

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.

