

## State of Tennessee

### PUBLIC CHAPTER NO. 338

#### HOUSE BILL NO. 1276

**By Representatives McCormick, Mark White, Camper, Favors, Hardaway, Parkinson, Powers, Johnnie Turner, Roach, Harry Brooks, Halford, Kane, Weaver**

**Substituted for: Senate Bill No. 1330**

**By Senators Norris, Burks, Tate**

AN ACT to amend Tennessee Code Annotated, Title 4; Title 9; Title 49; Title 50 and Title 67, relative to creating the Labor Education Alignment Program ("LEAP").

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, is amended by adding Sections 2 through 13 of this act as a new, appropriately designated part.

SECTION 2. The purposes of this part are to establish a statewide, comprehensive labor education alignment program, also referred to as the "program" or "LEAP," to enable students in technology centers and community colleges to participate in employment training and to attain industry-recognized post-secondary credentials for sustaining gainful and quality employment in this state; and to enable students to more adequately meet the advanced technical training needs required by current and future employers of existing and prospective industries and businesses in this state.

SECTION 3. The purpose of the labor education alignment program is to provide students at technology centers and community colleges the opportunity to combine occupational training in a high-skill or high-technology industry with academic credit and to apply that combined work and academic experience towards acquiring a post-secondary credential. Any technology center or community college may establish a labor education alignment program under this part, subject to the approval of the board of regents. The labor education alignment program shall enable employers to employ a participating student on such basis as the employer determines appropriate, and to provide occupational training to the student during the period of employment; provided, that any cooperative education earnings, wages, salary, or other compensation received by the student shall not be included in any determination of the student's eligibility for any state financial assistance or grants. The labor education alignment program shall also allow the transferability of the student's completed occupational training and academic hours at other technology centers, community colleges, and post-secondary institutions in this state in accordance with established transfer pathways, and institution and program accreditation requirements. Notwithstanding any provision of this part to the contrary, the labor education alignment program shall not in any way adversely affect the accreditation of an institution.

SECTION 4. The higher education commission shall coordinate efforts with the department of labor and workforce development and the department of economic and community development in developing, administering, and implementing a labor education alignment program pursuant to this part. The higher education commission shall make specific efforts to encourage technology centers and community colleges in this state to offer a labor education alignment program under this part, in an effort to train students in needed high-skill and high-technology industries in this state. The higher education commission shall coordinate the following priorities to the extent possible:

- (1) Creating a labor education alignment program at community colleges and technology centers in this state with students having the opportunity to participate;
- (2) Planning and partnership with business, labor, education, government, community-based organizations, employers, and students;

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- (3) Providing training in regions identified in the report submitted by the department of economic and community development as workforce needs pursuant to Section 10;
- (4) Career preparation and guidance incorporated in the curriculum and materials;
- (5) Job placement and job retention support services;
- (6) Applied learning experiences, including prior learning assessments;
- (7) Integration of basic skills and work-readiness training with occupational skills training;
- (8) Performance assessment of the programs created under this initiative;
- (9) Actual or simulated learning at the worksite;
- (10) Curriculum and employment training for industries that promote high-skill jobs in high-technology areas, emerging occupations, or skilled manufacturing jobs; including, but not limited to, the following:
  - (A) Advanced manufacturing;
  - (B) Electronics;
  - (C) Information technology;
  - (D) Infrastructure engineering; and
  - (E) Transportation and logistics.

SECTION 5. The department of labor and workforce development shall utilize existing staff to assist individuals interested in seeking post-secondary degrees. Efforts shall be made to encourage individuals to enroll in labor education alignment programs offered at technology centers and community colleges, and to seek employment in high-skill or high-technology industries.

SECTION 6. The board of regents, with input from the higher education commission, shall coordinate curriculum development by the faculty and related resource materials to assist educators, employers, and students with workplace training and placement. The curriculum and materials shall, at a minimum, meet the necessary skill standards of high-skill and high-technology industries in this state. The curriculum and materials shall define courses that are necessary for each technical career field that may lead to a post-secondary credential. The curriculum shall be developed by faculty who teach within the field and shall outline the academic and technical courses that are necessary for each post-secondary award, credential or degree to be awarded under this part.

SECTION 7. Subject to appropriation by the general assembly in the annual appropriations act, the department of economic and community development, in consultation with the board of regents and higher education commission, may award a grant to any technology center or community college in this state that is located in a region where advanced training opportunities or a highly-skilled workforce is lacking. The funds from such grant shall be used to establish and implement a labor education alignment program under this part. The department shall establish procedures for grant applications, eligibility and reporting requirements, and the maximum amount of the grant authorized by this section.

SECTION 8. Each community college and technology center in this state is authorized to establish a labor education alignment program under this part, with the appropriate approvals as required by the higher education commission and the board of regents; provided, that the labor education alignment program shall enable students to obtain a post-secondary credential; and to achieve one (1) or more of the following outcomes:

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- (1) Acquire and demonstrate competency in basic skills, including English and math;
- (2) Acquire and demonstrate competency in a specified technical field; and
- (3) Any other goals identified by the departments and the higher education commission, made in consultation and agreement with the board of regents.

SECTION 9. There is created in the state treasury a "workforce advanced training fund," referred to in this part as the "fund." The fund shall consist of monies appropriated to the fund by the general assembly. Interest accruing on investments and deposits of the fund shall be carried forward into the subsequent fiscal year. Any fund balance remaining unexpended at the end of a fiscal year shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year. Monies in the fund shall be invested by the state treasurer in accordance with § 9-4-603. The fund shall be administered by the department of economic and community development. Monies in the fund shall be subject to annual appropriation by the general assembly to the department of economic and community development to cover the costs associated with the establishment of the labor education alignment program and any grants authorized pursuant to this part.

SECTION 10. On or before November 1, 2013, and on or before November 1 of each subsequent year, the department of economic and community development shall submit a report to the higher education commission and the department of labor and workforce development on any workforce needs within existing and prospective businesses or industries in this state, including any areas of specialization within a vocation, identified by the department to be necessary to attract, develop, and retain high-skill or high-technology businesses and industries in this state.

SECTION 11. On or before January 1, 2016, the higher education commission shall submit a report to the education committees of the senate and the house of representatives detailing degree completion of participants in each labor education alignment program established in the state and the program goals for the upcoming year, in addition to any recommendations for legislation. On or before January 1, 2016, and on or before January 1 of each subsequent year, the higher education commission shall submit a report to the commerce and labor committee of the senate, and the consumer and human resources committee of the house of representatives, which shall include findings regarding job placement and any recommendations for legislation.

SECTION 12. The higher education commission, in consultation with the department of labor and workforce development and the department of economic and community development, is authorized to establish any policies and guidelines, and to promulgate rules and regulations, to effectuate the purposes of this part. Such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 13. The higher education commission shall monitor the operation of the labor education alignment program, and require periodic reporting by the technology centers and community colleges conducting the programs as the executive director deems appropriate, reasonable and necessary to evaluate the performance and effectiveness of the programs throughout the state.

SECTION 14. Nothing in this act shall be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to the act unless such funds are specifically appropriated by the general appropriations act.

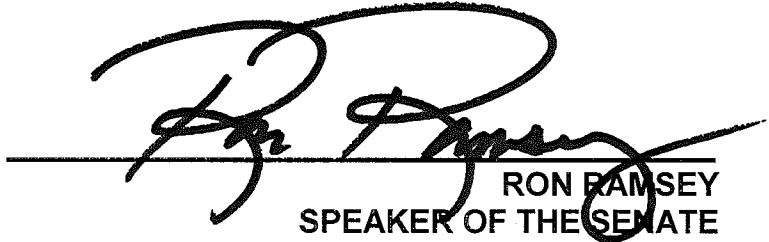
SECTION 15. For the purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. Section 10 of this act shall take effect upon becoming a law, the public welfare requiring it. The remaining sections of this act shall take effect January 1, 2014, the public welfare requiring it.

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PASSED: APRIL 18, 2013



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 13<sup>th</sup> day of May 2013



BILL HASLAM, GOVERNOR