

By: Representative Roberson

To: Workforce Development

HOUSE BILL NO. 399

1 AN ACT TO REENACT SECTIONS 37-153-1 THROUGH 37-153-15,
 2 MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI COMPREHENSIVE
 3 WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO
 4 AMEND SECTION 37-153-17, MISSISSIPPI CODE OF 1972, TO EXTEND THE
 5 DATE OF THE REPEALER ON THOSE STATUTES COMPOSING THE MISSISSIPPI
 6 COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT
 7 OF 2004; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-153-1, Mississippi Code of 1972, is
 10 reenacted as follows:

11 37-153-1. This article shall be known and may be cited as
 12 the "Mississippi Comprehensive Workforce Training and Education
 13 Consolidation Act of 2004."

14 **SECTION 2.** Section 37-153-3, Mississippi Code of 1972, is
 15 reenacted as follows:

16 37-153-3. It is the intent of the Legislature by the passage
 17 of Chapter 572, Laws of 2004, to establish one (1) comprehensive
 18 workforce development system in the State of Mississippi that is
 19 focused on achieving results, using resources efficiently and
 20 ensuring that workers and employers can easily access needed



21 services. This system shall reflect a consolidation of the
22 Mississippi Workforce Development Advisory Council and the
23 Mississippi State Workforce Investment Act Board. The purpose of
24 Chapter 572, Laws of 2004, is to provide workforce activities,
25 through a statewide system that maximizes cooperation among state
26 agencies, that increase the employment, retention and earnings of
27 participants, and increase occupational skill attainment by
28 participants and as a result, improve the quality of the
29 workforce, reduce welfare dependency and enhance the productivity
30 and competitiveness of the State of Mississippi.

31 **SECTION 3.** Section 37-153-5, Mississippi Code of 1972, is
32 reenacted as follows:

33 37-153-5. For purposes of this article, the following words
34 and phrases shall have the meanings respectively ascribed in this
35 section unless the context clearly indicates otherwise:

36 (a) "State board" or "board" means the Mississippi
37 State Workforce Investment Board.

38 (b) "District councils" means the Local Workforce
39 Development Councils.

40 (c) "Local workforce investment board" means the board
41 that oversees the workforce development activities of local
42 workforce areas under the federal Workforce Investment Act.

43 (d) "Office" means the Mississippi Office of Workforce
44 Development, housed at the Department of Finance and
45 Administration.



46 **SECTION 4.** Section 37-153-7, Mississippi Code of 1972, is
47 reenacted as follows:

48 37-153-7. (1) There is created the Mississippi Office of
49 Workforce Development and the Mississippi State Workforce
50 Investment Board, which shall serve as the advisory board for the
51 office. The Mississippi State Workforce Investment Board shall be
52 composed of thirty-one (31) voting members, of which a majority
53 shall be representatives of business and industry in accordance
54 with the federal Workforce Innovation and Opportunity Act, or any
55 successive acts.

56 (2) The members of the State Workforce Investment Board
57 shall include:

58 (a) The Governor, or his designee;

59 (b) Nineteen (19) members, appointed by the Governor,
60 of whom:

61 (i) A majority shall be representatives of
62 businesses in the state, who:

63 1. Are owners of businesses, chief executives
64 or operating officers of businesses, or other business executives
65 or employers with optimum policymaking or hiring authority, and
66 who, in addition, may be members of a local board described in
67 Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and
68 Opportunity Act. At least two (2) of the members appointed under
69 this item 1. shall be small business owners, chief executives or



70 operating officers of businesses with less than fifty (50)
71 employees;

72 2. Represent businesses, including small
73 businesses, or organizations representing businesses, which
74 provide employment opportunities that, at a minimum, include
75 high-quality, work-relevant training and development in
76 high-demand industry sectors or occupations in the state; and

77 3. Are appointed from among individuals
78 nominated by state business organizations and business trade
79 associations;

80 (ii) Not less than twenty percent (20%) shall
81 consist of representatives of the workforce within the state,
82 which:

83 1. Includes labor organization
84 representatives who have been nominated by state labor
85 federations;

86 2. Includes a labor organization member or
87 training director from an apprenticeship program in the state,
88 which shall be a joint labor-management apprenticeship program if
89 such a program exists in the state;

90 3. May include representatives of
91 community-based organizations, including organizations serving
92 veterans or providing or supporting competitive, integrated
93 employment for individuals with disabilities, who have
94 demonstrated experience and expertise in addressing employment,



95 training or education needs of individuals with barriers to
96 employment; and

97 4. May include representatives of
98 organizations, including organizations serving out-of-school
99 youth, who have demonstrated experience or expertise in addressing
100 the employment, training or education needs of eligible youth;

101 (iii) The balance shall include government
102 representatives, including the lead state officials with primary
103 responsibility for core programs, and chief elected officials
104 (collectively representing both cities and counties, where
105 appropriate);

106 (c) Two (2) representatives of businesses in the state
107 appointed by the Lieutenant Governor;

108 (d) Two (2) representatives of businesses in the state
109 appointed by the Governor from a list of three (3) recommendations
110 from the Speaker of the House; and

111 (e) The following state officials:

112 (i) The Executive Director of the Mississippi
113 Department of Employment Security;

114 (ii) The Executive Director of the Department of
115 Rehabilitation Services;

116 (iii) The State Superintendent of Public
117 Education;

118 (iv) The Executive Director of the Mississippi
119 Development Authority;



120 (v) The Executive Director of the Mississippi
121 Community College Board;

122 (vi) The President of the Community College
123 Association; and

124 (vii) The Commissioner of the Institutions of
125 Higher Learning.

126 (f) One (1) senator, appointed by the Lieutenant
127 Governor, and one (1) representative, appointed by the Speaker of
128 the House, shall serve on the state board in a nonvoting capacity.

129 (g) The Governor may appoint additional members if
130 required by the federal Workforce Innovation and Opportunity Act,
131 or any successive acts.

132 (h) Members of the board shall serve a term of four (4)
133 years, and shall not serve more than three (3) consecutive terms.

134 (i) The membership of the board shall reflect the
135 diversity of the State of Mississippi.

136 (j) The Governor shall designate the Chairman of the
137 Mississippi State Workforce Investment Board from among the
138 business and industry voting members of the board, and a quorum of
139 the board shall consist of a majority of the voting members of the
140 board.

141 (k) The voting members of the board who are not state
142 employees shall be entitled to reimbursement of their reasonable
143 expenses in the manner and amount specified in Section 25-3-41 and



144 shall be entitled to receive per diem compensation as authorized
145 in Section 25-3-69.

146 (3) Members of the state board may be recalled by their
147 appointing authority for cause, including a felony conviction,
148 fraudulent or dishonest acts or gross abuse of discretion, failure
149 to meet board member qualifications, or chronic failure to attend
150 board meetings.

151 (4) The Mississippi Department of Employment Security shall
152 establish limits on administrative costs for each portion of
153 Mississippi's workforce development system consistent with the
154 federal Workforce Investment Act or any future federal workforce
155 legislation.

156 (5) The Mississippi State Workforce Investment Board shall
157 have the following duties. These duties are intended to be
158 consistent with the scope of duties provided in the federal
159 Workforce Innovation and Opportunity Act, amendments and successor
160 legislation to this act, and other relevant federal law:

161 (a) Through the office, develop and submit to the
162 Governor, Lieutenant Governor and Speaker of the House a strategic
163 plan for an integrated state workforce development system that
164 aligns resources and structures the system to more effectively and
165 efficiently meet the demands of Mississippi's employers and job
166 seekers. This plan will comply with the federal Workforce
167 Investment Act of 1998, as amended, the federal Workforce



168 Innovation and Opportunity Act of 2014 and amendments and
169 successor legislation to these acts;

170 (b) Assist the Governor, Lieutenant Governor and
171 Speaker of the House in the development and continuous improvement
172 of the statewide workforce investment system that shall include:

173 (i) Development of linkages in order to assure
174 coordination and nonduplication among programs and activities; and

175 (ii) Review local workforce development plans that
176 reflect the use of funds from the federal Workforce Investment
177 Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser
178 Act and the amendment or successor legislation to the acts, and
179 the Mississippi Comprehensive Workforce Training and Education
180 Consolidation Act;

181 (c) Recommend to the office the designation of local
182 workforce investment areas as required in Section 116 of the
183 federal Workforce Investment Act of 1998 and the Workforce
184 Innovation and Opportunity Act of 2014. There shall be four (4)
185 workforce investment areas that are generally aligned with the
186 planning and development district structure in Mississippi.
187 Planning and development districts will serve as the fiscal agents
188 to manage Workforce Investment Act funds, oversee and support the
189 local workforce investment boards aligned with the area and the
190 local programs and activities as delivered by the one-stop
191 employment and training system. The planning and development
192 districts will perform this function through the provisions of the



193 county cooperative service districts created under Sections
194 19-3-101 through 19-3-115; however, planning and development
195 districts currently performing this function under the Interlocal
196 Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may
197 continue to do so;

198 (d) Assist the Governor in the development of an
199 allocation formula for the distribution of funds for adult
200 employment and training activities and youth activities to local
201 workforce investment areas;

202 (e) Recommend comprehensive, results-oriented measures
203 that shall be applied to all of Mississippi's workforce
204 development system programs;

205 (f) Assist the Governor in the establishment and
206 management of a one-stop employment and training system conforming
207 to the requirements of the federal Workforce Investment Act of
208 1998 and the Workforce Innovation and Opportunity Act of 2014, as
209 amended, recommending policy for implementing the Governor's
210 approved plan for employment and training activities and services
211 within the state. In developing this one-stop career operating
212 system, the Mississippi State Workforce Investment Board, in
213 conjunction with local workforce investment boards, shall:

214 (i) Design broad guidelines for the delivery of
215 workforce development programs;

216 (ii) Identify all existing delivery agencies and
217 other resources;



218 (iii) Define appropriate roles of the various
219 agencies to include an analysis of service providers' strengths
220 and weaknesses;

221 (iv) Determine the best way to utilize the various
222 agencies to deliver services to recipients; and

223 (v) Develop a financial plan to support the
224 delivery system that shall, at a minimum, include an
225 accountability system;

226 (g) To provide authority, in accordance with any
227 executive order of the Governor, for developing the necessary
228 collaboration among state agencies at the highest level for
229 accomplishing the purposes of this article;

230 (h) To monitor the effectiveness of the workforce
231 development centers and WIN job centers;

232 (i) To advise the Governor, public schools,
233 community/junior colleges and institutions of higher learning on
234 effective school-to-work transition policies and programs that
235 link students moving from high school to higher education and
236 students moving between community colleges and four-year
237 institutions in pursuit of academic and technical skills training;

238 (j) To work with industry to identify barriers that
239 inhibit the delivery of quality workforce education and the
240 responsiveness of educational institutions to the needs of
241 industry;



242 (k) To provide periodic assessments on effectiveness
243 and results of the overall Mississippi comprehensive workforce
244 development system and district councils;

245 (l) Develop broad statewide development goals,
246 including a goal to raise the state's labor force participation
247 rate;

248 (m) Perform a comprehensive review of Mississippi's
249 workforce development efforts, including the amount spent and
250 effectiveness of programs supported by state or federal money; and

251 (n) To assist the Governor in carrying out any other
252 responsibility required by the federal Workforce Investment Act of
253 1998, as amended and the Workforce Innovation and Opportunity Act,
254 successor legislation and amendments.

255 (6) The Mississippi State Workforce Investment Board shall
256 coordinate all training programs and funds within its purview,
257 consistent with the federal Workforce Investment Act, Workforce
258 Innovation and Opportunity Act, amendments and successor
259 legislation to these acts, and other relevant federal law.

260 Each state agency director responsible for workforce training
261 activities shall advise the Mississippi Office of Workforce
262 Development and the State Workforce Investment Board of
263 appropriate federal and state requirements. Each state agency,
264 department and institution shall report any monies received for
265 workforce training activities or career and technical education
266 and a detailed itemization of how those monies were spent to the



267 state board. The board shall compile the data and provide a
268 report of the monies and expenditures to the Chairs of the House
269 and Senate Appropriations Committee, the Chair of the House
270 Workforce Development Committee and the Chair of the Senate
271 Economic and Workforce Development Committee by October 1 of each
272 year. Each such state agency director shall remain responsible
273 for the actions of his agency; however, each state agency and
274 director shall work cooperatively to fulfill the state's goals.

275 (7) The State Workforce Investment Board shall establish an
276 executive committee, which shall consist of the following State
277 Workforce Investment Board members:

278 (a) The Chair of the State Workforce Investment Board;
279 (b) Two (2) business representatives currently serving
280 on the state board selected by the Governor;

281 (c) The two (2) business representatives currently
282 serving on the state board appointed by the Lieutenant Governor;

283 (d) The two (2) business representatives currently
284 serving on the state board appointed by the Governor from a list
285 of three (3) recommendations from the Speaker of the House;

286 (e) The two (2) legislators, who shall serve in a
287 nonvoting capacity, one (1) of whom shall be appointed by the
288 Lieutenant Governor from the membership of the Mississippi Senate
289 and one (1) of whom shall be appointed by the Speaker of the House
290 of Representatives from the membership of the Mississippi House of
291 Representatives.



292 (8) The executive committee shall select an executive
293 director of the Office of Workforce Development, with the advice
294 and consent of a majority of the State Workforce Investment Board.
295 The executive committee shall seek input from economic development
296 organizations across the state when selecting the executive
297 director. The executive director shall:

298 (a) Be a person with extensive experience in
299 development of economic, human and physical resources, and
300 promotion of industrial and commercial development. The executive
301 director shall have a bachelor's degree from a state-accredited
302 institution and no less than eight (8) years of professional
303 experience related to workforce or economic development;

304 (b) Perform the functions necessary for the daily
305 operation and administration of the office, with oversight from
306 the executive committee and the State Workforce Investment Board,
307 to fulfill the duties of the state board as described in Chapter
308 476, Laws of 2020;

309 (c) Hire staff needed for the performance of his or her
310 duties under Chapter 476, Laws of 2020. The executive director,
311 with approval from the executive committee, shall set the
312 compensation of any hired employees from any funds made available
313 for that purpose;

314 (d) Enter any part of the Mississippi Community College
315 Board, individual community and junior colleges, or other



316 workforce training facilities operated by the state or its
317 subdivisions;

318 (e) Serve at the will and pleasure of the executive
319 committee;

320 (f) Promulgate rules and regulations, subject to
321 oversight by the executive committee, not inconsistent with this
322 article, as may be necessary to enforce the provisions in Chapter
323 476, Laws of 2020; and

324 (g) Perform any other actions he or she, in
325 consultation with the executive committee, deems necessary to
326 fulfill the duties under Chapter 476, Laws of 2020.

327 (9) The Office of Workforce Development and Mississippi
328 Community College Board shall collaborate in the administration
329 and oversight of the Mississippi Workforce Enhancement Training
330 Fund and Mississippi Works Fund, as described in Section 71-5-353.
331 The executive director shall maintain complete and exclusive
332 operational control of the office's functions.

333 (10) The office shall file an annual report with the
334 Governor, Secretary of State, President of the Senate, Secretary
335 of the Senate, Speaker of the House, and Clerk of the House not
336 later than October 1 of each year regarding all funds approved by
337 the office to be expended on workforce training during the prior
338 calendar year. The report shall include:

339 (a) Information on the performance of the Mississippi
340 Workforce Enhancement Training Fund and the Mississippi Works



341 Fund, in terms of adding value to the local and state economy, the
342 contribution to future growth of the state economy, and movement
343 toward state goals, including increasing the labor force
344 participation rate; and

345 (b) With respect to specific workforce training
346 projects:

347 (i) The location of the training;

348 (ii) The amount allocated to the project;

349 (iii) The purpose of the project;

350 (iv) The specific business entity that is the
351 beneficiary of the project; and

352 (v) The number of employees intended to be trained
353 and actually trained, if applicable, in the course of the project.

354 (c) All information concerning a proposed project which
355 is provided to the executive director shall be kept confidential.

356 Such confidentiality shall not limit disclosure under the
357 Mississippi Public Records Act of 1983 of records describing the
358 nature, quantity, cost or other pertinent information related to
359 the activities of, or services performed using, the Mississippi
360 Workforce Enhancement Training Fund or the Mississippi Works Fund.

361 (11) Nothing in Chapter 476, Laws of 2020 [Senate Bill No.
362 2564] shall void or otherwise interrupt any contract, lease, grant
363 or other agreement previously entered into by the State Workforce
364 Investment Board, Mississippi Community College Board, individual
365 community or junior colleges, or other entities.



366 **SECTION 5.** Section 37-153-9, Mississippi Code of 1972, is
367 reenacted as follows:

368 37-153-9. (1) In accordance with the federal Workforce
369 Investment Act of 1998, there shall be established, for each of
370 the four (4) state workforce areas prescribed in Section 37-153-3
371 (2)(c), a local workforce investment board to set policy for the
372 portion of the state workforce investment system within the local
373 area and carry out the provisions of the Workforce Investment Act.

374 (2) Each community college district shall have an affiliated
375 District Workforce Development Council. The district council
376 shall be composed of a diverse group of fifteen (15) persons
377 appointed by the board of trustees of the affiliated public
378 community or junior college. The members of each district council
379 shall be selected from persons recommended by the chambers of
380 commerce, employee groups, industrial foundations, community
381 organizations and local governments located in the community
382 college district of the affiliated community college with one (1)
383 appointee being involved in basic literacy training. However, at
384 least eight (8) members of each district council shall be chief
385 executive officers, plant managers that are representatives of
386 employers in that district or service sector executives. The
387 District Workforce Development Council affiliated with each
388 respective community or junior college shall advise the president
389 of the community or junior college on the operation of its
390 workforce development center/one-stop center.



391 The Workforce Development Council shall have the following
392 advisory duties:

393 (a) To develop an integrated and coordinated district
394 workforce investment strategic plan that:

395 (i) Identifies workforce investment needs through
396 job and employee assessments of local business and industry;

397 (ii) Sets short-term and long-term goals for
398 industry-specific training and upgrading and for general
399 development of the workforce; and

400 (iii) Provides for coordination of all training
401 programs, including ABE/High School Equivalency Diploma, Skills
402 Enhancement and Industrial Services, and shall work
403 collaboratively with the State Literacy Resource Center;

404 (b) To coordinate and integrate delivery of training as
405 provided by the workforce development plan;

406 (c) To assist business and industry management in the
407 transition to a high-powered, quality organization;

408 (d) To encourage continuous improvement through
409 evaluation and assessment; and

410 (e) To oversee development of an extensive marketing
411 plan to the employer community.

412 **SECTION 6.** Section 37-153-11, Mississippi Code of 1972, is
413 reenacted as follows:

414 37-153-11. (1) There are created workforce development
415 centers to provide assessment, training and placement services to



416 individuals needing retraining, training and upgrading for small
417 business and local industry. Each workforce development center
418 shall be affiliated with a separate public community or junior
419 college district and shall coordinate with the Office of Workforce
420 Development.

421 (2) Each workforce development center shall be staffed and
422 organized locally by the affiliated community college. The
423 workforce development center shall serve as staff to the
424 affiliated district council.

425 (3) Each workforce development center, working in concert
426 with its affiliated district council, shall offer and arrange
427 services to accomplish the purposes of this article, including,
428 but not limited to, the following:

429 (a) For individuals needing training and retraining:

430 (i) Recruiting, assessing, counseling and
431 referring to training or jobs;

432 (ii) Preemployment training for those with no
433 experience in the private enterprise system;

434 (iii) Basic literacy skills training and high
435 school equivalency education;

436 (iv) Vocational and technical training, full-time
437 or part-time; and

438 (v) Short-term skills training for educationally
439 and economically disadvantaged adults in cooperation with
440 federally established employment and training programs;



441 (b) For specific small businesses, industries or firms
442 within the district:

443 (i) Job analysis, testing and curriculum
444 development;

445 (ii) Development of specific long-range training
446 plans;

447 (iii) Industry or firm-related preemployment
448 training;

449 (iv) Workplace basic skills and literacy training;

450 (v) Customized skills training;

451 (vi) Assistance in developing the capacity for
452 total quality management training;

453 (vii) Technology transfer information and referral
454 services to business of local applications of new research in
455 cooperation with the University Research Center, the state's
456 universities and other laboratories; and

457 (viii) Development of business plans;

458 (c) For public schools within the district technical
459 assistance to secondary schools in curriculum coordination,
460 development of tech prep programs, instructional development and
461 resource coordination; and

462 (d) For economic development, a local forum and
463 resource center for all local industrial development groups to
464 meet and promote regional economic development.



465 (4) Each workforce development center shall compile and make
466 accessible to the Office of Workforce Development and Mississippi
467 State Workforce Investment Board necessary information for use in
468 evaluating outcomes of its efforts and in improving the quality of
469 programs at each community college, and shall include information
470 on literacy initiatives. Each workforce development center shall,
471 through an interagency management information system, maintain
472 records on new small businesses, placement, length of time on the
473 job after placement and wage rates of those placed in a form
474 containing such information as established by the state council.

475 (5) The Mississippi Community College Board is authorized to
476 designate one or more workforce development centers at the request
477 of affiliated community or junior colleges to provide skills
478 training to individuals to enhance their ability to be employed in
479 the motion picture industry in this state.

480 **SECTION 7.** Section 37-153-13, Mississippi Code of 1972, is
481 reenacted as follows:

482 37-153-13. The Mississippi Community College Board, in
483 collaboration with the Office of Workforce Development, is
484 designated as the primary support agency to the workforce
485 development centers. The Mississippi Community College Board, in
486 collaboration with the Office of Workforce Development, may
487 exercise the following powers:

488 (a) To provide the workforce development centers the
489 assistance necessary to accomplish the purposes of this article;



490 (b) To provide the workforce development centers
491 consistent standards and benchmarks to guide development of the
492 local workforce development system and to provide a means by which
493 the outcomes of local services can be measured;

494 (c) To develop the staff capacity to provide, broker or
495 contract for the provision of technical assistance to the
496 workforce development centers, including, but not limited to:

497 (i) Training local staff in methods of recruiting,
498 assessment and career counseling;

499 (ii) Establishing rigorous and comprehensive local
500 preemployment training programs;

501 (iii) Developing local institutional capacity to
502 deliver total quality management training;

503 (iv) Developing local institutional capacity to
504 transfer new technologists into the marketplace;

505 (v) Expanding the Skills Enhancement Program and
506 improving the quality of adult literacy programs; and

507 (vi) Developing data for strategic planning;

508 (d) To collaborate with the Mississippi Development
509 Authority, Office of Workforce Development, individual community
510 and junior colleges, and other economic development and
511 educational organizations and political subdivisions to increase
512 the economic development potential and the state's labor force
513 participation rate;



514 (e) To administer presented and approved certification
515 programs by the community colleges for tax credits and partnership
516 funding for corporate training;

517 (f) To create and maintain an evaluation team that
518 examines which kinds of curricula and programs and what forms of
519 quality control of training are most productive so that the
520 knowledge developed at one (1) institution of education can be
521 transferred to others;

522 (g) To develop internal capacity to provide services
523 and to contract for services from universities and other providers
524 directly to local institutions;

525 (h) To develop and administer an incentive
526 certification program;

527 (i) To develop and hire staff and purchase equipment
528 necessary to accomplish the goals set forth in this section; and

529 (j) To collaborate, partner and contract for services
530 with community-based organizations and disadvantaged businesses in
531 the delivery of workforce training and career information
532 especially to youth, as defined by the federal Workforce
533 Investment Act, and to those adults who are in low income jobs or
534 whose individual skill levels are so low as to be unable initially
535 to be aided by a workforce development center. Community-based
536 organizations and disadvantaged businesses must meet
537 performance-based certification requirements set by the



538 Mississippi Community College Board, in collaboration with the
539 Office of Workforce Development.

540 **SECTION 8.** Section 37-153-15, Mississippi Code of 1972, is
541 reenacted as follows:

542 37-153-15. (1) As used in this article:

543 (a) The words "industry certification" mean a process
544 through which students are assessed by an independent, third-party
545 certifying entity using predetermined standards for knowledge,
546 skills and competencies, resulting in the award of a credential
547 that is nationally recognized and must be at least one (1) of the
548 following:

549 (i) Within an industry that addresses a critical
550 local, regional or statewide economic need;

551 (ii) Linked to an occupation that is included in
552 the State Department of Employment Security's occupations in
553 high-demand list; or

554 (iii) Linked to an occupation that is identified
555 as emerging.

556 (b) The words "qualifying industry certification" mean
557 an industry certification that is linked to an occupation with
558 wages of at least seventy percent (70%) of the median state income
559 unless the industry certification is stackable to another
560 postsecondary or professional credential which is linked to an
561 occupation which meets the wage criterion.



562 (2) The State Workforce Investment Board shall provide the
563 State Board of Education annually with a list of qualifying
564 industry certifications. If the occupations identified in the
565 list are not substantially the same as those occupations
566 identified in the prior year, the State Board of Education shall
567 provide reasonable notice of the changes to school districts.

568 (3) Beginning in fiscal year 2019-2020 and subject to
569 available funding, the Department of Education shall pay a career
570 and technical education incentive grant to the public school for
571 each student enrolled in the public school who earns a qualifying
572 industry certification. The amount per student for the career and
573 technical education incentive grant shall be Six Hundred Dollars
574 (\$600.00). If the statewide sum of the career and technical
575 education incentive grants awarded pursuant to this section
576 exceeds the amount of available funds appropriated for the grants,
577 the grants per student shall be reduced proportionately to cover
578 all eligible grants under this section. Any costs accrued during
579 one (1) fiscal year may be claimed and reimbursed in the following
580 fiscal year.

581 (4) The grants may be used for qualifying industry
582 certification examination fees, professional development for
583 teachers in career and technical education programs under this
584 section, student instructional support for programs that lead to
585 qualifying industry certifications, or to increase access to
586 qualifying industry certifications. Any grants awarded under this



587 section may not be used to supplant funds provided for the basic
588 operation of the career and technical education programs.

589 (5) On or before October 1 of each year, the Department of
590 Education, working in collaboration with the Office of Workforce
591 Development and any other entities as necessary, shall submit a
592 report to the Governor, the Lieutenant Governor, the Speaker of
593 the House of Representatives, the Chairmen of the House and Senate
594 Education Committees, the Chairman of the House Workforce
595 Development Committee and the Chairman of the Senate Economic and
596 Workforce Development Committee on the following:

597 (a) The number of students who enrolled in a career and
598 technical education course or program that leads to a qualifying
599 industry certification.

600 (b) The number of students who earned a qualifying
601 industry certification by certification.

602 (c) The amount of career and technical education
603 incentive grants awarded by the school.

604 (d) The amount of career and technical education
605 incentive grants awarded per student.

606 (e) Aggregated demographic data on the students who
607 earned a qualifying industry certification, including the
608 qualifying industry certifications earned by rural and urban
609 students.

610 **SECTION 9.** Section 37-153-17, Mississippi Code of 1972, is
611 amended as follows:



612 37-153-17. Sections 37-153-1, 37-153-3, 37-153-5, 37-153-7,
613 37-153-9, 37-153-11, 37-153-13 and 37-153-15 shall stand repealed
614 on July 1, * * * 2026.

615 **SECTION 10.** This act shall take effect and be in force from
616 and after July 1, 2023.

