

By: Representatives McCarty, Owen, Kinkade,
Paden

To: Education

HOUSE BILL NO. 1336

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



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

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

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

40 **SECTION 2.** (1) The Legislature finds and declares that:

41 (a) Students are involved in many programs outside of
42 the traditional classroom and that these programs have educational
43 value;

44 (b) Many entities including, but not limited to,
45 nonprofits, after-school programs, businesses and trade
46 associations may have an interest in offering programs outside of
47 the traditional classroom that are attractive to students and
48 contain educational value;

49 (c) Learning opportunities that are designed to address
50 the interests and aptitudes of each student have the potential to
51 allow every student to discover, develop and apply their talents
52 to realize their full potential;

53 (d) There exist policies that multiply educational
54 opportunities outside of the traditional classroom in other
55 states, in the form of apprenticeships, pre-apprenticeships and
56 internships; and

57 (e) Providing credit for alternative educational
58 opportunities and apprenticeships will enrich the learning
59 environment of students and develop well rounded individuals ready
60 for a life of learning, productive work and community involvement.



61 **SECTION 3.** As used in this act the following terms shall
62 have the meaning ascribed in this section, unless context requires
63 otherwise:

64 (a) "Alternative learning course" or "alternative
65 course, program or opportunity" means a sequence of instruction
66 over a period of time that meets reasonably equivalent
67 requirements or competencies of a subject or subjects included in
68 the career and technical education curriculum included in the
69 College and Career Readiness Standards, which result in the
70 granting of a credit leading to high school graduation.

71 (b) "Apprenticeship" means

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

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

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

77 (d) "Department" means the State Department of
78 Education.

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

81 (f) "Licensing authority" means an agency, examining
82 board, credentialing board, or other office with the authority to
83 impose occupational fees or licensing requirements on any
84 profession.



85 (g) "Sponsoring organization" means any business,
86 industry, whether public or private, nonprofit organization,
87 for-profit organization or other appropriate entities that partner
88 with a local school district or multiple districts to provide
89 alternative learning courses through apprenticeships, internships
90 or pre-apprenticeships, subject to guidelines prescribed by the
91 State Board of Education.

92 **SECTION 4.** The State Board of Education, in conjunction with
93 the Department of Employment Security, the State Workforce
94 Investment Board and the Mississippi Community College Board,
95 shall identify high school-to-work apprenticeships and other
96 student internship programs that may be eligible for exemptions
97 from those federal and state labor laws and regulations for which
98 exemptions are available for student apprenticeship programs. The
99 State Board of Education, the Department of Employment Security,
100 the State Workforce Investment Board and the Mississippi Community
101 College Board shall also establish procedures by which such
102 exemptions may be obtained for high school-to-work apprenticeships
103 and other student internship programs.

104 **SECTION 5.** (1) For the 2020-2021 school term, the State
105 Board of Education shall promulgate a rule authorizing local
106 school boards in their discretion, to develop an Extended Learning
107 Opportunity to include alternative educational opportunities
108 available to students in Grade 7 through Grade 12, which are



109 provided through apprenticeships, internships or
110 pre-apprenticeships for elective course credit.

111 (2) Each local school board may adopt an Extended Learning
112 Opportunities policy to include alternative educational
113 opportunities for course credit that recognizes learning
114 opportunities outside of the traditional classroom through
115 apprenticeships, internships or pre-apprenticeships, and grants
116 elective credit for those alternative learning opportunities. If
117 adopted the policy shall:

118 (a) Provide for an application process for entities to
119 submit proposals for alternative educational opportunities that
120 will qualify for elective course credit;

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

124 (i) Nonprofit organizations;

125 (ii) Businesses with established locations in the
126 state;

127 (iii) Trade associations;

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

130 (v) Teachers involved in programs outside of the
131 traditional classroom; and

132 (vi) School personnel involved in programs outside
133 of the traditional classroom.



134 (c) Provide for the criteria used to evaluate the
135 alternative educational opportunity;

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

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

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

142 (3) The local school board is authorized to approve or deny
143 an application for an alternative educational opportunity. If an
144 application is denied, the school board shall provide a detailed
145 explanation of the reasons for its denial and recommendations to
146 improve the application that will assist in obtaining a more
147 favorable review by the school board. If an application is
148 approved by the school board, the application shall be submitted
149 to the State Board of Education for review as provided in Section
150 7 of this act, prior to the implementation of the program within
151 the local school district.

152 (4) The State Department of Education shall have the
153 authority to audit approved alternative educational programs at
154 any time. If the audit results in findings that an approved
155 program is not meeting the provisions of this act or the policy
156 outlined in subsection (2) of this section, then the local school
157 board may disqualify the program immediately.



158 SECTION 6. (1) (a) The department shall accept
159 applications from local school districts for the implementation of
160 alternative courses, programs and opportunities or apprenticeship
161 programs no later than sixty (60) days from the passage of this
162 act. The department shall require an application for each
163 alternative course, program or opportunity or apprenticeship
164 program approved by a local school board to be implemented in its
165 school district.

166 (b) Upon receipt of an application by certified mail,
167 email or hand delivery, the department shall have forty-five (45)
168 days to approve or deny the application. Any denied application
169 shall be returned to the submitting local school board and shall
170 include a detailed explanation of the reasons for denial of the
171 application, with stated benchmarks that must be met for a future
172 application to be approved. Any application not approved or
173 denied within forty-five (45) days of receipt by the department
174 shall be automatically approved.

175 (2) The State Department of Education shall provide an
176 annual report detailing the progress that has been made in each
177 local education agency or school district in providing alternative
178 courses, programs and opportunities or apprenticeships. The
179 report shall be provided to the Chairmen of the Senate and House
180 Education Committees no later than December 1 of each year. The
181 report also shall be provided to the other members of the



182 Legislature upon request and posted on the department's website
183 for the general public to view.

184 **SECTION 7.** (1) Beginning with the effective date of this
185 act, a licensing authority must grant a license to any student
186 applicant who participates in an alternative learning course,
187 program or opportunity or apprenticeship program, and who meets
188 the following criteria:

189 (a) Completed an apprenticeship in the licensed
190 occupation or profession;

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

194 (c) Passed an examination, if one (1) is deemed to be
195 necessary by the licensing authority; and

196 (d) Paid any fees deemed necessary by the licensing
197 authority.

198 (2) Licensing authorities shall establish a passing score
199 for their respective examinations which shall not exceed the
200 passing score that is required under the standard licensing
201 processes. If the relevant licensing authority or provision of
202 law does not require an examination for the standard licensing
203 process for an occupation, no examination may be required for
204 applicants who complete an apprenticeship in that occupation.

205 (3) Licensing authorities shall establish a licensing fee,
206 which shall not exceed the licensing fee that is required under



207 the standard licensing processes. If the relevant licensing
208 authority or state does not require a fee for the standard
209 licensing process for an occupation, no fee can be required for
210 applicants who complete an apprenticeship in that occupation.

211 (4) Except as otherwise required by federal law,
212 apprenticeships for an occupation shall not be required to exceed
213 the number of hours required by the relevant licensing authority
214 or statute for that occupation.

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

217 **SECTION 8.** This act shall take effect and be in force from
218 and after its passage.

