

SENATE BILL 978

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2lr3209
CF HB 869

By: ~~Senator Jones-Rodwell~~

Introduced and read first time: February 16, 2012

Assigned to: Rules

Re-referred to: Finance, February 27, 2012

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 6, 2012

CHAPTER _____

1 AN ACT concerning

2 ~~Maryland Workforce and Department of Labor, Licensing, and Regulation –~~
3 ~~Career Pathways Act of 2012 Program – Study~~

4 FOR the purpose of ~~establishing the Career Pathways Program in the Division of~~
5 ~~Employment and Training in the Department of Labor, Licensing, and~~
6 ~~Regulation; providing for the Program's purpose and priorities; requiring the~~
7 ~~Director of the Division to make grants for certain projects; requiring the~~
8 ~~Director to adopt certain regulations; requiring the Director to evaluate the~~
9 ~~performance of the Program; requiring that applicants for certain grants~~
10 ~~include certain partners; requiring certain projects and certain target~~
11 ~~populations to achieve certain outcomes; requiring that certain projects, as a~~
12 ~~condition for receiving grant funding, include certain elements; requiring a~~
13 ~~partnership that receives certain grants to establish certain programs to better~~
14 ~~serve the needs of certain target populations; specifying the content of certain~~
15 ~~programs; establishing the Career Pathways Fund as a special, nonlapsing~~
16 ~~fund; specifying the purpose of the Fund; requiring the Division to administer~~
17 ~~the Fund; requiring the State Treasurer to hold the Fund and the Comptroller~~
18 ~~to account for the Fund; specifying the contents of the Fund; requiring the~~
19 ~~Governor to include a certain amount of money for the Fund in the annual~~
20 ~~budget bill beginning in a certain fiscal year; specifying the purposes for which~~
21 ~~the Fund may be used; providing for the investment of money in the Fund;~~
22 ~~requiring the Division to submit a certain report on or before June 30 of each~~
23 ~~year to the Governor, the Senate Finance Committee, and the House Economic~~
24 ~~Matters Committee; providing for the contents of the report; defining certain~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~terms; requiring the Department of Labor, Licensing, and Regulation to conduct a certain study regarding the establishment of a career pathways program in the Division of Employment and Training; requiring the Department to submit the results of a certain study to the General Assembly on or before a certain date; and generally relating to a study regarding the establishment of a career pathways program in the Division of Employment and Training and the Career Pathways Program by the Department of Labor, Licensing, and Regulation.~~

~~BY adding to~~

~~Article Labor and Employment~~

~~Section 11-603~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2011 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That ~~the Laws of Maryland read as follows:~~

(a) The Department of Labor, Licensing, and Regulation shall conduct a study on whether it is practicable to establish a career pathways program in the Division of Employment and Training.

(b) When conducting the study required under subsection (a) of this section, the Department shall consider whether:

(1) public and private grants and funding resources may be used to fund a career pathways program and grants that may be given under a career pathways program; and

(2) partnerships with local public and nonprofit workforce development entities, public schools, community colleges, and universities may be used to carry out a career pathways program.

(c) On or before December 31, 2012, the Department shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the results of the study conducted under this section.

~~Article Labor and Employment~~

~~11-603.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "BRIDGE PROGRAM" MEANS A COMBINATION OF JOB READINESS, ADULT EDUCATION OR ENGLISH AS A SECOND LANGUAGE, AND CONTEXTUAL OCCUPATIONAL TRAINING.~~

1 ~~(3) "CAREER PATHWAYS" MEANS LINKED EDUCATION, TRAINING,~~
2 ~~AND EMPLOYMENT SERVICES THAT ENABLE TARGET POPULATIONS TO ACHIEVE~~
3 ~~HIGHER LEVELS OF EDUCATION AND CREDENTIAL ATTAINMENT.~~

4 ~~(4) "CREDENTIAL" MEANS ANY RECOGNIZED:~~

5 ~~(I) EDUCATIONAL DIPLOMA;~~

6 ~~(II) CERTIFICATE OR DEGREE;~~

7 ~~(III) OCCUPATIONAL LICENSE;~~

8 ~~(IV) APPRENTICESHIP CERTIFICATE;~~

9 ~~(V) INDUSTRY RECOGNIZED CERTIFICATION;~~

10 ~~(VI) EDUCATION OR JOB TRAINING CERTIFICATE; OR~~

11 ~~(VII) AWARD FOR SKILLS ATTAINMENT AND COMPLETION,~~
12 ~~ISSUED BY AN APPROVED TRAINING PROVIDER IN THE STATE OR A~~
13 ~~THIRD PARTY CREDENTIAL PROVIDER.~~

14 ~~(5) "FUND" MEANS THE CAREER PATHWAYS FUND.~~

15 ~~(6) "LOW INCOME" MEANS NOT MORE THAN 400% OF THE~~
16 ~~FEDERAL POVERTY RATE AS DEFINED BY THE MOST RECENT REVISED POVERTY~~
17 ~~INCOME GUIDELINES PUBLISHED BY THE UNITED STATES DEPARTMENT OF~~
18 ~~HEALTH AND HUMAN SERVICES.~~

19 ~~(7) "PROGRAM" MEANS THE CAREER PATHWAYS PROGRAM.~~

20 ~~(8) "TARGET POPULATION" MEANS:~~

21 ~~(I) INDIVIDUALS EARNING A LOW INCOME;~~

22 ~~(II) INDIVIDUALS WITH DISABILITIES;~~

23 ~~(III) DISLOCATED WORKERS;~~

24 ~~(IV) UNEMPLOYED OR UNDEREMPLOYED INDIVIDUALS;~~

25 ~~(V) VETERANS;~~

26 ~~(VI) INDIVIDUALS FORMERLY INCARCERATED; AND~~

1 ~~(VII) ANY OTHER POPULATION GROUP IDENTIFIED BY THE~~
2 ~~DIVISION.~~

3 ~~(B) (1) THERE IS A CAREER PATHWAYS PROGRAM IN THE DIVISION.~~

4 ~~(2) (i) THE PURPOSE OF THE PROGRAM IS TO PROVIDE~~
5 ~~GRANTS FOR CAREER PATHWAYS TO ELIGIBLE GROUPS FOR THE PURPOSE OF~~
6 ~~ALLOWING INDIVIDUALS FROM TARGET POPULATIONS TO PARTICIPATE IN~~
7 ~~EFFECTIVE ACADEMIC AND EMPLOYMENT TRAINING TO OBTAIN~~
8 ~~INDUSTRY RECOGNIZED CREDENTIALS FOR SUSTAINING GAINFUL AND QUALITY~~
9 ~~EMPLOYMENT IN THE STATE.~~

10 ~~(H) THE PRIORITIES OF THE PROGRAM INCLUDE:~~

11 ~~1. CREATING INNOVATIVE BRIDGE PROGRAMS AT~~
12 ~~COMMUNITY COLLEGES; AND~~

13 ~~2. ESTABLISHING A SIMPLIFIED, STREAMLINED, AND~~
14 ~~COMPREHENSIVE PROCESS, INCLUDING CUSTOMIZED SUPPORT SERVICES, THAT~~
15 ~~ENABLES LOW INCOME PARTICIPANTS TO ACQUIRE EFFECTIVE ACADEMIC AND~~
16 ~~EMPLOYMENT TRAINING.~~

17 ~~(C) (1) THE DIRECTOR SHALL:~~

18 ~~(i) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,~~
19 ~~MAKE GRANTS FOR PROJECTS IN FURTHERANCE OF THE PROGRAM PURPOSES~~
20 ~~AND PRIORITIES;~~

21 ~~(ii) ADOPT REGULATIONS TO CARRY OUT THE PROGRAM;~~
22 ~~AND~~

23 ~~(iii) EVALUATE THE PERFORMANCES OF GRANTEEES IN~~
24 ~~CARRYING OUT THE PURPOSES OF THE PROGRAM.~~

25 ~~(2) (i) APPLICANTS FOR GRANTS FROM THE FUND SHALL~~
26 ~~INCLUDE THE FOLLOWING PARTNERS:~~

27 ~~1. A COMMUNITY COLLEGE;~~

28 ~~2. THE LOCAL WORKFORCE INVESTMENT BOARD;~~

29 ~~3. A LOCAL ADULT EDUCATION PROVIDER; AND~~

1 4. ~~OTHER PARTNERS, INCLUDING EMPLOYERS OR~~
2 ~~COMMUNITY-BASED ORGANIZATIONS.~~

3 (H) ~~PROJECTS ELIGIBLE FOR GRANT FUNDING UNDER THIS~~
4 ~~SECTION SHALL ENABLE TARGET POPULATIONS TO ACHIEVE TWO OR MORE OF~~
5 ~~THE FOLLOWING OUTCOMES:~~

6 1. ~~ACQUIRE AND DEMONSTRATE COMPETENCY IN~~
7 ~~BASIC SKILLS, INCLUDING ENGLISH AND MATH;~~

8 2. ~~ACQUIRE AND DEMONSTRATE COMPETENCY IN A~~
9 ~~SPECIFIED TECHNICAL FIELD;~~

10 3. ~~COMPLETE A SPECIFIED LEVEL OF~~
11 ~~POSTSECONDARY EDUCATION;~~

12 4. ~~OBTAIN EMPLOYER-RECOGNIZED CREDENTIALS;~~

13 5. ~~SECURE GAINFUL EMPLOYMENT IN HIGH QUALITY~~
14 ~~JOBS IN THE STATE; OR~~

15 6. ~~ANY OTHER GOALS IDENTIFIED BY THE DIVISION.~~

16 (3) ~~TO RECEIVE GRANT FUNDING UNDER THE PROGRAM,~~
17 ~~PROJECTS SHALL INCLUDE:~~

18 (I) ~~MEASURABLE AND EFFECTIVE RECRUITMENT,~~
19 ~~ASSESSMENT, AND REFERRAL ACTIVITIES DESIGNED FOR THE TARGET~~
20 ~~POPULATIONS;~~

21 (H) ~~INTEGRATION OF BASIC SKILLS AND WORK READINESS~~
22 ~~TRAINING WITH OCCUPATIONAL SKILLS TRAINING;~~

23 (HH) ~~THE COMBINATION OF CUSTOMIZED SUPPORTIVE AND~~
24 ~~CASE MANAGEMENT SERVICES WITH TRAINING SERVICES TO HELP PROGRAM~~
25 ~~PARTICIPANTS OVERCOME BARRIERS TO EMPLOYMENT;~~

26 (IV) ~~TRAINING SERVICES AT TIMES AND LOCATIONS AND~~
27 ~~THROUGH MULTIPLE AND FLEXIBLE MODALITIES THAT:~~

28 1. ~~ARE EASILY UNDERSTOOD;~~

29 2. ~~ARE READILY ACCEPTABLE TO THE TARGET~~
30 ~~POPULATIONS;~~

1 ~~3. SUPPORT OPEN ENTRY NOT BOUND BY ANY~~
2 ~~SEMESTER SYSTEM; AND~~

3 ~~4. PROVIDE FOR INDIVIDUALIZED LEARNING AND~~
4 ~~FLEXIBLE SCHEDULING, INCLUDING ONLINE LEARNING AND INDIVIDUAL~~
5 ~~TUTORING;~~

6 ~~(V) TRAINING IN JOB READINESS AND JOB SEARCH SKILLS;~~

7 ~~(VI) JOB PLACEMENT AND JOB RETENTION SUPPORT~~
8 ~~SERVICES; AND~~

9 ~~(VII) ASSISTANCE IN ARRANGING SUPPORTIVE SERVICES~~
10 ~~DURING TRAINING SESSIONS.~~

11 ~~(4) (I) EACH PARTNERSHIP THAT RECEIVES A GRANT UNDER~~
12 ~~THIS SECTION, BEFORE RECEIVING THE GRANT, SHALL ESTABLISH A CAREER~~
13 ~~PATHWAYS AND BRIDGE CURRICULUM DEVELOPMENT PROGRAM TO BETTER~~
14 ~~SERVE THE ACADEMIC AND VOCATIONAL NEEDS OF THE TARGET POPULATIONS.~~

15 ~~(II) EACH PROGRAM UNDER SUBPARAGRAPH (I) OF THIS~~
16 ~~PARAGRAPH SHALL INCLUDE:~~

17 ~~1. THE ARTICULATION OF COURSE MODULES, THE~~
18 ~~MAPPING OF PROGRAMS WITHIN CAREER PATHWAYS, AND THE ESTABLISHMENT~~
19 ~~OF BRIDGES BETWEEN CREDIT AND NONCREDIT PROGRAMS;~~

20 ~~2. THE INTEGRATION AND CONTEXTUALIZATION OF~~
21 ~~BASIC SKILLS EDUCATION WITH OCCUPATIONAL SKILLS AND TRAINING;~~

22 ~~3. SEAMLESS PROGRESSION BETWEEN BASIC~~
23 ~~EDUCATION AND GENERAL EDUCATION DEVELOPMENT PROGRAMS AND~~
24 ~~CONTINUING EDUCATION AND CERTIFICATE, DIPLOMA, AND DEGREE~~
25 ~~PROGRAMS;~~

26 ~~4. THE DEVELOPMENT OF CAREER PATHWAYS THAT~~
27 ~~SUPPORT THE ATTAINMENT OF INDUSTRY RECOGNIZED CREDENTIALS;~~

28 ~~5. THE DEVELOPMENT OF PROGRAMS THAT TAKE~~
29 ~~INTO CONSIDERATION LABOR MARKET DEMAND AND CAREER ADVANCEMENT~~
30 ~~OPPORTUNITIES; AND~~

1 ~~6. ANY OTHER COMPONENT DEEMED APPROPRIATE~~
2 ~~BY THE DIVISION.~~

3 ~~(D) (1) THERE IS A CAREER PATHWAYS FUND.~~

4 ~~(2) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR~~
5 ~~GRANTS THAT IMPLEMENT THE PURPOSES OF THE PROGRAM.~~

6 ~~(3) THE DIVISION SHALL ADMINISTER THE FUND.~~

7 ~~(4) (i) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS~~
8 ~~NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT~~
9 ~~ARTICLE.~~

10 ~~(ii) THE STATE TREASURER SHALL HOLD THE FUND~~
11 ~~SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.~~

12 ~~(5) (i) THE FUND CONSISTS OF:~~

13 ~~1. MONEY APPROPRIATED IN THE STATE BUDGET TO~~
14 ~~THE FUND;~~

15 ~~2. INVESTMENT EARNINGS OF THE FUND; AND~~

16 ~~3. ANY OTHER MONEY FROM ANY OTHER SOURCE~~
17 ~~ACCEPTED FOR THE BENEFIT OF THE FUND.~~

18 ~~(ii) FOR FISCAL 2014 AND EACH YEAR THEREAFTER, THE~~
19 ~~GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION~~
20 ~~IN THE AMOUNT OF \$2,000,000 TO IMPLEMENT THE PROGRAM.~~

21 ~~(6) THE FUND MAY BE USED ONLY:~~

22 ~~(i) FOR GRANTS TO ELIGIBLE PARTNERS UNDER THE~~
23 ~~REQUIREMENTS OF THIS SECTION; AND~~

24 ~~(ii) TO FURTHER THE ABILITY OF INDIVIDUALS IN TARGET~~
25 ~~POPULATIONS TO SECURE OCCUPATIONAL AND EDUCATIONAL CREDENTIALS~~
26 ~~THAT LEAD TO GAINFUL AND QUALITY EMPLOYMENT.~~

27 ~~(7) (i) THE STATE TREASURER SHALL INVEST THE MONEY OF~~
28 ~~THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.~~

1 ~~(H) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE~~
2 ~~PAID INTO THE FUND.~~

3 ~~(E) (1) THE DIVISION SHALL SUBMIT ON OR BEFORE JUNE 30 OF~~
4 ~~EACH YEAR TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE~~
5 ~~STATE GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE AND THE~~
6 ~~HOUSE ECONOMIC MATTERS COMMITTEE, A REPORT ON THE CAREER~~
7 ~~PATHWAYS PROGRAM.~~

8 ~~(2) THE REPORT UNDER PARAGRAPH (1) OF THIS SUBSECTION~~
9 ~~SHALL INCLUDE:~~

10 ~~(I) THE NAMES, LOCATIONS, AND A BRIEF DESCRIPTION OF~~
11 ~~EACH GRANTEE AND THE AMOUNT GIVEN TO EACH GRANTEE;~~

12 ~~(II) OUTCOMES OR MEASURES SPECIFIED UNDER~~
13 ~~SUBSECTION (C)(3) OF THIS SECTION; AND~~

14 ~~(III) PROGRAM GOALS FOR THE PROGRAM IN THE~~
15 ~~UPCOMING REPORTING YEAR.~~

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.