~~ <--

10 (1) ~~The grant~~ WHETHER THE GRANT RECIPIENTS achieved the <--  
11 clear objectives and measurable goals proposed under section  
12 303(b) (8) .

13 (2) The number of eligible program participants.

14 (3) The amount expended.

15 CHAPTER 11

16 MISCELLANEOUS PROVISIONS

17 Section 1101. Effective date.

18 This act shall take effect immediately.