

HOUSE BILL No. 4066

January 8, 1997, Introduced by Reps. Oxender, Agee and Gire and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by amending the title, as amended by 1995
PA 289, and by adding part 28a; and to repeal acts and parts of
acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

2 An act to provide a system of public instruction and elemen-
3 tary and secondary schools; to revise, consolidate, and clarify
4 the laws relating to elementary and secondary education; to pro-
5 vide for the organization, regulation, and maintenance of
6 schools, school districts, public school academies, and interme-
7 diate school districts; to prescribe rights, powers, duties, and
8 privileges of schools, school districts, public school academies,
9 and intermediate school districts; to provide for the regulation

1 of school teachers and certain other school employees; to provide
2 for school elections and to prescribe powers and duties with
3 respect thereto; to provide for the levy and collection of taxes;
4 to provide for the borrowing of money and issuance of bonds and
5 other evidences of indebtedness; to establish a fund and provide
6 for expenditures from that fund; to provide for and prescribe
7 ~~the~~ CERTAIN powers and duties of certain state departments, the
8 state board of education, and certain other boards and officials;
9 TO CREATE A STATEWIDE CABINET FOR PROFESSIONAL AND TECHNICAL
10 STANDARDS WITHIN THE DEPARTMENT OF MICHIGAN JOBS COMMISSION AND
11 PRESCRIBE THE CABINET'S POWERS AND DUTIES; to provide for licen-
12 sure of boarding schools; to prescribe penalties; and to repeal
13 acts and parts of acts.

14 PART 28A

15 SCHOOL TO WORK TRANSITION

16 SEC. 1651. (1) THIS PART SHALL BE KNOWN AND MAY BE CITED AS
17 THE "SCHOOL TO WORK TRANSITION ACT".

18 (2) AS USED IN THIS PART, "CABINET" MEANS THE STATEWIDE CAB-
19 INET FOR PROFESSIONAL AND TECHNICAL STANDARDS CREATED UNDER SEC-
20 TION 1652.

21 SEC. 1652. (1) THE STATEWIDE CABINET FOR PROFESSIONAL AND
22 TECHNICAL STANDARDS IS CREATED WITHIN THE DEPARTMENT OF MICHIGAN
23 JOBS COMMISSION TO DEVELOP, IMPLEMENT, AND OVERSEE A STATEWIDE
24 SYSTEM FOR GATHERING, DISSEMINATING, AND PROVIDING ACCURATE
25 INFORMATION ON EMPLOYMENT AND SKILL-LEVEL NEEDS IN THE WORKPLACE,
26 TO ENGAGE IN RELATED ACTIVITIES IN COLLABORATION WITH THE STATE
27 BOARD AND THE DEPARTMENT, AND TO IDENTIFY AND, IF NECESSARY,

1 CREATE OCCUPATIONAL CLUSTERS AND ESTABLISH SKILL STANDARDS FOR
2 EACH OCCUPATIONAL CLUSTER.

3 (2) THE CABINET SHALL CONSIST OF 23 MEMBERS SELECTED AS
4 FOLLOWS:

5 (A) THE GOVERNOR SHALL APPOINT 8 BUSINESS MEMBERS, EACH REP-
6 RESENTING 1 OF THE FOLLOWING MAJOR STANDARD INDUSTRIAL AND BUSI-
7 NESS CLASSIFICATIONS:

8 (i) AGRICULTURE, FORESTRY, AND MINING.

9 (ii) CONSTRUCTION.

10 (iii) MANUFACTURING.

11 (iv) WHOLESALE AND RETAIL TRADE.

12 (v) FINANCE, INSURANCE, AND REAL ESTATE.

13 (vi) SERVICES, INCLUDING BUT NOT LIMITED TO HEALTH
14 SERVICES.

15 (vii) PUBLIC ADMINISTRATION AND SERVICES.

16 (viii) TRANSPORTATION, COMMUNICATION, AND UTILITIES.

17 (B) THE GOVERNOR SHALL APPOINT 1 ADDITIONAL BUSINESS MEMBER
18 REPRESENTING OTHER MAJOR INDUSTRY OR BUSINESS SECTORS.

19 (C) THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTA-
20 TIVES, AND THE SENATE MAJORITY LEADER EACH SHALL APPOINT 3 MEM-
21 BERS, 1 REPRESENTING BUSINESS, 1 REPRESENTING EDUCATION, AND 1
22 REPRESENTING ORGANIZED LABOR. THE GOVERNOR, SPEAKER OF THE HOUSE
23 OF REPRESENTATIVES, AND SENATE MAJORITY LEADER SHALL CONFER TO
24 ENSURE THAT, OF THE MEMBERS APPOINTED TO REPRESENT EDUCATION, 1
25 REPRESENTS LOCAL PUBLIC EDUCATION, 1 REPRESENTS POSTSECONDARY
26 INSTITUTIONS, AND 1 REPRESENTS VOCATIONAL EDUCATION.

1 (D) THE STATE BOARD SHALL APPOINT 1 MEMBER OF THE STATE
2 BOARD TO SERVE AS A MEMBER OF THE CABINET.

3 (E) EACH OF THE FOLLOWING SHALL SERVE AS A MEMBER:

4 (i) THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR HIS OR HER
5 DESIGNEE.

6 (ii) THE DIRECTOR OF CONSUMER AND INDUSTRY SERVICES OR HIS
7 OR HER DESIGNEE.

8 (iii) THE DIRECTOR OF THE FAMILY INDEPENDENCE AGENCY OR HIS
9 OR HER DESIGNEE.

10 (iv) THE DIRECTOR OF THE MICHIGAN JOBS COMMISSION OR HIS OR
11 HER DESIGNEE.

12 (3) MEMBERS OF THE CABINET APPOINTED UNDER SUBSECTION
13 (2)(A), (B), OR (C) SHALL SERVE FOR TERMS OF 3 YEARS, AND THOSE
14 TERMS SHALL BE STAGGERED USING A ROTATION ESTABLISHED BY THE CAB-
15 INET IN THE CABINET'S BYLAWS.

16 (4) THE CABINET, BY A MAJORITY VOTE OF THE MEMBERS SERVING,
17 ANNUALLY SHALL SELECT A MEMBER TO SERVE AS CHAIRPERSON, A MEMBER
18 TO SERVE AS VICE-CHAIRPERSON, AND A MEMBER TO SERVE AS
19 SECRETARY.

20 (5) THE CABINET, BY A MAJORITY VOTE OF THE MEMBERS SERVING,
21 SHALL ADOPT BYLAWS AS ARE APPROPRIATE AND NECESSARY TO CARRY OUT
22 THE CABINET'S RESPONSIBILITIES.

23 (6) THE DEPARTMENT OF MICHIGAN JOBS COMMISSION, IN COLLABO-
24 RATION WITH THE STATE BOARD, SHALL PROVIDE THE CABINET WITH SUF-
25 FICIENT STAFF TO CARRY OUT THE CABINET'S RESPONSIBILITIES.

1 (7) A MEMBER OF THE CABINET SHALL NOT USE HIS OR HER
2 POSITION AS A MEMBER OF THE CABINET TO PROMOTE A PARTISAN
3 POLITICAL CAUSE.

4 SEC. 1653. (1) WITHIN 270 DAYS AFTER THE EFFECTIVE DATE OF
5 THIS SECTION, THE CABINET SHALL DEVELOP AND IMPLEMENT A STATEWIDE
6 SYSTEM FOR GATHERING AND DISSEMINATING ACCURATE INFORMATION ON
7 CURRENT AND ANTICIPATED EMPLOYMENT NEEDS AND FOR DETERMINING THE
8 TYPE AND LEVEL OF SKILLS AND EDUCATION THAT WILL BE REQUIRED FOR
9 EMPLOYMENT. TO THE EXTENT POSSIBLE, THE SYSTEM SHALL INCORPORATE
10 EXISTING RESOURCES OF AND INFORMATION ALREADY GATHERED BY THE
11 GOVERNOR'S WORKFORCE COMMISSION AND OTHER EXISTING AGENCIES,
12 ORGANIZATIONS, COUNCILS, AND COMMITTEES THAT HAVE BEEN ESTAB-
13 LISHED BY LAW AND THAT HAVE A PRIMARY FUNCTION DIRECTLY RELATED
14 TO EDUCATION, EMPLOYMENT, OR JOB TRAINING. THE SYSTEM SHALL
15 INCLUDE AT LEAST ALL OF THE FOLLOWING:

16 (A) LOCAL EDUCATION FOR EMPLOYMENT COUNCILS, CONSISTING OF
17 LOCAL WORKFORCE DEVELOPMENT BOARDS ESTABLISHED PURSUANT TO THE
18 JOB TRAINING PARTNERSHIP ACT, PUBLIC LAW 97-300, 96 STAT. 1322,
19 AND THE SCHOOL-TO-WORK OPPORTUNITIES ACT OF 1994, PUBLIC LAW
20 103-239, 108 STAT. 568, OR THE EQUIVALENT, AND EDUCATORS FROM
21 LOCAL AND INTERMEDIATE SCHOOL DISTRICTS AND COMMUNITY COLLEGES.
22 AT LEAST 1/4 OF THE TOTAL MEMBERS OF A LOCAL EDUCATION FOR
23 EMPLOYMENT COUNCIL SHALL BE EDUCATORS. EACH LOCAL EDUCATION FOR
24 EMPLOYMENT COUNCIL SHALL BE RESPONSIBLE FOR ASSESSING AND PROVID-
25 ING INFORMATION ON LOCAL AND REGIONAL EMPLOYMENT NEEDS IN THE
26 AREA SERVED BY THE COUNCIL AND ASSISTING LOCAL AND INTERMEDIATE
27 SCHOOL DISTRICTS AND COMMUNITY COLLEGES TO IMPLEMENT NEEDED

1 CHANGES. THE CABINET SHALL COORDINATE AND WORK WITH THE LOCAL
2 EDUCATION FOR EMPLOYMENT COUNCILS.

3 (B) THE ESTABLISHMENT AND COORDINATION OF SCHOOL TO WORK
4 TRANSITION PROGRAMS.

5 (2) THE CABINET SHALL REVIEW INFORMATION ON CURRENT AND
6 ANTICIPATED EMPLOYMENT NEEDS THROUGHOUT THE STATE IN EACH MAJOR
7 OCCUPATIONAL AREA, INCLUDING THE EDUCATION AND SKILLS THAT WILL
8 BE REQUIRED, AND SHALL DEVELOP A UNIFORM STANDARD OF COMPETENCY
9 FOR EACH MAJOR OCCUPATIONAL AREA.

10 (3) IN ADDITION TO ITS DUTIES UNDER SUBSECTIONS (1) AND (2),
11 THE CABINET ALSO SHALL DO ALL OF THE FOLLOWING:

12 (A) IDENTIFY THE WAYS IN WHICH EXISTING REVENUE IS BEING
13 USED AT THE SECONDARY EDUCATION LEVEL TO TRAIN AND EDUCATE INDIV-
14 IDUALS FOR THE WORKPLACE, AND MAKE RECOMMENDATIONS TO THE GOVER-
15 NOR AND THE LEGISLATURE ON EFFICIENT AND EFFECTIVE USE OF THOSE
16 FUNDS, WHETHER ADDITIONAL FUNDING IS NEEDED, AND THE PURPOSE OF
17 ADDITIONAL FUNDING.

18 (B) IDENTIFY WAYS IN WHICH BUSINESS MAY INVEST IN THE EDUCA-
19 TIONAL SYSTEM BY ASSISTING IN ONGOING TEACHER TRAINING, PROVIDING
20 EQUIPMENT, AND FURNISHING ONGOING INFORMATION ON THE CHANGES THAT
21 OCCUR IN THE WORKPLACE.

22 (C) IDENTIFY THE EDUCATIONAL EXPECTATIONS OF COMMUNITY COL-
23 LEGES AND OTHER INSTITUTIONS OF HIGHER EDUCATION AND MAKE RECOM-
24 MENDATIONS TO THE GOVERNOR, LEGISLATURE, AND STATE BOARD OF EDU-
25 CATION PERTAINING TO THE ROLE COMMUNITY COLLEGES AND OTHER INSTI-
26 TUTIONS OF HIGHER EDUCATION SHOULD PLAY IN HELPING TO PROVIDE

1 PUPILS WITH A SEAMLESS TRANSITION FROM HIGH SCHOOL TO COLLEGE OR
2 WORK.

3 (D) PROVIDE ANALYSIS OF THE LABOR MARKET INFORMATION
4 EXCHANGE SYSTEM AND THE LOCAL WORKFORCE DEVELOPMENT BOARDS,
5 INCLUDING COORDINATING, MONITORING, AND MODIFYING THE SYSTEM
6 IMPLEMENTED UNDER SUBSECTION (1) AS NECESSARY TO MEET CHANGING
7 NEEDS.

8 (E) BASED ON INFORMATION RECEIVED, IDENTIFY THE COMPETEN-
9 CIES, SKILLS AND SKILL LEVELS, AND KNOWLEDGE, INCLUDING EMPLOYA-
10 BILITY AND PROBLEM SOLVING SKILLS, THAT WILL BE NEEDED IN THE
11 WORKPLACE AND PROVIDE THIS INFORMATION TO THE GOVERNOR, LEGISLA-
12 TURE, AND STATE BOARD.

13 (4) NOT LATER THAN 3 YEARS AFTER THE EFFECTIVE DATE OF THIS
14 PART, THE CABINET SHALL CONDUCT A COMPREHENSIVE REVIEW OF THIS
15 PART AND OTHER STATE LAW RELATING TO SCHOOL TO WORK TRANSITION
16 AND SHALL REPORT TO THE GOVERNOR AND LEGISLATURE ANY RECOMMENDED
17 CHANGES IN THIS PART OR OTHER STATE LAW.

18 (5) THE CABINET AND THE GOVERNOR'S WORKFORCE COMMISSION
19 SHALL COORDINATE THEIR ACTIVITIES AND RESPONSIBILITIES TO THE
20 GREATEST EXTENT POSSIBLE.

21 SEC. 1654. THE STATE BOARD, BASED ON INFORMATION PROVIDED
22 BY THE CABINET, SHALL DO ALL OF THE FOLLOWING:

23 (A) EVALUATE WHETHER EXISTING CURRICULA AND PROGRAMS, BASED
24 ON THE RECOMMENDED MODEL CORE ACADEMIC CURRICULUM CONTENT STAN-
25 DARDS OUTLINED UNDER SECTION 1278, ARE REFLECTIVE OF THE NEEDED
26 COMPETENCIES, SKILL LEVELS, AND KNOWLEDGE, INCLUDING
27 EMPLOYABILITY AND PROBLEM SOLVING SKILLS.

1 (B) EVALUATE WHETHER EXISTING ASSESSMENT MECHANISMS USED IN
2 THE EDUCATIONAL SYSTEM, INCLUDING, BUT NOT LIMITED TO, THE STATE-
3 WIDE PROFICIENCY TEST UNDER SECTION 1279 AND THE MICHIGAN EDUCA-
4 TIONAL ASSESSMENT PROGRAM, ARE REFLECTIVE OF THE BASIC COMPETEN-
5 CIES, SKILLS AND SKILL LEVELS, AND KNOWLEDGE THAT WILL BE NEEDED
6 IN THE WORKPLACE.

7 (C) DEVELOP MECHANISMS INVOLVING BUSINESS, INDUSTRY, AND
8 LABOR THAT MAY BE USED IN ASSESSING WHETHER PUPILS HAVE ATTAINED
9 THE EXPECTED COMPETENCIES, SKILLS AND SKILL LEVELS, AND KNOWL-
10 EDGE, INCLUDING EMPLOYABILITY AND PROBLEM SOLVING SKILLS.

11 (D) ASSIST LOCAL AND INTERMEDIATE SCHOOL BOARDS AND COMMU-
12 NITY COLLEGE BOARDS TO ALTER, EXPAND, AND IMPROVE EXISTING EDUCA-
13 TIONAL PROGRAMS TO MEET FUTURE EMPLOYMENT NEEDS.

14 (E) ESTABLISH WAYS FOR COMMUNITY COLLEGES, PROPRIETARY
15 SCHOOLS, AND COLLEGES AND UNIVERSITIES TO PROVIDE ADVANCED PLACE-
16 MENT FOR PUPILS SUCCESSFULLY COMPLETING TECHNICAL PREPARATION OR
17 AN APPLIED ACADEMIC AREA OF STUDY, BY TAKING INTO ACCOUNT THE
18 CREDITS EARNED AND SKILLS MASTERED FROM THAT STUDY.

19 (F) ESTABLISH WAYS FOR COMMUNITY COLLEGES, COLLEGES, AND
20 UNIVERSITIES TO COLLABORATE WITH LOCAL AND INTERMEDIATE SCHOOL
21 DISTRICTS TO MAKE EQUIPMENT, LABORATORIES, AND SUPPLIES AVAILABLE
22 TO THE DISTRICTS IF IT IS MORE COST EFFECTIVE THAN ACQUISITION BY
23 THE DISTRICTS.

24 (G) MAKE RECOMMENDATIONS ON THE BEST WAYS TO ENSURE THAT
25 ONGOING COMPREHENSIVE AND ACCURATE INFORMATION AND COUNSELING
26 ABOUT EMPLOYMENT OPPORTUNITIES IS AVAILABLE TO ALL PUPILS.

1 SEC. 1655. (1) THE CABINET SHALL EVALUATE THE EFFECTIVENESS
2 OF FEDERALLY REGISTERED APPRENTICESHIP PROGRAMS IN THIS STATE AND
3 MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE REGARD-
4 ING EFFECTIVE AND EFFICIENT USE OF EXISTING REVENUE AND ON
5 WHETHER ADDITIONAL FUNDS ARE NEEDED AND THE PURPOSE OF THE ADDI-
6 TIONAL FUNDING. AT A MINIMUM, THE CABINET SHALL EVALUATE ALL OF
7 THE FOLLOWING:

8 (A) FEDERALLY REGISTERED APPRENTICESHIP PROGRAMS SERVING
9 PUPILS ENROLLED IN HIGH SCHOOL IN THIS STATE.

10 (B) ANY TAX CREDIT PROGRAM FOR FEDERALLY REGISTERED APPREN-
11 TICESHIP PROGRAMS IN THIS STATE.

12 (2) THE CABINET SHALL ESTABLISH BROAD STATE GUIDELINES FOR
13 ALL WORK-BASED LEARNING PROGRAMS. SPECIFICALLY, THE CABINET
14 SHALL REVIEW WORK-BASED LEARNING PROGRAMS AND ISSUE GUIDELINES
15 FOR ALL WORK-BASED LEARNING PROGRAMS, INCLUDING BUT NOT LIMITED
16 TO PREAPPRENTICESHIP PROGRAMS. AT A MINIMUM, THE GUIDELINES
17 SHALL INCLUDE ALL OF THE FOLLOWING:

18 (A) GENERAL CRITERIA FOR CURRICULA CONTENT.

19 (B) ASSURANCE THAT THE PROGRAM WILL INCLUDE AT LEAST 1 OF
20 THE FOLLOWING FEATURES:

21 (i) STRUCTURED ON-THE-JOB TRAINING COMBINED WITH CLASSROOM
22 INSTRUCTION.

23 (ii) THE TRANSFER OF SKILLS ON THE JOB THROUGH A MENTOR OR
24 SKILLED SUPERVISOR.

25 (iii) THE OPPORTUNITY FOR THE TRAINEE TO ACQUIRE SKILLS
26 WHILE EARNING A WAGE.

1 (iv) A CONTRACT OR AGREEMENT BETWEEN THE TRAINING SPONSOR
2 AND THE TRAINEE ON THE PROCESS AND OUTCOMES OF TRAINING.

3 (v) FORMAL RECOGNITION, SUCH AS ACCREDITATION, IDENTIFIED
4 PROGRAMS, AND THE AWARDING OF WORKER CREDENTIALS UPON
5 COMPLETION.

6 (c) PERFORMANCE-BASED EVALUATION METHODS BY WHICH TO MEASURE
7 THE PERFORMANCE OF EACH PUPIL.

8 (d) IDENTIFICATION OF BEST PRACTICES FOR THESE PROGRAMS.

9 (3) AS USED IN THIS SECTION:

10 (a) "FEDERALLY REGISTERED APPRENTICESHIP PROGRAM" MEANS AN
11 APPRENTICESHIP PROGRAM REGISTERED WITH THE BUREAU OF APPRENTICE-
12 SHIP AND TRAINING OF THE UNITED STATES DEPARTMENT OF LABOR.

13 (b) "WORK-BASED LEARNING PROGRAM" MEANS A PROGRAM IN WHICH A
14 PUPIL LEARNS AT A WORK SITE UNDER A PLAN DESIGNED IN COOPERATION
15 WITH EMPLOYERS AND EDUCATION.

16 Enacting section 1. 1974 PA 97, MCL 388.1311 to 388.1319,
17 is repealed.