S T A T E O F N E W Y O R K

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2011-2012 Regular Sessions

I N A S S E M B L Y

January 19, 2011

Introduced by M. of A. MORELLE -- Multi-Sponsored by -- M. of A. MAGEE, McENENY -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to establishing an economic and entrepreneurial education program in the department of education, and making an appropriation therefor, and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative findings. Continued prosperity and stability of our democratic society depends upon an educated populace that understands the basic economic principles, concepts and contributions that labor and management have made which underlie the American economy. These principles and concepts include an understanding of the free enterprise system and the important role of labor in building and sustaining long-term economic growth. The board of regents of the university of the state of New York has recently recognized this fact by the creation of a mandate which states that all high school students in the state must successfully complete a semester course in economics as a requirement for graduation from high school. This requirement, which responds to an important need, presents a problem to the school districts of the state because it necessitates a major effort in service education. Teachers who have little or no training in economics must be given the knowledge and skills to be able to teach this required course. In addition, economic concepts have been thoroughly integrated into all instructional areas in the new occupational education curriculum, including the home and career skills study of resource management, mandated for all occupational education students. Thus, teachers in business/marketing education, home economics, and other social studies courses must also be given similar training so that they can deal effectively in explaining the role of labor and management in the evolution of the American economy.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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Furthermore, a key to sustained economic growth of New York state is the ability of its citizens to identify new business ideas and opportunities and to develop them into new business and industry, both of which are dependent upon the entrepreneurial spirit and the role of labor. The role of government in creating the entrepreneurial spirit needed to develop new business is limited, but it can and should encourage and nurture that spirit through fostering an understanding and appreciation of the process of new enterprise development. At present, students in the state's secondary schools are not receiving such an understanding and appreciation because: (i) few social studies, business/marketing education, economics, and labor history teachers are themselves trained in this field; and (ii) instructional materials, teaching aids and activities to support curricular changes with regard to entrepreneurial education and education on the principles of economics and labor history as it relates to our economy have not been developed as they have been for general economic education.

Furthermore, few programs exist relating the principles and theory of economics to practice, and inadequate linkages exist between school programs, the private sector and organized labor to foster an understanding and articulation process.

Therefore, it is vital that teachers be afforded an opportunity to upgrade their knowledge of how the American economic system, trade union movements and the entrepreneurial development process function; that instructional materials, teaching aids, and activities be developed to assist teachers responsible for entrepreneurial education and education on the economy; and that public-private sector partnerships be formed to link the theory and practice of entrepreneurship and economics in the classroom and through extra-curricular activities.

S 2. The education law is amended by adding a new section 4608 to read as follows:

S 4608. ECONOMIC AND ENTREPRENEURIAL EDUCATION. 1. THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO ESTABLISH AND SUPPORT, WITHIN AVAILABLE APPROPRIATIONS, ECONOMIC AND ENTREPRENEURIAL EDUCATION PROGRAMS DESIGNED TO FOSTER AN UNDERSTANDING AND APPRECIATION OF THE BASIC PRINCIPLES OF ECONOMICS INCLUDING THE ROLE AND IMPACT OF LABOR IN ECONOMIC GROWTH AND OF THE PROCESS OF NEW ENTERPRISE DEVELOPMENT IN SECONDARY SCHOOL STUDENTS AND TEACHERS THROUGHOUT THE STATE.

2. IN FURTHERANCE OF THE PURPOSES OF THIS SECTION, THE COMMISSIONER SHALL:

(A) CONTRACT WITH ANY NON-PROFIT AGENCY SUITABLY QUALIFIED FOR THE PURPOSE OF HOLDING SEMINARS, CONFERENCES AND MEETINGS DESIGNED TO IMPROVE THE ECONOMIC EDUCATION INCLUDING LABOR MARKET ANALYSIS OF SOCIAL STUDIES, BUSINESS/MARKETING EDUCATION AND HOME ECONOMICS TEACHERS IN THE SECONDARY SCHOOLS OF THE STATE.

(B) CONTRACT WITH ANY NON-PROFIT AGENCY SUITABLY QUALIFIED FOR THE PURPOSE OF HOLDING SEMINARS, CONFERENCES AND MEETINGS DESIGNED TO IMPROVE THE ENTREPRENEURIAL EDUCATION OF SOCIAL STUDIES, BUSINESS/MARKETING EDUCATION AND HOME ECONOMICS TEACHERS IN THE SECONDARY SCHOOLS OF THE STATE, INCLUDING THEIR UNDERSTANDING OF THE PRINCIPLES OF ENTREPRENEURSHIP, THE ROLE OF ENTREPRENEURS IN THE ECONOMY AND THE ROLE OF LABOR AND MANAGEMENT IN THE HISTORY OF THE UNITED STATES.

(C) CONTRACT WITH A PUBLIC OR PRIVATE COLLEGE OR UNIVERSITY IN THE STATE HAVING AN ESTABLISHED ENTREPRENEURSHIP PROGRAM, CENTER OR INSTITUTE TO DEVELOP INSTRUCTIONAL MATERIALS, TEACHING AIDS, AND IN-SCHOOL PROGRAMS, RELATED TO ENTREPRENEURIAL EDUCATION AND PRINCIPLES OF ECONOMICS INCLUDING THE ROLE OF LABOR IN ECONOMIC DEVELOPMENT, FOR USE IN

SECONDARY SCHOOLS, AND TO CONDUCT A SUMMER INSTITUTE FOR SECONDARY SCHOOL TEACHERS IN THE PRINCIPLES OF ENTREPRENEURSHIP, ENTREPRENEURIAL EDUCATION AND THE CONTRIBUTIONS LABOR AND MANAGEMENT HAVE MADE TO THE EVOLUTION AND GROWTH OF THE AMERICAN ECONOMY.

(D) CREATE AN ENTERPRISE CHALLENGE GRANT PROGRAM TO FOSTER PUBLIC SCHOOL-PRIVATE SECTOR COOPERATIVE PROGRAMS OF ENTREPRENEURIAL EDUCATION AND EDUCATION ON THE ROLE OF LABOR AND MANAGEMENT THROUGH THE DEVELOPMENT OF IN-SCHOOL AND EXTRA-CURRICULAR PROGRAMS AND ACTIVITIES DESIGNED TO COMPLEMENT AND ENHANCE INSTRUCTION IN LABOR AND MANAGEMENT IN THE CLASSROOM.

3. CONTRACTS AUTHORIZED PURSUANT TO PARAGRAPHS (A), (B) AND (C) OF SUBDIVISION TWO OF THIS SECTION SHALL BE AWARDED ON A COMPETITIVE BASIS IN RESPONSE TO REQUESTS FOR PROPOSALS SETTING FORTH SUCH CRITERIA AND REQUIREMENTS AS THE COMMISSIONER DEEMS NECESSARY, EXCEPT THAT THE COMMISSIONER MAY ENTER INTO SUCH CONTRACTS TO CONTINUE A PROGRAM PREVIOUSLY FUNDED BY THE DEPARTMENT FOR THE PURPOSES SET FORTH IN SUBDIVISION TWO OF THIS SECTION WITHOUT FIRST ISSUING A REQUEST FOR PROPOSALS.

4. CHALLENGE GRANTS AWARDED PURSUANT TO PARAGRAPH (D) OF SUBDIVISION TWO OF THIS SECTION SHALL BE AWARDED ON A COMPETITIVE BASIS IN RESPONSE TO REQUESTS FOR PROPOSALS SETTING FORTH SUCH CRITERIA AND REQUIREMENTS AS THE COMMISSIONER DEEMS NECESSARY AND UPON A JOINT APPLICATION FROM A SCHOOL DISTRICT AND A PRIVATE SECTOR SPONSORING ORGANIZATION, AND MAY BE USED TO PLAN, ESTABLISH AND IMPLEMENT IN-SCHOOL PROGRAMS AND EXTRA-CURRICULAR ACTIVITIES, INCLUDING MENTORING PROGRAMS, INVOLVING PRIVATE SECTOR PARTICIPATION AND COOPERATION, AND TO PURCHASE MATERIALS FOR SUCH PROGRAMS. PREFERENCE SHALL BE GIVEN TO THOSE APPLICATIONS WHICH PROVIDE A MATCHING GRANT FROM THE SCHOOL DISTRICT AND/OR PRIVATE SECTOR GROUP PARTICIPATING IN THE PROGRAM. NO GRANT SHALL BE AWARDED IN EXCESS OF FIVE THOUSAND DOLLARS. SCHOOL DISTRICTS CONTAINING MORE THAN ONE SECONDARY SCHOOL MAY APPLY FOR MULTIPLE GRANTS FOR IMPLEMENTATION OF A PROGRAM IN MORE THAN ONE SCHOOL, BUT NO SCHOOL DISTRICT SHALL RECEIVE MORE THAN TWENTY-FIVE PERCENT OF THE TOTAL NUMBER OF GRANTS AWARDED IN ANY ONE STATE FISCAL YEAR.

5. APPLICATIONS IN RESPONSE TO REQUESTS FOR PROPOSALS PURSUANT TO SUBDIVISIONS THREE AND FOUR OF THIS SECTION SHALL INCLUDE, BUT NOT BE LIMITED TO:

(A) A DESCRIPTION OF THE PROGRAM TO BE OFFERED;

(B) DESIGNATION OF A PROGRAM DIRECTOR;

(C) A PROGRAM BUDGET, INCLUDING MATCHING FUNDS, IN-FUND AND OTHERWISE, TO BE PROVIDED BY THE APPLICANT;

(D) LINKAGES TO OTHER EXISTING PROGRAMS; AND

(E) SUCH OTHER REQUIREMENTS AS DEEMED NECESSARY BY THE COMMISSIONER.

6. THE COMPTROLLER, OR HIS LEGALLY AUTHORIZED REPRESENTATIVE, IS HEREBY AUTHORIZED AND EMPOWERED TO EXAMINE THE BOOKS AND ACCOUNTS OF THE DEPARTMENT RELATING TO PROGRAM GRANTS MADE PURSUANT TO THE PROVISIONS OF THIS SECTION, INCLUDING ITS RECEIPTS, DISBURSEMENTS, CONTRACTS, LEASES, LOANS AND ANY OTHER SUCH MONIES RELATING TO ITS FINANCIAL OPERATIONS WITH RESPECT TO SUCH PROGRAMS.

7. THE DEPARTMENT SHALL:

(A) MONITOR THE PERFORMANCE OF THE PROGRAM ESTABLISHED UNDER THIS SECTION AND REQUIRE PERIODIC AND ANNUAL REPORTS FROM EACH RECIPIENT OF A CHALLENGE GRANT OR CONTRACT AT SUCH TIME AND IN SUCH A MANNER AS PRESCRIBED BY THE COMMISSIONER.

(B) EVALUATE THE PROGRAM AND REPORT ANNUALLY, ON OR BEFORE JANUARY FIFTEENTH, TWO THOUSAND FOURTEEN AND ON OR BEFORE EACH JANUARY FIFTEENTH THEREAFTER, THE RESULTS OF SUCH EVALUATION TO THE GOVERNOR AND THE

LEGISLATURE. SUCH REPORT SHALL DISCUSS THE SUCCESS OF THE PROGRAM IN MEETING ITS GOALS, AND SHALL RECOMMEND CHANGES AND IMPROVEMENTS IN THE PROGRAM.

(C) SUBMIT TO THE DIRECTOR OF THE DIVISION OF THE BUDGET, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE AND THE CHAIRMAN OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AN EVALUATION OF PROGRAM EFFECTIVENESS, CONDUCTED BY AN ENTITY INDEPENDENT OF THE DEPARTMENT. SUCH EVALUATION SHALL BE SUBMITTED BY JANUARY FIRST, TWO THOUSAND FIFTEEN AND SHALL BE TRANSMITTED WITH COMMENT ON SUCH EVALUATION BY THE COMMISSIONER.

S 3. The sum of two hundred thousand dollars ($200,000), or so much thereof as may be necessary, is hereby appropriated to the education department out of any moneys in the state treasury in the general fund to the credit of the state purposes account, not otherwise appropriated and made immediately available, as follows:

a. Fifty thousand dollars ($50,000), for the purpose of contracting with any non-profit agency suitably qualified for the purpose of holding seminars, conferences, and meetings designed to improve the economic and entrepreneurial education of social studies, business/marketing education, and home economics teachers in the secondary schools of our state pursuant to paragraphs (a), (b) and (c) of subdivision 2 of section 4608 of the education law, as added by section two of this act; and

b. One hundred fifty thousand dollars ($150,000), for the purpose of creating an enterprise challenge grant program to foster public school-private sector cooperative programs of entrepreneurial education through the development of in-school and extra-curricular programs and activities designed to complement and enhance entrepreneurial education in the classroom pursuant to paragraph (d) of subdivision 2 of section 4608 of the education law, as added by section two of this act. Such grants of from one thousand dollars to five thousand dollars are to be awarded on a competitive basis to school districts upon a joint application from a school district and a private sector sponsoring organization and may be used to plan, establish and implement in-school programs and extra-curricular activities, including mentoring programs, involving private sector participation and cooperation, and to purchase materials for such programs. Preference shall be given to those applications which provide a matching grant from the school district and/or private sector group participating in the program. A total of up to thirty-two grants may be made available. School districts containing more than one secondary school may apply for multiple grants for implementation of a program in more than one school, but no school district shall receive more than eight grants.

Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law.

S 4. This act shall take effect immediately and shall expire March 31, 2015 when upon such date the provisions of this act shall be deemed repealed.