

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 762 (Senators Middleton and Klausmeier)
Finance and Education, Health, and Environmental Affairs Economic Matters and Ways and Means

Department of Labor, Licensing, and Regulation - Workforce Development and Adult Learning - Administration

This bill clarifies the transition of the adult education, literacy services, and correctional education programs from the Maryland State Department of Education (MSDE) to the Department of Labor, Licensing, and Regulation (DLLR).

The bill takes effect July 1, 2009.

Fiscal Summary

State Effect: DLLR can handle the bill's requirements with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: An employee educator from the juvenile services education program in MSDE is added as a fifth member of the Institutional Educator Pay Plan Advisory Committee.

The Carl D. Perkins Vocational and Technical Education Act is renamed the Carl D. Perkins Career and Technical Education Act. MSDE is designated as the sole

administrator of the Act and must facilitate the transfer of federal funds to the appropriate operational entity, including DLLR.

The Division of Workforce Development within DLLR is renamed the Division of Workforce Development and Adult Learning. The division has the general purpose of advancing the economic welfare of the people by coordinating the State's public and private resources for adult education, in addition to coordinating resources for employment and job training. In addition to its other duties, the division must administer adult education and literacy services programs and conduct educational and job skills training programs in adult correctional facilities. The division must confer with specified representatives from the adult education community, to assure that adult education and literacy services and job training activities and resources are effectively coordinated.

For the purpose of establishing compensation rates and basic rates for vacation and sick leave credit earning, professional personnel who were employed by a county school system or the public library system in the State and who are subsequently appointed to positions in DLLR to provide adult education and correctional services must be given credit as employees of the department for their years of service as employees of the county school system or the public library system from which they transferred.

The Secretary of Labor, Licensing, and Regulation, instead of the State Board of Education, may waive the general education development (GED) residence requirement or the requirement that an individual be withdrawn from regular full-time school for three months before taking the GED.

Membership on the Education and Workforce Training Coordinating Council for Correctional Institutions is increased from 7 to 14 members. Four, rather than three, members of the council must be residents of the State appointed by the Governor for four-year terms – two represent the business community; one a former offender; and one member of the general public. The additional *ex officio* members include the Secretary of Business and Economic Development; the president of a community college in the State; the chair of the Governor's Workforce Investment Board; and the Director of Education and Workforce Skills Training for Correctional Institutions. The council must meet at least four times per year.

The Secretary of Labor, Licensing, and Regulation must appoint a Director of Education and Workforce Skills Training for Correctional Institutions, instead of separate directors of educational programs and workforce skills training for correctional institutions.

Current Law/Background: Chapter 134 of 2008 transfers adult education and literacy services and correctional services education from MSDE to DLLR as of July 1, 2009. To

facilitate the transfer, Chapter 134 established a Workforce Creation and Adult Education Transition Council.

Over the course of five months, the council met four times as a whole in a process that was open to stakeholders and the public. The council established four workgroups to study issues relating to the transfer, current practices in Maryland, and promising practices in other states. The council devised 95 recommendations to provide a roadmap for the transfer and the operation of the programs in the near-term, and to offer guidance on what the system should look like in five years. Some of the council's recommendations to smooth the transition are included in the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Higher Education Commission; Department of Juvenile Services; Department of Public Safety and Correctional Services; Department of Legislative Services

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