

OFFICE OF CHIEF ACADEMIC OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
December 17, 2020

OFFICE OF CAREER AND TECHNICAL EDUCATION

- J. Approval to begin the Administrative Procedures Act process: To establish State Board Policy Rule 95.2 to align to The Mississippi Learn to Earn Act

Executive Summary

The State Board of Education authorizes local school boards, at their discretion, to develop an Extended Learning Opportunity policy that provides alternative learning opportunities to students in grades 9 through 12. These alternative learning opportunities will provide elective credit and may include pre-apprenticeships, apprenticeships, or internships. The Mississippi Department of Education and The Office of Career and Technical Education will provide oversight to the alternative learning opportunities through the secondary Work-Based Learning program that is available to all districts and is maintained through partnership with The Mississippi Community College Board, The State Workforce Investment Board, and The Mississippi Department of Employment Security.

Recommendation: Approval

Back-up material attached

Chapter 95: CTE Collaborative Efforts

Rule 95.2 Mississippi Learn to Earn Act.

1. The State Board of Education authorizes local school boards, in their discretion, to develop an Extended Learning Opportunity policy that provides alternative learning opportunities to students in grades 9 through 12 for elective course credit. These alternative learning opportunities may include pre-apprenticeships, apprenticeships, internships, or other experiences approved by the Office of Career and Technical Education.
2. The Mississippi Department of Education and The Office of Career and Technical Education shall provide oversight to the alternative learning opportunities through the secondary Work-Based Learning program that is available to all districts and is maintained through partnership with The Mississippi Community College Board, The State Workforce Investment Board, and The Mississippi Department of Employment Security. These entities shall collaborate to establish procedures for apprenticeships and internships that may be exempt from federal state and labor laws.
3. If the local school board approves an application, it shall submit the application to The Office of Career and Technical Education prior to implementation for review and final approval by February 1. The Office of Career and Technical Education shall have 90 days to review and respond to all applications submitted. Once a local district receives final approval, the alternative learning opportunities may be implemented the following school year through the Work-Based Learning program. High-school-to-work programs aligned to The Mississippi Learn to Act and the Work-Based Learning curriculum will be evaluated through the consolidated monitoring audit performed by the Office of Career and Technical Education.

Source: House Bill 1336 – The Mississippi Learn to Earn Act Miss. Code Ann. § --(-) (-)-- , et seq. (Adopted 12/2020).

By: Representatives McCarty, Owen, Kinkade,
Paden

To: Education

HOUSE BILL NO. 1336
(As Sent to Governor)

1 AN ACT TO ESTABLISH THE "MISSISSIPPI LEARN TO EARN ACT"; TO
2 DEFINE TERMS; TO REQUIRE THE STATE BOARD OF EDUCATION, IN
3 CONJUNCTION WITH THE DEPARTMENT OF EMPLOYMENT SECURITY, THE STATE
4 WORKFORCE INVESTMENT BOARD AND THE MISSISSIPPI COMMUNITY COLLEGE
5 BOARD, TO IDENTIFY HIGH-SCHOOL-TO-WORK APPRENTICESHIPS AND OTHER
6 STUDENT INTERNSHIP PROGRAMS THAT MAY BE ELIGIBLE FOR EXEMPTIONS
7 FROM FEDERAL AND STATE LABOR LAWS AND REGULATIONS FOR WHICH
8 EXEMPTIONS ARE AVAILABLE FOR STUDENT APPRENTICESHIP PROGRAMS, AND
9 ESTABLISH PROCEDURES BY WHICH SUCH EXEMPTIONS MAY BE OBTAINED BY
10 SUCH PROGRAMS; TO AUTHORIZE THE STATE BOARD OF EDUCATION TO
11 SUBSTITUTE INDUSTRY CERTIFICATION AND STATE LICENSURE EXAMINATIONS
12 FOR ANY OTHER STATE ASSESSMENTS FOR THE PURPOSE OF AWARDING
13 ELECTIVE CREDIT FOR CAREER AND TECHNICAL EDUCATION COURSES; TO
14 ALLOW A STUDENT WHO EARNS CREDIT UPON COMPLETION OF A REGISTERED
15 APPRENTICESHIP PROGRAM TO USE SUCH CREDIT TO SATISFY HIGH SCHOOL
16 GRADUATION REQUIREMENTS; TO REQUIRE THE STATE BOARD OF EDUCATION
17 TO DEVELOP GUIDELINES FOR THE ESTABLISHMENT OF HIGH-SCHOOL-TO-WORK
18 APPRENTICESHIPS BETWEEN PUBLIC HIGH SCHOOLS AND LOCAL BUSINESSES;
19 TO REQUIRE THE STATE BOARD OF EDUCATION TO AUTHORIZE LOCAL SCHOOL
20 BOARDS TO DEVELOP AN EXTENDED LEARNING OPPORTUNITY TO INCLUDE
21 ALTERNATIVE EDUCATIONAL OPPORTUNITIES AVAILABLE TO STUDENTS IN
22 GRADE 9 THROUGH GRADE 12 AND TO ADOPT A POLICY TO INCLUDE
23 ALTERNATIVE EDUCATIONAL OPPORTUNITIES FOR COURSE CREDIT THAT
24 RECOGNIZES LEARNING OPPORTUNITIES OUTSIDE OF THE TRADITIONAL
25 CLASSROOM; TO PROVIDE FOR A TWO-TIERED APPLICATION PROCESS FOR THE
26 IMPLEMENTATION OF ALTERNATIVE LEARNING COURSES, PROGRAM OR
27 OPPORTUNITIES AND APPRENTICESHIPS IN LOCAL SCHOOL DISTRICTS; TO
28 REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE AN ANNUAL
29 REPORT ON DISTRICTS PROVIDING ALTERNATIVE COURSES, PROGRAMS AND
30 OPPORTUNITIES OR APPRENTICESHIPS; TO REQUIRE STATE LICENSING
31 AUTHORITIES TO GRANT A LICENSE TO ANY STUDENT APPLICANT WHO
32 PARTICIPATES IN AN ALTERNATIVE LEARNING COURSE, PROGRAM OR
33 OPPORTUNITY OR APPRENTICESHIP PROGRAM AND SATISFIES THE LICENSING



34 REQUIREMENT FOR SAID OCCUPATION UPON CERTAIN CONDITIONS; AND FOR
35 RELATED PURPOSES.

36 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

37 **SECTION 1.** This act shall be known, and may be cited as the
38 "Mississippi Learn to Earn Act."

39 **SECTION 2.** As used in this act, the following terms shall
40 have the meaning ascribed in this section, unless the context
41 requires otherwise:

42 (a) "Alternative learning course" or "alternative
43 course, program or opportunity" means a sequence of instruction
44 over a period of time that meets reasonably equivalent
45 requirements or competencies of a subject or subjects included in
46 the career and technical education curriculum included in the
47 College and Career Readiness Standards, which results in the
48 granting of a credit leading to high school graduation.

49 (b) "Apprenticeship" means:

50 (i) A program that meets the federal guidelines
51 set out in 29 CFR Part 29, including Industry Programs; or

52 (ii) An apprenticeship program that already exists
53 or created by a Mississippi statute, rule or licensing authority.

54 (c) "Board" means the State Board of Education.

55 (d) "Department" means the State Department of
56 Education.

57 (e) "Licensing" means any required training, education,
58 or fee to work in a specific profession.



59 (f) "Licensing authority" means an agency, examining
60 board, credentialing board, or other office with the authority to
61 impose occupational fees or licensing requirements on any
62 profession.

63 (g) "Sponsoring organization" means any business,
64 industry, whether public or private, nonprofit organization,
65 for-profit organization or other appropriate entities that partner
66 with a local school district or multiple districts to provide
67 alternative learning courses through apprenticeships, internships
68 or pre-apprenticeships, subject to guidelines prescribed by the
69 State Board of Education.

70 **SECTION 3.** The State Board of Education, in conjunction with
71 the Department of Employment Security, the State Workforce
72 Investment Board, the Mississippi Community College Board, and any
73 relevant licensing authority shall identify high-school-to-work
74 apprenticeships and other student internship programs that may be
75 eligible for exemptions from those federal and state labor laws
76 and regulations for which exemptions are available for student
77 apprenticeship programs. The State Board of Education, the
78 Department of Employment Security, the State Workforce Investment
79 Board and the Mississippi Community College Board shall also
80 establish procedures by which such exemptions may be obtained for
81 high-school-to-work apprenticeships and other student internship
82 programs.



83 **SECTION 4.** (1) For the 2021-2022 school term, the State
84 Board of Education shall promulgate a rule by December 31, 2020,
85 authorizing local school boards, in their discretion, to develop
86 an Extended Learning Opportunity to include alternative
87 educational opportunities available to students in Grade 9 through
88 Grade 12, which are provided through apprenticeships, internships
89 or pre-apprenticeships for elective course credit.

90 (2) Each local school board may adopt an Extended Learning
91 Opportunities policy to include alternative educational
92 opportunities for course credit that recognizes learning
93 opportunities outside of the traditional classroom through
94 apprenticeships, internships or pre-apprenticeships, and grants
95 elective credit for those alternative learning opportunities. If
96 adopted the policy shall:

97 (a) Provide for an application process for entities to
98 submit proposals for alternative educational opportunities that
99 will qualify for elective course credit;

100 (b) Define which entities are eligible to submit
101 applications for alternative educational opportunities, which such
102 entities shall include, but not be limited to:

103 (i) Nonprofit organizations;

104 (ii) Businesses with established locations in the
105 state;

106 (iii) Trade associations;



107 (iv) Parents of students involved in programs that
108 may otherwise qualify for alternative educational opportunities;

109 (v) Teachers involved in programs outside of the
110 traditional classroom; and

111 (vi) School personnel involved in programs outside
112 of the traditional classroom.

113 (c) Provide for the criteria used to evaluate the
114 alternative educational opportunity;

115 (d) Describe any communication and collaboration needed
116 with local school districts to implement alternative educational
117 opportunities approved by the State Board of Education;

118 (e) Place requirements on the entity such as background
119 checks for key personnel and minimum accountability standards; and

120 (f) Provide a process for student credit transfer.

121 (3) The local school board is authorized to approve or deny
122 an application for an alternative educational opportunity. If an
123 application is approved by the school board, the application shall
124 be submitted to the State Board of Education for review as
125 provided in Section 6 of this act, prior to the implementation of
126 the program within the local school district.

127 (4) The State Department of Education shall have the
128 authority to audit approved alternative educational programs at
129 any time. If the audit results in findings that an approved
130 program is not meeting the provisions of this act or the policy



131 outlined in subsection (2) of this section, then the local school
132 board shall disqualify the program immediately.

133 **SECTION 5.** (1) (a) Following the adoption of the rule
134 required in Section 4 of this act, the department shall accept
135 applications from local school districts for the implementation of
136 alternative courses, programs and opportunities or apprenticeship
137 programs. The department shall require an application for each
138 alternative course, program or opportunity or apprenticeship
139 program approved by a local school board to be implemented in its
140 school district.

141 (b) Upon receipt of an application, the department
142 shall have ninety (90) days to approve or deny the application.
143 Any denied application shall be returned to the submitting local
144 school board and shall include an explanation of the reasons for
145 denial of the application.

146 (2) The State Department of Education shall provide an
147 annual report detailing the progress that has been made in each
148 school district in providing alternative courses, programs and
149 opportunities or apprenticeships. The report shall be provided to
150 the Chairmen of the Senate and House Education Committees no later
151 than December 1 of each year, beginning December 1, 2021. The
152 report also shall be provided to the other members of the
153 Legislature upon request and posted on the department's website
154 for the general public to view.



155 **SECTION 6.** (1) Beginning with the effective date of this
156 act, a licensing authority shall grant a license to any student
157 applicant who participates in an alternative learning course,
158 program or opportunity or apprenticeship program, and who meets
159 the following criteria:

160 (a) Completed an apprenticeship in the licensed
161 occupation or profession;

162 (b) Attained a satisfactory industry certification
163 score on the WorkKeys assessment, if such assessment is a required
164 component of the alternative course or apprenticeship;

165 (c) Passed an examination, if one is deemed to be
166 necessary by the licensing authority; and

167 (d) Paid any fees deemed necessary by the licensing
168 authority.

169 (2) Licensing authorities shall establish a passing score
170 for their respective examinations which shall not exceed the
171 passing score that is required under the standard licensing
172 processes. If the relevant licensing authority or provision of
173 law does not require an examination for the standard licensing
174 process for an occupation, no examination may be required for
175 applicants who complete an apprenticeship in that occupation.

176 (3) Licensing authorities shall establish a licensing fee,
177 which shall not exceed the licensing fee that is required under
178 the standard licensing processes. If the relevant licensing
179 authority or state does not require a fee for the standard



180 licensing process for an occupation, no fee can be required for
181 applicants who complete an apprenticeship in that occupation.

182 (4) Except as otherwise required by federal law,
183 apprenticeships for an occupation shall not be required to exceed
184 the number of hours required by the relevant licensing authority
185 or statute for that occupation.

186 (5) Licensing authorities shall adopt necessary rules for
187 the implementation of this section.

188 **SECTION 7.** This act shall take effect and be in force from
189 and after July 1, 2020.

