

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND TWELVE

S.P. 617 - L.D. 1780

**An Act To Enhance Career Pathways for Adult Learners**

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 20-A MRSA §8601-A, sub-§1**, as amended by PL 2007, c. 131, §2, is repealed and the following enacted in its place:

**1. Adult education.** "Adult education" means an education program primarily operated for individuals beyond the compulsory school age that is administered by school administrative units and that includes intake, assessment, career advising, instruction and individual learning plans; is guided by data management, annual monitoring and annual professional development plans; uses appropriately certified staff; is designed to meet identified local needs; and offers at least 3 of the following:

- A. Basic literacy instruction or instruction in English as a Second Language;
- B. High school completion courses;
- C. College transition courses;
- D. Career pathways services; and
- E. Enrichment courses.

**Sec. 2. 20-A MRSA §8601-A, sub-§2-A**, as amended by PL 2007, c. 131, §2, is repealed.

**Sec. 3. 20-A MRSA §8601-A, sub-§12**, as enacted by PL 2007, c. 131, §2, is amended to read:

**12. Adult career and technical education.** "Adult career and technical education" means organized educational activities, eligible for federal or state funding, that:

- A. Offer a sequence of courses that provide individuals with the academic and technical knowledge and skills the individuals need to prepare for further education and for careers, other than careers requiring a baccalaureate, master's or doctoral degree, in current or emerging employment sectors; and
- B. Include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes,

general employability skills, technical skills and occupation-specific skills of an individual.

~~"Adult career and technical education" includes career and technical education as defined in subsection 2-A, and similar educational activities for postsecondary students.~~

**Sec. 4. 20-A MRSA §8601-A, sub-§13**, as enacted by PL 2007, c. 131, §2, is amended to read:

**13. Adult learners with disabilities.** ~~"Adult learners with disabilities" means adults~~ individuals who cannot benefit from a regularly scheduled adult education course because of a disability and are found by the unit, region or center to be capable of benefiting from a course for adult learners with disabilities designed to help adults learn basic life skills through practical instruction related to their needs and goals. Adult learners with disabilities are those students who are not eligible, due to age, for services under the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400, et seq have been determined eligible as students with disabilities under the federal Individuals with Disabilities Education Act who are 16 years of age or older and under 21 years of age and who have neither received a regular high school diploma nor turned 20 years of age during the prior school year; individuals who are eligible under Section 504 of the Rehabilitation Act of 1973 and individuals who are eligible under the federal Americans with Disabilities Act of 1990.

**Sec. 5. 20-A MRSA §8601-A, sub-§14**, as enacted by PL 2007, c. 131, §2, is amended to read:

**14. Adult workforce training and retraining.** "Adult workforce training and retraining" means courses or activities eligible for state funding that serve any of the following adult learners:

- A. Preparatory learners, who are adults learning new skills in preparation for employment in a job or occupation that is new to them;
- B. Supplemental learners, who are adults pursuing courses or activities that are related, in a clear and applicable manner, to current full-time or part-time employment or wage-earning activities; ~~or~~
- C. Certificate learners, who are adults participating in a sequence of courses that provide individuals with the academic and technical knowledge and skills that individuals need to prepare for further education and careers in current or emerging employment sectors-, including the skills and training and work credential programs conducted under the auspices of the boards of the local workforce investment areas designated pursuant to the federal Workforce Investment Act of 1998, Public Law 105-220, and the department; and
- D. Career pathways learners, who are adults participating in career pathways services.

**Sec. 6. 20-A MRSA §8601-A, sub-§22** is enacted to read:

**22. Career pathways services.** "Career pathways services" means career counseling and education for individuals who seek to secure employment and to advance over time to successively higher levels of education and employment by following a pathway, each step of which is designed to prepare the individual for the next level of education or employment.

**Sec. 7. 20-A MRSA §8606-A, sub-§2, ¶A,** as amended by PL 2007, c. 131, §5, is further amended to read:

A. The recommended funding level must include funds in an amount that is sufficient to provide for state administration of adult education programs including funds for the cost of general educational development tests and administration; supporting a ~~statewide volunteer program of literacy outreach~~ literacy programs; state-sponsored professional development; state-level data collection, including the required software for units, regions or centers providing adult education programs; and reimbursement of the costs listed in section 8607-A at the rates established in that section. The recommended funding level may not exceed the maximum allowable expenditures in the base year, adjusted pursuant to paragraph C.

**Sec. 8. 20-A MRSA §8606-A, sub-§3,** as amended by PL 2007, c. 131, §5, is further amended to read:

**3. State reimbursement.** State reimbursement for expenditures on adult education programs must be based on each unit's, region's or center's actual adult education program costs in the base year, ~~except that in fiscal years 1991-92 and 1992-93 available state funding is limited to the fiscal year 1990-91 level, and in fiscal years 1995-96 and 1996-97 available state funding is limited to the fiscal year 1994-95 level.~~

A. The state reimbursement must be based on the unit's, region's or center's expenditures for the base year in accordance with the maximum allowable expenditures and the local program cost adjustment to the equivalent of the year prior to the year of the allocation.

B. State reimbursement must be paid to each eligible unit, region or center during the 2nd quarter of the State's fiscal year.

---

In House of Representatives, ..... 2012

Read twice and passed to be enacted.

..... Speaker

---

In Senate, ..... 2012

Read twice and passed to be enacted.

..... President

---

Approved ..... 2012

..... Governor