

*****Pending*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2796

By Representative(s) Committee

**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 Workforce Education
19 Programs for adults provided to the citizens of Mississippi.

20 (2) Effective July 1, 1999, all Industrial Training Programs
21 administered by and through the State Department of Education on
22 June 30, 1999, shall be transferred to the State Board for
23 Community and Junior Colleges. The Legislature shall appropriate
24 annually to the State Board for Community and Junior Colleges
25 funds necessary to administer these programs.

26 (3) Effective July 1, 1999, all funds, unexpended balances,
27 assets, liabilities and property of the State Department of
28 Education which are used in the delivery of Industrial Training
29 Programs shall be transferred to the Workforce Education Program
30 of the State Board for Community and Junior Colleges. The State
31 Department of Education also shall transfer to the State Board for
32 Community and Junior Colleges all positions and funds employed by
33 the State Department of Education and community colleges which
34 render industrial training or workforce education services,

35 including the six (6) administrative and support positions
36 providing support to these programs. It is the intention of the
37 Legislature that any personnel transferred as a result of this
38 section shall not be terminated or have their salary adversely
39 affected as the result of transfer to the State Board for
40 Community and Junior Colleges. Any elimination of employment
41 positions pursuant to this transfer shall be due to attrition.
42 Any funds available to the State Department of Education for
43 Industrial Training Programs which are subject to carryover shall
44 be transferred to the Work Force Carryover Fund established by
45 Chapter 498, Laws of 1995, for use by the State Board for
46 Community and Junior Colleges, on August 15, 1999.

47 (4) The State Board for Community and Junior Colleges shall
48 develop an accountability system that shall report and describe
49 all classes taught in the area of workforce education, a census of
50 persons taught in these classes, and the location and cost of each
51 class taught. To assess the impact of these programs, the State
52 Board for Community and Junior Colleges also shall report:

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

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

57 (c) The long-term effect of training through a
58 five-year longitudinal study of trainees and their employment
59 history and earnings; and

60 (d) Trainee success in passing proficiency tests, where
61 applicable.

62 This information shall be reported on a fiscal year basis and
63 shall be provided to the House and Senate Education Committees
64 before December 15 of each year.

65 (5) This section shall be repealed on July 1, 2001.

66 SECTION 2. Section 37-3-25, Mississippi Code of 1972, is

99\HR07\SB2796A.1J *HR07/SB2796A.1J*

67 amended as follows:

68 37-3-25. (1) The Director of the Division of Vocational and
69 Technical Education of the State Department of Education who shall
70 be an associate state superintendent of education shall be
71 appointed by the State Superintendent of Public Education. The
72 director's salary shall be set by the State Board of Education
73 subject to the approval of the State Personnel Board. His salary,
74 compensation, travel expenses or other expenses shall be provided
75 for out of any funds made available for such purpose by the
76 Legislature, the federal government, or other gifts or grants. The
77 director shall be responsible to the State Superintendent of
78 Public Education for the proper administration of the programs of
79 vocational and technical education in conformity with the policies
80 adopted by the State Board of Education and shall be responsible
81 for appointing any necessary supervisors, assistants, and
82 employees to assist in carrying out the programs of vocational and
83 technical education. The director shall have the authority to
84 employ, compensate, terminate, promote, demote, transfer or
85 reprimand employees of the division. The salary and compensation
86 of such employees shall be subject to the rules and regulations
87 adopted and promulgated by the State Personnel Board as created
88 under Section 25-9-101 et seq.

89 (2) The Director of the Division of Vocational and Technical
90 Education, subject to the approval of the State Board of
91 Education, shall have charge of and be responsible for vocational
92 and technical education training in:

- 93 (a) Agriculture;
- 94 (b) Occupational and consumer home economics;
- 95 (c) Consumer and homemaking education;
- 96 (d) Trades and industry;
- 97 (e) Distributive education;
- 98 (f) Adult education;

- 99 (g) Teacher training and supervision;
100 (h) Business and office;
101 (i) Health;
102 (j) Industrial arts;
103 (k) Guidance services;
104 (l) Technical education;
105 (m) Cooperative education; and

106 * * *

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

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

112 37-31-205. (1) The State Board of Education shall have the
113 authority to:

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

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

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

120 (d) Set standards for and approve all vocational and
121 technical education programs in the public school system and
122 community/junior colleges or other agencies or institutions which
123 receive state funds and federal funds for such purposes,
124 including, but not limited to, the following vocational and
125 technical education programs: agriculture, trade and industry,
126 occupational home economics, consumer and homemaking education,
127 distributive education, business and office, health, industrial
128 arts, guidance services, technical education, cooperative
129 education, and all other specialized training not requiring a
130 bachelors degree, with the exception of programs of nursing

131 education regulated under the provisions of Section 37-129-1. The
132 State Board of Education shall authorize local schools boards,
133 within such school board's discretion, to offer distributive
134 education as a one-hour or two-hour block course. There shall be
135 no reduction of reimbursements from state funding for distributive
136 education due to the selection of either the one-hour or two-hour
137 course offering;

138 (e) Set and publish certification standards for
139 vocational and technical education personnel;

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

142 (g) Expend funds to expand career information;

143 (h) Supervise and maintain the division of vocational
144 and technical education and to utilize to the greatest extent
145 possible said division as the administrative unit of the board
146 responsible for coordinating programs and services with local
147 institutions;

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

151 (j) Set standards and approve all vocational and
152 technical education equipment and facilities purchased and/or
153 leased with state and federal vocational funds;

154 (k) Encourage provisions for lifelong learning and
155 changing personal career preferences and advancement of vocational
156 and technical education students through articulated programs
157 between high schools and community/junior colleges;

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

161 (m) Periodically review the funding and reporting
162 processes required of local school districts by the board or

163 division with the aim of simplifying or eliminating inefficient
164 practices and procedures;

165 (n) Assist in the development of high technology
166 programs and resource centers to support current and projected
167 industrial needs;

168 (o) Assist in the development of a technical assistance
169 program for business and industry which will provide for
170 industrial training and services, including the transfer of
171 information relative to new applications and advancements in
172 technology; and

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

178 (2) It is the intent of the Legislature that no vocational
179 and technical education course or program existing on June 30,
180 1982, shall be eliminated by the State Board of Education under
181 the authority vested in paragraph (d) of subsection (1) of this
182 section prior to June 30, 1985. It is further the intent of the
183 Legislature that no vocational and technical education teacher or
184 other personnel employed on June 30, 1983, shall be discharged due
185 to certification standards promulgated by the board under
186 paragraph (e) of subsection (1) of this section, if any such
187 teacher or personnel shall have complied with any newly published
188 certification standards by June 30, 1985. Nothing contained in
189 this section shall be construed to abrogate or affect in any
190 manner the authority of local public school districts or
191 community/junior colleges to eliminate vocational and technical
192 education courses or programs or to discharge any vocational and
193 technical education teacher or other personnel.

194 (3) The State Board of Education and the State Board for

195 Community and Junior Colleges may provide that beginning with the
196 1995-1996 school year, every vocational and technical education
197 course or program in Mississippi may integrate academic and
198 vocational-technical education through coherent sequences of
199 courses, so that students in such programs achieve both academic
200 and occupational competencies. The boards may expend federal
201 funds available from the 1990 Perkins Act, or other available
202 federal funds, for the alignment of vocational-technical programs
203 with academic programs through the accreditation process and the
204 teacher certification process. The State Board of Education and
205 the State Board for Community and Junior Colleges shall make a
206 joint report to the 1995 Regular Session of the Legislature to the
207 Senate and House Committees on Education regarding the various
208 methods or models of integrating academic and vocational-technical
209 courses and setting forth a specific state plan for the
210 integration or realignment of these programs in the secondary and
211 postsecondary schools for implementation in the 1996-1997 school
212 year.

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

216 SECTION 5. This act shall take effect and be in force from
217 and after July 1, 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 INDUSTRIAL TRAINING PROGRAMS
3 AND FUNDS ADMINISTERED BY THE STATE BOARD OF EDUCATION TO THE
4 WORKFORCE EDUCATION PROGRAM OF THE STATE BOARD FOR COMMUNITY AND
5 JUNIOR COLLEGES; TO REQUIRE THE STATE BOARD FOR COMMUNITY AND
6 JUNIOR COLLEGES TO DEVELOP AN ACCOUNTABILITY SYSTEM AND TO
7 ANNUALLY REPORT TO THE EDUCATION COMMITTEES ON THE WORKFORCE
8 EDUCATION PROGRAMS; TO AMEND SECTIONS 37-3-25 AND 37-31-205,
9 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THIS ACT; TO REPEAL
10 SECTION 37-31-106, MISSISSIPPI CODE OF 1972, WHICH CREATES THE
11 MANPOWER DEVELOPMENT AND TRAINING CARRYOVER FUND; AND FOR RELATED
12 PURPOSES.

99\HR07\SB2796A.1J *HR07/SB2796A.1J*