H. B. No. 758

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2007

By: Representative Hines

To: Public Health and Human Services; Education

HOUSE BILL NO. 758

AN ACT TO BE KNOWN AS THE "MISSISSIPPI YOUTHBUILD ACT"; TO REQUIRE THE DIVISION OF FAMILY AND CHILDREN'S SERVICES OF THE DEPARTMENT OF HUMAN SERVICES TO ADMINISTER THE ACT; TO PROVIDE THAT CERTAIN DISADVANTAGED YOUTH WILL BE PROVIDED WITH OPPORTUNITIES THROUGH YOUTHBUILD PROGRAMS FOR EMPLOYMENT, EDUCATION, LEADERSHIP DEVELOPMENT, ENTREPRENEURIAL SKILLS DEVELOPMENT AND TRAINING IN THE CONSTRUCTION OR REHABILITATION OF HOUSING FOR SPECIAL NEED POPULATIONS, VERY LOW-INCOME HOUSEHOLDS OR LOW-INCOME HOUSEHOLDS; TO PRESCRIBE REQUIREMENTS FOR YOUTHBUILD PROGRAMS; TO DESCRIBE ACTIVITIES AND ENTITIES ELIGIBLE FOR A YOUTHBUILD PROGRAM GRANT; TO PRESCRIBE REQUIREMENTS FOR YOUTHBUILD PROGRAM GRANT APPLICATIONS; AND FOR RELATED PURPOSES.

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

SECTION 1. This act may be cited as the "Mississippi Youthbuild Act."

SECTION 2. The purposes of this act are as follows:

(a) To enable economically disadvantaged youth, especially youth who have not finished high school, to obtain the education, job skills training, personal counseling, leadership development skills training, job placement assistance and long-term follow-up services necessary for them to achieve permanent economic self-sufficiency, while at the same time providing valuable community service that addresses urgent community needs, including the demand for affordable housing and the need for young role models and mentors for younger teenagers and children;

(b) To provide communities the opportunity to establish or rebuild neighborhood stability in economically depressed and low-income areas, as well as historic areas requiring restoration or preservation, while providing economically disadvantaged youth and youth who have not finished high school an opportunity for meaningful participation in society;
(c) To allow communities to expand the supply of affordable housing for homeless and other low-income individuals by utilizing the energies and talents of economically disadvantaged youth and young people who have not finished high school; and

(d) To foster the development of leadership skills and a commitment to community development among youth.

SECTION 3. As used in this act, the following words and phrases have the meanings respectively ascribed in this section unless the context clearly indicates otherwise:

(a) "Applicant" means a public or private not-for-profit agency eligible to provide education and employment training under federal or state employment training programs.

(b) "Director" means the Director of the Division of Family and Children's Services of the Department of Human Services.

(c) "Very low-income" means a person or household whose income is at or below fifty percent (50%) of the median family income, adjusted for household size, for the county where the household is located.

(d) "Youthbuild" means any program that provides disadvantaged youth with opportunities for employment, education, leadership development, entrepreneurial skills development and training in the construction or rehabilitation of housing for special-need populations, very low-income households or low-income households.

SECTION 4. (1) The director may make grants to applicants for the purpose of carrying out Youthbuild programs. All programs funded under this act must reflect strong youth and community involvement. In addition, funding provided under this act must be used by each Youthbuild program to provide, at a minimum, the following services:
(a) Acquisition or rehabilitation, or both, or construction of housing and related facilities to be used for the purpose of providing home ownership for disadvantaged persons, residential housing for homeless individuals and low-income and very low-income families or transitional housing for persons who are homeless, disabled, ill or deinstitutionalized or who have special needs, and rehabilitation or construction of community facilities by not-for-profit or public agencies.

(b) Integrated education and job skills training services and activities, with fifty percent (50%) of students' time in the program devoted to classroom-based instruction, counseling and leadership development instruction and the remaining fifty percent (50%) of students' time spent in experimental training on the construction site. The programs must include, at a minimum, the following elements:

(i) An education component that includes basic skills instruction, secondary education services and other activities designed to lead to the attainment of a high school diploma or its equivalent. The curriculum for this component must include math, language arts, vocational education, life skills training, social studies related to the cultural and community history of the students, leadership skills and other topics at the discretion of the program. Bilingual services must be available for individuals with limited English proficiency. The desired minimum teacher to student ratio is one (1) teacher for every twelve (12) students.

(ii) A work experience and skills training apprenticeship program component that includes the construction and rehabilitation activities described in paragraph (a) of this subsection. The process of construction must be coupled with skills training and with close on-site supervision by experienced trainers. The curriculum for this component must contain a set of locally agreed upon skills and competencies that are
systematically taught, with a student's mastery assessed
individually on a regular, ongoing basis. Safety skills must be
taught at the outset. The desired trainer to student ratio is one
(1) trainer for every seven (7) students. The work experience and
skills training component must be coordinated to the maximum
extent feasible with preapprenticeship and apprenticeship
programs.

(iii) Assistance in attaining post secondary
education and required financial aid, which must be made available
to participants before graduation.

(c) Counseling services designed to assist participants
to positively participate in society, which should include all of
the following, if necessary: outreach, assessment and
orientation; individual and peer counseling; life skills training;
drug and alcohol abuse education and prevention; and referral to
appropriate drug rehabilitation, medical, mental health, legal,
housing and other services and resources in the community. The
desired counselor to participant ratio is one (1) counselor for
every twenty-four (24) students.

(d) Leadership development training that provides
participants with meaningful opportunities to develop leadership
skills such as decision making, problem solving and negotiating.
The program also must encourage participants to develop strong
peer group ties that support their mutual pursuit of skills and
values. All programs must establish a youth council in which
participants are afforded opportunities to develop public speaking
and negotiating skills and to participate in management and policy
making in specific aspects of the program.

(e) A training subsidy, living allowance or stipend
that is no less than the minimum wage, which must be provided to
program participants for the time spent at the work site in
construction training. For those participants who receive public
assistance, this training subsidy, living allowance or stipend
will not affect their housing benefits, medical benefits, child
care benefits or food stamp benefits. Stipends and wages may be
distributed in a manner that offers incentives for good
performance.

(2) Full-time participation in a Youthbuild program shall be
offered for a period of not less than six (6) months and not more
than twenty-four (24) months.

(3) A concentrated effort must be made to find construction,
construction-related and nonconstruction jobs for all graduates of
the program who have performed well. The skills training
curriculum must provide participants with basic preparation for
seeking and maintaining a job. Follow-up counseling and
assistance in job seeking must be provided to participants for
twelve (12) months following graduation from the program.

(4) All programs serving twenty-four (24) trainees or more
must have a full-time director responsible for the coordination of
all aspects of the Youthbuild program.

SECTION 5. Implementation grants may be used to carry out
the activities listed in Section 4 of this act. Other eligible
activities include the following:

(a) Legal fees for housing acquisition.

(b) Administrative costs of the applicant, which may
not exceed fifteen percent (15%) of the amount of assistance
provided or such higher percentage as the director determines is
necessary to support capacity development of a private nonprofit
community-based organization.

(c) Defraying costs of the ongoing training and
technical assistance needs of the recipients which are related to
developing and carrying out the Youthbuild program. The director
may reserve up to five percent (5%) of the Mississippi Youthbuild
program appropriations to enter into a contract with Youthbuild
USA to provide assistance to the director in providing training
and technical assistance to, or in the management, supervision and coordination of, Youthbuild programs.

**SECTION 6.** To be eligible to participate, an individual must be at least sixteen (16) but no more than twenty-four (24) years of age and must be economically disadvantaged, as defined in 29 USCS Section 1508, and except as otherwise provided in this section, must be a member of one (1) of the following groups:

(a) Persons who are not attending any school and have not received a high school diploma or its equivalent.

(b) Persons enrolled in a traditional or alternative school setting or a GED program who are in danger of dropping out of school.

(c) Very low-income persons.

Up to twenty-five percent (25%) of the participants in the program may be individuals who do not meet the requirements of paragraph (a), (b) or (c) of this section but who have educational needs despite the attainment of a high school diploma.

**SECTION 7.** (1) Not-for-profit private agencies or public agencies with experience operating a Youthbuild program or with a plan to incubate a Youthbuild program until it can be established as a not-for-profit private agency are eligible for funding under this act.

(2) Priority in the awarding of funds under this act must be given to applicants with experience in operating Youthbuild programs. Organizations claiming to have operated Youthbuild programs must be licensed by Youthbuild USA or be organizations that have received federal HUD Youthbuild funding.

**SECTION 8.** The director shall require that an application for Youthbuild funds under this act contain the following, at a minimum:

(a) A request for an implementation grant, specifying the amount of the grant requested and its proposed uses;
(b) A description of the applicant and a statement of its qualifications, including a description of the applicant's past experience operating a Youthbuild program and with housing rehabilitation or construction and youth and youth education, youth leadership development and employment training programs, and a description of its relationship with local unions and youth apprenticeship programs and other community groups;

(c) A description of the proposed construction site for the program and evidence of site control;

(d) A description of the educational and job training activities, work opportunities and other services that will be provided to participants;

(e) A description of the proposed construction or rehabilitation activities to be undertaken and the anticipated schedule for carrying out those activities;

(f) A description of the manner in which eligible youths will be recruited and selected, including a description of the arrangements that will be made with community-based organizations, local education agencies, including agencies of Native American nations, public assistance agencies, the courts of jurisdiction for status and youth offenders, shelters for homeless individuals and other agencies that serve homeless youth, foster care agencies, and other appropriate public and private agencies;

(g) A description of the special efforts that will be undertaken to recruit eligible young women (including young women with dependent children) with appropriate supports, especially child care;

(h) A description of how the proposed program will be coordinated with other federal, state and local activities and activities conducted by Native American nations, including public schools, national service, crime prevention programs, vocational, adult and bilingual education programs and job training;
(i) Assurances that there will be a sufficient number of adequately trained supervisory personnel in the program who have attained the level of journeyman or its equivalent; 

(j) A description of the applicant's relationship with any local building trade unions that may exist, particularly regarding the trade unions' involvement in training, and the relationship of the Youthbuild program with established apprenticeship programs; 

(k) A description of activities that will be undertaken to develop the leadership skills of participants, including their role in decision making; 

(l) A detailed budget and a description of the systems of fiscal controls and auditing and accountability procedures that will be used to ensure fiscal soundness; 

(m) A description of any contracts and arrangements entered into between the applicant and other agencies and entities, including all in-kind donations and grants from both public and private entities which will serve to augment funds appropriated for the Mississippi Youthbuild Act; 

(n) Identification and description of the financing proposed for any acquisition of the property, rehabilitation or construction; 

(o) Identification and description of the entity that will operate and manage the property; 

(p) A certification that the applicant will comply with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and that the applicant will affirmatively further fair housing; and 

(q) The qualifications and past experience of the person who will fill the full-time director position. 

SECTION 9. This act shall take effect and be in force from and after July 1, 2007.