

## REPORT OF CONFERENCE COMMITTEE

### MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled **BILL**:

S.B. No. 2796: Mississippi Comprehensive Workforce Training and Education Consolidation Act of 1999; enact.

We, therefore, respectfully submit the following report and recommendation:

**1. That the House recede from its Amendment No. 1.**

**2. That the Senate and House adopt the following amendment:**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

14 SECTION 1. The following provision shall be codified as  
15 Section 37-4-11, Mississippi Code of 1972:

16 37-4-11. (1) The purpose of this section is to insure the  
17 uniform management, oversight and accountability of the  
18 state-funded Industrial Training Programs, and postsecondary Adult  
19 Short-term Training Programs and Workforce Education Programs  
20 administered by the State Board for Community and Junior Colleges  
21 for adults provided to the citizens of Mississippi.

22 (2) Effective July 1, 1999, all state-funded Industrial  
23 Training Programs and postsecondary Adult Short-term Training  
24 Programs administered by and through the State Department of  
25 Education on June 30, 1999, shall be transferred to the Workforce  
26 Education Program of the State Board for Community and Junior  
27 Colleges. The Legislature shall appropriate annually to the State  
28 Board for Community and Junior Colleges funds necessary to  
29 administer these programs.

30 (3) Effective July 1, 1999, all funds, unexpended balances,  
31 assets, liabilities and property of the State Department of  
32 Education which are used in the delivery of postsecondary Adult  
33 Short-term Training Programs and Industrial Training Programs,  
34 excluding funds, unexpended balances, assets, liabilities and  
35 property associated with the Research and Curriculum Unit at  
36 Mississippi State University, shall be transferred to the

37 Workforce Education Program funds of the State Board for Community  
38 and Junior Colleges. The State Department of Education also shall  
39 transfer to the State Board for Community and Junior Colleges all  
40 positions and funds employed by the State Department of Education  
41 and community colleges which render industrial training,  
42 postsecondary adult short-term training or workforce education  
43 services, including the seven (7) administrative and support  
44 positions providing support to these programs. Sufficient staff  
45 positions shall be transferred from the State Department of  
46 Education, which will have a reduction in training and educational  
47 responsibilities by virtue of this act, to the State Board for  
48 Community and Junior Colleges to assure that the transferred  
49 responsibilities will be properly managed and administered. Any  
50 funds available to the State Department of Education for  
51 Industrial Training Programs and state-funded postsecondary Adult  
52 Short-term Training Programs which are subject to carryover shall  
53 be transferred to the Work Force Carryover Fund established by  
54 Chapter 498, Laws of 1995, for use by the State Board for  
55 Community and Junior Colleges, on or before August 15, 1999.

56 (4) The State Board for Community and Junior Colleges shall  
57 develop an accountability system that shall report and describe  
58 all classes taught in the area of workforce education, the number  
59 of persons taught in these classes, and the location and cost of  
60 each class taught. To assess the impact of these programs, the  
61 State Board for Community and Junior Colleges also shall report:

62 (a) Whether the needs of industry have been met through  
63 training program offerings;

64 (b) Any changes in the income of trainees between the  
65 completion of training and the date of the report;

66 (c) The number of jobs created and the number of jobs  
67 retained through the programs; and

68 (d) Trainee success in passing proficiency tests, where  
69 applicable.

70 This information shall be reported on a fiscal year basis and  
71 shall be provided to the House and Senate Education Committees

72 before December 15 of each year.

73 (5) This section shall be repealed on July 1, 2003.

74 SECTION 2. Section 37-3-25, Mississippi Code of 1972, is  
75 amended as follows:

76 37-3-25. (1) The Director of the Division of Vocational and  
77 Technical Education of the State Department of Education who shall  
78 be an associate state superintendent of education shall be  
79 appointed by the State Superintendent of Public Education. The  
80 director's salary shall be set by the State Board of Education  
81 subject to the approval of the State Personnel Board. His salary,  
82 compensation, travel expenses or other expenses shall be provided  
83 for out of any funds made available for such purpose by the  
84 Legislature, the federal government, or other gifts or grants. The  
85 director shall be responsible to the State Superintendent of  
86 Public Education for the proper administration of the programs of  
87 vocational and technical education in conformity with the policies  
88 adopted by the State Board of Education and shall be responsible  
89 for appointing any necessary supervisors, assistants, and  
90 employees to assist in carrying out the programs of vocational and  
91 technical education. The director shall have the authority to  
92 employ, compensate, terminate, promote, demote, transfer or  
93 reprimand employees of the division. The salary and compensation  
94 of such employees shall be subject to the rules and regulations  
95 adopted and promulgated by the State Personnel Board as created  
96 under Section 25-9-101 et seq.

97 (2) The Director of the Division of Vocational and Technical  
98 Education, subject to the approval of the State Board of  
99 Education, shall have charge of and be responsible for vocational  
100 and technical education training in:

- 101 (a) Agriculture;
- 102 (b) Occupational and consumer home economics;
- 103 (c) Consumer and homemaking education;
- 104 (d) Trades and industry;
- 105 (e) Distributive education;
- 106 (f) Secondary adult education;

- 107 (g) Teacher training and supervision;  
108 (h) Business and office;  
109 (i) Health;  
110 (j) Industrial arts;  
111 (k) Guidance services;  
112 (l) Technical education;  
113 (m) Cooperative education; and

114 \* \* \*

115 (n) All other specialized training not requiring a  
116 bachelors degree, with the exception of programs of nursing  
117 education regulated under the provisions of Section 37-129-1.

118 SECTION 3. Section 37-31-205, Mississippi Code of 1972, is  
119 amended as follows:

120 37-31-205. (1) The State Board of Education shall have the  
121 authority to:

122 (a) Expend funds received either by appropriation or  
123 directly from federal or private sources;

124 (b) Channel funds to secondary schools,  
125 community/junior colleges and regional vocational-technical  
126 facilities according to priorities set by the board;

127 (c) Allocate funds on an annual budgetary basis;

128 (d) Set standards for and approve all vocational and  
129 technical education programs in the public school system and  
130 community/junior colleges or other agencies or institutions which  
131 receive state funds and federal funds for such purposes,

132 including, but not limited to, the following vocational and

133 technical education programs: agriculture, trade and industry,  
134 occupational home economics, consumer and homemaking education,  
135 distributive education, business and office, health, industrial  
136 arts, guidance services, technical education, cooperative  
137 education, and all other specialized training not requiring a

138 bachelors degree, with the exception of programs of nursing

139 education regulated under the provisions of Section 37-129-1. The

140 State Board of Education shall authorize local schools boards,

141 within such school board's discretion, to offer distributive

142 education as a one-hour or two-hour block course. There shall be  
143 no reduction of reimbursements from state funding for distributive  
144 education due to the selection of either the one-hour or two-hour  
145 course offering;

146 (e) Set and publish certification standards for  
147 vocational and technical education personnel;

148 (f) Require data and information on program performance  
149 from those programs receiving state funds;

150 (g) Expend funds to expand career information;

151 (h) Supervise and maintain the division of vocational  
152 and technical education and to utilize to the greatest extent  
153 possible said division as the administrative unit of the board  
154 responsible for coordinating programs and services with local  
155 institutions;

156 (i) Promulgate such rules and regulations necessary to  
157 carry out the provisions of this chapter in accordance with  
158 Section 25-43-1 et seq.;

159 (j) Set standards and approve all vocational and  
160 technical education equipment and facilities purchased and/or  
161 leased with state and federal vocational funds;

162 (k) Encourage provisions for lifelong learning and  
163 changing personal career preferences and advancement of vocational  
164 and technical education students through articulated programs  
165 between high schools and community/junior colleges;

166 (l) Encourage the establishment of new linkages with  
167 business and industry which will provide for a better  
168 understanding of essential labor market concepts;

169 (m) Periodically review the funding and reporting  
170 processes required of local school districts by the board or  
171 division with the aim of simplifying or eliminating inefficient  
172 practices and procedures;

173 (n) Assist in the development of high technology  
174 programs and resource centers to support current and projected  
175 industrial needs;

176 (o) Assist in the development of a technical assistance

177 program for business and industry which will provide for  
178 industrial training and services, including the transfer of  
179 information relative to new applications and advancements in  
180 technology; and

181           (p) Enter into contracts and agreements with the State  
182 Board for Community and Junior Colleges for conditions under which  
183 vocational and technical education programs in community/junior  
184 colleges shall receive state and federal funds which flow through  
185 the State Board of Education for such purposes.

186           (2) It is the intent of the Legislature that no vocational  
187 and technical education course or program existing on June 30,  
188 1982, shall be eliminated by the State Board of Education under  
189 the authority vested in paragraph (d) of subsection (1) of this  
190 section prior to June 30, 1985. It is further the intent of the  
191 Legislature that no vocational and technical education teacher or  
192 other personnel employed on June 30, 1983, shall be discharged due  
193 to certification standards promulgated by the board under  
194 paragraph (e) of subsection (1) of this section, if any such  
195 teacher or personnel shall have complied with any newly published  
196 certification standards by June 30, 1985. Nothing contained in  
197 this section shall be construed to abrogate or affect in any  
198 manner the authority of local public school districts or  
199 community/junior colleges to eliminate vocational and technical  
200 education courses or programs or to discharge any vocational and  
201 technical education teacher or other personnel.

202           (3) The State Board of Education and the State Board for  
203 Community and Junior Colleges may provide that beginning with the  
204 1995-1996 school year, every vocational and technical education  
205 course or program in Mississippi may integrate academic and  
206 vocational-technical education through coherent sequences of  
207 courses, so that students in such programs achieve both academic  
208 and occupational competencies. The boards may expend federal  
209 funds available from the 1990 Perkins Act, or other available  
210 federal funds, for the alignment of vocational-technical programs  
211 with academic programs through the accreditation process and the

212 teacher certification process. The State Board of Education and  
213 the State Board for Community and Junior Colleges shall make a  
214 joint report to the 1995 Regular Session of the Legislature to the  
215 Senate and House Committees on Education regarding the various  
216 methods or models of integrating academic and vocational-technical  
217 courses and setting forth a specific state plan for the  
218 integration or realignment of these programs in the secondary and  
219 postsecondary schools for implementation in the 1996-1997 school  
220 year.

221 SECTION 4. Section 37-31-106, Mississippi Code of 1972,  
222 which creates the Manpower Development and Training Carryover Fund  
223 in the State Treasury, is repealed.

224 SECTION 5. Sections 1, 2 and 3 of this act shall take effect  
225 and be in force from and after July 1, 1999. Section 4 of this  
226 act shall take effect and be in force from and after August 15,  
227 1999.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO CODIFY SECTION 37-4-11, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE FOR THE TRANSFER OF THE STATE-FUNDED INDUSTRIAL  
3 TRAINING PROGRAMS AND POSTSECONDARY ADULT SHORT-TERM TRAINING  
4 PROGRAMS AND FUNDS ADMINISTERED BY THE STATE BOARD OF EDUCATION TO  
5 THE WORKFORCE EDUCATION PROGRAM OF THE STATE BOARD FOR COMMUNITY  
6 AND JUNIOR COLLEGES; TO REQUIRE THE STATE BOARD FOR COMMUNITY AND  
7 JUNIOR COLLEGES TO DEVELOP AN ACCOUNTABILITY SYSTEM AND TO  
8 ANNUALLY REPORT TO THE EDUCATION COMMITTEES ON THE PROGRAMS; TO  
9 AMEND SECTIONS 37-3-25 AND 37-31-205, MISSISSIPPI CODE OF 1972, IN  
10 CONFORMITY TO THIS ACT; TO REPEAL SECTION 37-31-106, MISSISSIPPI

11 CODE OF 1972, WHICH CREATES THE MANPOWER DEVELOPMENT AND TRAINING  
12 CARRYOVER FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE:

CONFEREES FOR THE HOUSE:

X  
John Horhn

X  
William J. McCoy

          
Dick Hall

X  
Herb Frierson

X  
Terry C. Burton

X  
Billy Broomfield