

CHAPTER 709

S.B. No. 367

AN ACT

relating to the establishment of a workforce development initiative to improve the transition of the youth of this state from school to employment and the creation of certain pilot programs to implement that initiative.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 481, Government Code, is amended by adding Subchapter AA to read as follows:

SUBCHAPTER AA. WORKFORCE DEVELOPMENT INITIATIVE FOR YOUTH

Sec. 481.371. PURPOSE. The goal of this subchapter is to improve the connection between school and work, to increase student incentives to learn, and to improve the transition from school to employment for high school students, especially students who do not enter a baccalaureate degree program at an institution of higher education directly after graduation from high school. The scope of this subchapter is limited to skill development programs and projects that begin in high school or are tied explicitly to serving high school students through formal preapprenticeship arrangements.

Sec. 481.372. *DEFINITIONS. In this subchapter:*

(1) "Apprenticeship program" means a training program combining work and study that:

(A) meets recognized standards of apprenticeship; and

(B) is registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(2) "Apprentice" means an individual who is formally enrolled in an apprenticeship program.

(3) "Career pathways program" means a school-industry partnership, including a:

(A) preapprenticeship program;

(B) career academy;

(C) mentoring program;

(D) internship and practicum program;

(E) technical preparatory program;

(F) cooperative education program; and

(G) any other program that meets the qualifications set by the design committee.

(4) "Design committee" means the Committee on the Design of Apprenticeship and Career Pathways Programs for Youth.

(5) "Employee" means an individual who performs services for another under a contract of hire, whether express or implied or oral or written.

(6) "Employer" means a person that employs one or more employees.

(7) "Executive director" means the executive director of the department.

(8) "Initiative" means the workforce development initiative.

(9) "Minority group members" includes:

(A) African-Americans;

(B) American Indians;

(C) Asian-Americans; and

(D) Mexican-Americans and other Americans of Hispanic origin.

(10) "Pilot program" means the youth apprenticeship grant pilot program or the career pathways pilot program for youth.

(11) "Project" means a specific project developed and implemented under a pilot program created under this subchapter.

(12) "Small business" has the meaning assigned by Section 481.291.

(13) "Workforce development initiative" means an organized system for the effective transition of the youth of this state from school to employment.

Sec. 481.373. *YOUTH APPRENTICESHIP GRANT PILOT PROGRAM. The youth apprenticeship grant pilot program is created in the department to provide high-quality supervised learning opportunities for students at the workplace of a participating employer. The program is based on employer involvement and commitment.*

Sec. 481.374. *CAREER PATHWAYS PILOT PROGRAM FOR YOUTH. The career pathways pilot program for youth is created in the department to assist secondary school students in the transition from school to employment. The program shall take a student who has successfully completed the 10th grade through a learning process that integrates school and work and high school with the first few years of postsecondary learning.*

Sec. 481.375. *GENERAL PROVISIONS RELATING TO PILOT PROGRAMS. (a) The department shall administer the pilot programs created under this subchapter.*

(b) Each pilot program shall:

(1) foster interactive, team-based learning in the classroom and at the workplace;

(2) include curricula on all aspects of the industry in which the student is training;

- (3) use competency-based measures for evaluating student progress;
- (4) place strong emphasis on occupational safety;
- (5) provide both academic and occupational credentials;
- (6) provide access and support to groups, including women, minority group members, and persons with disabilities, and explicitly address issues presented by diversity in society and the workplace; and
- (7) involve industries and occupations that offer entry-level jobs with good opportunities for career advancement into high-skill, high-wage jobs.

(c) The pilot programs are funded through the general revenue of this state, local matching funds, and any other funds received by the department for use in the programs, from any source.

(d) State funds may not be used to provide wage subsidies to employers who hire individuals participating in the programs.

(e) An age limitation imposed under state or federal law regarding employment in hazardous occupations may not be violated by a person participating in the pilot program in any capacity.

Sec. 481.376. **GRANTS; GRANT APPLICATIONS.** (a) The executive director may award a grant for a project that meets the requirements established by the department for the applicable pilot program. A grant may not be awarded for a project relating to an occupation in which there is low demand for workers or an oversupply of workers.

(b) A grant made under this section shall be monitored by the department.

(c) The department shall withdraw a grant for a project if the executive director determines that the project is not meeting the requirements of the pilot program.

(d) A grant application must be filed with the department in the form prescribed by the executive director. The executive director shall act on a completed application not later than the 30th day after the date on which the application is filed with the department.

(e) The department shall provide organizations that conduct training in an occupation for which a grant application is filed or in a substantially similar occupation an opportunity to review and comment on the project for which the grant is requested prior to final approval of the project and the awarding of a grant.

(f) There shall be no general revenue of the State of Texas used for this section. Should federal or private funds, grants, or donations become available, then such funds shall be used for this section.

Sec. 481.377. **RULES.** The policy board may adopt rules as necessary to implement this subchapter and programs adopted under this subchapter.

Sec. 481.378. **ANNUAL REPORT.** (a) The department shall report before January 31 of each year to the governor, the lieutenant governor, and the speaker of the house of representatives regarding the progress of the initiative.

(b) The report must list information showing the percentages and actual numbers of members of the following groups who have received training and education through the pilot programs during the preceding calendar year and the types of training, by occupation, that members of those groups received:

- (1) minority group members, listed by ethnic classification;
- (2) women; and
- (3) persons with disabilities.

Sec. 481.379. **DESIGN COMMITTEE.** (a) The Committee on the Design of Apprenticeship and Career Pathways Programs for Youth is established to advise the department on the workforce development initiative.

(b) The design committee is composed of members appointed by the executive director as follows:

- (1) three members who are employers, representing the business community, including representation of small businesses;

(2) three members who are employees, representing the labor community, including representation by persons with experience in the Apprenticeship and Training Advisory Committee created under Chapter 33, Education Code;

(3) three members who are high school teachers, representing secondary education, including representation by persons with experience in the federal technical preparatory education programs created under 20 U.S.C. Section 2394b;

(4) three members who are faculty members of institutions of higher education, representing higher education, including representation by persons with experience in the federal technical preparatory education programs created under 20 U.S.C. Section 2394b;

(5) three members who are training directors from registered United States Department of Labor Bureau of Apprenticeship and Training programs; and

(6) three members who are persons who are not eligible for appointment under Subdivisions (1) through (5), representing the general public.

(c) In addition to the appointed members under Subsection (b), the state director of the Bureau of Apprenticeship and Training, United States Department of Labor, may serve as an *ex officio*, nonvoting member of the design committee.

(d) An appointed member of the design committee serves without compensation, but is entitled to reimbursement for actual and necessary expenses incurred in performing duties as a member of the design committee, subject to any applicable limitation in the General Appropriations Act.

(e) The department shall provide necessary personnel to staff the design committee. The design committee may also obtain additional assistance or staff from other state agencies as required to implement its duties under this subchapter.

Sec. 481.980. **POWERS AND DUTIES OF DESIGN COMMITTEE.** (a) The design committee shall:

(1) conduct public outreach programs to build public awareness of the need to improve the transition from school to employment and to build apprenticeship opportunities and career pathways for the youth of this state;

(2) guide the knowledge-development process to achieve the initiative;

(3) develop a consensus among the various groups affected by the transition from school to employment regarding the initiative; and

(4) advise the department on all aspects of the development of the pilot programs, including grant project specifications, eligibility criteria for receipt of grants, and program performance standards.

(b) The design committee shall advise the governor, the legislature, and affected state agencies on the workforce development initiative and the implementation of long-term apprenticeship programs and career pathways programs to improve the transition from school to employment. At a minimum, the issues addressed by the design committee must include:

(1) methods of achieving integration of:

(A) secondary and postsecondary learning;

(B) academic and vocational or applied learning; and

(C) learning at work with learning at school;

(2) the intended goals for the programs created under this subchapter;

(3) development of capacities and structures, particularly in private industry, to administer and finance the career pathways program on a permanent basis;

(4) professional development for educators, on-the-job trainers, and mentors;

(5) adoption of high academic standards for youths participating in programs under this subchapter to enhance future academic and career options;

(6) methods of ensuring access and support to women, minority group members, and persons with disabilities;

(7) provisions for the assessment of any industry certification program adopted for youths who successfully complete a career pathways program;

(8) incentives for employers and schools to participate in the programs created under this subchapter;

(9) analyses of attendant safety and liability concerns; and

(10) provisions to ensure that the training provided to youths participating in programs created under this subchapter is of high quality.

(c) The design committee shall obtain information from national and international benchmark studies to ensure that the system adopted in this state produces workers whose skills are competitive in the national and international markets and shall obtain and provide information relating to similar workforce development initiatives in other states, including information relating to:

(1) industry-developed national skill standards; and

(2) federal or state restructuring of employment and training programs.

(d) The design committee shall report to the 73rd Legislature and to the department not later than October 1, 1994, relating to the operation of the pilot programs. The report must include:

(1) a status report on the pilot programs;

(2) recommendations for the design and implementation of effective long-term programs for the transition from school to employment; and

(3) an analysis of the operation and success of similar programs created in other states and foreign countries.

Sec. 481.381. ADMINISTRATIVE COSTS. (a) Not more than 10 percent of the funds available to the department under the initiative may be used by the department or the design committee for administration of this subchapter, including necessary staffing.

(b) The design committee may use an additional five percent of the funds available to the committee under the initiative for public outreach and education purposes.

Sec. 481.382. EXPIRATION. This subchapter expires August 31, 1995.

SECTION 2. The Committee on the Design of Apprenticeship and Career Pathways Programs for Youth is abolished on August 31, 1995. All state property and records in the custody of that committee on that date that relate to the operation of the workforce development initiative created under Subchapter AA, Chapter 481, Government Code, shall be transferred to the custody of the Texas Department of Commerce not later than October 1, 1995.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 9, 1993: Yeas 30, Nays 0; the Senate concurred in House amendment on May 28, 1993: Yeas 31, Nays 0; passed the House, with amendment, on May 26, 1993, by a non-record vote.

Approved June 16, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.