SENATE BILL 828

01 2lr2838 CF HB 1043

By: Senator Klausmeier

Introduced and read first time: February 7, 2022

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 9, 2022

CHAPTER

AN ACT concerning 1

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- 2 Family Investment Program - Eligibility, Work Experience, Community Service, 3 and Reports - Alterations
- 4 FOR the purpose of altering the manner in which certain work activities may be reported for determining a certain work participation rate in the Family Investment Program; 5 altering the manner in which the Department of Human Services may require an individual in the Program to verify the hours that the individual participated in certain work activities; establishing a limit on the number of hours the Department may require an individual in the Program to participate in certain work activities; establishing the manner in which an individual in the Program may participate in certain work experience or community service work activities; and generally relating 12 to the Family Investment Program.
- 13 BY repealing and reenacting, without amendments,
- Article Human Services 14
- 15 Section 5-101(a) and (c)
- Annotated Code of Maryland 16
- (2019 Replacement Volume and 2021 Supplement) 17
- 18 BY repealing and reenacting, with amendments,
- 19 Article - Human Services
- 20 Section 5–301, 5–308, and 5–322
- 21 Annotated Code of Maryland
- 22 (2019 Replacement Volume and 2021 Supplement)

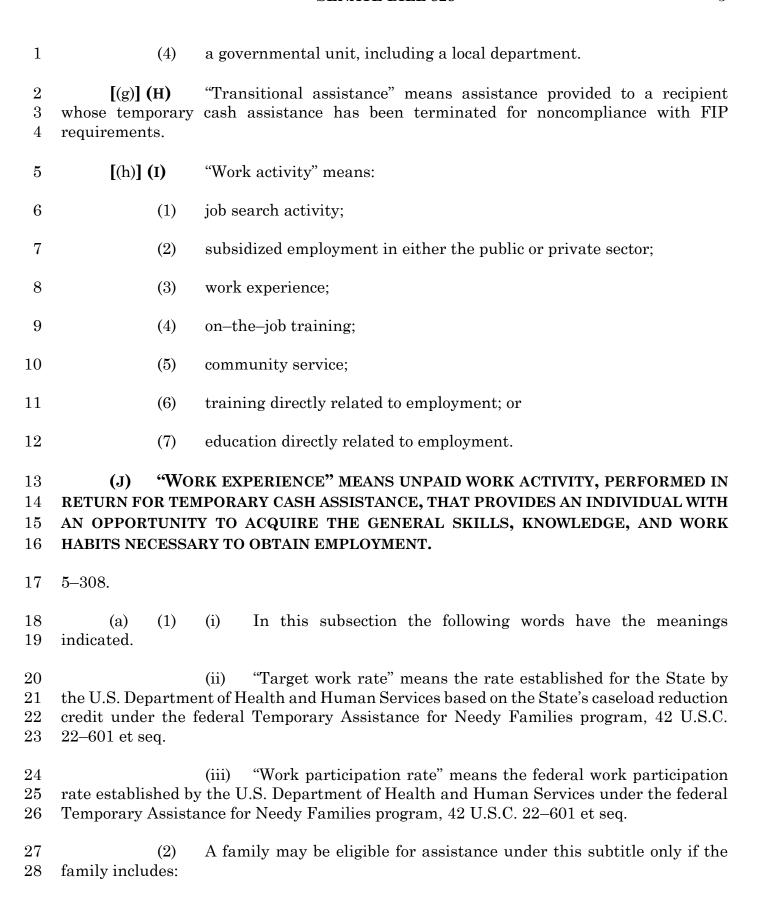
EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

1 2 3 4 5	BY adding to Article – Human Services Section 5–308.1 and 5–308.2 Annotated Code of Maryland (2019 Replacement Volume and 2021 Supplement)
6 7	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
8	Article – Human Services
9	5–101.
10	(a) In this title the following words have the meanings indicated.
11	(c) "Department" means the Department of Human Services.
12	5–301.
13	(a) In this subtitle the following words have the meanings indicated.
14 15	(b) "COMMUNITY SERVICE" MEANS A STRUCTURED PROGRAM WITH EMBEDDED ACTIVITIES IN WHICH INDIVIDUALS PERFORM UNPAID WORK:
16	(1) FOR THE DIRECT BENEFIT OF THE COMMUNITY; AND
17 18	(2) UNDER THE GUIDANCE AND SUPPORT OF A PUBLIC OR NONPROFIT ORGANIZATION.
19	(C) "FIP" means the Family Investment Program.
20 21	[(c)] (D) "Nonprofit organization" means a religious, charitable, or volunteer organization that is exempt from taxation under § 501(c) of the Internal Revenue Code.
22	[(d)] (E) "Recipient" means each individual in a FIP case.
23 24	[(e)] (F) "Temporary cash assistance" means the cash assistance component of the FIP that is funded wholly or partly through Title IV, Part A, of the Social Security Act.
25	[(f)] (G) "Third party payee" means:
26	(1) an individual that the Department approves;
27	(2) a nonprofit organization;
28	(3) a for-profit organization; or

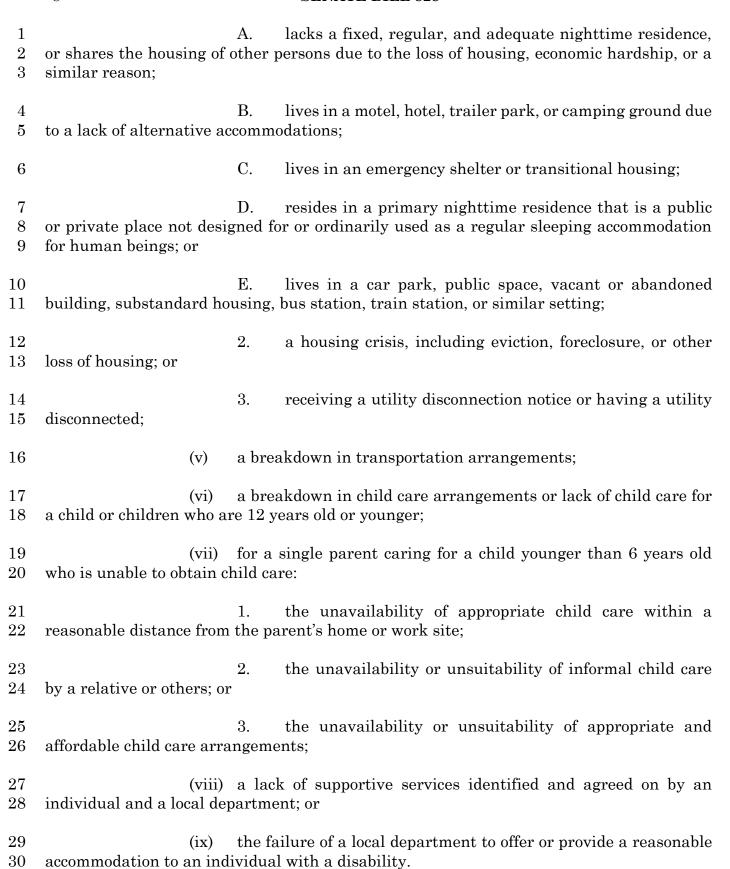


29	WHICH AN INDIVIDUAL IS ENGAGED IN WORK.				
28	` '	` '		STATE SHALL REPORT ONLY THE WORK ACTIVITIES IN	
2627	(5)	(I)	3.	a GED program. FOR PURPOSES OF REPORTING THE WORK	
25			2.	an English as a second language program; or	
24			1.	an adult basic education program;	
22 23	related to employr	(ii) nent, v	vhich n		
20 21	leads to an associa			nimum of 20 hours per week of vocational education that diploma, or a certificate; or	
17 18 19	an applicant or a recipient to meet the work activity requirement for a maximum of 24				
15 16	establishes by reg	[(v)] ulation		meets all other FIP requirements that the Secretary	
14		(iv)]	partio	cipates in work activity under this subtitle; and	
12 13	Department;	(iii)	[has	engaged in job search activities as requested by the	
10 11	enforcement office	·;	2.	complies with the requirements of the local child support	
8 9	local child support	enford	1. cement	has applied for child support services with the appropriate office at the time of application for assistance; and	
7		(ii)	if app	licable:	
6		(i)	reside	es in the State at the time of application for assistance;	
4 5	(3) subtitle only if the	(3) Assistance shall be provided to an applicant or recipient under this btitle only if the applicant or recipient:			
3		(ii)	a pre	gnant individual.	
$\frac{1}{2}$	(i) a minor child who resides with a custodial parent or other adult caretaker who is a relative of the child; or				

1 2 3	2. AN INDIVIDUAL SHALL BE CONSIDERED ENGAGED IN WORK IF THE INDIVIDUAL PARTICIPATES IN ANY OF THE FOLLOWING WORK ACTIVITIES:
4 5 6	A. SATISFACTORY ATTENDANCE AT A SECONDARY SCHOOL OR IN A COURSE OF STUDY LEADING TO A HIGH SCHOOL EQUIVALENCY CREDENTIAL;
7	B. ON THE JOB TRAINING;
8 9	C. SUBSIDIZED EMPLOYMENT IN EITHER THE PUBLIC OR PRIVATE SECTOR; OR
10	D. UNSUBSIDIZED EMPLOYMENT.
11 12 13	3. THE DEPARTMENT MAY NOT REQUIRE AN INDIVIDUAL TO VERIFY THE HOURS OF PARTICIPATION IN WORK ACTIVITY THAT IS NOT CONSIDERED BEING ENGAGED IN WORK.
14 15 16 17 18	(II) If the work participation rate does not exceed the target work rate by AT LEAST 10% in any month, the Department, after providing at least 30 days prior notice to the Senate Finance Committee and the House Appropriations Committee, may UNTIL THE WORK PARTICIPATION RATE EXCEEDS THE TARGET WORK RATE BY AT LEAST 10% FOR 3 CONSECUTIVE MONTHS, suspend the application of:
19 20 21	
22	2. SUBPARAGRAPH (I) OF THIS PARAGRAPH.
23 24 25 26 27 28 29	(III) 1. SUBJECT TO SUBSUBPARAGRAPHS 2 AND 3 OF THIS SUBPARAGRAPH, TO VERIFY SUBSIDIZED AND UNSUBSIDIZED EMPLOYMENT AND ON-THE-JOB TRAINING FOR PURPOSES OF THE WORK PARTICIPATION RATE, THE DEPARTMENT SHALL VERIFY AN INDIVIDUAL'S EMPLOYMENT ON COMMENCEMENT OF THE WORK ACTIVITY AND USE THE ACTUAL HOURS OF EMPLOYMENT PARTICIPATION TO PROJECT THE HOURS OF EMPLOYMENT PARTICIPATION FOR A MAXIMUM PERIOD OF 6 MONTHS.
30 31 32 33	2. NOT LATER THAN AT THE END OF A 6-MONTH PERIOD OR AT THE TIME THE DEPARTMENT RECEIVES INFORMATION THAT AN INDIVIDUAL'S ACTUAL HOURS OF EMPLOYMENT PARTICIPATION HAVE CHANGED, WHICHEVER IS SOONER, THE DEPARTMENT SHALL VERIFY THE INDIVIDUAL'S CURRENT, ACTUAL

- 1 AVERAGE HOURS OF EMPLOYMENT PARTICIPATION TO PROJECT THE HOURS OF EMPLOYMENT PARTICIPATION FOR UP TO AN ADDITIONAL 6 MONTHS.
- 3 3. THE DEPARTMENT MAY NOT REQUIRE AN
 4 INDIVIDUAL TO VERIFY ACTUAL HOURS OF EMPLOYMENT PARTICIPATION AT A
- 5 FREQUENCY OTHER THAN THAT REQUIRED UNDER THIS SUBPARAGRAPH.
- 6 (6) THE DEPARTMENT MAY REQUIRE A WORK-ELIGIBLE INDIVIDUAL 7 TO PARTICIPATE IN WORK ACTIVITY FOR A MAXIMUM OF:
- 8 (I) 30 HOURS PER WEEK FOR AN INDIVIDUAL WITH A CHILD AT 9 LEAST 6 YEARS OLD;
- 10 (II) 20 HOURS PER WEEK FOR A SINGLE PARENT OR CARETAKER
 11 RELATIVE WITH A CHILD UNDER THE AGE OF 6 YEARS;
- 12 (III) A COMBINED AVERAGE OF 35 HOURS PER WEEK FOR A
 13 FAMILY WITH TWO WORK-ELIGIBLE PARENTS WHO DO NOT RECEIVE FEDERALLY
 14 FUNDED CHILD CARE ASSISTANCE; OR
- 15 (IV) A COMBINED AVERAGE OF 55 HOURS PER WEEK FOR A
 16 FAMILY WITH TWO WORK-ELIGIBLE PARENTS WHO RECEIVE FEDERALLY FUNDED
 17 CHILD CARE ASSISTANCE, PROVIDED THAT AN ADULT IN THE FAMILY DOES NOT
 18 HAVE A DISABILITY OR IS NOT CARING FOR A CHILD WITH A DISABILITY.
- 19 **(7) (I)** A WORK-ELIGIBLE INDIVIDUAL MAY **CHOOSE** TO PARTICIPATE IN WORK ACTIVITY FOR MORE THAN THE REQUIRED WEEKLY HOURS 20 21 UNDER PARAGRAPH (6) OF THIS SUBSECTION, UP TO A MAXIMUM OF 40 HOURS PER 22WEEK, PROVIDED THAT WORKING THE ADDITIONAL HOURS DOES NOT VIOLATE THE 23 FEDERAL FAIR LABOR STANDARDS ACT.
- (II) THE DEPARTMENT MAY NOT REDUCE THE TEMPORARY
 CASH ASSISTANCE OF AN INDIVIDUAL, AS PROVIDED IN § 5–312(E)(1)(I) OF THIS
 SUBTITLE, IF THE INDIVIDUAL IS MEETING THE DEPARTMENT'S MINIMUM WORK
 ACTIVITY PARTICIPATION REQUIREMENT AND PARTICIPATING IN WORK ACTIVITY
 FOR LESS THAN 40 HOURS PER WEEK.
- 29 (8) THE DEPARTMENT SHALL ACCEPT VERIFICATION OF AN 30 INDIVIDUAL'S WORK ACTIVITY PARTICIPATION THROUGH MULTIPLE METHODS, 31 INCLUDING ELECTRONIC SUBMISSION.
- 32 (b) (1) An individual may not be required to meet the work activity 33 requirement under subsection [(a)(2)(iv)] (A)(3)(III) of this section if the individual is 34 exempt under criteria the Secretary establishes.

1	(2)	The c	riteria shall include exemptions for:				
2 3	who are required t	(i) o care	SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, adults for a child who is a recipient under the age of 1 year; [and]				
4 5	children who are r	(ii) ecipier	subject to paragraph [(3)] (4) of this subsection, adults and its and who are severely disabled; AND				
6 7	LEAST 12 <u>6</u> MONT	(III) THS.	ADULTS WHO HAVE NOT RECEIVED ASSISTANCE FOR AT				
8 9 10		HO IS	XEMPTION BASED ON AN ADULT'S REQUIREMENT TO CARE A RECIPIENT UNDER THE AGE OF 1 YEAR MAY NOT BE MUM NUMBER OF MONTHS IN THE ADULT'S LIFETIME.				
$\frac{1}{2}$	(4) months unless:	An in	dividual's exemption because of severe disability is limited to 12				
13		(i)	the individual applies for Supplemental Security Income; and				
4		(ii)	the application is approved, pending, or on appeal.				
15 16 17		tion b	Assistance for an individual who qualifies for an exemption ut who voluntarily participates in a work activity may not be a result of the participation in the work activity.				
18 19 20	(c) (1) Assistance for an individual may not be reduced or terminated for noncompliance with the work activity requirement if the individual has good cause under the criteria established by the Secretary.						
21 22	good cause:	The c	riteria shall provide that any of the following are sufficient to show				
23		(i)	temporary illness or incapacity;				
24		(ii)	court-required appearances or temporary incarceration;				
25		(iii)	domestic violence;				
26 27	including:	(iv)	a family crisis that threatens normal family functioning,				
28			1. experiencing homelessness whereby a family:				



31 (d) Subject to the State budget, a legal immigrant is entitled to assistance under 32 this subtitle if the immigrant:

- meets FIP eligibility requirements under this subtitle and any other 1 (1) 2 requirements imposed by the State; and 3 (2)arrived in the United States before August 22, 1996; or (i) 4 arrived in the United States on or after August 22, 1996 and is not eligible for federally funded cash assistance. 5 6 5-308.1. 7 (A) THE PURPOSE OF WORK EXPERIENCE IS TO IMPROVE THE EMPLOYABILITY OF INDIVIDUALS WHO CANNOT FIND UNSUBSIDIZED FULL-TIME 8 9 EMPLOYMENT. 10 (B) THE DEPARTMENT MAY REFER AN INDIVIDUAL TO WORK EXPERIENCE 11 FOR WORK ACTIVITY IF: 12 **(1)** PRIVATE SECTOR EMPLOYMENT IS NOT AVAILABLE; 13 **(2)** THE MAXIMUM WORK EXPERIENCE PLACEMENT FOR THE 14 INDIVIDUAL DOES NOT EXCEED 90 DAYS IN A 3-YEAR PERIOD; 15 **(3)** THE DEPARTMENT OFFERS THE INDIVIDUAL AT LEAST THREE 16 WORK ACTIVITY OPTIONS THAT INCLUDE: 17 SUBJECT TO SUBSECTION (C) OF THIS SECTION, ONLY ONE **(I)** WORK EXPERIENCE OPTION; AND 18 AT LEAST ONE OPTION THAT IS WORK ACTIVITY OR A 19 20 PROGRAM FUNDED BY THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY 21ACT; 22**(4)** THE INDIVIDUAL CHOOSES THE WORK EXPERIENCE FOR WORK 23**ACTIVITY**; 24**(5)** THE DEPARTMENT INFORMS THE INDIVIDUAL THAT THE INDIVIDUAL MAY SUBSEQUENTLY CHANGE TO DIFFERENT WORK ACTIVITY; AND 25 26 THE WORK EXPERIENCE PROVIDES SKILLS THAT MATCH THE INDIVIDUAL'S PERSONAL, CAREER, AND FAMILY GOALS TO SUPPORT ECONOMIC 27
- 29 (7) THE WORK SITE MEETS THE REQUIREMENTS OF SUBSECTION (D) 30 OF THIS SECTION.

MOBILITY; AND

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- 1 (C) IF THE DEPARTMENT OFFERS WORK EXPERIENCE AS WORK ACTIVITY,
 2 THE DEPARTMENT MAY NOT OFFER COMMUNITY SERVICE AS WORK ACTIVITY.
- 3 (D) (1) FOR A WORK SITE TO QUALIFY AS AN APPROPRIATE PLACEMENT
 4 FOR WORK EXPERIENCE UNDER THIS SECTION, THE WORK SITE MUST:
- 5 (I) BE SUPERVISED BY AN EMPLOYER, A WORK SITE SPONSOR,
 6 OR ANY OTHER RESPONSIBLE PARTY ON AN ONGOING BASIS AT LEAST ONCE EACH
 7 DAY IN WHICH THE INDIVIDUAL IS SCHEDULED TO PARTICIPATE IN THE WORK
 8 EXPERIENCE:
- 9 (H) OFFER PARTICIPANTS MARKETABLE SKILLS NECESSARY TO
 10 OBTAIN EMPLOYMENT IN LOCAL HIGH GROWTH INDUSTRIES IDENTIFIED IN THE
 11 STATE; AND
- 12 (III) BE LIMITED TO NOT MORE THAN FIVE WORK EXPERIENCE
 13 PLACEMENTS AT ANY GIVEN TIME.
- 14 (2) SUBJECT TO SUBSECTION (E)(2) OF THIS SECTION, A WORK SITE
 15 SHALL BE DISQUALIFIED FROM HAVING ANY INDIVIDUALS IN WORK EXPERIENCE
 16 PLACEMENTS FOR A 5 YEAR PERIOD IF, IN A 1 YEAR PERIOD, THE WORK SITE DOES
 17 NOT THE THE GREATER OF:
- 18 (I) IF ONLY ONE INDIVIDUAL WAS PLACED IN THE WORK SITE
 19 FOR WORK EXPERIENCE, THE INDIVIDUAL; OR
- 20 (II) 50% of individuals placed in the work site for work 21 experience.
- 22 (E) (1) If AT ANY TIME THE REQUIREMENTS OF SUBSECTION (B) OF THIS 23 SECTION ARE NOT MET, AN INDIVIDUAL PLACED IN WORK EXPERIENCE MAY 24 REQUEST A TRANSFER TO DIFFERENT WORK ACTIVITY.
- 25 (2) AN INDIVIDUAL WHO TRANSFERS FROM THE WORK SITE UNDER 26 PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE COUNTED FOR PURPOSES OF THE 27 HIRING REQUIREMENT UNDER SUBSECTION (D)(2) OF THIS SECTION.
- 28 **5–308.2.**
- 29 (A) THE PURPOSE OF COMMUNITY SERVICE IS TO IMPROVE THE 30 EMPLOYABILITY OF INDIVIDUALS WHO CANNOT FIND UNSUBSIDIZED FULL-TIME 31 EMPLOYMENT.

1 (B) COMMUNITY SERVICE SHALL:

- 2 (1) BE LIMITED TO PROJECTS THAT SERVICE A USEFUL COMMUNITY
- 3 PURPOSE IN FIELDS INCLUDING HEALTH, SOCIAL SERVICE, ENVIRONMENTAL
- 4 PROTECTION, EDUCATION, URBAN AND RURAL DEVELOPMENT, WELFARE,
- 5 RECREATION, PUBLIC FACILITIES, PUBLIC SAFETY, AND CHILD CARE; AND
- 6 (2) BE SUPERVISED ON AN ONGOING BASIS AT LEAST ONCE EACH DAY
- 7 IN WHICH THE INDIVIDUAL IS SCHEDULED TO PARTICIPATE IN THE COMMUNITY
- 8 SERVICE.
- 9 (C) THE DEPARTMENT MAY REFER AN INDIVIDUAL TO COMMUNITY
- 10 SERVICE FOR WORK ACTIVITY IF:
- 11 (1) PRIVATE SECTOR EMPLOYMENT IS NOT AVAILABLE;
- 12 (2) THE MAXIMUM COMMUNITY SERVICE PLACEMENT FOR THE
- 13 INDIVIDUAL DOES NOT EXCEED 90 DAYS IN A 3-YEAR PERIOD;
- 14 (3) THE DEPARTMENT OFFERS TO THE INDIVIDUAL AT LEAST THREE
- 15 WORK ACTIVITY OPTIONS THAT SHALL INCLUDE:
- 16 (I) SUBJECT TO SUBSECTION (D) OF THIS SECTION, ONLY ONE
- 17 COMMUNITY SERVICE OPTION; AND
- 18 (II) AT LEAST ONE WORK ACTIVITY OPTION OR A PROGRAM
- 19 FUNDED BY THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT:
- 20 (4) THE INDIVIDUAL CHOOSES THE COMMUNITY SERVICE FOR WORK
- 21 ACTIVITY;
- 22 (5) THE DEPARTMENT INFORMS THE INDIVIDUAL THAT THE
- 23 INDIVIDUAL MAY SUBSEQUENTLY CHANGE TO DIFFERENT WORK ACTIVITY;
- 24 (6) THE COMMUNITY SERVICE PROVIDES SKILLS THAT MATCH THE
- 25 INDIVIDUAL'S PERSONAL, CAREER, AND FAMILY GOALS TO SUPPORT ECONOMIC
- 26 MOBILITY; AND
- 27 (7) WHEN MAKING APPROPRIATE COMMUNITY SERVICE
- 28 ASSIGNMENTS, THE DEPARTMENT HAS CONSIDERED THE INDIVIDUAL'S PRIOR
- 29 TRAINING, EXPERIENCE, AND SKILLS.
- 30 (D) IF THE DEPARTMENT OFFERS COMMUNITY SERVICE AS WORK ACTIVITY,
- 31 THE DEPARTMENT MAY NOT OFFER WORK EXPERIENCE AS WORK ACTIVITY.

- 1 (E) IF AT ANY TIME THE REQUIREMENTS OF SUBSECTION (C) OF THIS SECTION ARE NOT MET, AN INDIVIDUAL PLACED IN COMMUNITY SERVICE MAY REQUEST A TRANSFER TO DIFFERENT WORK ACTIVITY.
- 4 5–322.
- 5 (a) On or before October 1 each year, the Department shall report to the General 6 Assembly, in accordance with § 2–1257 of the State Government Article, the following 7 information:
- 8 (1) for the preceding year:
- 9 **[**(1)**] (I)** the number of recipients who engaged in vocational education or 10 education directly related to employment;
- 11 **[(2)] (II)** the number of recipients who completed vocational education or 2 education directly related to employment;
- [(3)] (III) the number of recipients who obtained or maintained employment for 6 months, 12 months, 18 months, and 24 months after completing vocational education or education directly related to employment; and
- [(4)] (IV) the average earnings of recipients who obtained or maintained employment for 6 months, 12 months, 18 months, and 24 months after completing vocational education or education directly related to employment; AND
- 19 **(2)** FOR THE PRECEDING FISCAL YEAR, THE FOLLOWING 20 INFORMATION ON WORK EXPERIENCE AND COMMUNITY SERVICE WORK ACTIVITY 21 PLACEMENTS:
- 22 (I) INFORMATION ON THE WORK SITES AND THE PUBLIC, 23 PRIVATE, AND NONPROFIT ORGANIZATIONS THAT HAVE ENGAGED TEMPORARY 24 CASH ASSISTANCE RECIPIENTS IN WORK EXPERIENCE AND COMMUNITY SERVICE, 25 INCLUDING:
- 1. A LIST, ORGANIZED BY COUNTY, OF ALL WORK SITES
 IN THE STATE, INCLUDING UNITS OF STATE, FEDERAL, AND LOCAL GOVERNMENT
 THAT HAVE ENGAGED TEMPORARY CASH ASSISTANCE RECIPIENTS IN WORK
- 29 EXPERIENCE;
- 30 **2.** FOR EACH WORK SITE:
- A. THE TOTAL NUMBER OF WORK EXPERIENCE
- 32 PLACEMENTS FOR THE YEAR;

1 2 3	B. THE POSITION, JOB DUTIES, NUMBER OF HOURS, AND MARKET SALARY RATE FOR THE JOB BEING PERFORMED BY THE TEMPORARY CASH ASSISTANCE RECIPIENTS ENGAGED IN WORK EXPERIENCE; AND
4 5 6	C. THE NUMBER OF TEMPORARY CASH ASSISTANCE RECIPIENTS ENGAGED IN WORK EXPERIENCE WHO WERE HIRED BY THE WORK SITE FOR UNSUBSIDIZED EMPLOYMENT; \underline{AND}
7 8 9	3. ANY WORK SITES THAT WERE DISQUALIFIED AS AN APPROPRIATE PLACEMENT FOR WORK EXPERIENCE UNDER § 5–308.1(D)(2) OF THIS SUBTITLE; AND
10 11 12	4. A LIST, ORGANIZED BY COUNTY, OF ALL PUBLIC AND NONPROFIT ORGANIZATIONS IN THE STATE THAT HAVE ENGAGED TEMPORARY CASH ASSISTANCE RECIPIENTS IN COMMUNITY SERVICE;
13 14 15	(II) INFORMATION, ORGANIZED BY THE NUMBER, JURISDICTION, RACE, ETHNICITY, AGE, AND GENDER OF INDIVIDUALS WHO PARTICIPATED IN WORK EXPERIENCE AND COMMUNITY SERVICE; AND
16 17 18 19	(III) INFORMATION ON THE EMPLOYMENT OUTCOMES OF INDIVIDUALS WHO PARTICIPATED IN WORK EXPERIENCE, INCLUDING THE NUMBER OF INDIVIDUALS IN WORK EXPERIENCE WHO WERE PROVIDED DIRECT ENTRY INTO A FULL—TIME JOB WITH A WAGE THAT:
20	1. EQUALS OR EXCEEDS THE STATE MINIMUM WAGE;
21 22	2. EQUALS OR EXCEEDS 150% OF THE STATE MINIMUM WAGE; AND
23 24	3. EQUALS OR EXCEEDS 200% OF THE STATE MINIMUM WAGE.
25 26 27	(b) The information in the report required under subsection [(a)] (A)(1) of this section shall be broken down by the types of vocational education or education programs in which the recipients engaged, including:
28	(1) associate degree programs;
29	(2) vocational education programs that do not lead to an associate degree;
30 31	(3) postsecondary education programs that are not included in items (1) or (2) of this subsection;

Speaker of the House of Delegates.