

1 **PART I—VOCATIONAL EDUCATION**
2 **CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF**
3 **2006**

4
5 [As Amended Through P.L. 110–315, Enacted August 14, 2008]
6

7 AN ACT To strengthen and improve the quality of vocational education and to expand the vocational education
8 opportunities in the Nation, to extend for three years the National Defense Education Act of 1958 and Public Laws
9 815 and 874, Eighty-first Congress (federally affected areas), and for other purposes.

10
11 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
12

13 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

14 (a) U.S.C. 2301 SHORT TITLE.—This Act may be cited as the “~~Carl D. Perkins Career and Technical Education~~
15 ~~Act of 2006~~ **Strengthening Career and Technical Education for the 21st Century Act**”.

16
17 (b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

18 Sec. 1. Short title; table of contents.

19 Sec. 2. Purpose.

20 Sec. 3. Definitions.

21 Sec. 4. Transition provisions.

22 Sec. 5. Privacy.

23 Sec. 6. Limitation.

24 Sec. 7. Special rule.

25 Sec. 8. Prohibitions.

26 Sec. 9. Authorization of appropriations.
27

28 **TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES**

29 **PART A—ALLOTMENT AND ALLOCATION**

30 Sec. 111. Reservations and State allotment.

31 Sec. 112. Within State allocation.

32 Sec. 113. Accountability.

33 Sec. 114. National activities.

34 Sec. 115. Assistance for the outlying areas.

35 Sec. 116. Native American programs.

36 Sec. 117. Tribally controlled postsecondary career and technical institutions.

37 ~~Sec. 118. Occupational and employment information.~~

38 **PART B—STATE PROVISIONS**

39 Sec. 121. State administration.

40 Sec. 122. State plan.

1 Sec. 123. Improvement plans.

2 Sec. 124. State leadership activities.

3 PART C—LOCAL PROVISIONS

4 Sec. 131. Distribution of funds to secondary education programs.

5 Sec. 132. Distribution of funds for postsecondary education programs.

6 Sec. 133. Special rules for career and technical education.

7 Sec. 134. Local ~~plan~~ application for career and technical education programs.

8 Sec. 135. Local uses of funds.

9

10 ~~TITLE II—TECH PREP EDUCATION~~

11 ~~Sec. 201. State allotment and application.~~

12 ~~Sec. 202. Consolidation of funds.~~

13 ~~Sec. 203. Tech prep program.~~

14 ~~Sec. 204. Consortium applications.~~

15 ~~Sec. 205. Report.~~

16 ~~Sec. 206. Authorization of appropriations.~~

17

18 TITLE III—GENERAL PROVISIONS

19 PART A—FEDERAL ADMINISTRATIVE PROVISIONS

20 Sec. ~~211311~~. Fiscal requirements.

21 Sec. ~~212312~~. Authority to make payments.

22 Sec. ~~213313~~. Construction.

23 Sec. ~~214314~~. Voluntary selection and participation.

24 Sec. ~~215315~~. Limitation for certain students.

25 Sec. ~~216316~~. Federal laws guaranteeing civil rights.

26 Sec. ~~217317~~. Participation of private school personnel and children.

27 Sec. ~~218318~~. Limitation on Federal regulations.

28 Sec. 219. Study on programs of study aligned to high-skill, high-wage occupations.

29 PART B—STATE ADMINISTRATIVE PROVISIONS

30 Sec. ~~221321~~. Joint funding.

31 Sec. ~~222322~~. Prohibition on use of funds to induce out-of-state relocation of businesses.

32 Sec. ~~223323~~. State administrative costs.

33 Sec. ~~224324~~. Student assistance and other Federal programs.

34

35 **SEC. 2. PURPOSE.**

36 The purpose of this Act is to develop more fully the ~~academic and career and technical skills~~ **academic**
37 **knowledge and technical and employability skills** of secondary education students and

1 postsecondary education students who elect to enroll in career and technical education programs **and programs**
2 **of study**, by—

3 (1) building on the efforts of States and localities to develop challenging academic and technical standards
4 and to assist students in meeting such standards, including preparation for high skill, high wage, or high
5 demand occupations in current or emerging professions;

6 (2) promoting the development of services and activities that integrate rigorous and challenging academic
7 and career and technical instruction, and that link secondary education and postsecondary education for
8 participating career and technical education students;

9 (3) increasing State and local flexibility in providing services and activities designed to develop,
10 implement, and improve career and technical education, ~~including tech prep education~~;

11 (4) conducting and disseminating national research and disseminating information on best practices that
12 improve career and technical education programs **and programs of study**, services, and activities;

13 (5) providing technical assistance that—

14 (A) promotes leadership, initial preparation, and professional development at the State and local
15 levels; and

16 (B) improves the quality of career and technical education teachers, faculty, administrators, and
17 counselors;

18 (6) supporting partnerships among secondary schools, postsecondary institutions, baccalaureate degree
19 granting institutions, area career and technical education schools, local workforce investment boards,
20 business and industry, and intermediaries; and

21 (7) providing individuals with opportunities throughout their lifetimes to develop, in conjunction with other
22 education and training programs, the knowledge and skills needed to keep the United States competitive.

23
24 **SEC. 3. DEFINITIONS.**

25 Unless otherwise specified, in this Act:

26 (1) ADMINISTRATION.—The term “administration”, when used with respect to an eligible agency or
27 eligible recipient, means activities necessary for the proper and efficient performance of the eligible agency
28 or eligible recipient’s duties under this Act, including the supervision of such activities. Such term does not
29 include curriculum development activities, personnel development, or research activities.

30 (2) ALL ASPECTS OF AN INDUSTRY.—The term “all aspects of an industry” means strong experience
31 in, and comprehensive understanding of, the industry that the individual is preparing to enter, including
32 information as described in section 118.

33 (3) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term “area career and technical
34 education school” means—

35 (A) a specialized public secondary school used exclusively or principally for the provision of
36 career and technical education to individuals who are available for study in preparation for
37 entering the labor market;

1 (B) the department of a public secondary school exclusively or principally used for providing
2 career and technical education in not fewer than ~~5 different occupational fields to individuals~~
3 **three different fields, especially in in-demand industry sectors or**
4 **occupations, that are available to all students** who are available for study in
5 preparation for entering the labor market;

6 (C) a public or nonprofit technical institution or career and technical education school used
7 exclusively or principally for the provision of career and technical education to individuals who
8 have completed or left secondary school and who are available for study in preparation for
9 entering the labor market, if the institution or school admits, as regular students, individuals who
10 have completed secondary school and individuals who have left secondary school; or

11 (D) the department or division of an institution of higher education, that operates under the
12 policies of the eligible agency and that provides career and technical education in ~~not fewer than 5~~
13 ~~different occupational fields~~ **not fewer than three different occupational fields**
14 leading to immediate employment but not necessarily leading to a baccalaureate degree, if the
15 department or division admits, as regular students, both individuals who have completed
16 secondary school and individuals who have left secondary school.

17 (4) ARTICULATION AGREEMENT.—The term “articulation agreement” means a written commitment—

18 (A) that is agreed upon at the State level or approved annually by the lead administrators of—

19 (i) a secondary institution and a postsecondary educational institution; or

20 (ii) a subbaccalaureate degree granting postsecondary educational institution and a
21 baccalaureate degree granting postsecondary educational institution; and

22 (B) to a program that is—

23 (i) designed to provide students with a nonduplicative sequence of progressive
24 achievement leading to technical skill proficiency, a credential, a certificate, or a degree;
25 and

26 (ii) linked through credit transfer agreements between the 2 institutions described in
27 clause (i) or (ii) of subparagraph (A) (as the case may be).

28 (5) CAREER AND TECHNICAL EDUCATION.—The term “career and technical education” means organized
29 educational activities that—

30 (A) offer a sequence of courses that—

31 (i) provides individuals with ~~coherent and rigorous content aligned with challenging~~
32 ~~academic standards~~ **content at the secondary level aligned with the**
33 **challenging State academic standards adopted by a State under**
34 **section 1111(b)(1) of the Elementary and Secondary Education**
35 **Act of 1965 (20 U.S.C. 6311(b)(1)), and at the postsecondary**
36 **level with the rigorous academic content,** and relevant technical
37 knowledge ~~and skills~~ **and skills,** needed to prepare for further education and careers
38 in current or emerging professions, **including in in-demand industry**
39 **sectors or occupations;**

1 (ii) provides technical skill proficiency, ~~an industry-recognized credential, a certificate,~~
2 ~~or an associate degree~~ **or a recognized postsecondary credential,**
3 **which may include an industry-recognized credential;** and
4 (iii) may include prerequisite courses (other than a remedial course) that meet the
5 requirements of this subparagraph; ~~and~~

6 (B) include competency-based, **work-based, or other** applied learning that
7 ~~contributes to the~~ **supports the development of** academic knowledge, higher-
8 order reasoning and problem-solving skills, work attitudes, ~~general~~ employability skills,
9 technical skills, and occupation-specific skills, and knowledge of all aspects of an
10 industry, including entrepreneurship, of an individual;:-

11 **(C) to the extent practicable, coordinate between secondary and**
12 **postsecondary education programs, which may include early**
13 **college programs with articulation agreements, dual or**
14 **concurrent enrollment program opportunities, or programs of**
15 **study; and**

16 **(D) may include career exploration at the high school level or**
17 **as early as the middle grades (as such term is defined in section**
18 **8101 of the Elementary and Secondary Education Act of 1965**
19 **(20 U.S.C. 7801)).**

20 (6) CAREER AND TECHNICAL STUDENT ORGANIZATION.—

21 (A) IN GENERAL.—The term “career and technical student organization” means an organization
22 for individuals enrolled in a career and technical education program that engages in career and
23 technical education activities as an integral part of the instructional program.

24 (B) STATE AND NATIONAL UNITS.—An organization described in subparagraph (A) may have State
25 and national units that aggregate the work and purposes of instruction in career and technical
26 education at the local level.

27 (7) CAREER GUIDANCE AND ACADEMIC COUNSELING.—The term “career guidance and academic counseling”
28 means guidance and counseling that—

29 (A) provides access for students ~~(and parents, as appropriate)~~ **(and, as appropriate,**
30 **parents and out-of-school youth)** to information regarding career awareness and
31 planning with respect to an individual’s occupational and academic future; and

32 (B) provides information with respect to career options, **financial aid, job training,**
33 **secondary and postsecondary options (including baccalaureate degree**
34 **programs), dual or concurrent enrollment programs, work-based**
35 **learning opportunities, and support services.** ~~financial aid, and postsecondary~~
36 ~~options, including baccalaureate degree programs.~~

37 **(8) CAREER PATHWAYS.—The term ‘career pathways’ has the meaning given**
38 **the term in section 3 of the Workforce Innovation and Opportunity Act (29**
39 **U.S.C. 3102).**

1 (9) ~~(8)~~ CHARTER SCHOOL.—The term “charter school” has the meaning given the term in section 5210 of
2 the Elementary and Secondary Education Act of 1965.

3 (10) ~~(9)~~ COOPERATIVE EDUCATION.—The term “cooperative education” means a method of education for
4 individuals who, through written cooperative arrangements between a school and employers, receive
5 instruction, including required rigorous and challenging academic courses and related career and technical
6 education instruction, by alternation of study in school with a job in any occupational field, which
7 alternation—

8 (A) shall be planned and supervised by the school and employer so that each contributes to the
9 education and employability of the individual; and

10 (B) may include an arrangement in which work periods and school attendance may be on alternate
11 half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

12 (11) CTE CONCENTRATOR.—The term ‘CTE concentrator’ means—

13 (A) at the secondary school level, a student served by an eligible
14 recipient who has—

15 (i) completed three or more career and technical education
16 courses; or

17 (ii) completed at least two courses in a single career and
18 technical education program or program of study; or

19 (B) at the postsecondary level, a student enrolled in an eligible
20 recipient who has—

21 (i) earned at least 12 cumulative credits within a career and
22 technical education program or program of study; or

23 (ii) completed such a program if the program encompasses
24 fewer than 12 credits or the equivalent in total.

25 (12) CTE PARTICIPANT.—The term ‘CTE participant’ means an individual
26 who completes not less than one course or earns not less than one credit in a
27 career and technical education program or program of study of an eligible
28 recipient.

29 (13) ~~(40)~~ DISPLACED HOMEMAKER.—The term “displaced homemaker” means an individual who—

30 (A)(i) has worked primarily without remuneration to care for a home and family, and for that
31 reason has diminished marketable skills;

32 (ii) has been dependent on the income of another family member but is no longer supported by
33 that income; or

34 (iii) is a parent whose youngest dependent child will become ineligible to receive assistance under
35 part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) not later than 2 years after the
36 date on which the parent applies for assistance under such title; and

1 (B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading
2 employment.

3 (14) DUAL OR CONCURRENT ENROLLMENT.—The term ‘dual or concurrent
4 enrollment’ has the meaning given the term in section 8101 of the
5 Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

6 (15) EARLY COLLEGE HIGH SCHOOL.—The term ‘early college high school’ has
7 the meaning given the term in section 8101 of the Elementary and
8 Secondary Education Act of 1965 (20 U.S.C. 7801).

9 (16) ~~(14)~~ EDUCATIONAL SERVICE AGENCY.—The term “educational service agency” has the meaning given
10 the term in section 9101 of the Elementary and Secondary Education Act of 1965.

11 (17) ~~(12)~~ ELIGIBLE AGENCY.—The term “eligible agency” means a State board designated or created
12 consistent with State law as the sole State agency responsible for the administration of career and technical
13 education in the State or for the supervision of the administration of career and technical education in the
14 State.

15 (18) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a consortium that—

16 (A) shall include at least two of the following:

- 17 (i) a local educational agency;
- 18 (ii) an educational service agency;
- 19 (iii) an eligible institution;
- 20 (iv) an area career and technical education school;
- 21 (v) a State educational agency; or
- 22 (vi) the Bureau of Indian Education;

23 (B) may include a regional, State, or local public or private
24 organization, including a community-based organization, one or more
25 employers, or a qualified intermediary; and

26 (C) is led by an entity or partnership of entities described in
27 subparagraph (A).

28 (19) ~~(13)~~ ELIGIBLE INSTITUTION.—The term “eligible institution” means—

29 (A) a consortium of two or more of the entities described in
30 subparagraphs (B) through (F);

31 (B) ~~(A)~~ a public or nonprofit private institution of higher education that offers **and will use**
32 **funds provided under this title in support of** career and technical education
33 courses that lead to technical skill proficiency, an industry recognized credential, a certificate, or
34 **an associate**^a degree;

35 (C) ~~(B)~~ a local educational agency providing education at the postsecondary level;

1 ~~(D)~~ ~~(C)~~ an area career and technical education school providing education at the postsecondary
2 level;

3 ~~(E)~~ ~~(D)~~ a postsecondary educational institution controlled by the Bureau of Indian Affairs or
4 operated by or on behalf of any Indian tribe that is eligible to contract with the Secretary of the
5 Interior for the administration of programs under the Indian Self-Determination and Education
6 Assistance Act (25 U.S.C. 450 et seq.) or the Act of April 16, 1934 (25 U.S.C. 452 et seq.); **OR**

7 ~~(F)~~ ~~(E)~~ an educational service agency; ~~or.~~

8 ~~(F) a consortium of 2 or more of the entities described in subparagraphs (A) through (E).~~

9 **(20)** ~~(14)~~ **ELIGIBLE RECIPIENT.**—The term “eligible recipient” means—

10 (A) a local educational agency (including a public charter school that operates as a local
11 educational agency), an area career and technical education school, an educational service agency,
12 or a consortium, eligible to receive assistance under section 131; or

13 (B) an eligible institution or consortium of eligible institutions eligible to receive assistance under
14 section 132.

15 **(21) ENGLISH LEARNER.**—The term ‘English learner’ means—

16 (A) a secondary school student who is an English learner, as defined
17 in section 8101 of the Elementary and Secondary Education Act of
18 1965 (20 U.S.C. 7801); or

19 (B) an adult or an out-of-school youth who has limited ability in
20 speaking, reading, writing, or understanding the English language
21 and—

22 (i) whose native language is a language other than English; or

23 (ii) who lives in a family environment in which a language
24 other than English is the dominant language.

25 **(22) EVIDENCE-BASED.**—The term ‘evidence-based’ has the meaning given
26 the term in section 8101(21)(A) of the Elementary and Secondary Education
27 Act of 1965 (20 U.S.C. 7801(21)(A)).

28 **(23)** ~~(15)~~ **GOVERNOR.**—The term “Governor” means the chief executive officer of a State.

29 ~~(16) INDIVIDUAL WITH LIMITED ENGLISH PROFICIENCY.—The term “individual with limited English
30 proficiency” means a secondary school student, an adult, or an out-of-school youth, who has limited ability
31 in speaking, reading, writing, or understanding the English language, and—~~

32 ~~(A) whose native language is a language other than English; or~~

33 ~~(B) who lives in a family or community environment in which a language other than English is the
34 dominant language.~~

35 **(24) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.**—The term ‘in-demand
36 industry sector or occupation’ has the meaning given the term in section 3 of
37 the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

1 ~~(25) (47)~~ INDIVIDUAL WITH A DISABILITY.—

2 (A) IN GENERAL.—The term “individual with a disability” means an individual with any disability
3 (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

4 (B) INDIVIDUALS WITH DISABILITIES.—The term “individuals with disabilities” means more than 1
5 individual with a disability.

6 ~~(26) INDUSTRY OR SECTOR PARTNERSHIP.—The term ‘industry or sector
7 partnership’ has the meaning given the term in section 3 of the Workforce
8 Innovation and Opportunity Act (29 U.S.C. 3102).~~

9 ~~(27) (48)~~ INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the
10 meaning given the term in section 101 of the Higher Education Act of 1965.

11 ~~(28) (49)~~ LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the
12 term in section 9101 of the Elementary and Secondary Education Act of 1965.

13 ~~(29) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term ‘local workforce
14 development board’ means a local workforce development board established
15 under section 107 of the Workforce Innovation and Opportunity Act.~~

16 ~~(30) (20)~~ NON-TRADITIONAL FIELDS.—The term “non-traditional fields” means occupations or fields of
17 work, including careers in computer science, technology, and other current and emerging high skill
18 occupations, for which individuals from one gender comprise less than 25 percent of the individuals
19 employed in each such occupation or field of work.

20 ~~(31) OUT-OF-SCHOOL YOUTH.—The term ‘out-of-school youth’ has the
21 meaning given the term in section 3 of the Workforce Innovation and
22 Opportunity Act (29 U.S.C. 3102).~~

23 ~~(32) (21)~~ OUTLYING AREA.—The term “outlying area” means the United States Virgin Islands, Guam,
24 American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.

25 ~~(33) PARAPROFESSIONAL.—The term ‘paraprofessional’ has the meaning
26 given the term in section 8101 of the Elementary and Secondary Education
27 Act of 1965 (20 U.S.C. 7801).~~

28 ~~(34) PAY FOR SUCCESS INITIATIVE.—The term ‘pay for success initiative’ has
29 the meaning given the term in section 8101 of the Elementary and
30 Secondary Education Act of 1965 (20 U.S.C. 7801), except that such term
31 does not include an initiative that—~~

32 (A) reduces the special education or related services that a student
33 would otherwise receive under the Individuals with Disabilities
34 Education Act (20 U.S.C. 1400 et seq.); or

35 (B) otherwise reduces the rights of a student or the obligations of an
36 entity under the Individuals with Disabilities Education Act (20
37 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et

1 seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101
2 et seq.), or any other law.

3 ~~(35) (22) POSTSECONDARY EDUCATIONAL INSTITUTION.—The term “postsecondary educational institution”~~
4 means—

- 5 (A) an institution of higher education that provides not less than a 2-year program of instruction
6 that is acceptable for credit toward a bachelor’s degree;
7 (B) a tribally controlled college or university; or
8 (C) a nonprofit educational institution offering certificate or apprenticeship programs at the
9 postsecondary level.

10 ~~(23) POSTSECONDARY EDUCATION TECH PREP STUDENT.—The term “postsecondary education tech prep~~
11 ~~student” means a student who —~~

- 12 ~~(A) has completed the secondary education component of a tech prep program; and~~
13 ~~(B) has enrolled in the postsecondary education component of a tech prep program at an institution~~
14 ~~of higher education described in clause (i) or (ii) of section 203(a)(1)(B).~~

15 ~~(24) SCHOOL DROPOUT.—The term “school dropout” means an individual who is no longer attending any~~
16 ~~school and who has not received a secondary school diploma or its recognized equivalent.~~

17 ~~(25) SCIENTIFICALLY BASED RESEARCH.—The term “scientifically based research” means research that is~~
18 ~~carried out using scientifically based research standards, as defined in section 102 of the Education~~
19 ~~Sciences Reform Act of 2002 (20 U.S.C. 9501).~~

20 ~~(26) SECONDARY EDUCATION TECH PREP STUDENT.—The term “secondary education tech prep student”~~
21 ~~means a secondary education student who has enrolled in 2 courses in the secondary education component~~
22 ~~of a tech prep program.~~

23 (36) PROGRAM OF STUDY.—The term ‘program of study’ means a
24 coordinated, nonduplicative sequence of secondary and postsecondary
25 academic and technical content that—

- 26 (A) incorporates challenging State academic standards, including
27 those adopted by a State under section 1111(b)(1) of the Elementary
28 and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)), that—
29 (i) address both academic and technical knowledge and skills,
30 including employability skills; and
31 (ii) are aligned with the needs of industries in the economy of
32 the State, region, or local area;

33 (B) progresses in specificity (beginning with all aspects of an industry
34 or career cluster and leading to more occupational specific
35 instruction);

36 (C) has multiple entry and exit points that incorporate credentialing;
37 and

1 (D) culminates in the attainment of a recognized postsecondary
2 credential.

3 (37) QUALIFIED INTERMEDIARY.—The term ‘qualified intermediary’ means a
4 non-profit entity that demonstrates expertise to build, connect, sustain, and
5 measure partnerships with entities such as employers, schools, community-
6 based organizations, postsecondary institutions, social service organizations,
7 economic development organizations, and workforce systems to broker
8 services, resources, and supports to youth and the organizations and systems
9 that are designed to serve youth, including—

10 (A) connecting employers to classrooms;

11 (B) assisting in the design and implementation of career and technical
12 education programs and programs of study;

13 (C) delivering professional development;

14 (D) connecting students to internships and other work-based learning
15 opportunities; and

16 (E) developing personalized student supports.

17 (38) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ‘recognized
18 postsecondary credential’ has the meaning given the term in section 3 of the
19 Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

20 (39) ~~(27)~~ SECONDARY SCHOOL.—The term “secondary school” has the meaning given the term in section
21 9101 of the Elementary and Secondary Education Act of 1965.

22 (40) ~~(28)~~ SECRETARY.—The term “Secretary” means the Secretary of Education.

23 (41) ~~(29)~~ SPECIAL POPULATIONS.—The term “special populations” means—

24 (A) individuals with disabilities;

25 (B) individuals from economically disadvantaged families, including ~~foster children~~ youth
26 who are in or have aged out of the foster care system;

27 (C) individuals preparing for non-traditional fields;

28 (D) single parents, including single pregnant women;

29 (E) displaced homemakers; ~~and~~

30 (F) ~~individuals with limited English proficiency~~ English learners;

31 (G) homeless individuals described in section 725 of the McKinney-
32 Vento Homeless Assistance Act (42 U.S.C. 11434a); and

33 (H) youth with a parent who—

34 (i) is a member of the armed forces (as such term is defined in
35 section 101(a)(4) of title 10, United States Code); and

36 (ii) is on active duty (as such term is defined in section
37 101(d)(1) of such title).

1 (42) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term
2 ‘specialized instructional support personnel’ has the meaning given the term
3 in section 8101 of the Elementary and Secondary Education Act of 1965 (20
4 U.S.C. 7801).

5 (43) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The term ‘specialized
6 instructional support services’ has the meaning given the term in section
7 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C.
8 7801).

9 (44) ~~(30)~~ STATE.—The term “State”, unless otherwise specified, means each of the several States of the
10 United States, the District of Columbia, the Commonwealth of Puerto Rico, and each outlying area.

11 (45) ~~(31)~~ SUPPORT SERVICES.—The term “support services” means services related to curriculum
12 modification, equipment modification, classroom modification, supportive personnel (including
13 paraprofessionals and specialized instructional support personnel), and
14 instructional aids and devices.

15 ~~(32) TECH PREP PROGRAM.—The term “tech prep program” means a tech prep program described in section~~
16 ~~203(e).~~

17 (46) ~~(33)~~ TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term “tribally controlled college or
18 university” has the meaning given the term in section 2(a) of the Tribally Controlled Colleges and
19 Universities Assistance Act of 1978 (25 U.S.C. 1801(a)).

20 (47) ~~(34)~~ TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTION.—The term “tribally
21 controlled postsecondary career and technical institution” means an institution of higher education (as
22 defined in section 101 of the Higher Education Act of 1965, except that subsection (a)(2) of such section
23 shall not be applicable and the reference to Secretary in subsection (a)(5) of such section shall be deemed to
24 refer to the Secretary of the Interior) that—

25 (A) is formally controlled, or has been formally sanctioned or chartered, by the governing body of
26 an Indian tribe or Indian tribes;

27 (B) offers a technical degree or certificate granting program;

28 (C) is governed by a board of directors or trustees, a majority of whom are Indians;

29 (D) demonstrates adherence to stated goals, a philosophy, or a plan of operation, that fosters
30 individual Indian economic and self-sufficiency opportunity, including programs that are
31 appropriate to stated tribal goals of developing individual entrepreneurships and self-sustaining
32 economic infrastructures on reservations;

33 (E) has been in operation for at least 3 years;

34 (F) holds accreditation with or is a candidate for accreditation by a nationally recognized
35 accrediting authority for postsecondary career and technical education; and

36 (G) enrolls the full-time equivalent of not less than 100 students, of whom a majority are Indians.

1 (48) UNIVERSAL DESIGN FOR LEARNING.—The term ‘universal design for
2 learning’ has the meaning given the term in section 8101 of the Elementary
3 and Secondary Education Act of 1965 (20 U.S.C. 7801).

4 (49) WORK-BASED LEARNING.—The term ‘work-based learning’ means
5 sustained interactions with industry or community professionals in real
6 workplace settings, to the extent practicable, or simulated environments at
7 an educational institution that foster in-depth, first-hand engagement with
8 the tasks required of a given career field, that are aligned to curriculum and
9 instruction.
10

11 **SEC. 4. TRANSITION PROVISIONS.**

12 The Secretary shall take such steps as ~~the Secretary determines to be appropriate~~ **are necessary** to provide for
13 the orderly transition to the authority of this Act (as amended by the ~~Carl D. Perkins Career and Technical Education~~
14 ~~Improvement Act of 2006~~ **Strengthening Career and Technical Education for the 21st**
15 **Century Act**) from any authority under the provisions of the Carl D. Perkins Vocational and Technical
16 Education Act of ~~1998~~ **2006**, as in effect on the day before the date of enactment of the ~~Carl D. Perkins Career and~~
17 ~~Technical Education Improvement Act of 2006~~ **Strengthening Career and Technical Education**
18 **for the 21st Century Act**. The Secretary shall give each eligible agency the opportunity to submit a
19 transition plan for the first fiscal year following the date of enactment of the ~~Carl D. Perkins Career and Technical~~
20 ~~Education Improvement Act of 2006~~ **Strengthening Career and Technical Education for the**
21 **21st Century Act**.
22

23 **SEC. 5. PRIVACY.**

24 (a) GEPA.—Nothing in this Act shall be construed to supersede the privacy protections afforded parents and
25 students under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

26 (b) PROHIBITION ON DEVELOPMENT OF NATIONAL DATABASE.— Nothing in this Act shall be construed
27 to permit the development of a national database of personally identifiable information on individuals receiving
28 services under this Act.
29

30 **SEC. 6. LIMITATION.**

31 All of the funds made available under this Act shall be used in accordance with the requirements of this Act.
32

33 **SEC. 7. SPECIAL RULE.**

34 In the case of a local community in which no employees are represented by a labor organization, for purposes of this
35 Act, the term “representatives of employees” shall be substituted for “labor organization”.

36
37 **SEC. 8. PROHIBITIONS.**

38 (a) LOCAL CONTROL.—Nothing in this Act shall be construed to authorize an officer or employee of the ~~Federal~~
39 ~~Government to mandate, direct, or control a State, local educational agency, or school’s curriculum, program of~~
40 ~~instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any~~

~~funds or incur any costs not paid for under this Act, except as required under sections 112(b), 311(b), and 323.~~

Federal Government—

(1) to condition or incentivize the receipt of any grant, contract, or cooperative agreement, or the receipt of any priority or preference under such grant, contract, or cooperative agreement, upon a State, local educational agency, eligible agency, eligible recipient, eligible entity, or school's adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards);

(2) through grants, contracts, or other cooperative agreements, to mandate, direct, or control a State, local educational agency, eligible agency, eligible recipient, eligible entity, or school's specific instructional content, academic standards and assessments, curricula, or program of instruction (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards); and

(3) except as required under sections 112(b), 211(b), and 223—

(A) to mandate, direct, or control the allocation of State or local resources; or

(B) to mandate that a State or a political subdivision of a State spend any funds or incur any costs not paid for under this Act.

(b) NO PRECLUSION OF OTHER ASSISTANCE.—Any State that declines to submit an application to the Secretary for assistance under this Act shall not be precluded from applying for assistance under any other program administered by the Secretary.

(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.—

Notwithstanding any other provision of Federal law, no State shall be required to have academic and career and technical content standards or student academic and career and technical achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

~~(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the requirements under section 113.~~

(d) ~~(e)~~ COHERENT AND RIGOROUS CONTENT.—For the purposes of this Act, coherent and rigorous content shall be determined by the State consistent with section 1111(b)(1)(D) of the Elementary and Secondary Education Act of 1965.

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SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There **are to be** ~~is~~ authorized to be appropriated to carry out this Act (~~other than sections 114, 117, and 118, and title II) such sums as may be necessary for each of the fiscal years 2007 through 2012.~~ **other than sections 114 and 117)—**

- (1) \$1,133,002,074 for fiscal year 2018;
- (2) \$1,148,618,465 for fiscal year 2019;
- (3) \$1,164,450,099 for fiscal year 2020;
- (4) \$1,180,499,945 for fiscal year 2021;
- (5) \$1,196,771,008 for fiscal year 2022; and
- (6) \$1,213,266,339 for fiscal year 2023.

TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

PART A—ALLOTMENT AND ALLOCATION

SEC. 111. RESERVATIONS AND STATE ALLOTMENT.

(a) RESERVATIONS AND STATE ALLOTMENT.—

(1) RESERVATIONS.—From the sum appropriated under section 9 for each fiscal year, the Secretary shall reserve—

(A) 0.13 percent to carry out section 115; and

(B) 1.50 percent to carry out section 116, of which—

(i) 1.25 percent of the sum shall be available to carry out section 116(b); and

(ii) 0.25 percent of the sum shall be available to carry out section 116(h).

(2) STATE ALLOTMENT FORMULA.—Subject to paragraphs (3), (4), and (5), from the remainder of the sum appropriated under section 9 and not reserved under paragraph (1) for a fiscal year, the Secretary shall allot to a State for the fiscal year—

(A) an amount that bears the same ratio to 50 percent of the sum being allotted as the product of the population aged 15 to 19 inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State’s allotment ratio bears to the sum of the corresponding products for all the States;

(B) an amount that bears the same ratio to 20 percent of the sum being allotted as the product of the population aged 20 to 24, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State’s allotment ratio bears to the sum of the corresponding products for all the States;

1 (C) an amount that bears the same ratio to 15 percent of the sum being allotted as the product of
2 the population aged 25 to 65, inclusive, in the State in the fiscal year preceding the fiscal year for
3 which the determination is made and the State's allotment ratio bears to the sum of the
4 corresponding products for all the States; and

5 (D) an amount that bears the same ratio to 15 percent of the sum being allotted as the amounts
6 allotted to the State under subparagraphs (A), (B), and (C) for such years bears to the sum of the
7 amounts allotted to all the States under subparagraphs (A), (B), and (C) for such year.

8 (3) MINIMUM ALLOTMENT FOR YEARS WITH NO ADDITIONAL FUNDS.—

9 (A) IN GENERAL.—Notwithstanding any other provision of law and subject to subparagraphs (B)
10 and (C), and paragraph (5), for a fiscal year for which there are no additional funds (as such term
11 is defined in paragraph (4)(D)), no State shall receive for such fiscal year under this subsection
12 less than $\frac{1}{2}$ of 1 percent of the amount appropriated under section 9 and not reserved under
13 paragraph (1) for such fiscal year. Amounts necessary for increasing such payments to States to
14 comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid
15 to other States.

16 (B) REQUIREMENT.—No State, by reason of the application of subparagraph (A), shall receive for a
17 fiscal year more than 150 percent of the amount the State received under this subsection for the
18 preceding fiscal year.

19 (C) SPECIAL RULE.—

20 (i) IN GENERAL.—Subject to paragraph (5), no State, by reason of the application of
21 subparagraph (A), shall be allotted for a fiscal year more than the lesser of—

22 (I) 150 percent of the amount that the State received in the preceding fiscal year;

23 and

24 (II) the amount calculated under clause (ii).

25 (ii) AMOUNT.—The amount calculated under this clause shall be determined by
26 multiplying—

27 (I) the number of individuals in the State counted under paragraph (2) in the
28 preceding fiscal year; by

29 (II) 150 percent of the national average per pupil payment made with funds
30 available under this section for that year.

31 (4) MINIMUM ALLOTMENT FOR YEARS WITH ADDITIONAL FUNDS.—

32 (A) IN GENERAL.—Subject to subparagraph (B) and paragraph (5), for a fiscal year for which there
33 are additional funds, no State shall receive for such fiscal year under this subsection less than $\frac{1}{2}$ of
34 1 percent of the amount appropriated under section 9 and not reserved under paragraph (1) for
35 such fiscal year. Amounts necessary for increasing such payments to States to comply with the
36 preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.

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1 (B) SPECIAL RULE.—In the case of a qualifying State, the minimum allotment under subparagraph
2 (A) for a fiscal year for the qualifying State shall be the lesser of—

3 (i) $\frac{1}{2}$ of 1 percent of the amount appropriated under section 9 and not reserved under
4 paragraph (1) for such fiscal year; and

5 (ii) the sum of—

6 (I) the amount the qualifying State was allotted under paragraph (2) for fiscal
7 year 2006 (as such paragraph was in effect on the day before the date of
8 enactment of the Carl D. Perkins Career and Technical Education Improvement
9 Act of 2006); and

10 (II) the product of—

11 (aa) $\frac{1}{3}$ of the additional funds; multiplied by

12 (bb) the quotient of—

13 (AA) the qualifying State’s ratio described in subparagraph

14 (C) for the fiscal year for which the determination is made;

15 divided by

16 (BB) the sum of all such ratios for all qualifying States for the
17 fiscal year for which the determination is made.

18 (C) RATIO.—For purposes of subparagraph (B)(ii)(II)(bb)(AA), the ratio for a qualifying State for
19 a fiscal year shall be 1.00 less the quotient of—

20 (i) the amount the qualifying State was allotted under paragraph (2) for fiscal year 2006
21 (as such paragraph was in effect on the day before the date of enactment of the Carl D.
22 Perkins Career and Technical Education Improvement Act of 2006); divided by

23 (ii) $\frac{1}{2}$ of 1 percent of the amount appropriated under section 9 and not reserved under
24 paragraph (1) for the fiscal year for which the determination is made.

25 (D) DEFINITIONS.—In this paragraph:

26 (i) ADDITIONAL FUNDS.—The term “additional funds” means the amount by which—

27 (I) the sum appropriated under section 9 and not reserved under paragraph (1)
28 for a fiscal year; exceeds

29 (II) the sum of—

30 (aa) the amount allotted under paragraph (2) for fiscal year 2006 (as
31 such paragraph (2) was in effect on the day before the date of
32 enactment of the Carl D. Perkins Career and Technical Education
33 Improvement Act of 2006);

34 (bb) the amount reserved under paragraph (1)(C) for fiscal year 2006
35 (as such paragraph (1)(C) was so in effect); and

36 (cc) \$827,671.

1 (ii) QUALIFYING STATE.—The term “qualifying State” means a State (except the United
2 States Virgin Islands) that, for the fiscal year for which a determination under this
3 paragraph is made, would receive, under the allotment formula under paragraph (2)
4 (without the application of this paragraph and paragraphs (3) and (5)), an amount that
5 would be less than the amount the State would receive under subparagraph (A) for such
6 fiscal year.

7 (5) HOLD HARMLESS.—

8 (A) IN GENERAL.—~~No State~~ For each of fiscal years 2018, 2019, and 2020, no
9 State shall receive an allotment under this section for a fiscal year that is less than the allotment
10 the State received under part A of title I of the Carl D. Perkins Vocational and Applied
11 Technology Education Act (20 U.S.C. 2311 et seq.) (as such part was in effect on the day before
12 the date of enactment of the Carl D. Perkins Vocational and Applied Technology Education
13 Amendments of 1998) for fiscal year 1998.

14 (B) FISCAL YEAR 2021 AND EACH SUCCEEDING FISCAL
15 YEAR.—For fiscal year 2021 and each of the succeeding fiscal years,
16 no State shall receive an allotment under this section for a fiscal year
17 that is less than 90 percent of the allotment the State received under
18 this section for the preceding fiscal year.

19 (B) RATABLE REDUCTION.—If for any fiscal year the amount appropriated for allotments under
20 this section is insufficient to satisfy the provisions of ~~subparagraph (A)~~ subparagraph (A)
21 or (B), the payments to all States under such subparagraph shall be ratably reduced.

22 (b) REALLOTMENT.—If the Secretary determines that any amount of any State’s allotment under subsection (a) for
23 any fiscal year will not be required for such fiscal year for carrying out the activities for which such amount has
24 been allotted, the Secretary shall make such amount available for reallocation. Any such reallocation among other
25 States shall occur on such dates during the same year as the Secretary shall fix, and shall be made on the basis of
26 criteria established by regulation. No funds may be reallocated for any use other than the use for which the funds were
27 appropriated. Any amount reallocated to a State under this subsection for any fiscal year shall remain available for
28 obligation during the succeeding fiscal year and shall be deemed to be part of the State’s allotment for the year in
29 which the amount is obligated.

30 (c) ALLOTMENT RATIO.—

31 (1) IN GENERAL.—The allotment ratio for any State shall be 1.00 less the product of—

32 (A) 0.50; and

1 (B) the quotient obtained by dividing the per capita income for the State by the per capita income
2 for all the States (exclusive of the Commonwealth of Puerto Rico and the United States Virgin
3 Islands), except that—

4 (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40; and

5 (ii) the allotment ratio for the Commonwealth of Puerto Rico and the United States
6 Virgin Islands shall be 0.60.

7 (2) PROMULGATION.—The allotment ratios shall be promulgated by the Secretary for each fiscal year
8 between October 1 and December 31 of the fiscal year preceding the fiscal year for which the
9 determination is made. Allotment ratios shall be computed on the basis of the average of the appropriate
10 per capita incomes for the 3 most recent consecutive fiscal years for which satisfactory data are available.

11 (3) DEFINITION OF PER CAPITA INCOME.—For the purpose of this section, the term “per capita income”
12 means, with respect to a fiscal year, the total personal income in the calendar year ending in such year,
13 divided by the population of the area concerned in such year.

14 (4) POPULATION DETERMINATION.—For the purposes of this section, population shall be determined by the
15 Secretary on the basis of the latest estimates available to the Department of Education.

16 (d) DEFINITION OF STATE.—For the purpose of this section, the term “State” means each of the several States of the
17 United States, the District of Columbia, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

18
19 **SEC. 112. WITHIN STATE ALLOCATION.**

20 (a) IN GENERAL.—From the amount allotted to each State under section 111 for a fiscal year, the eligible agency
21 shall make available—

22 (1) not less than 85 percent for distribution under section 131 or 132, of which not more than 15

23 ~~percent~~ 40 percent of the 85 percent may be used in accordance with subsection (c);

24 (2) not more than 10 percent to carry out State leadership activities described in section 124, of which—

25 (A) an amount equal to not more than ~~1~~ 2 percent of the amount allotted to the State
26 under section 111 for the fiscal year shall be made available to serve individuals in State
27 institutions, such as ~~State correctional institutions and institutions~~ State correctional
28 institutions, juvenile justice facilities, and educational institutions that
29 serve individuals with disabilities; and

30 (B) not less than \$60,000 and not more than \$150,000 shall be ~~available for services~~ available
31 to assist eligible recipients in providing services that prepare individuals for
32 non-traditional fields; and

33 (3) an amount equal to not more than 5 percent, or \$250,000, whichever is greater, for administration of the
34 State plan, which may be used for the costs of—

35 (A) developing the State plan;

- (B) reviewing ~~a local plan~~ **local applications**;
- (C) monitoring and evaluating program effectiveness;
- (D) assuring compliance with all applicable Federal laws;
- (E) providing technical assistance; and
- (F) supporting and developing State data systems relevant to the provisions of this Act.

(b) MATCHING REQUIREMENT.—Each eligible agency receiving funds made available under subsection (a)(3) shall match, from non-Federal sources and on a dollar-for-dollar basis, the funds received under subsection (a)(3).

(c) RESERVE.—From amounts made available under subsection (a)(1) to carry out this subsection, an eligible agency may award grants to eligible recipients for career and technical education activities described in **section**

135—

~~section 135 in —~~

- ~~(1) rural areas;~~
- ~~(2) areas with high percentages of career and technical education students; and~~
- ~~(3) areas with high numbers of career and technical education students.~~

(1) in—

- (A) rural areas;**
- (B) areas with high percentages of CTE concentrators or CTE participants; and**
- (C) areas with high numbers of CTE concentrators of CTE participants; and**

(2) in order to—

- (A) foster innovation through the identification and promotion of promising and proven career and technical education programs, practices, and strategies, which may include practices and strategies that prepare individuals for nontraditional fields; or**
- (B) promote the development, implementation, and adoption of programs of study or career pathways aligned with State-identified in-demand occupations or industries.**

1 (a) PURPOSE.—The purpose of this section is to establish and support State and local performance accountability
2 systems, **comprising the activities** ~~comprised of the activities~~ described in this section, to assess the
3 effectiveness of the State and the eligible recipients of the State in achieving statewide progress in career and
4 technical education, and to optimize the return of investment of Federal funds in career and technical education
5 activities.

6 (b) STATE PERFORMANCE MEASURES.—

7 (1) IN GENERAL.—Each eligible agency, with input from eligible recipients, shall establish performance
8 measures for a State that consist of—

9 (A) the core indicators of performance described in subparagraphs (A) and (B) of paragraph (2);

10 ~~(B) any additional indicators of performance (if any) identified by the eligible agency under~~
11 ~~paragraph (2)(C); and~~

12 ~~(C) a State adjusted level of performance described in paragraph (3)(A) for each core indicator~~
13 ~~of performance, and State levels of performance described in paragraph (3)(B) for each additional~~
14 ~~indicator of performance.~~

15 ~~(2) INDICATORS OF PERFORMANCE.—~~

16 ~~(A) CORE INDICATORS OF PERFORMANCE FOR CAREER AND TECHNICAL EDUCATION STUDENTS AT THE SECONDARY LEVEL.—~~

17 ~~Each eligible agency shall identify in the State plan core indicators of performance for career and technical education~~
18 ~~students at the secondary level that are valid and reliable, and that include, at a minimum, measures of each of the~~
19 ~~following:~~

20 ~~(i) Student attainment of challenging academic content standards and student academic achievement standards, as~~
21 ~~adopted by a State in accordance with section 1111(b)(1) of the Elementary and Secondary Education Act of 1965~~
22 ~~and measured by the State determined proficient levels on the academic assessments described in section 1111(b)(3)~~
23 ~~of such Act.~~

24 ~~(ii) Student attainment of career and technical skill proficiencies, including student achievement on technical~~
25 ~~assessments, that are aligned with industry recognized standards, if available and appropriate.~~

26 ~~(iii) Student rates of attainment of each of the following:~~

27 ~~(I) A secondary school diploma.~~

28 ~~(II) A General Education Development (GED) credential, or other State recognized equivalent (including~~
29 ~~recognized alternative standards for individuals with disabilities).~~

30 ~~(III) A proficiency credential, certificate, or degree, in conjunction with a secondary school diploma (if such~~
31 ~~credential, certificate, or degree is offered by the State in conjunction with a secondary school diploma).~~

32 ~~(iv) Student graduation rates (as described in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education~~
33 ~~Act of 1965).~~

34 ~~(v) Student placement in postsecondary education or advanced training, in military service, or in employment.~~

35 ~~(vi) Student participation in and completion of career and technical education programs that lead to non-~~

36 ~~traditional fields.~~ **(2) INDICATORS OF PERFORMANCE.—**

1 (A) CORE INDICATORS OF PERFORMANCE FOR CTE
2 CONCENTRATORS AT THE SECONDARY LEVEL.— Each
3 eligible agency shall identify in the State plan core indicators of
4 performance for CTE concentrators at the secondary level that are
5 valid and reliable, and that include, at a minimum, measures of each
6 of the following:

7 (i) The percentage of CTE concentrators who graduate high
8 school, as measured by—

9 (I) the four-year adjusted cohort graduation rate (defined
10 in section 8101 of the Elementary and Secondary
11 Education Act of 1965 (20 U.S.C. 7801)); and

12 (II) at the State’s discretion, the extended-year adjusted
13 cohort graduation rate defined in such section 8101
14 (20 U.S.C. 7801).

15 (ii) CTE concentrator attainment of challenging State academic
16 standards adopted by the State under section 1111(b)(1) of
17 the Elementary and Secondary Education Act of 1965 (20
18 U.S.C. 6311(b)(1)), and measured by the academic
19 assessments described in Section 1111(b)(2) of such Act
20 (20 U.S.C. 6311(b)(2)).

21 (iii) The percentage of CTE concentrators who, in the second
22 quarter following the program year after exiting from
23 secondary education, are in postsecondary education or
24 advanced training, military service, or unsubsidized
25 employment.

26 (iv) Not less than one indicator of career and technical
27 education program quality that—

28 (I) shall include, not less than one of the following—

1 (aa) the percentage of CTE concentrators, as
2 defined in section 3(11)(A)(ii), graduating from
3 high school having attained recognized
4 postsecondary credentials;

5 (bb) the percentage of CTE concentrators, as
6 defined in section 3(11)(A)(ii), graduating from
7 high school having attained postsecondary credits
8 in the relevant career and technical educational
9 program or program of study earned through dual
10 and concurrent enrollment or another credit
11 transfer agreement; or

12 (cc) the percentage of CTE concentrators, as
13 defined in section 3(11)(A)(ii), graduating from
14 high school having participated in work-based
15 learning; and

16 (II) may include any other measure of student success
17 in career and technical education that is statewide,
18 valid, and reliable.

19 (v) The percentage of CTE concentrators, as defined in section
20 3(11)(A)(ii), in career and technical education programs
21 and programs of study that lead to nontraditional fields.

22 ~~(B) CORE INDICATORS OF PERFORMANCE FOR CAREER AND TECHNICAL EDUCATION STUDENTS AT THE POSTSECONDARY~~
23 ~~LEVEL.—Each eligible agency shall identify in the State plan core indicators of performance for career and technical~~
24 ~~education students at the postsecondary level that are valid and reliable, and that include, at a minimum, measures of~~
25 ~~each of the following:~~

26 ~~(i) Student attainment of challenging career and technical skill proficiencies, including student achievement on~~
27 ~~technical assessments, that are aligned with industry recognized standards, if available and appropriate.~~

28 ~~(ii) Student attainment of an industry recognized credential, a certificate, or a degree.~~

29 ~~(iii) Student retention in postsecondary education or transfer to a baccalaureate degree program.~~

1 ~~(iv) Student placement in military service or apprenticeship programs or placement or retention in employment,~~
2 ~~including placement in high skill, high wage, or high demand occupations or professions.~~

3 ~~(v) Student participation in, and completion of, career and technical education programs that lead to employment in~~
4 ~~non-traditional fields.~~

5 **(B) CORE INDICATORS OF PERFORMANCE FOR CTE**
6 **CONCENTRATORS AT THE POSTSECONDARY LEVEL.—** Each
7 eligible agency shall identify in the State plan core indicators of
8 performance for CTE concentrators at the postsecondary level that are
9 valid and reliable, and that include, at a minimum, measures of each
10 of the following:

11 (i) The percentage of CTE concentrators, who, during the
12 second quarter after program completion, are in education or
13 training activities, advanced training, or unsubsidized
14 employment.

15 (ii) The median earnings of CTE concentrators in unsubsidized
16 employment two quarters after program completion.

17 (iii) The percentage of CTE concentrators who receive a
18 recognized postsecondary credential during participation in or
19 within 1 year of program completion.

20 (iv) The percentage of CTE concentrators in career and
21 technical education programs and programs of study that lead to
22 non-traditional fields.

23 **(C) ALIGNMENT OF PERFORMANCE INDICATORS.—** In
24 developing core indicators of performance under subparagraphs
25 (A) and (B), an eligible agency shall, to the greatest extent
26 possible, align the indicators so that substantially similar
27 information gathered for other State and Federal programs, or for

1 any other purpose, may be used to meet the requirements of this
2 section.

3 ~~(C) ADDITIONAL INDICATORS OF PERFORMANCE.—An eligible agency, with input from eligible
4 recipients, may identify in the State plan additional indicators of performance for career and
5 technical education activities authorized under this title, such as attainment of self-sufficiency.~~

6 ~~(D) EXISTING INDICATORS.—If a State has developed, prior to the date of enactment of the Carl D.
7 Perkins Career and Technical Education Improvement Act of 2006, State career and technical
8 education performance measures that meet the requirements of this section (as amended by such
9 Act), the State may use such performance measures to measure the progress of career and
10 technical education students.~~

11 ~~(E) STATE ROLE.—Indicators of performance described in this paragraph shall be established solely
12 by each eligible agency with input from eligible recipients.~~

13 ~~(F) ALIGNMENT OF PERFORMANCE INDICATORS.—In the course of developing core indicators of
14 performance and additional indicators of performance, an eligible agency shall, to the greatest
15 extent possible, align the indicators so that substantially similar information gathered for other
16 State and Federal programs, or for any other purpose, is used to meet the requirements of this
17 section.~~

18 (3) STATE LEVELS OF PERFORMANCE.—

19 (A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE.—

20 (i) IN GENERAL.—Each eligible agency, with input from eligible recipients, shall establish
21 and identify in the State plan submitted under section 122, for the first 2
22 program years covered by the State plan, State levels of
23 performance for each of the core indicators of performance
24 described in subparagraphs (A) and (B) of paragraph (2) for
25 career and technical education activities authorized under this
26 title. The levels of performance established under this
27 subparagraph shall, at a minimum—

28 (I) be expressed in a percentage or numerical form, so as
29 to be objective, quantifiable, and measurable; and

30 (II) be sufficiently ambitious to allow for meaningful
31 evaluation of program quality.

1 levels of performance for each of the core indicators of performance described in
2 subparagraphs (A) and (B) of paragraph (2) for career and technical education activities
3 authorized under this title. The levels of performance established under this subparagraph
4 shall, at a minimum —

5 (I) be expressed in a percentage or numerical form, so as to be objective, quantifiable,
6 and measurable; and

7 (II) require the State to continually make progress toward improving the performance of
8 career and technical education students.

9 (ii) IDENTIFICATION IN THE STATE PLAN.— Subject to section 4, each eligible agency shall
10 identify, in the State plan submitted under section 122, levels of performance for each of
11 the core indicators of performance for the first 2 program years covered by the State plan.

12 (iii) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 2 YEARS.— The
13 Secretary and each eligible agency shall reach agreement on the levels of performance for
14 each of the core indicators of performance, for the first 2 program years covered by the
15 State plan, taking into account the levels identified in the State plan under clause (ii) and
16 the factors described in clause (vi). The levels of performance agreed to under this clause
17 shall be considered to be the State adjusted level of performance for the State for such
18 years and shall be incorporated into the State plan prior to the approval of such plan.

19 **(ii) STATE ADJUSTED LEVELS OF PERFORMANCE FOR**
20 **SUBSEQUENT YEARS.—** Prior to the third program year
21 covered by the State plan, each eligible agency shall revise the
22 State levels of performance for each of the core indicators of
23 performance for the subsequent program years covered by the
24 State plan, taking into account the extent to which such levels
25 of performance promote meaningful program improvement on
26 such indicators. The State adjusted levels of performance
27 identified under this clause shall be considered to be the State
28 adjusted levels of performance for the State for such years and
29 shall be incorporated into the State plan.

30 **(iii) REPORTING.—** The eligible agency shall, for each year
31 described in clauses (i) and (iii), publicly report and widely

1 disseminate the State levels of performance described in this
2 subparagraph.

3 (iv) REVISIONS.— If unanticipated circumstances arise in a
4 State, the eligible agency may revise the State adjusted levels of
5 performance required under this subparagraph, and submit such
6 revised levels of performance with evidence supporting the
7 revision and demonstrating public consultation, in a manner
8 consistent with the procedure described in subsections (d) and
9 (f) of section 122.

10 ~~(iv) ROLE OF THE SECRETARY.— The role of the Secretary in the agreement described in~~
11 ~~clauses (iii) and (v) is limited to reaching agreement on the percentage or number of~~
12 ~~students who attain the State adjusted levels of performance.~~

13 ~~(v) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.—~~
14 ~~Prior to the third and fifth program years covered by the State plan, the Secretary and~~
15 ~~each eligible agency shall reach agreement on the State adjusted levels of performance for~~
16 ~~each of the core indicators of performance for the corresponding subsequent program~~
17 ~~years covered by the State plan, taking into account the factors described in clause (vi).~~
18 ~~The State adjusted levels of performance agreed to under this clause shall be considered~~
19 ~~to be the State adjusted levels of performance for the State for such years and shall be~~
20 ~~incorporated into the State plan.~~

21 ~~(vi) FACTORS.— The agreement described in clause (iii) or (v) shall take into account —~~

22 ~~(I) how the levels of performance involved compare with the State adjusted~~
23 ~~levels of performance established for other States, taking into account factors~~
24 ~~including the characteristics of participants when the participants entered the~~
25 ~~program and the services or instruction to be provided; and~~

26 ~~(II) the extent to which such levels of performance promote continuous~~
27 ~~improvement on the indicators of performance by such State.~~

28 ~~(vii) REVISIONS.— If unanticipated circumstances arise in a State resulting in a significant~~
29 ~~change in the factors described in clause (vi), the eligible agency may request that the~~
30 ~~State adjusted levels of performance agreed to under clause (iii) or (v) be revised. The~~
31 ~~Secretary shall issue objective criteria and methods for making such revisions.~~

32 (B) ACTUAL LEVELS OF PERFORMANCE.— At the end of each
33 program year, the eligible agency shall determine actual levels of

1 performance on each of the core indicators of performance and
2 publicly report and widely disseminate the actual levels of
3 performance described in this subparagraph.

4 (C) ESTABLISHMENT OF LEVELS OF PERFORMANCE. — An
5 eligible agency shall establish State levels of performance under
6 subparagraph (A) in a manner consistent with the procedure adopted
7 by the eligible agency under section 122(d)(9).

8 ~~(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS. — Each eligible agency shall identify in~~
9 ~~the State plan State levels of performance for each of the additional indicators of performance~~
10 ~~described in paragraph (2)(C). Such levels shall be considered to be the State levels of~~
11 ~~performance for purposes of this title.~~

12
13 (4) LOCAL LEVELS OF PERFORMANCE. —

14 (A) LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE. —

15 (i) IN GENERAL. — Each eligible recipient shall agree to accept the State adjusted levels of
16 performance established under paragraph (3) as local adjusted levels of performances, or
17 negotiate with the State to reach agreement on new local adjusted levels of performance,
18 for each of the core indicators of performance described in subparagraphs (A) and (B) of
19 paragraph (2) for career and technical education activities authorized under this title. The
20 levels of performance established under this subparagraph shall, at a minimum—

21 (I) be expressed in a percentage or numerical form, **consistent with the**
22 **form expressed in the State levels, so as** ~~consistent with the State~~
23 ~~levels of performance established under paragraph (3), so as~~ to be objective,
24 quantifiable, and measurable; and

25 (II) **be sufficiently ambitious to allow for meaningful**
26 **evaluation of program quality.** ~~require the eligible recipient to~~
27 ~~continually make progress toward improving the performance of career and~~
28 ~~technical education students.~~

29 (ii) IDENTIFICATION IN THE LOCAL PLAN. — Each eligible recipient shall identify, in the local
30 plan submitted under section 134, levels of performance for each of the core indicators of
31 performance for the first 2 program years covered by the local plan.

32 (iii) AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 2 YEARS. — The
33 eligible agency and each eligible recipient shall reach agreement, as described in clause

1 (i), on the eligible recipient's levels of performance for each of the core indicators of
2 performance for the first 2 program years covered by the local plan, taking into account
3 the levels identified in the local plan under clause (ii) and the factors described in clause
4 (v). The levels of performance agreed to under this clause shall be considered to be the
5 local adjusted levels of performance for the eligible recipient for such years and shall be
6 incorporated into the local plan prior to the approval of such plan.

7 (iv) AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.—

8 Prior to the ~~third and fifth program years~~ **third program year** covered by the local
9 plan, the eligible agency and each eligible recipient shall reach agreement on the local
10 adjusted levels of performance for each of the core indicators of performance for the
11 ~~corresponding~~ subsequent program years covered by the local plan, taking into account
12 the factors described in clause (v). The local adjusted levels of performance agreed to
13 under this clause shall be considered to be the local adjusted levels of performance for the
14 eligible recipient for such years and shall be incorporated into the local plan.

15 (v) FACTORS.—The agreement described in clause (iii) or (iv) shall take into account—

16 (I) how the levels of performance involved compare with the local adjusted
17 levels of performance established for other eligible recipients in the State, taking
18 into account factors including the characteristics of participants when the
19 participants entered the program and the services or instruction to be provided;
20 ~~and~~

21 **(II) local economic conditions;**

22 **(III) the extent to which the local adjusted levels of performance advance**
23 **the eligible recipient's accomplishments of the goals set**
24 **forth in the local application; and** ~~promote continuous~~
25 ~~improvement on the core indicators of performance by the eligible recipient.~~

26 **(IV) the eligible recipient's ability and capacity to collect**
27 **and access valid, reliable, and cost effective data.**

28 (vi) REVISIONS.—If unanticipated circumstances arise with respect to an eligible recipient
29 resulting in a significant change in the factors described in clause (v) , **or changes**
30 **occur related to improvements in data or measurement**
31 **approaches**, the eligible recipient may request that the local adjusted levels of
32 performance agreed to under clause (iii) or (iv) be revised. The eligible agency shall issue
33 objective criteria and methods for making such revisions.

1 (vii) **REPORTING.**— The eligible recipient, shall, for each
2 year described in clauses (iii) and (iv), publicly report the local
3 levels of performance described in this subparagraph.

4 ~~(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—Each eligible recipient may identify,~~
5 ~~in the local plan, local levels of performance for any additional indicators of performance~~
6 ~~described in paragraph (2)(C). Such levels shall be considered to be the local levels of~~
7 ~~performance for purposes of this title.~~

8 ~~(B)~~ **LOCAL REPORT.**—

9 (i) **CONTENT OF REPORT.**—Each eligible recipient that receives an allocation described in
10 section 112 shall annually prepare and submit to the eligible agency a report, which shall
11 include the data described in clause (ii)(I), regarding the progress of such recipient in
12 achieving the local adjusted levels of performance on the core indicators of performance.

13 (ii) **DATA.**—Except as provided in clauses (iii) and (iv), each eligible recipient that
14 receives an allocation described in section 112 shall—

15 (I) disaggregate data for each of the indicators of performance under paragraph

16 (2) for the categories of students described in section 1111(h)(1)(C)(i) of the

17 Elementary and Secondary Education Act of 1965 and section 3(2940) that are
18 served under this Act; and

19 (II) identify and quantify any disparities or gaps in performance between any
20 such category of students and the performance of all students served by the
21 eligible recipient under this Act.

22 (iii) **NONDUPLICATION.**—The eligible agency shall ensure, in a manner that is consistent
23 with the actions of the Secretary under subsection (c)(3), that each eligible recipient does
24 not report duplicative information under this section.

25 (iv) **RULES FOR REPORTING OF DATA.**—The disaggregation of data under clause (ii) shall
26 not be required when the number of students in a category is insufficient to yield
27 statistically reliable information or when the results would reveal personally identifiable
28 information about an individual student.

29 (v) **AVAILABILITY.**—The report described in clause (i) shall be made available to the
30 public through a variety of formats, including electronically through the Internet.

31 (c) **STATE REPORT.**—

32 (1) **IN GENERAL.**—Each eligible agency that receives an allotment under section 111 shall annually prepare
33 and submit to the Secretary a report regarding—

34 (A) the progress of the State in achieving the State adjusted levels of performance on the core
35 indicators of performance; and

1 (B) ~~information on the levels of performance achieved by the State with respect to the additional~~
2 ~~indicators of performance, including the~~ **the** levels of performance for special populations.

3 (2) DATA.—Except as provided in paragraphs (3) and (4), each eligible agency that receives an allotment
4 under section 111 or 201 shall—

5 (A) disaggregate data for each of the indicators of performance under subsection (b)(2) for the
6 **subgroups** ~~categories~~ of students described in section 1111(h)(1)(C)(i) of the Elementary and
7 Secondary Education Act of 1965 and section 3(~~2940~~) that are served under this Act; and

8 (B) identify and quantify any disparities or gaps in performance between any such category of
9 students and the performance of all students served by the eligible agency under this Act, which
10 shall include a quantifiable description of the progress each such category of students served by
11 the eligible agency under this Act has made in meeting the State adjusted levels of performance.

12 (3) NONDUPLICATION.—The Secretary shall ensure that each eligible agency does not report duplicative
13 information under this section.

14 (4) RULES FOR REPORTING OF DATA.—The disaggregation of data under paragraph (2) shall not be required
15 when the number of students in a category is insufficient to yield statistically reliable information or when
16 the results would reveal personally identifiable information about an individual student.

17 (5) INFORMATION DISSEMINATION.—The Secretary—

18 (A) shall make the information contained in such reports available to the general public through a
19 variety of formats, including electronically through the Internet;

20 (B) shall disseminate State-by-State comparisons of the information; and

21 (C) shall provide the appropriate committees of Congress with copies of such reports.

22 **SEC. 114. NATIONAL ACTIVITIES.**

23 (a) PROGRAM PERFORMANCE INFORMATION.—

24
25 (1) IN GENERAL.—~~The Secretary shall~~ **The Secretary shall, in consultation with the Director of**
26 **the Institute for Education Sciences,** collect performance information about, and report on, the
27 condition of career and technical education and on the effectiveness of State and local programs, services, and
28 activities carried out under this title in order to provide the Secretary and Congress, as well as Federal, State, local,
29 and tribal agencies, with information relevant to improvement in the quality and effectiveness of career and
30 technical education. The Secretary shall report annually to Congress on the Secretary's aggregate analysis of
31 performance information collected each year pursuant to this title **from eligible agencies under section**
32 **113(c),** including an analysis of performance data regarding special populations.

33 (2) COMPATIBILITY.—The Secretary shall, to the extent feasible, ensure that the performance information
34 system is compatible with other Federal information systems.

35 ~~(3) ASSESSMENTS.—As a regular part of its assessments, the National Center for Education Statistics shall~~
36 ~~collect and report information on career and technical education for a nationally representative sample of~~
37 ~~students. Such assessment may include international comparisons in the aggregate.~~

38 ~~(b) MISCELLANEOUS PROVISIONS.—~~

~~(1) COLLECTION OF INFORMATION AT REASONABLE COST.—The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this title. To ensure reasonable cost, the Secretary, in consultation with the National Center for Education Statistics, the Office of Vocational and Adult Education, and an entity assisted under section 118 (if applicable), shall determine the methodology to be used and the frequency with which information is to be collected.~~

~~(2) COOPERATION OF STATES.—All eligible agencies receiving assistance under this Act shall cooperate with the Secretary in implementing the information systems developed pursuant to this Act.~~

(b) REASONABLE COST.—The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this title. To ensure reasonable cost, the Secretary, in consultation with the National Center for Education Statistics and the Office of Career, Technical, and Adult Education shall determine the methodology to be used and the frequency with which such information is to be collected.

(c) SINGLE PLAN FOR RESEARCH, DEVELOPMENT, DISSEMINATION, EVALUATION, AND ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall ~~may, directly or through grants, contracts, or cooperative agreements,~~ **directly or through grants** carry out research, development, dissemination, evaluation ~~and assessment,~~ capacity building, and technical assistance with regard to the career and technical education programs under this Act. The Secretary shall develop a single plan for such activities.

(2) PLAN.—Such plan shall—

(A) identify the career and technical education activities described in paragraph (1) that the Secretary will carry out under this section;

(B) describe how the Secretary, **acting through the Director of the Institute for Education Sciences,** will evaluate such career and technical education activities in accordance with subsection (d)(2); and

(C) include such other information as the Secretary, **in consultation with the Director of the Institute for Education Sciences,** determines to be appropriate.

(d) ADVISORY PANEL; EVALUATION; REPORTS.—

(1) INDEPENDENT ADVISORY PANEL.—

(A) IN GENERAL.—The Secretary, acting through the Director of the Institute for Education Sciences, shall appoint an independent advisory panel to advise the Secretary on the implementation of the ~~assessment~~ **evaluation** described in paragraph (2) **and the plan developed under subsection (c),** including the issues to be addressed and the methodology of the studies involved to ensure that the ~~assessment~~ **evaluation** adheres to the highest standards of quality.

(B) MEMBERS.—The advisory panel shall consist of—

1 (i) educators, administrators, State directors of career and technical education, and chief
2 executives, including those with expertise in the integration of academic and career and
3 technical education;

4 (ii) experts in evaluation, research, and assessment;

5 (iii) representatives of labor organizations and businesses, including small businesses,
6 economic development entities, and workforce investment entities;

7 (iv) parents;

8 (v) career guidance and academic counseling professionals~~;~~~~and~~;

9 (vi) other individuals and intermediaries with relevant expertise~~;~~ **which may**
10 **include individuals with expertise in addressing inequities in**
11 **access to, and in opportunities for academic and technical skill**
12 **attainment; and**

13 **(vii) representatives of special populations.**

14 (C) INDEPENDENT ANALYSIS.—The advisory panel shall transmit to the Secretary, the relevant
15 committees of Congress, and the Library of Congress an independent analysis of the findings and
16 recommendations resulting from the assessment described in paragraph (2).

17 (D) FACAs.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel
18 established under this paragraph.

19 (2) EVALUATION ~~AND ASSESSMENT~~.—

20 (A) IN GENERAL.—From amounts made available under subsection (e), the Secretary, **acting**
21 **through the Director of the Institute for Education Sciences**, shall provide
22 for the conduct of ~~an independent evaluation and assessment~~ **a series of research and**
23 **evaluation initiatives for each year for which funds are appropriated to**
24 **carry out this Act, which are aligned with the plan in subsection**
25 **(c)(2)**, of career and technical education programs under this Act, including the implementation
26 of the ~~Carl D. Perkins Career and Technical Education Improvement Act of 2006~~
27 **Strengthening Career and Technical Education for the 21st Century**
28 **Act**, to the extent practicable, through studies and analyses conducted independently through
29 grants~~, contracts, and cooperative agreements~~ **that are to institutions of higher**
30 **education or a consortia of one or more institutions of higher**
31 **education and one or more private nonprofit organizations or agencies**
32 awarded on a competitive basis. **Such evaluation shall, whenever possible, use**
33 **the most recent data available.**

34 (B) CONTENTS.—~~The assessment required under subparagraph (A) shall include descriptions and~~
35 ~~evaluations of—~~

36 ~~(i) the extent to which State, local, and tribal entities have developed, implemented, or~~
37 ~~improved State and local career and technical education programs assisted under this Act;~~

1 ~~(ii) the preparation and qualifications of teachers and faculty of career and technical~~
2 ~~education (such as meeting State-established teacher certification or licensing~~
3 ~~requirements), as well as shortages of such teachers and faculty;~~
4 ~~(iii) academic and career and technical education achievement and employment outcomes~~
5 ~~of career and technical education, including analyses of—~~
6 ~~(I) the extent and success of the integration of rigorous and challenging~~
7 ~~academic and career and technical education for students participating in career~~
8 ~~and technical education programs, including a review of the effect of such~~
9 ~~integration on the academic and technical proficiency achievement of such~~
10 ~~students (including the number of such students receiving a secondary school~~
11 ~~diploma); and~~
12 ~~(II) the extent to which career and technical education programs prepare~~
13 ~~students, including special populations, for subsequent employment in high skill,~~
14 ~~high wage occupations (including those in which mathematics and science skills~~
15 ~~are critical), or for participation in postsecondary education;~~
16 ~~(iv) employer involvement in, and satisfaction with, career and technical education~~
17 ~~programs and career and technical education students' preparation for employment;~~
18 ~~(v) the participation of students in career and technical education programs;~~
19 ~~(vi) the use of educational technology and distance learning with respect to career and~~
20 ~~technical education and tech prep programs; and~~
21 ~~(vii) the effect of State and local adjusted levels of performance and State and local levels~~
22 ~~of performance on the delivery of career and technical education services, including the~~
23 ~~percentage of career and technical education and tech prep students meeting the adjusted levels of~~
24 ~~performance described in section 113.~~

25 **(B) CONTENTS.—**The evaluation required under subparagraph (A)
26 shall include descriptions and evaluations of—

27 (i) the extent and success of the integration of challenging State
28 academic standards adopted under 1111(b)(1) of the
29 Elementary and Secondary Education Act of 1965 (20 U.S.C.
30 6311(b)(1)) and career and technical education for students
31 participating in career and technical education programs,
32 including a review of the effect of such integration on the
33 academic and technical proficiency achievement of such
34 students (including the number of such students that receive a
35 regular high school diploma, as such term is defined under
36 section 8101 of the Elementary and Secondary Education Act
37 of 1965 or a State-defined alternative diploma described in

- 1 section 8101(25)(A)(ii)(I)(bb) of such Act (20 U.S.C.
2 7801(25)(A)(ii)(I)(bb));
3 (ii) the extent to which career and technical education programs
4 and programs of study prepare students, including special
5 populations, for subsequent employment in high-skill, high-
6 wage occupations (including those in which mathematics and
7 science, which may include computer science, skills are
8 critical), or for participation in postsecondary education;
9 (iii) employer involvement in, benefit from, and satisfaction
10 with, career and technical education programs and programs of
11 study and career and technical education students' preparation
12 for employment;
13 (iv) efforts to expand access to career and technical education
14 programs of study for all students;
15 (v) innovative approaches to work-based learning programs that
16 increase participation and alignment with employment in high-
17 growth industries, including in rural and low-income areas;
18 (vi) the extent to which career and technical education
19 programs supported by this Act are grounded on evidence-
20 based research;
21 (vii) the impact of the amendments to this Act made under the
22 Strengthening Career and Technical Education for the 21st
23 Century Act, including comparisons, where appropriate, of—
24 (I) the use of the comprehensive needs assessment under
25 section 134(b);
26 (II) the implementation of programs of study; and
27 (III) coordination of planning and program delivery with
28 other relevant laws, including the Workforce Innovation
29 and Opportunity Act (29 U.S.C. 3101 et seq.) and the
30 Elementary and Secondary Education Act of 1965 (20
31 U.S.C. 6301 et seq.);
32 (viii) changes in career and technical education program
33 accountability as described in section 113 and any effects of
34 such changes on program delivery and program quality; and
35 (ix) changes in student enrollment patterns.

36 (C) REPORTS.—

- 37 (i) IN GENERAL.—The Secretary, in consultation with the Director of the
38 Institute for Education Sciences, shall submit to the relevant committees of
39 Congress—

1 (I) an interim report regarding the ~~assessment~~ **evaluation and summary**
2 **of research activities carried out under this section** on or
3 before January 1, ~~2010-2021~~; and
4 (II) a final report, summarizing all studies and analyses that relate to the
5 ~~assessment~~ **evaluation and summary of research activities**
6 **carried out under this section** and that are completed after the interim
7 report, on or before July 1, ~~2011-2023~~.

8 (ii) PROHIBITION.—Notwithstanding any other provision of law, the reports required by
9 this subsection shall not be subject to any review outside the Department of Education
10 before their transmittal to the relevant committees of Congress and the Secretary, but the
11 President, the Secretary, and the independent advisory panel established under paragraph
12 (1) may make such additional recommendations to Congress with respect to the
13 assessment as the President, the Secretary, or the panel determine to be appropriate.

14 **(iii) DISSEMINATION.—In addition to submitting the reports**
15 **required under clause (i), the Secretary shall disseminate the**
16 **results of the evaluation widely and on a timely basis in order to**
17 **increase the understanding among State and local officials and**
18 **educators of the effectiveness of programs and activities**
19 **supported under the Act and of the career and technical**
20 **education programs that are most likely to produce positive**
21 **educational and employment outcomes.**

22 ~~(3) COLLECTION OF STATE INFORMATION AND REPORT.—~~

23 ~~(A) IN GENERAL.—The Secretary may collect and disseminate information from States regarding~~
24 ~~State efforts to meet State adjusted levels of performance described in section 113(b).~~

25 ~~(B) REPORT.—The Secretary shall gather any information collected pursuant to subparagraph (A)~~
26 ~~and submit a report to the relevant committees in Congress.~~

27 ~~(4) RESEARCH.—~~

28 ~~(A) IN GENERAL.—From amounts made available under subsection (c), the Secretary, after~~
29 ~~consulting with the States, shall award a grant, contract, or cooperative agreement, on a~~
30 ~~competitive basis, to an institution of higher education, a public or private nonprofit organization~~
31 ~~or agency, or a consortium of such institutions, organizations, or agencies to establish a national~~
32 ~~research center—~~

33 ~~(i) to carry out scientifically based research and evaluation for the purpose of developing,~~
34 ~~improving, and identifying the most successful methods for addressing the education,~~
35 ~~employment, and training needs of participants, including special populations, in career~~
36 ~~and technical education programs, including research and evaluation in such activities~~
37 ~~as—~~

38 ~~(I) the integration of—~~

39 ~~(aa) career and technical instruction; and~~

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~~(bb) academic, secondary and postsecondary instruction;~~
~~(II) education technology and distance learning approaches and strategies that are effective with respect to career and technical education;~~
~~(III) State adjusted levels of performance and State levels of performance that serve to improve career and technical education programs and student achievement;~~
~~(IV) academic knowledge and career and technical skills required for employment or participation in postsecondary education; and~~
~~(V) preparation for occupations in high skill, high wage, or high demand business and industry, including examination of—~~
~~(aa) collaboration between career and technical education programs and business and industry; and~~
~~(bb) academic and technical skills required for a regional or sectoral workforce, including small business;~~
~~(ii) to carry out scientifically based research and evaluation to increase the effectiveness and improve the implementation of career and technical education programs that are integrated with coherent and rigorous content aligned with challenging academic standards, including conducting research and development, and studies, that provide longitudinal information or formative evaluation with respect to career and technical education programs and student achievement;~~
~~(iii) to carry out scientifically based research and evaluation that can be used to improve the preparation and professional development of teachers, faculty, and administrators, and to improve student learning in the career and technical education classroom, including—~~
~~(I) effective in-service and preservice teacher and faculty education that assists career and technical education programs in—~~
~~(aa) integrating those programs with academic content standards and student academic achievement standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and~~
~~(bb) coordinating technical education with industry recognized certification requirements;~~
~~(II) dissemination and training activities related to the applied research and demonstration activities described in this subsection, which may also include serving as a repository for information on career and technical skills, State academic standards, and related materials; and~~

~~(III) the recruitment and retention of career and technical education teachers, faculty, counselors, and administrators, including individuals in groups underrepresented in the teaching profession; and~~

~~(iv) to carry out such other research and evaluation, consistent with the purposes of this Act, as the Secretary determines appropriate to assist State and local recipients of funds under this Act.~~

~~(B) REPORT.—The center conducting the activities described in subparagraph (A) shall annually prepare a report of the key research findings of such center and shall submit copies of the report to the Secretary, the relevant committees of Congress, the Library of Congress, and each eligible agency.~~

~~(C) DISSEMINATION.—The center shall conduct dissemination and training activities based upon the research described in subparagraph (A).~~

(3) INNOVATION.—

(A) GRANT PROGRAM.—To identify and support evidence-based and innovative strategies and activities to improve career and technical education and align workforce skills with labor market needs as part of the plan developed under subsection (c) and the requirements of this subsection, the Secretary may award grants to eligible entities to—

(i) create, develop, implement, or take to scale evidence-based, field initiated innovations, including through a pay for success initiative, to improve student outcomes in career and technical education; and

(ii) rigorously evaluate such innovations.

(B) MATCHING FUNDS.—

(i) **MATCHING FUNDS REQUIRED.—**Except as provided under clause (ii), to receive a grant under this paragraph, an eligible entity shall, through cash or in-kind contributions, provide matching funds from public or private sources in an amount equal to at least 50 percent of the funds provided under such grant.

(ii) **EXCEPTION.—**The Secretary may waive the matching fund requirement under clause (i) if the eligible entity demonstrates exceptional circumstances.

(C) APPLICATION.—To receive a grant under this paragraph, an eligible entity shall submit to the Secretary at such a time as the Secretary may require, an application that—

- 1 (i) identifies and designates the agency, institution, or school
- 2 responsible for the administration and supervision of the
- 3 program assisted under this paragraph;
- 4 (ii) identifies the source and amount of the matching funds
- 5 required under subparagraph (B)(i);
- 6 (iii) describes how the eligible entity will use the grant funds,
- 7 including how such funds will directly benefit students,
- 8 including special populations, served by the eligible entity;
- 9 (iv) describes how the program assisted under this paragraph
- 10 will be coordinated with the activities carried out under sections
- 11 124 or 135;
- 12 (v) describes how the program assisted under this paragraph
- 13 aligns with the single plan described in subsection (c); and
- 14 (vi) describes how the program assisted under this paragraph
- 15 will be evaluated and how that evaluation may inform the report
- 16 described in subsection (d)(2)(C).

17 (D) PRIORITY.—In awarding grants under this paragraph, the Secretary

18 shall give priority to applications from eligible entities that will

19 predominantly serve students from low-income families.

20 (E) GEOGRAPHIC DIVERSITY.—

- 21 (i) IN GENERAL.—In awarding grants under this paragraph,
- 22 the Secretary shall award no less than 25 percent of the total
- 23 available funds for any fiscal year to eligible entities proposing
- 24 to fund career and technical education activities that serve—
 - 25 (I) a local educational agency with an urban-centric
 - 26 district locale code of 32, 33, 41, 42, or 43, as determined
 - 27 by the Secretary;
 - 28 (II) an institution of higher education primarily serving
 - 29 the one or more areas served by such a local educational
 - 30 agency;
 - 31 (III) a consortium of such local educational agencies or
 - 32 such institutions of higher education;
 - 33 (IV) a partnership between—
 - 34 (aa) an educational service agency or a nonprofit
 - 35 organization; and
 - 36 (bb) such a local educational agency or such an
 - 37 institution of higher education; or
 - 38 (V) a partnership between—
 - 39 (aa) a grant recipient described in subclause (I) or
 - 40 (II); and

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- (bb) a State educational agency.
- (ii) EXCEPTION.—Notwithstanding clause (i), the Secretary shall reduce the amount of funds made available under such clause if the Secretary does not receive a sufficient number of applications of sufficient quality.
- (F) USES OF FUNDS.—An eligible entity that is awarded a grant under this paragraph shall use the grant funds, in a manner consistent with subparagraph (A)(i), to—
 - (i) improve career and technical education outcomes of students served by eligible entities under this title;
 - (ii) improve career and technical education teacher effectiveness;
 - (iii) improve the transition of students from secondary education to postsecondary education or employment;
 - (iv) improve the incorporation of comprehensive work-based learning into career and technical education;
 - (v) increase the effective use of technology within career and technical education programs;
 - (vi) support new models for integrating academic content and career and technical education content in such programs;
 - (vii) support the development and enhancement of innovative delivery models for career and technical education;
 - (viii) work with industry to design and implement courses or programs of study aligned to labor market needs in new or emerging fields;
 - (ix) integrate science, technology, engineering, and mathematics fields, including computer science education, with career and technical education;
 - (x) support innovative approaches to career and technical education by redesigning the high school experience for students, which may include evidence-based transitional support strategies for students who have not met postsecondary education eligibility requirements;
 - (xi) improve CTE concentrator employment outcomes in non-traditional fields; or
 - (xii) support the use of career and technical education programs and programs of study in a coordinated strategy to address identified employer needs and workforce shortages, such as shortages in the early childhood, elementary school, and secondary school education workforce.

1 (G) EVALUATION.—Each eligible entity receiving a grant under
2 this paragraph shall provide for an independent evaluation of the
3 activities carried out using such grant and submit to the Secretary an
4 annual report that includes—

5 (i) a description of how funds received under this paragraph
6 were used;

7 (ii) the performance of the eligible entity with respect to, at a
8 minimum, the performance indicators described under section
9 113, as applicable, and disaggregated by—

10 (I) subgroups of students described in section
11 1111(c)(2)(B) of the Elementary and Secondary
12 Education Act of 1965 (20 U.S.C. 6311(c)(2)(B));

13 (II) special populations; and

14 (III) as appropriate, each career and technical education
15 program and program of study; and

16 (iii) a quantitative analysis of the effectiveness of the project
17 carried out under this paragraph.
18

19 ~~(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums
20 as may be necessary for each of fiscal years 2007 through 2012.~~

21 (e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated
22 to carry out this section—

23 (1) \$7,523,285 for fiscal year 2018;

24 (2) \$7,626,980 for fiscal year 2019;

25 (3) \$7,732,104 for fiscal year 2020;

26 (4) \$7,838,677 for fiscal year 2021;

27 (5) \$7,946,719 for fiscal year 2022; and

28 (6) \$8,056,251 for fiscal year 2023.
29

30 SEC. 115. ASSISTANCE FOR THE OUTLYING AREAS.

31 (a) OUTLYING AREAS.—From funds reserved pursuant to section 111(a)(1)(A), the Secretary shall—

32 (1) make a grant in the amount of \$660,000 to Guam;

33 (2) make a grant in the amount of \$350,000 to each of American Samoa and the Commonwealth of the
34 Northern Mariana Islands; and

35 (3) make a grant of \$160,000 to the Republic of Palau, ~~subject to subsection (d)~~ **subject to**
36 **subsection (b).**

37 ~~(b) REMAINDER.—~~

38 ~~(1) FIRST YEAR.—Subject to subsection (a), for the first fiscal year following the date of enactment of the~~
39 ~~Carl D. Perkins Career and Technical Education Improvement Act of 2006, the Secretary shall make a~~
40 ~~grant of the remainder of funds reserved pursuant to section 111(a)(1)(A) to the Pacific Region Educational~~

~~Laboratory in Honolulu, Hawaii, to make grants for career and technical education and training in Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, for the purpose of providing direct career and technical educational services, including—~~

~~(A) teacher and counselor training and retraining;~~

~~(B) curriculum development; and~~

~~(C) the improvement of career and technical education and training programs in secondary schools and institutions of higher education, or improving cooperative education programs involving secondary schools and institutions of higher education.~~

~~(2) SUBSEQUENT YEARS.—Subject to subsection (a), for the second fiscal year following the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, and each subsequent year, the Secretary shall make a grant of the remainder of funds reserved pursuant to section 111(a)(1)(A) and subject to subsection (a), in equal proportion, to each of Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be used to provide direct career and technical educational services as described in subparagraphs (A) through (C) of paragraph (1).~~

~~(e) LIMITATION.—The Pacific Region Educational Laboratory may use not more than 5 percent of the funds received under subsection (b)(1) for administrative costs.~~

~~(b) RESTRICTION.—The Republic of Palau shall cease to be eligible to receive funding under this section upon entering into an agreement for an extension of United States educational assistance under the Compact of Free Association, unless otherwise provided in such agreement.~~

SEC. 116. NATIVE AMERICAN PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) ALASKA NATIVE.—The term “Alaska Native” means a Native as such term is defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(2) BUREAU-FUNDED SCHOOL.—The term “Bureau-funded school” has the meaning given the term in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021).

(3) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION.—The terms “Indian”, “Indian tribe”, and “tribal organization” have the meanings given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) NATIVE HAWAIIAN.—The term “Native Hawaiian” means any individual any of whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.

(5) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” has the meaning given the term in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517).

(b) PROGRAM AUTHORIZED.—

(1) AUTHORITY.—From funds reserved under section 111(a)(1)(B)(i), the Secretary shall make grants to or enter into contracts with Indian tribes, tribal organizations, and Alaska Native entities to carry out the authorized programs described in subsection (c), except that such grants or contracts shall not be awarded to secondary school programs in Bureau-funded schools.

PLEASE DO NOT DISTRIBUTE

1 (2) INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—The grants or contracts described in this section that are
2 awarded to any Indian tribe or tribal organization shall be subject to the terms and conditions of section 102
3 of the Indian Self-Determination Act (25 U.S.C. 450f) and shall be conducted in accordance with the
4 provisions of sections 4, 5, and 6 of the Act of April 16, 1934 (25 U.S.C. 455–457), which are relevant to
5 the programs administered under this subsection.

6 (3) SPECIAL AUTHORITY RELATING TO SECONDARY SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN
7 AFFAIRS.— An Indian tribe, a tribal organization, or an Alaska Native entity, that receives funds through a
8 grant made or contract entered into under paragraph (1) may use the funds to provide assistance to a
9 secondary school operated or supported by the Bureau of Indian Affairs to enable such school to carry out
10 career and technical education programs.

11 (4) MATCHING.—If sufficient funding is available, the Bureau of Indian Affairs shall expend an amount
12 equal to the amount made available under this subsection, relating to programs for Indians, to pay a part of
13 the costs of programs funded under this subsection. During each fiscal year the Bureau of Indian Affairs
14 shall expend not less than the amount expended during the prior fiscal year on career and technical
15 education programs, services, and technical activities administered directly by, or under contract with, the
16 Bureau of Indian Affairs, except that in no year shall funding for such programs, services, and activities be
17 provided from accounts and programs that support other Indian education programs. The Secretary and the
18 Assistant Secretary of the Interior for Indian Affairs shall prepare jointly a plan for the expenditure of funds
19 made available and for the evaluation of programs assisted under this subsection. Upon the completion of a
20 joint plan for the expenditure of the funds and the evaluation of the programs, the Secretary shall assume
21 responsibility for the administration of the program, with the assistance and consultation of the Bureau of
22 Indian Affairs.

23 (5) REGULATIONS.—If the Secretary promulgates any regulations applicable to paragraph (2), the Secretary
24 shall—

25 (A) confer with, and allow for active participation by, representatives of Indian tribes, tribal
26 organizations, and individual tribal members; and

27 (B) promulgate the regulations under subchapter III of chapter 5 of title 5, United States Code,
28 commonly known as the “Negotiated Rulemaking Act of 1990”.

29 (6) APPLICATION.—Any Indian tribe, tribal organization, or Bureau-funded school eligible to receive
30 assistance under this subsection may apply individually or as part of a consortium with another such Indian
31 tribe, tribal organization, or Bureau-funded school.

32 (c) AUTHORIZED ACTIVITIES.—

33 (1) AUTHORIZED PROGRAMS.—Funds made available under this section shall be used to carry out career and
34 technical education programs consistent with the purpose of this Act.

35 (2) STIPENDS.—

1 (A) IN GENERAL.—Funds received pursuant to grants or contracts awarded under subsection (b)
2 may be used to provide stipends to students who are enrolled in career and technical education
3 programs and who have acute economic needs which cannot be met through work-study programs.

4 (B) AMOUNT.—Stipends described in subparagraph (A) shall not exceed reasonable amounts as
5 prescribed by the Secretary.

6 (d) GRANT OR CONTRACT APPLICATION.—In order to receive a grant or contract under this section, an organization,
7 tribe, or entity described in subsection (b) shall submit an application to the Secretary that shall include an assurance
8 that such organization, tribe, or entity shall comply with the requirements of this section.

9 (e) RESTRICTIONS AND SPECIAL CONSIDERATIONS.—The Secretary may not place upon grants awarded or contracts
10 entered into under subsection (b) any restrictions relating to programs other than restrictions that apply to grants
11 made to or contracts entered into with States pursuant to allotments under section 111(a). The Secretary, in awarding
12 grants and entering into contracts under this section, shall ensure that the grants and contracts will improve career
13 and technical education programs, and shall give special consideration to—

14 (1) programs that involve, coordinate with, or encourage tribal economic development plans; and

15 (2) applications from tribally controlled colleges or universities that—

16 (A) are accredited or are candidates for accreditation by a nationally recognized accreditation
17 organization as an institution of postsecondary career and technical education; or

18 (B) operate career and technical education programs that are accredited or are candidates for
19 accreditation by a nationally recognized accreditation organization, and issue certificates for
20 completion of career and technical education programs.

21 (f) CONSOLIDATION OF FUNDS.—Each organization, tribe, or entity receiving assistance under this section may
22 consolidate such assistance with assistance received from related programs in accordance with the provisions of the
23 Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 et seq.).

24 (g) NONDUPLICATIVE AND NONEXCLUSIVE SERVICES.—Nothing in this section shall be construed—

25 (1) to limit the eligibility of any organization, tribe, or entity described in subsection (b) to participate in
26 any activity offered by an eligible agency or eligible recipient under this title; or

27 (2) to preclude or discourage any agreement, between any organization, tribe, or entity described in
28 subsection (b) and any eligible agency or eligible recipient, to facilitate the provision of services by such
29 eligible agency or eligible recipient to the population served by such eligible agency or eligible recipient.

30 (h) NATIVE HAWAIIAN PROGRAMS.—From the funds reserved pursuant to section 111(a)(1)(B)(ii), the Secretary shall
31 award grants to or enter into contracts with community-based organizations primarily serving and representing
32 Native Hawaiians to plan, conduct, and administer programs, or portions thereof, which are authorized by and
33 consistent with the provisions of this section for the benefit of Native Hawaiians.

34 **SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.**

35 (a) GRANT PROGRAM.—Subject to the availability of appropriations, the Secretary shall make grants under this
36 section, to provide basic support for the education and training of Indian students, to tribally controlled
37

1 postsecondary career and technical institutions that are not receiving Federal assistance as of the date on which the
2 grant is provided under—

3 (1) title I of the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1802 et
4 seq.); or

5 (2) the Navajo Community College Act (25 U.S.C. 640a et seq.).

6 (b) USES OF GRANTS.—Amounts made available under this section shall be used for career and technical education
7 programs for Indian students and for the institutional support costs of the grant, including the expenses described in
8 subsection (e).

9 (c) AMOUNT OF GRANTS.—

10 (1) IN GENERAL.—If the sums appropriated for any fiscal year for grants under this section are not sufficient
11 to pay in full the total amount which approved applicants are eligible to receive under this section for such
12 fiscal year, the Secretary shall first allocate to each such applicant who received funds under this part for
13 the preceding fiscal year an amount equal to 100 percent of the product of the per capita payment for the
14 preceding fiscal year and such applicant's Indian student count for the current program year, plus an
15 amount equal to the actual cost of any increase to the per capita figure resulting from inflationary increases
16 to necessary costs beyond the institution's control.

17 (2) PER CAPITA DETERMINATION.—For the purposes of paragraph (1), the per capita payment for any fiscal
18 year shall be determined by dividing the amount available for grants to tribally controlled postsecondary
19 career and technical institutions under this section for such program year by the sum of the Indian student
20 counts of such institutions for such program year. The Secretary shall, on the basis of the most accurate
21 data available from the institutions, compute the Indian student count for any fiscal year for which such
22 count was not used for the purpose of making allocations under this section.

23 (3) INDIRECT COSTS.—Notwithstanding any other provision of law or regulation, the Secretary shall not
24 require the use of a restricted indirect cost rate for grants issued under this section.

25 (d) APPLICATIONS.—To be eligible to receive a grant under this section, a tribally controlled postsecondary career
26 and technical institution that is not receiving Federal assistance under title I of the Tribally Controlled Colleges and
27 Universities Assistance Act of 1978 (25 U.S.C. 1802 et seq.) or the Navajo Community College Act (25 U.S.C. 640a
28 et seq.) shall submit to the Secretary an application at such time, in such manner, and containing such information as
29 the Secretary may require.

30 (e) EXPENSES.—

31 (1) IN GENERAL.—The Secretary shall, subject to the availability of appropriations, provide for each
32 program year to each tribally controlled postsecondary career and technical institution having an
33 application approved by the Secretary, an amount necessary to pay expenses associated with—

34 (A) the maintenance and operation of the program, including development costs, costs of basic and
35 special instruction (including special programs for individuals with disabilities and academic
36 instruction), materials, student costs, administrative expenses, boarding costs, transportation,

1 student services, daycare and family support programs for students and their families (including
2 contributions to the costs of education for dependents), and student stipends;

3 (B) capital expenditures, including operations and maintenance, and minor improvements and
4 repair, and physical plant maintenance costs, for the conduct of programs funded under this
5 section;

6 (C) costs associated with repair, upkeep, replacement, and upgrading of the instructional
7 equipment; and

8 (D) institutional support of career and technical education.

9 (2) ACCOUNTING.—Each institution receiving a grant under this section shall provide annually to the
10 Secretary an accurate and detailed accounting of the institution’s operating and maintenance expenses and
11 such other information concerning costs as the Secretary may reasonably require.

12 (f) OTHER PROGRAMS.—

13 (1) IN GENERAL.—Except as specifically provided in this Act, eligibility for assistance under this section
14 shall not preclude any tribally controlled postsecondary career and technical institution from receiving
15 Federal financial assistance under any program authorized under the Higher Education Act of 1965, or
16 under any other applicable program for the benefit of institutions of higher education or career and
17 technical education.

18 (2) PROHIBITION ON ALTERATION OF GRANT AMOUNT.—The amount of any grant for which tribally controlled
19 postsecondary career and technical institutions are eligible under this section shall not be altered because of
20 funds allocated to any such institution from funds appropriated under the Act of November 2, 1921
21 (commonly known as the “Snyder Act”) (25 U.S.C. 13).

22 (3) PROHIBITION ON CONTRACT DENIAL.—No tribally controlled postsecondary career and technical
23 institution for which an Indian tribe has designated a portion of the funds appropriated for the tribe from
24 funds appropriated under the Act of November 2, 1921 (25 U.S.C. 13), may be denied a contract for such
25 portion under the Indian Self-Determination and Education Assistance Act (except as provided in that Act),
26 or denied appropriate contract support to administer such portion of the appropriated funds.

27 (g) COMPLAINT RESOLUTION PROCEDURE.—The Secretary shall establish (after consultation with tribally controlled
28 postsecondary career and technical institutions) a complaint resolution procedure for grant determinations and
29 calculations under this section for tribally controlled postsecondary career and technical institutions.

30 (h) DEFINITIONS.—In this section:

31 (1) INDIAN; INDIAN TRIBE.—The terms “Indian” and “Indian tribe” have the meanings given the terms in
32 section 2 of the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801).

33 (2) INDIAN STUDENT COUNT.—

34 (A) IN GENERAL.—The term “Indian student count” means a number equal to the total number of
35 Indian students enrolled in each tribally controlled postsecondary career and technical institution,
36 as determined in accordance with subparagraph (B).

37 (B) DETERMINATION.—

1 (i) ENROLLMENT.—For each academic year, the Indian student count shall be determined
2 on the basis of the enrollments of Indian students as in effect at the conclusion of—

3 (I) in the case of the fall term, the third week of the fall term; and

4 (II) in the case of the spring term, the third week of the spring term.

5 (ii) CALCULATION.—For each academic year, the Indian student count for a tribally
6 controlled postsecondary career and technical institution shall be the quotient obtained by
7 dividing—

8 (I) the sum of the credit hours of all Indian students enrolled in the tribally
9 controlled postsecondary career and technical institution (as determined under
10 clause (i)); by

11 (II) 12.

12 (iii) SUMMER TERM.—Any credit earned in a class offered during a summer term shall be
13 counted in the determination of the Indian student count for the succeeding fall term.

14 (iv) STUDENTS WITHOUT SECONDARY SCHOOL DEGREES.—

15 (I) IN GENERAL.—A credit earned at a tribally controlled postsecondary career
16 and technical institution by any Indian student that has not obtained a secondary
17 school degree (or the recognized equivalent of such a degree) shall be counted
18 toward the determination of the Indian student count if the institution at which
19 the student is enrolled has established criteria for the admission of the student on
20 the basis of the ability of the student to benefit from the education or training of
21 the institution.

22 (II) PRESUMPTION.—The institution shall be presumed to have established the
23 criteria described in subclause (I) if the admission procedures for the institution
24 include counseling or testing that measures the aptitude of a student to
25 successfully complete a course in which the student is enrolled.

26 (III) CREDITS TOWARD SECONDARY SCHOOL DEGREE.— No credit earned by an
27 Indian student for the purpose of obtaining a secondary school degree (or the
28 recognized equivalent of such a degree) shall be counted toward the
29 determination of the Indian student count under this clause.

30 (v) CONTINUING EDUCATION PROGRAMS.—Any credit earned by an Indian student in a
31 continuing education program of a tribally controlled postsecondary career and technical
32 institution shall be included in the determination of the sum of all credit hours of the
33 student if the credit is converted to a credit hour basis in accordance with the system of
34 the institution for providing credit for participation in the program.

35 ~~(i) AUTHORIZATION OF APPROPRIATIONS.— There are authorized to be appropriated to carry out this section such sums~~
36 ~~as may be necessary for each of fiscal years 2007 through 2012.~~

1 (i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated
2 to carry out this section—

- 3 (1) \$8,400,208 for fiscal year 2018;
- 4 (2) \$8,515,989 for fiscal year 2019;
- 5 (3) \$8,633,367 for fiscal year 2020;
- 6 (4) \$8,752,362 for fiscal year 2021;
- 7 (5) \$8,872,998 for fiscal year 2022; and
- 8 (6) \$8,995,296 for fiscal year 2023.

9
10 ~~SEC. 118. OCCUPATIONAL AND EMPLOYMENT INFORMATION.~~

11 ~~(a) NATIONAL ACTIVITIES.—From funds appropriated under subsection (g), the Secretary, in consultation with~~
12 ~~appropriate Federal agencies, is authorized—~~

- 13 ~~(1) to provide assistance to an entity to enable the entity—~~
 - 14 ~~(A) to provide technical assistance to State entities designated under subsection (e) to enable the~~
 - 15 ~~State entities to carry out the activities described in such subsection;~~
 - 16 ~~(B) to disseminate information that promotes the replication of high quality practices described in~~
 - 17 ~~subsection (e); and~~
 - 18 ~~(C) to develop and disseminate products and services related to the activities described in~~
 - 19 ~~subsection (e); and~~
- 20 ~~(2) to award grants to States that designate State entities in accordance with subsection (e) to enable the~~
- 21 ~~State entities to carry out the State-level activities described in such subsection.~~

22 ~~(b) STATE APPLICATION.—~~

23 ~~(1) IN GENERAL.—A jointly designated State entity described in subsection (e) that desires to receive a grant~~
24 ~~under this section shall submit an application to the Secretary at the same time the State submits its State~~
25 ~~plan under section 122, in such manner, and accompanied by such additional information, as the Secretary~~
26 ~~may reasonably require.~~

27 ~~(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of how the~~
28 ~~jointly designated State entity described in subsection (e) will provide information based on trends~~
29 ~~provided pursuant to section 15 of the Wagner Peyser Act to inform program development.~~

30 ~~(c) STATE LEVEL ACTIVITIES.—In order for a State to receive a grant under this section, the eligible agency and the~~
31 ~~Governor of the State shall jointly designate an entity in the State—~~

- 32 ~~(1) to provide support for career guidance and academic counseling programs designed to promote~~
- 33 ~~improved career and education decision-making by students (and parents, as appropriate) regarding~~
- 34 ~~education (including postsecondary education) and training options and preparations for high skill, high~~
- 35 ~~wage, or high demand occupations and non-traditional fields;~~

- ~~(2) to make available to students, parents, teachers, administrators, faculty, and career guidance and academic counselors, and to improve accessibility with respect to, information and planning resources that relate academic and career and technical educational preparation to career goals and expectations;~~
- ~~(3) to provide academic and career and technical education teachers, faculty, administrators, and career guidance and academic counselors with the knowledge, skills, and occupational information needed to assist parents and students, especially special populations, with career exploration, educational opportunities, education financing, and exposure to high skill, high wage, or high demand occupations and non-traditional fields, including occupations and fields requiring a baccalaureate degree;~~
- ~~(4) to assist appropriate State entities in tailoring career related educational resources and training for use by such entities, including information on high skill, high wage, or high demand occupations in current or emerging professions and on career ladder information;~~
- ~~(5) to improve coordination and communication among administrators and planners of programs authorized by this Act and by section 15 of the Wagner-Peyser Act at the Federal, State, and local levels to ensure nonduplication of efforts and the appropriate use of shared information and data;~~
- ~~(6) to provide ongoing means for customers, such as students and parents, to provide comments and feedback on products and services and to update resources, as appropriate, to better meet customer requirements; and~~
- ~~(7) to provide readily available occupational information such as—~~
 - ~~(A) information relative to employment sectors;~~
 - ~~(B) information on occupation supply and demand; and~~
 - ~~(C) other information provided pursuant to section 15 of the Wagner-Peyser Act as the jointly designated State entity considers relevant.~~

~~(d) NONDUPLICATION.—~~

- ~~(1) WAGNER-PEYSER ACT.—The jointly designated State entity described under subsection (c) may use funds provided under subsection (a)(2) to supplement activities under section 15 of the Wagner-Peyser Act to the extent such activities do not duplicate activities assisted under such section.~~
- ~~(2) PUBLIC LAW 105–220.—None of the functions and activities assisted under this section shall duplicate the functions and activities carried out under Public Law 105–220.~~

~~(e) FUNDING RULE.—Of the amounts appropriated to carry out this section, the Federal entity designated under subsection (a) shall use—~~

- ~~(1) not less than 85 percent to carry out subsection (c); and~~
- ~~(2) not more than 15 percent to carry out subsection (a).~~

~~(f) REPORT.—The Secretary, in consultation with appropriate Federal agencies, shall prepare and submit to the appropriate committees of Congress, an annual report that includes—~~

- ~~(1) a description of activities assisted under this section during the prior program year;~~
- ~~(2) a description of the specific products and services assisted under this section that were delivered in the prior program year; and~~

~~(3) an assessment of the extent to which States have effectively coordinated activities assisted under this section with activities authorized under section 15 of the Wagner Peyser Act.~~

~~(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2007 through 2012.~~

PART B—STATE PROVISIONS

SEC. 121. STATE ADMINISTRATION.

(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The responsibilities of an eligible agency under this title shall include—

(1) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this title, including preparation for non-traditional fields;

(2) consultation with the Governor and appropriate agencies, groups, and individuals including parents, students, teachers, teacher and faculty preparation programs, representatives of businesses (including small businesses), labor organizations, eligible recipients, State and local officials, and local program administrators, involved in the planning, administration, evaluation, and coordination of programs funded under this title;

(3) convening and meeting as an eligible agency (consistent with State law and procedure for the conduct of such meetings) at such time as the eligible agency determines necessary to carry out the eligible agency's responsibilities under this title, but not less than 4 times annually; and

(4) the adoption of such procedures as the eligible agency considers necessary to—

(A) implement State level coordination with the activities undertaken by the State boards under section 111 of Public Law 105–220; and

(B) make available to the service delivery system under section 121 of Public Law 105–220 within the State a listing of all school dropout, postsecondary education, and adult programs assisted under this title.

(b) EXCEPTION.—Except with respect to the responsibilities set forth in subsection (a), the eligible agency may delegate any of the other responsibilities of the eligible agency that involve the administration, operation, or supervision of activities assisted under this title, in whole or in part, to 1 or more appropriate State agencies.

SEC. 122. STATE PLAN.

(a) STATE PLAN.—

(1) IN GENERAL.—Each eligible agency desiring assistance under this title for any fiscal year shall prepare and submit to the Secretary a State plan for a ~~6-year period~~ **4-year period**, together with such annual revisions as the eligible agency determines to be necessary, except that, during the period described in section 4, each eligible agency may submit a transition plan that shall fulfill the eligible agency's obligation to submit a State plan under this section for the first fiscal year following the date of enactment of the

1 **Strengthening Career and Technical Education for the 21st Century Act** ~~Carl D.~~
2 ~~Perkins Career and Technical Education Improvement Act of 2006.~~

3 (2) REVISIONS.—Each eligible agency—

4 (A) may submit such annual revisions of the State plan to the Secretary as the eligible agency
5 determines to be necessary; and

6 (B) shall, after the second year of the **4-year period** ~~6-year period~~, conduct a review of
7 activities assisted under this title and submit any revisions of the State plan that the eligible agency
8 determines necessary to the Secretary.

9 (3) HEARING PROCESS.—The eligible agency shall conduct public hearings in the State, after appropriate and
10 sufficient notice, for the purpose of affording all segments of the public and interested organizations and
11 groups (**including teachers, faculty, specialized instructional support personnel,**
12 **paraprofessionals, school leaders, authorized public chartering agencies, and**
13 **charter school leaders, consistent with State law, employers, labor**
14 **organizations, parents, students, and community organizations** ~~including charter~~
15 ~~school authorizers and organizers consistent with State law, employers, labor organizations, parents,~~
16 ~~students, and community organizations~~), an opportunity to present their views and make recommendations
17 regarding the State plan. A summary of such recommendations and the eligible agency’s response to such
18 recommendations shall be included in the State plan.

19 (b) **OPTIONS FOR SUBMISSION OF STATE PLAN** ~~PLAN DEVELOPMENT.~~—

20 (1) **COMBINED PLAN.**— The eligible agency may submit a combined plan
21 that meets the requirements of this section and the requirements of section
22 103 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3113),
23 unless the eligible agency opts to submit a single plan under paragraph (2)
24 and informs the Secretary of such decision.

25 (2) **SINGLE PLAN.**— If the eligible agency elects not to submit a combined
26 plan as described in paragraph (1), such eligible agency shall submit a single
27 State plan.

28 (1) ~~IN GENERAL.~~—The eligible agency shall—

29 (A) ~~develop the State plan in consultation with—~~

30 (i) ~~academic and career and technical education teachers, faculty, and administrators;~~

31 (ii) ~~career guidance and academic counselors;~~

- ~~(iii) eligible recipients;~~
- ~~(iv) charter school authorizers and organizers consistent with State law;~~
- ~~(v) parents and students;~~
- ~~(vi) institutions of higher education;~~
- ~~(vii) the State tech prep coordinator and representatives of tech prep consortia (if applicable);~~
- ~~(viii) entities participating in activities described in section 111 of Public Law 105-220;~~
- ~~(ix) interested community members (including parent and community organizations);~~
- ~~(x) representatives of special populations;~~
- ~~(xi) representatives of business and industry (including representatives of small business);~~
- and
- ~~(xii) representatives of labor organizations in the State; and~~

~~(B) consult the Governor of the State with respect to such development.~~

~~(2) ACTIVITIES AND PROCEDURES.—The eligible agency shall develop effective activities and procedures, including access to information needed to use such procedures, to allow the individuals and entities described in paragraph (1) to participate in State and local decisions that relate to development of the State plan.~~

(c) **PLAN DEVELOPMENT** ~~PLAN CONTENTS.—The State plan shall include information that—~~

(1) IN GENERAL.— The eligible agency shall—

(A) develop the State plan in consultation with—

- (i) representatives of secondary and postsecondary career and technical education programs, including eligible recipients and representatives of 2-year Minority-Serving Institutions and Historically Black Colleges and Universities in States where such institutions are in existence, and charter school representatives in States where such schools are in existence, which shall include teachers, faculty, school leaders, specialized instructional support personnel (including guidance counselors), and paraprofessionals;**
- (ii) interested community representatives, including parents and students;**

1 (iii) the State workforce development board described in section
2 101 of the Workforce Innovation and Opportunity Act (29
3 U.S.C. 3111);

4 (iv) representatives of special populations;

5 (v) representatives of business and industry (including
6 representatives of small business), which shall include
7 representatives of industry and sector partnerships in the State,
8 as appropriate, and representatives of labor organizations in the
9 State;

10 (vi) representatives of agencies serving out-of-school youth,
11 homeless children and youth, and at-risk youth; and

12 (vii) representatives of Indian tribes located in the State; and

13 (B) consult the Governor of the State, and the heads of other State
14 agencies with authority for career and technical education programs
15 that are not the eligible agency, with respect to the development of the
16 State plan.

17 (2) ACTIVITIES AND PROCEDURES.— The eligible agency shall
18 develop effective activities and procedures, including access to information
19 needed to use such procedures, to allow the individuals and entities
20 described in paragraph (1) to participate in State and local decisions that
21 relate to development of the State plan.

22 ~~(1) describes the career and technical education activities to be assisted that are designed to meet or exceed~~
23 ~~the State adjusted levels of performance, including a description of—~~

24 ~~(A) the career and technical programs of study, which may be adopted by local educational~~
25 ~~agencies and postsecondary institutions to be offered as an option to students (and their parents as~~
26 ~~appropriate) when planning for and completing future coursework, for career and technical content~~
27 ~~areas that—~~

28 ~~(i) incorporate secondary education and postsecondary education elements;~~

29 ~~(ii) include coherent and rigorous content aligned with challenging academic standards~~

30 ~~and relevant career and technical content in a coordinated, nonduplicative progression of~~

1 courses that align secondary education with postsecondary education to adequately
2 prepare students to succeed in postsecondary education;

3 (iii) may include the opportunity for secondary education students to participate in dual
4 or concurrent enrollment programs or other ways to acquire postsecondary education
5 credits; and

6 (iv) lead to an industry-recognized credential or certificate at the postsecondary level, or
7 an associate or baccalaureate degree;

8 (B) how the eligible agency, in consultation with eligible recipients, will develop and implement
9 the career and technical programs of study described in subparagraph (A);

10 (C) how the eligible agency will support eligible recipients in developing and implementing
11 articulation agreements between secondary education and postsecondary education institutions;

12 (D) how the eligible agency will make available information about career and technical programs
13 of study offered by eligible recipients;

14 (E) the secondary and postsecondary career and technical education programs to be carried out,
15 including programs that will be carried out by the eligible agency to develop, improve, and expand
16 access to appropriate technology in career and technical education programs;

17 (F) the criteria that will be used by the eligible agency to approve eligible recipients for funds
18 under this Act, including criteria to assess the extent to which the local plan will —

19 (i) promote continuous improvement in academic achievement;

20 (ii) promote continuous improvement of technical skill attainment; and

21 (iii) identify and address current or emerging occupational opportunities;

22 (G) how programs at the secondary level will prepare career and technical education students,
23 including special populations, to graduate from secondary school with a diploma;

24 (H) how such programs will prepare career and technical education students, including special
25 populations, academically and technically for opportunities in postsecondary education or entry
26 into high skill, high wage, or high demand occupations in current or emerging occupations, and
27 how participating students will be made aware of such opportunities;

28 (I) how funds will be used to improve or develop new career and technical education courses —

29 (i) at the secondary level that are aligned with rigorous and challenging academic content
30 standards and student academic achievement standards adopted by the State under section
31 1111(b)(1) of the Elementary and Secondary Education Act of 1965;

32 (ii) at the postsecondary level that are relevant and challenging; and

33 (iii) that lead to employment in high skill, high wage, or high demand occupations;

34 (J) how the eligible agency will facilitate and coordinate communication on best practices among
35 successful recipients of tech prep program grants under title II and eligible recipients to improve
36 program quality and student achievement;

1 ~~(K) how funds will be used effectively to link academic and career and technical education at the~~
2 ~~secondary level and at the postsecondary level in a manner that increases student academic and~~
3 ~~career and technical achievement; and~~

4 ~~(L) how the eligible agency will report on the integration of coherent and rigorous content aligned~~
5 ~~with challenging academic standards in career and technical education programs in order to~~
6 ~~adequately evaluate the extent of such integration;~~

7 ~~(2) describes how comprehensive professional development (including initial teacher preparation and~~
8 ~~activities that support recruitment) for career and technical education teachers, faculty, administrators, and~~
9 ~~career guidance and academic counselors will be provided, especially professional development that—~~

10 ~~(A) promotes the integration of coherent and rigorous academic content standards and career and~~
11 ~~technical education curricula, including through opportunities for the appropriate academic and~~
12 ~~career and technical education teachers to jointly develop and implement curricula and~~
13 ~~pedagogical strategies, as appropriate;~~

14 ~~(B) increases the percentage of teachers that meet teacher certification or licensing requirements;~~

15 ~~(C) is high quality, sustained, intensive, and focused on instruction, and increases the academic~~
16 ~~knowledge and understanding of industry standards, as appropriate, of career and technical~~
17 ~~education teachers;~~

18 ~~(D) encourages applied learning that contributes to the academic and career and technical~~
19 ~~knowledge of the student;~~

20 ~~(E) provides the knowledge and skills needed to work with and improve instruction for special~~
21 ~~populations;~~

22 ~~(F) assists in accessing and utilizing data, including data provided under section 118, student~~
23 ~~achievement data, and data from assessments; and~~

24 ~~(G) promotes integration with professional development activities that the State carries out under~~
25 ~~title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher~~
26 ~~Education Act of 1965;~~

27 ~~(3) describes efforts to improve—~~

28 ~~(A) the recruitment and retention of career and technical education teachers, faculty, and career~~
29 ~~guidance and academic counselors, including individuals in groups underrepresented in the~~
30 ~~teaching profession; and~~

31 ~~(B) the transition to teaching from business and industry, including small business;~~

32 ~~(4) describes efforts to facilitate the transition of subbaccalaureate career and technical education students~~
33 ~~into baccalaureate degree programs at institutions of higher education;~~

34 ~~(5) describes how the eligible agency will actively involve parents, academic and career and technical~~
35 ~~education teachers, administrators, faculty, career guidance and academic counselors, local business~~
36 ~~(including small businesses), and labor organizations in the planning, development, implementation, and~~
37 ~~evaluation of such career and technical education programs;~~

1 ~~(6) describes how funds received by the eligible agency through the allotment made under section 111 will~~
2 ~~be allocated—~~

3 ~~(A) among career and technical education at the secondary level, or career and technical education~~
4 ~~at the postsecondary and adult level, or both, including the rationale for such allocation; and~~

5 ~~(B) among any consortia that will be formed among secondary schools and eligible institutions,~~
6 ~~and how funds will be allocated among the members of the consortia, including the rationale for~~
7 ~~such allocation;~~

8 ~~(7) describes how the eligible agency will—~~

9 ~~(A) improve the academic and technical skills of students participating in career and technical~~
10 ~~education programs, including strengthening the academic and career and technical components of~~
11 ~~career and technical education programs through the integration of academics with career and~~
12 ~~technical education to ensure learning in—~~

13 ~~(i) the core academic subjects (as defined in section 9101 of the Elementary and~~
14 ~~Secondary Education Act of 1965); and~~

15 ~~(ii) career and technical education subjects;~~

16 ~~(B) provide students with strong experience in, and understanding of, all aspects of an industry;~~
17 ~~and~~

18 ~~(C) ensure that students who participate in such career and technical education programs are~~
19 ~~taught to the same challenging academic proficiencies as are taught to all other students;~~

20 ~~(8) describes how the eligible agency will annually evaluate the effectiveness of such career and technical~~
21 ~~education programs, and describe, to the extent practicable, how the eligible agency is coordinating such~~
22 ~~programs to ensure nonduplication with other Federal programs;~~

23 ~~(9) describes the eligible agency's program strategies for special populations, including a description of~~
24 ~~how individuals who are members of the special populations—~~

25 ~~(A) will be provided with equal access to activities assisted under this Act;~~

26 ~~(B) will not be discriminated against on the basis of their status as members of the special~~
27 ~~populations; and~~

28 ~~(C) will be provided with programs designed to enable the special populations to meet or exceed~~
29 ~~State adjusted levels of performance, and prepare special populations for further learning and for~~
30 ~~high skill, high wage, or high demand occupations;~~

31 ~~(10) describes—~~

32 ~~(A) the eligible agency's efforts to ensure that eligible recipients are given the opportunity to~~
33 ~~provide input in determining the State adjusted levels of performance described in section 113;~~
34 ~~and~~

35 ~~(B) how the eligible agency, in consultation with eligible recipients, will develop a process for the~~
36 ~~negotiation of local adjusted levels of performance under section 113(b)(4) if an eligible recipient~~
37 ~~does not accept the State adjusted levels of performance under section 113(b)(3);~~

1 ~~(11) provides assurances that the eligible agency will comply with the requirements of this Act and the~~
2 ~~provisions of the State plan, including the provision of a financial audit of funds received under this Act~~
3 ~~which may be included as part of an audit of other Federal or State programs;~~
4 ~~(12) provides assurances that none of the funds expended under this Act will be used to acquire equipment~~
5 ~~(including computer software) in any instance in which such acquisition results in a direct financial benefit~~
6 ~~to any organization representing the interests of the acquiring entity or the employees of the acquiring~~
7 ~~entity, or any affiliate of such an organization;~~
8 ~~(13) describes how the eligible agency will report data relating to students participating in career and~~
9 ~~technical education in order to adequately measure the progress of the students, including special~~
10 ~~populations, and how the eligible agency will ensure that the data reported to the eligible agency from local~~
11 ~~educational agencies and eligible institutions under this title and the data the eligible agency reports to the~~
12 ~~Secretary are complete, accurate, and reliable;~~
13 ~~(14) describes how the eligible agency will adequately address the needs of students in alternative~~
14 ~~education programs, if appropriate;~~
15 ~~(15) describes how the eligible agency will provide local educational agencies, area career and technical~~
16 ~~education schools, and eligible institutions in the State with technical assistance;~~
17 ~~(16) describes how career and technical education relates to State and regional occupational opportunities;~~
18 ~~(17) describes the methods proposed for the joint planning and coordination of programs carried out under~~
19 ~~this title with other Federal education programs;~~
20 ~~(18) describes how funds will be used to promote preparation for high skill, high wage, or high demand~~
21 ~~occupations and non traditional fields;~~
22 ~~(19) describes how funds will be used to serve individuals in State correctional institutions; and~~
23 ~~(20) contains the description and information specified in sections 112(b)(8) and 121(e) of Public Law~~
24 ~~105 220 concerning the provision of services only for postsecondary students and school dropouts.~~

25 (d) ~~PLAN CONTENTS~~^{PLAN OPTIONS.} — **The State plan shall include—**

26 **(1) a summary of state-supported workforce development activities**
27 **(including education and training) in the State, including the degree to which**
28 **the State’s career and technical education programs and programs of study**
29 **are aligned with such activities;**
30 **(2) the State’s strategic vision and set of goals for preparing an educated and**
31 **skilled workforce (including special populations) and for meeting the skilled**
32 **workforce needs of employers, including in-demand industry sectors and**
33 **occupations as identified by the State, and how the State’s career and**
34 **technical education programs will help to meet these goals;**

1 (3) a summary of the strategic planning elements of the unified State plan
2 required under section 102(b)(1) of the Workforce Innovation and
3 Opportunity Act (29 U.S.C. 3112(b)(1)), including the elements related to
4 system alignment under section 102(b)(2)(B) of such Act (29 U.S.C.
5 3112(b)(2)(B));

6 (4) a description of the career and technical education programs or programs
7 of study that will be supported, developed, or improved, including
8 descriptions of—

9 (A) the programs of study to be developed at the State level and made
10 available for adoption by eligible recipients;

11 (B) the process and criteria to be used for approving locally developed
12 programs of study or career pathways, including how such programs
13 address State workforce development and education needs; and

14 (C) how the eligible agency will—

15 (i) make information on approved programs of study and career
16 pathways, including career exploration, work-based learning
17 opportunities, dual and concurrent enrollment opportunities,
18 and guidance and advisement resources, available to students
19 and parents;

20 (ii) ensure nonduplication of eligible recipients' development of
21 programs of study and career pathways;

22 (iii) determine alignment of eligible recipients' programs of
23 study to the State, regional or local economy, including in-
24 demand fields and occupations identified by the State
25 workforce development board as appropriate;

26 (iv) provide equal access to activities assisted under this Act for
27 special populations;

1 (v) coordinate with the State workforce board to support the
2 local development of career pathways and articulate processes
3 by which career pathways will be developed by local workforce
4 development boards;

5 (vi) use State, regional, or local labor market data to align
6 career and technical education with State labor market needs;

7 (vii) support effective and meaningful collaboration between
8 secondary schools, postsecondary institutions, and employers,
9 which may include the development of articulation agreements
10 described in section 124(b)(3); and

11 (viii) improve outcomes for CTE concentrators, including those
12 who are members of special populations;

13 (5) a description of the criteria and process for how the eligible
14 agency will approve eligible recipients for funds under this Act,
15 including how—

16 (A) each eligible recipient will promote academic achievement;

17 (B) each eligible recipient will promote skill attainment,
18 including skill attainment that leads to a recognized
19 postsecondary credential; and

20 (C) each eligible recipient will ensure the local needs
21 assessment under section 134 takes into consideration local
22 economic and education needs, including where appropriate, in-
23 demand industry sectors and occupations;

24 (6) a description of how the eligible agency will support the
25 recruitment and preparation of teachers, including special education
26 teachers, faculty, administrators, specialized instructional support

1 personnel, and paraprofessionals to provide career and technical
2 education instruction, leadership, and support;

3 (7) a description of how the eligible agency will use State leadership
4 funding to meet the requirements of section 124(b);

5 (8) a description of how funds received by the eligible agency through
6 the allotment made under section 111 will be distributed—

7 (A) among career and technical education at the secondary
8 level, or career and technical education at the postsecondary
9 and adult level, or both, including how such distribution will
10 most effectively provide students with the skills needed to
11 succeed in the workplace; and

12 (B) among any consortia that may be formed among secondary
13 schools and eligible institutions, and how funds will be
14 distributed among the members of the consortia, including the
15 rationale for such distribution and how it will most effectively
16 provide students with the skills needed to succeed in the
17 workplace;

18 (9) a description of the procedure the eligible agency will adopt for
19 determining State adjusted levels of performance described in section
20 113, which at a minimum shall include—

21 (A) consultation with stakeholders identified in paragraph (1);

22 (B) opportunities for the public to comment in person and in
23 writing on the State adjusted levels of performance included in
24 the State plan; and

25 (C) submission of public comment on State adjusted levels of
26 performance as part of the State plan; and

27 (10) assurances that—

1 (A) the eligible agency will comply with the requirements of
2 this Act and the provisions of the State plan, including the
3 provision of a financial audit of funds received under this Act,
4 which may be included as part of an audit of other Federal or
5 State programs;

6 (B) none of the funds expended under this Act will be used to
7 acquire equipment (including computer software) in any
8 instance in which such acquisition results in a direct financial
9 benefit to any organization representing the interests of the
10 acquiring entity or the employees of the acquiring entity, or any
11 affiliate of such an organization;

12 (C) the eligible agency will use the funds to promote
13 preparation for high-skill, high-wage, or in-demand occupations
14 and nontraditional fields, as identified by the State;

15 (D) the eligible agency will use the funds provided under this
16 Act to implement career and technical education programs and
17 programs of study for individuals in State correctional
18 institutions, including juvenile justice facilities; and

19 (E) the eligible agency will provide local educational agencies,
20 area career and technical education schools, and eligible
21 institutions in the State with technical assistance, including
22 technical assistance on how to close gaps in student
23 participation and performance in career and technical education
24 programs.

25 ~~(1) SINGLE PLAN.—An eligible agency not choosing to consolidate funds under section 202 shall fulfill the~~
26 ~~plan or application submission requirements of this section, and section 201(c), by submitting a single State~~
27 ~~plan. In such plan, the eligible agency may allow recipients to fulfill the plan or application submission~~
28 ~~requirements of section 134 and subsections (a) and (b) of section 204 by submitting a single local plan.~~

~~(2) PLAN SUBMITTED AS PART OF 501 PLAN.— The eligible agency may submit the plan required under this section as part of the plan submitted under section 501 of Public Law 105–220, if the plan submitted pursuant to the requirement of this section meets the requirements of this Act.~~

(e) ~~CONSULTATION~~ **PLAN APPROVAL.**—

(1) IN GENERAL.— The eligible agency shall develop the portion of each State plan relating to the amount and uses of any funds proposed to be reserved for adult career and technical education, postsecondary career and technical education, and secondary career and technical education after consultation with the—

(A) State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary career and technical education; and

(B) the State agency responsible for secondary education; and

(C) the State agency responsible for adult education.

(2) OBJECTIONS OF STATE AGENCIES.— If a State agency other than the eligible agency finds that a portion of the final State plan is objectionable, that objection shall be filed together with the State plan. The eligible agency shall respond to any objections of such State agency in the State plan submitted to the Secretary.

(f) **PLAN APPROVAL.**—

(1) IN GENERAL.— The Secretary shall approve a State plan not later than 120 days after its submission to the Secretary unless the Secretary—

(A) determines that the State plan does not meet the requirements of this Act, including the requirements described in section 113; and

(B) meets the requirements of paragraph (2) with respect to such plan.

1 (2) DISAPPROVAL.— The Secretary shall—

2 (A) have the authority to disapprove a State plan only if the
3 Secretary—

4 (i) determines how the State plan fails to meet the requirements
5 of this Act; and

6 (ii) provides to the eligible agency, in writing, notice of such
7 determination and the supporting information and rationale to
8 substantiate such determination; and

9 (B) not finally disapprove a State plan, except after making the
10 determination and providing the information described in
11 subparagraph (A), and giving the eligible agency notice and an
12 opportunity for a hearing.

13 ~~(1) IN GENERAL.— The Secretary shall approve a State plan, or a revision to an approved State plan, unless~~
14 ~~the Secretary determines that —~~

15 ~~(A) the State plan, or revision, respectively, does not meet the requirements of this Act; or~~

16 ~~(B) the State’s levels of performance on the core indicators of performance consistent with section~~
17 ~~113 are not sufficiently rigorous to meet the purpose of this Act.~~

18 ~~(2) DISAPPROVAL.— The Secretary shall not finally disapprove a State plan, except after giving the eligible~~
19 ~~agency notice and an opportunity for a hearing.~~

20 ~~(3) CONSULTATION.— The eligible agency shall develop the portion of each State plan relating to the amount~~
21 ~~and uses of any funds proposed to be reserved for adult career and technical education, postsecondary~~
22 ~~career and technical education, tech prep education, and secondary career and technical education after~~
23 ~~consultation with the State agency responsible for supervision of community colleges, technical institutes,~~
24 ~~or other 2-year postsecondary institutions primarily engaged in providing postsecondary career and~~
25 ~~technical education, and the State agency responsible for secondary education. If a State agency finds that a~~
26 ~~portion of the final State plan is objectionable, the State agency shall file such objections with the eligible~~
27 ~~agency. The eligible agency shall respond to any objections of the State agency in the State plan submitted~~
28 ~~to the Secretary.~~

29 ~~(4) TIMEFRAME.— A State plan shall be deemed approved by the Secretary if the Secretary has not~~
30 ~~responded to the eligible agency regarding the State plan within 90 days of the date the Secretary receives~~
31 ~~the State plan.~~

1 (a) STATE PROGRAM IMPROVEMENT.—

2 (1) PLAN.—If a State fails to meet at least 90 ~~percent of the percent of an agreed upon~~ State adjusted
3 level of performance for any of the core indicators of performance described in section 113(b)(3), the
4 eligible agency shall develop and implement a program improvement plan (with special consideration to
5 performance gaps identified under section 113(c)(2)) in consultation with the ~~appropriate agencies~~
6 **appropriate State agencies**, individuals, and organizations during the first program year
7 succeeding the program year for which the eligible agency failed to so meet the State adjusted level of
8 performance for any of the core indicators of performance.

9 (2) TECHNICAL ASSISTANCE.—If the Secretary determines that an eligible agency is not properly
10 implementing the eligible agency’s responsibilities under section 122, or is not making substantial progress
11 in meeting the ~~purposes of this Act~~, **purposes of this section, including after**
12 **implementation of the improvement plan described in paragraph (1)**, based on
13 the State’s adjusted levels of performance, the Secretary shall ~~work with the eligible agency~~
14 **provide the eligible agency technical assistance** to implement the improvement activities
15 consistent with the requirements of this Act.

16 (3) SUBSEQUENT ACTION.—

17 **(A) IN GENERAL.— If the eligible agency fails to make any**
18 **improvement in meeting any of the State adjusted levels of**
19 **performance for any of the core indicators of performance identified**
20 **under paragraph (1) during the first 2 years of implementation of the**
21 **improvement plan required under paragraph (1), the eligible agency—**

22 **(i) shall develop and implement, in consultation with the**
23 **stakeholders described in section 122(c)(1)(A), a revised**
24 **improvement plan (with special consideration of performance**
25 **gaps identified under section 113(c)(2)(B)) to address the**
26 **reasons for such failure; and**

27 **(ii) shall continue to implement such improvement plan until**
28 **the eligible agency meets at least 90 percent of the State**
29 **adjusted level of performance for the same core indicators of**
30 **performance for which the plan is revised.**

1 **(B) REVISED PERFORMANCE IMPROVEMENT PLAN**
2 **IMPLEMENTATION.** —The Secretary shall provide technical
3 assistance, monitoring, and oversight to each eligible agency with a
4 plan revised under subparagraph (A)(i) until such agency meets the
5 requirements of subparagraph (A)(ii).

6 ~~(A) IN GENERAL.—The Secretary may, after notice and opportunity for a hearing, withhold from an~~
7 ~~eligible agency all, or a portion, of the eligible agency’s allotment under paragraphs (2) and (3) of~~
8 ~~section 112(a) if the eligible agency—~~

9 ~~(i) fails to implement an improvement plan as described in paragraph (1);~~

10 ~~(ii) fails to make any improvement in meeting any of the State adjusted levels of~~
11 ~~performance for the core indicators of performance identified under paragraph (1) within~~
12 ~~the first program year of implementation of its improvement plan described in paragraph~~
13 ~~(1); or~~

14 ~~(iii) fails to meet at least 90 percent of an agreed upon State adjusted level of~~
15 ~~performance for the same core indicator of performance for 3 consecutive years.~~

16 **(BC) WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.**—The Secretary may waive the
17 requirements of ~~sanction in~~ subparagraph (A) due to exceptional or uncontrollable
18 circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial
19 resources of the State.

20 ~~(4) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The Secretary shall use funds withheld under paragraph~~
21 ~~(3) for a State served by an eligible agency to provide technical assistance, to assist in the development of~~
22 ~~an improved State improvement plan, or for other improvement activities consistent with the requirements~~
23 ~~of this Act for such State.~~

24 **(b) LOCAL PROGRAM IMPROVEMENT.**—

25 (1) LOCAL EVALUATION.—Each eligible agency shall evaluate annually, using the local adjusted levels of
26 performance described in section 113(b)(4), the career and technical education activities of each eligible
27 recipient receiving funds under this title.

28 (2) PLAN.—If, after reviewing the evaluation in paragraph (1), the eligible agency determines that an
29 eligible recipient failed to meet at least 90 percent of an agreed upon local adjusted level of performance
30 for any of the core indicators of performance described in section 113(b)(4), the eligible recipient shall
31 develop and implement a program improvement plan (with special consideration to performance gaps
32 identified under section 113(b)(4)(C)(ii)(II)) in consultation with **local stakeholders included in**
33 **section 134(d)(1)** ~~the eligible agency, appropriate agencies, individuals, and organizations~~ during the

1 first program year succeeding the program year for which the eligible recipient failed to so meet any of the
2 local adjusted levels of performance for any of the core indicators of performance.

3 (3) TECHNICAL ASSISTANCE.—If the eligible agency determines that an eligible recipient is not properly
4 implementing the eligible recipient’s responsibilities under section 134, or is not making substantial
5 progress in meeting the purposes of this Act, based on the local adjusted levels of performance, the eligible
6 agency shall provide technical assistance to assist the eligible recipient in
7 meeting its responsibilities under section 134. ~~shall work with the eligible recipient to~~
8 ~~implement improvement activities consistent with the requirements of this Act.~~

9 (4) SUBSEQUENT ACTION.—

10 (A) IN GENERAL.— If the eligible recipient fails to make any
11 improvement in meeting any of the local adjusted levels of
12 performance for any of the core indicators of performance identified
13 under paragraph (2) during a number of years determined by the
14 eligible agency, the eligible recipient—

15 (i) shall revise the improvement plan described in paragraph (2)
16 to address the reasons for such failure; and

17 (ii) shall continue to implement such improvement plan until
18 such recipient meets at least 90 percent of an agreed upon local
19 adjusted level of performance for the same core indicators of
20 performance for which the plan is revised.

21 (A) IN GENERAL.— ~~The eligible agency may, after notice and opportunity for a hearing, withhold~~
22 ~~from the eligible recipient all, or a portion, of the eligible recipient’s allotment under this title if~~
23 ~~the eligible recipient—~~

24 ~~(i) fails to implement an improvement plan as described in paragraph (2);~~

25 ~~(ii) fails to make any improvement in meeting any of the local adjusted levels of~~
26 ~~performance for the core indicators of performance identified under paragraph (2) within~~
27 ~~the first program year of implementation of its improvement plan described in paragraph~~
28 ~~(2); or~~

29 ~~(iii) fails to meet at least 90 percent of an agreed upon local adjusted level of performance~~
30 ~~for the same core indicator of performance for 3 consecutive years.~~

31 (B) WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.— ~~In determining whether to impose sanctions under~~

~~Subparagraph (A), the~~ **The** eligible agency may **waive the requirements of subparagraph (A) waive imposing sanctions—**

- (i) due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the eligible recipient; ~~or~~
- (ii) based on the impact on the eligible recipient’s reported performance of the small size of the career and technical education program operated by the eligible recipient; **or**
- (iii) in response to a public request from an eligible recipient consistent with clauses (i) and (ii).**

~~(5) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The eligible agency shall use funds withheld under paragraph (4) from an eligible recipient to provide (through alternative arrangements) services and activities to students within the area served by such recipient to meet the purposes of this Act.~~

(c) PLAN DEVELOPMENT.— Except for consultation described in subsection (b)(2), the State and local improvement plans, and the elements of such plans, required under this section shall be developed solely by the eligible agency or the eligible recipient, respectively.

SEC. 124. STATE LEADERSHIP ACTIVITIES.

(a) **GENERAL AUTHORITY.—**From amounts reserved under section 112(a)(2), each eligible agency ~~shall conduct State leadership activities~~ **shall—**

- (1) conduct State leadership activities directly; and**
- (2) report on the effectiveness of such use of funds in achieving the goals described in section 122(d)(2) and the State adjusted levels of performance described in section 113(b)(3)(A).**

(b) **REQUIRED USES OF FUNDS.—**The State leadership activities described in subsection (a) shall include—

- (1) developing statewide programs of study, which may include standards, curriculum, and course development, and career exploration, guidance, and advisement activities and resources;**
- (2) approving locally developed programs of study that meet the requirements established in section 122(d)(4)(B);**
- (3) establishing statewide articulation agreements aligned to approved programs of study;**

1 (4) establishing statewide partnerships among local educational agencies,
2 institutions of higher education, and employers, including small businesses,
3 to develop and implement programs of study aligned to State and local
4 economic and education needs, including as appropriate, in-demand industry
5 sectors and occupations;

6 ~~(1) an assessment of the career and technical education programs carried out with funds under this title,~~
7 ~~including an assessment of how the needs of special populations are being met and how the career and~~
8 ~~technical education programs are designed to enable special populations to meet State-adjusted levels of~~
9 ~~performance and prepare the special populations for further education, further training, or for high skill,~~
10 ~~high wage, or high demand occupations;~~

11 ~~(2) developing, improving, or expanding the use of technology in career and technical education that may~~
12 ~~include—~~

13 ~~(A) training of career and technical education teachers, faculty, career guidance and academic~~
14 ~~counselors, and administrators to use technology, including distance learning;~~

15 ~~(B) providing career and technical education students with the academic and career and technical~~
16 ~~skills (including the mathematics and science knowledge that provides a strong basis for such~~
17 ~~skills) that lead to entry into technology fields, including non-traditional fields; or~~

18 ~~(C) encouraging schools to collaborate with technology industries to offer voluntary internships~~
19 ~~and mentoring programs;~~

20 ~~(3) professional development programs, including providing comprehensive professional development~~
21 ~~(including initial teacher preparation) for career and technical education teachers, faculty, administrators,~~
22 ~~and career guidance and academic counselors at the secondary and postsecondary levels, that support~~
23 ~~activities described in section 122 and—~~

24 ~~(A) provide in-service and preservice training in career and technical education programs—~~

25 ~~(i) on effective integration and use of challenging academic and career and technical~~
26 ~~education provided jointly with academic teachers to the extent practicable;~~

27 ~~(ii) on effective teaching skills based on research that includes promising practices;~~

28 ~~(iii) on effective practices to improve parental and community involvement; and~~

29 ~~(iv) on effective use of scientifically based research and data to improve instruction;~~

30 ~~(B) are high quality, sustained, intensive, and classroom-focused in order to have a positive and~~
31 ~~lasting impact on classroom instruction and the teacher's performance in the classroom, and are~~
32 ~~not 1-day or short-term workshops or conferences;~~

33 ~~(C) will help teachers and personnel to improve student achievement in order to meet the State~~
34 ~~adjusted levels of performance established under section 113;~~

1 ~~(D) will support education programs for teachers of career and technical education in public~~
2 ~~schools and other public school personnel who are involved in the direct delivery of educational~~
3 ~~services to career and technical education students to ensure that teachers and personnel —~~

4 ~~(i) stay current with the needs, expectations, and methods of industry;~~

5 ~~(ii) can effectively develop rigorous and challenging, integrated academic and career and~~
6 ~~technical education curricula jointly with academic teachers, to the extent practicable;~~

7 ~~(iii) develop a higher level of academic and industry knowledge and skills in career and~~
8 ~~technical education; and~~

9 ~~(iv) effectively use applied learning that contributes to the academic and career and~~
10 ~~technical knowledge of the student; and~~

11 ~~(E) are coordinated with the teacher certification or licensing and professional development~~
12 ~~activities that the State carries out under title II of the Elementary and Secondary Education Act of~~
13 ~~1965 and title II of the Higher Education Act of 1965;~~

14 ~~(4) supporting career and technical education programs that improve the academic and career and technical~~
15 ~~skills of students participating in career and technical education programs by strengthening the academic~~
16 ~~and career and technical components of such career and technical education programs, through the~~
17 ~~integration of coherent and relevant content aligned with challenging academic standards and relevant~~
18 ~~career and technical education, to ensure achievement in —~~

19 ~~(A) the core academic subjects (as defined in section 9101 of the Elementary and Secondary~~
20 ~~Education Act of 1965); and~~

21 ~~(B) career and technical education subjects;~~

22 (5) providing preparation for non-traditional fields in current and emerging professions, and other activities
23 that expose students, including special populations, to high skill, high wage occupations;

24 (6) support services for individuals in State institutions, such as State
25 correctional institutions, including juvenile justice facilities, and educational
26 institutions that serve individuals with disabilities;

27 (7) for faculty and teachers providing career and technical education
28 instruction, support services, and specialized instructional support services,
29 high-quality comprehensive professional development that is, to the extent
30 practicable, grounded in evidence-based research (to the extent a State
31 determines that such evidence is reasonably available) that identifies the
32 most effective educator professional development process and is coordinated
33 and aligned with other professional development activities carried out by the

1 State (including under title II of the Elementary and Secondary Education
2 Act of 1965 (20 U.S.C. 6601 et seq.) and title II of the Higher Education Act
3 of 1965 (20 U.S.C. 1021 et seq.)), including programming that—

4 (A) promotes the integration of the challenging State academic
5 standards adopted by the State under Section 1111(b)(1) of the
6 Elementary and Secondary Education Act of 1965 (20 U.S.C.
7 6311(b)(1)) and relevant technical knowledge and skills;

8 (B) prepares career and technical education teachers, faculty,
9 specialized instructional support personnel, and paraprofessionals to
10 provide appropriate accommodations for students who are members of
11 special populations, including through the use of principles of
12 universal design for learning; and

13 (C) increases understanding of industry standards, as appropriate, for
14 faculty providing career and technical education instruction; and

15 (8) technical assistance for eligible recipients.

16 ~~(6) supporting partnerships among local educational agencies, institutions of higher education, adult~~
17 ~~education providers, and, as appropriate, other entities, such as employers, labor organizations,~~
18 ~~intermediaries, parents, and local partnerships, to enable students to achieve State academic standards, and~~
19 ~~career and technical skills, or complete career and technical programs of study, as described in section~~
20 ~~122(e)(1)(A);~~

21 ~~(7) serving individuals in State institutions, such as State correctional institutions and institutions that serve~~
22 ~~individuals with disabilities;~~

23 ~~(8) support for programs for special populations that lead to high skill, high wage, or high demand~~
24 ~~occupations; and~~

25 ~~(9) technical assistance for eligible recipients.~~

26 (c) PERMISSIBLE USES OF FUNDS.—The leadership activities described in subsection (a) may include—

27 (1) awarding incentive grants to eligible recipients—

28 (A) for exemplary performance in carrying out programs under this
29 Act, which awards shall be based on—

- 1 (i) eligible recipients exceeding the local adjusted level of
- 2 performance established under section 113(b)(4)(A) in a
- 3 manner that reflects sustained or significant improvement;
- 4 (ii) eligible recipients effectively developing connections
- 5 between secondary education and postsecondary education and
- 6 training;
- 7 (iii) the integration of academic and technical standards;
- 8 (iv) eligible recipients' progress in closing achievement gaps
- 9 among subpopulations who participate in programs of study; or
- 10 (v) other factors relating to the performance of eligible
- 11 recipients under this Act as the eligible agency determines are
- 12 appropriate; or

13 (B) if an eligible recipient elects to use funds as permitted under
14 section 135(c);

15 (2) providing support for the adoption and integration of recognized
16 postsecondary credentials or for consultation and coordination with other
17 State agencies for the identification, consolidation, or elimination of licenses
18 or certifications which pose an unnecessary barrier to entry for aspiring
19 workers and provide limited consumer protection;

20 (3) the creation, implementation, and support of pay-for-success initiatives
21 leading to recognized postsecondary credentials;

22 (4) support for career and technical education programs for adults and out-
23 of-school youth concurrent with their completion of their secondary school
24 education in a school or other educational setting;

25 (5) the creation, evaluation, and support of competency-based curricula;

26 (6) support for the development, implementation, and expansion of programs
27 of study or career pathways in areas declared to be in a state of emergency

1 under section 501 of the Robert T. Stafford Disaster Relief and Emergency
2 Assistance Act (42 U.S.C. 5191);

3 (7) providing support for dual or concurrent enrollment programs, such as
4 early college high schools;

5 (8) improvement of career guidance and academic counseling programs that
6 assist students in making informed academic and career and technical
7 education decisions, including academic and financial aid counseling;

8 (9) support for the integration of employability skills into career and
9 technical education programs and programs of study;

10 (10) support for programs and activities that increase access, student
11 engagement, and success in science, technology, engineering, and
12 mathematics fields (including computer science), particularly for students
13 who are members of groups underrepresented in such subject fields, such as
14 female students, minority students, and students who are members of special
15 populations;

16 (11) support for career and technical student organizations, especially with
17 respect to efforts to increase the participation of students who are members
18 of special populations;

19 (12) support for establishing and expanding work-based learning
20 opportunities;

21 (13) support for preparing, retaining, and training of career and technical
22 education teachers, faculty, specialized instructional support personnel, and
23 paraprofessionals, such as preservice, professional development, and
24 leadership development programs;

25 (14) integrating and aligning programs of study and career pathways;

26 (15) supporting the use of career and technical education programs and
27 programs of study aligned with State, regional, or local in-demand industry

1 sectors or occupations identified by State or local workforce development
2 boards;

3 (16) making all forms of instructional content widely available, which may
4 include use of open educational resources;

5 (17) support for the integration of arts and design skills, when appropriate,
6 into career and technical education programs and programs of study; and

7 (18) support for accelerated learning programs (described in section
8 4104(b)(3)(A)(i)(IV) of the Elementary and Secondary Education Act of
9 1965 (20 U.S.C. 7114(b)(3)(A)(i)(IV)) when any such program is part of a
10 program of study.

11 ~~(1) improvement of career guidance and academic counseling programs that assist students in making
12 informed academic and career and technical education decisions, including—~~

13 ~~(A) encouraging secondary and postsecondary students to graduate with a diploma or degree; and~~

14 ~~(B) exposing students to high skill, high wage occupations and non-traditional fields;~~

15 ~~(2) establishment of agreements, including articulation agreements, between secondary school and
16 postsecondary career and technical education programs in order to provide postsecondary education and
17 training opportunities for students participating in such career and technical education programs, such as
18 tech prep programs;~~

19 ~~(3) support for initiatives to facilitate the transition of subbaccalaureate career and technical education
20 students into baccalaureate degree programs, including—~~

21 ~~(A) statewide articulation agreements between associate degree granting career and technical
22 postsecondary educational institutions and baccalaureate degree granting postsecondary
23 educational institutions;~~

24 ~~(B) postsecondary dual and concurrent enrollment programs;~~

25 ~~(C) academic and financial aid counseling; and~~

26 ~~(D) other initiatives—~~

27 ~~(i) to encourage the pursuit of a baccalaureate degree; and~~

28 ~~(ii) to overcome barriers to participation in baccalaureate degree programs, including
29 geographic and other barriers affecting rural students and special populations;~~

30 ~~(4) support for career and technical student organizations, especially with respect to efforts to increase the
31 participation of students who are members of special populations;~~

32 ~~(5) support for public charter schools operating career and technical education programs;~~

1 ~~(6) support for career and technical education programs that offer experience in, and understanding of, all~~
2 ~~aspects of an industry for which students are preparing to enter;~~

3 ~~(7) support for family and consumer sciences programs;~~

4 ~~(8) support for partnerships between education and business or business intermediaries, including~~
5 ~~cooperative education and adjunct faculty arrangements at the secondary and postsecondary levels;~~

6 ~~(9) support to improve or develop new career and technical education courses and initiatives, including~~
7 ~~career clusters, career academies, and distance education, that prepare individuals academically and~~
8 ~~technically for high skill, high wage, or high demand occupations;~~

9 ~~(10) awarding incentive grants to eligible recipients —~~

10 ~~(A) for exemplary performance in carrying out programs under this Act, which awards shall be~~
11 ~~based on—~~

12 ~~(i) eligible recipients exceeding the local adjusted levels of performance established~~
13 ~~under section 113(b) in a manner that reflects sustained or significant improvement;~~

14 ~~(ii) eligible recipients effectively developing connections between secondary education~~
15 ~~and postsecondary education and training;~~

16 ~~(iii) the adoption and integration of coherent and rigorous content aligned with~~
17 ~~challenging academic standards and technical coursework;~~

18 ~~(iv) eligible recipients' progress in having special populations who participate in career~~
19 ~~and technical education programs meet local adjusted levels of performance; or~~

20 ~~(v) other factors relating to the performance of eligible recipients under this Act as the~~
21 ~~eligible agency determines are appropriate; or~~

22 ~~(B) if an eligible recipient elects to use funds as permitted under section 135(c)(19);~~

23 ~~(11) providing for activities to support entrepreneurship education and training;~~

24 ~~(12) providing career and technical education programs for adults and school dropouts to complete their~~
25 ~~secondary school education, in coordination, to the extent practicable, with activities authorized under the~~
26 ~~Adult Education and Family Literacy Act;~~

27 ~~(13) providing assistance to individuals, who have participated in services and activities under this title, in~~
28 ~~continuing the individuals' education or training or finding appropriate jobs, such as through referral to the~~
29 ~~system established under section 121 of Public Law 105-220;~~

30 ~~(14) developing valid and reliable assessments of technical skills;~~

31 ~~(15) developing and enhancing data systems to collect and analyze data on secondary and postsecondary~~
32 ~~academic and employment outcomes;~~

33 ~~(16) improving—~~

34 ~~(A) the recruitment and retention of career and technical education teachers, faculty,~~
35 ~~administrators, and career guidance and academic counselors, including individuals in groups~~
36 ~~underrepresented in the teaching profession; and~~

37 ~~(B) the transition to teaching from business and industry, including small business; and~~

1 ~~(17) support for occupational and employment information resources, such as those described in section~~
2 ~~118.~~

3 (d) RESTRICTION ON USES OF FUNDS.—An eligible agency that receives funds under section 112(a)(2) may not use
4 any of such funds for administrative costs.
5
6

7 **PART C—LOCAL PROVISIONS**

8 **SEC. 131. DISTRIBUTION OF FUNDS TO SECONDARY EDUCATION PROGRAMS.**

9 (a) DISTRIBUTION RULES.—Except as provided in section 133 and as otherwise provided in this section, each eligible
10 agency shall distribute the portion of funds made available under section 112(a)(1) to carry out this section to local
11 educational agencies within the State as follows:

12 (1) THIRTY PERCENT.—Thirty percent shall be allocated to such local educational agencies in proportion to
13 the number of individuals aged 5 through 17, inclusive, who reside in the school district served by such
14 local educational agency for the preceding fiscal year compared to the total number of such individuals
15 who reside in the school districts served by all local educational agencies in the State for such preceding
16 fiscal year, as determined on the basis of the most recent satisfactory—

17 (A) data provided to the Secretary by the Bureau of the Census for the purpose of determining
18 eligibility under title I of the Elementary and Secondary Education Act of 1965; or

19 (B) student membership data collected by the National Center for Education Statistics through the
20 Common Core of Data survey system.

21 (2) SEVENTY PERCENT.—Seventy percent shall be allocated to such local educational agencies in proportion
22 to the number of individuals aged 5 through 17, inclusive, who reside in the school district served by such
23 local educational agency and are from families below the poverty level for the preceding fiscal year, as
24 determined on the basis of the most recent satisfactory data used under section 1124(c)(1)(A) of the
25 Elementary and Secondary Education Act of 1965, compared to the total number of such individuals who
26 reside in the school districts served by all the local educational agencies in the State for such preceding
27 fiscal year.

28 (3) ADJUSTMENTS.—Each eligible agency, in making the allocations under paragraphs (1) and (2), shall
29 adjust the data used to make the allocations to—

30 (A) reflect any change in school district boundaries that may have occurred since the data were
31 collected; and

32 (B) include local educational agencies without geographical boundaries, such as charter schools
33 and secondary schools funded by the Bureau of Indian Affairs.

34 (b) WAIVER FOR MORE EQUITABLE DISTRIBUTION.—The Secretary may waive the application of subsection (a) in the
35 case of any eligible agency that submits to the Secretary an application for such a waiver that—

36 (1) demonstrates that a proposed alternative formula more effectively targets funds on the basis of poverty
37 (as defined by the Office of Management and Budget and revised annually in accordance with section

1 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) to local educational agencies
2 within the State than the formula described in subsection (a); and
3 (2) includes a proposal for such an alternative formula.

4 (c) MINIMUM ALLOCATION.—

5 (1) IN GENERAL.—Except as provided in paragraph (2), a local educational agency shall not receive an
6 allocation under subsection (a) unless the amount allocated to such agency under subsection (a) is greater
7 than \$15,000. A local educational agency may enter into a consortium with other local educational agencies
8 for purposes of meeting the minimum allocation requirement of this paragraph.

9 (2) WAIVER.—The eligible agency shall waive the application of paragraph (1) in any case in which the
10 local educational agency—

11 (A)(i) is located in a rural, sparsely populated area; or

12 (ii) is a public charter school operating secondary school career and technical education programs;
13 and

14 (B) demonstrates that the local educational agency is unable to enter into a consortium for
15 purposes of providing activities under this part.

16 (3) REDISTRIBUTION.—Any amounts that are not allocated by reason of paragraph (1) or paragraph (2) shall
17 be redistributed to local educational agencies that meet the requirements of paragraph (1) or (2) in
18 accordance with the provisions of this section.

19 (d) LIMITED JURISDICTION AGENCIES.—

20 (1) IN GENERAL.—In applying the provisions of subsection (a), no eligible agency receiving assistance under
21 this title shall allocate funds to a local educational agency that serves only elementary schools, but shall
22 distribute such funds to the local educational agency or regional educational agency that provides
23 secondary school services to secondary school students in the same attendance area.

24 (2) SPECIAL RULE.—The amount to be allocated under paragraph (1) to a local educational agency that has
25 jurisdiction only over secondary schools shall be determined based on the number of students that entered
26 such secondary schools in the previous year from the elementary schools involved.

27 (e) ALLOCATIONS TO AREA CAREER AND TECHNICAL EDUCATION SCHOOLS AND EDUCATIONAL SERVICE AGENCIES.—

28 (1) IN GENERAL.—Each eligible agency shall distribute the portion of funds made available under section
29 112(a)(1) for any fiscal year by such eligible agency for career and technical education activities at the
30 secondary level under this section to the appropriate area career and technical education school or
31 educational service agency in any case in which the area career and technical education school or
32 educational service agency, and the local educational agency concerned—

33 (A) have formed or will form a consortium for the purpose of receiving funds under this section;

34 or

35 (B) have entered into or will enter into a cooperative arrangement for such purpose.

36 (2) ALLOCATION BASIS.—If an area career and technical education school or educational service agency
37 meets the requirements of paragraph (1), then the amount that would otherwise be distributed to the local

1 educational agency shall be allocated to the area career and technical education school, the educational
2 service agency, and the local educational agency based on each school, agency or entity's relative share of
3 students who are attending career and technical education programs (based, if practicable, on the average
4 enrollment for the preceding 3 years).

5 (3) APPEALS PROCEDURE.—The eligible agency shall establish an appeals procedure for resolution of any
6 dispute arising between a local educational agency and an area career and technical education school or an
7 educational service agency with respect to the allocation procedures described in this section, including the
8 decision of a local educational agency to leave a consortium or terminate a cooperative arrangement.

9 (f) CONSORTIUM REQUIREMENTS.—

10 (1) ALLIANCE.—Any local educational agency receiving an allocation that is not sufficient to conduct a
11 program which meets the requirements of section 135 is encouraged to—

12 (A) form a consortium or enter into a cooperative agreement with an area career and technical
13 education school or educational service agency offering programs that meet the requirements of
14 section 135;

15 (B) transfer such allocation to the area career and technical education school or educational service
16 agency; and

17 (C) operate programs that are of sufficient size, scope, and quality to be effective.

18 (2) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements of this
19 subsection shall be used only for purposes and programs that are mutually beneficial to all members of the
20 consortium and can be used only for programs authorized under this title. Such funds may not be
21 reallocated to individual members of the consortium for purposes or programs benefitting only 1 member
22 of the consortium.

23 (g) DATA.—The Secretary shall collect information from eligible agencies regarding the specific dollar allocations
24 made available by the eligible agency for career and technical education programs under subsections (a), (b), (c),
25 (d), and (e) and how these allocations are distributed to local educational agencies, area career and technical
26 education schools, and educational service agencies, within the State in accordance with this section.

27 (h) SPECIAL RULE.—Each eligible agency distributing funds under this section shall treat a secondary school funded
28 by the Bureau of Indian Affairs within the State as if such school were a local educational agency within the State
29 for the purpose of receiving a distribution under this section.

30
31 **SEC. 132. DISTRIBUTION OF FUNDS FOR POSTSECONDARY EDUCATION PROGRAMS.**

32 (a) ALLOCATION.—

33 (1) IN GENERAL.—Except as provided in subsections (b) and (c) and section 133, each eligible agency shall
34 distribute the portion of the funds made available under section 112(a)(1) to carry out this section for any
35 fiscal year to eligible institutions or consortia of eligible institutions within the State.

36 (2) FORMULA.—Each eligible institution or consortium of eligible institutions shall be allocated an amount
37 that bears the same relationship to the portion of funds made available under section 112(a)(1) to carry out
38 this section for any fiscal year as the sum of the number of individuals who are Federal Pell Grant

1 recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in programs meeting the
2 requirements of section 135 offered by such institution or consortium in the preceding fiscal year bears to
3 the sum of the number of such recipients enrolled in such programs within the State for such year.

4 (3) CONSORTIUM REQUIREMENTS.—

5 (A) IN GENERAL.—In order for a consortium of eligible institutions described in paragraph (2) to
6 receive assistance pursuant to such paragraph, such consortium shall operate joint projects that—

- 7 (i) provide services to all postsecondary institutions participating in the consortium; and
8 (ii) are of sufficient size, scope, and quality to be effective.

9 (B) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements of
10 this section shall be used only for purposes and programs that are mutually beneficial to all
11 members of the consortium and shall be used only for programs authorized under this title. Such
12 funds may not be reallocated to individual members of the consortium for purposes or programs
13 benefitting only 1 member of the consortium.

14 (4) WAIVER.—The eligible agency may waive the application of paragraph (3)(A)(i) in any case in which
15 the eligible institution is located in a rural, sparsely populated area.

16 (b) WAIVER FOR MORE EQUITABLE DISTRIBUTION.—The Secretary may waive the application of subsection (a) if an
17 eligible agency submits to the Secretary an application for such a waiver that—

- 18 (1) demonstrates that the formula described in subsection (a) does not result in a distribution of funds to the
19 eligible institutions or consortia within the State that have the highest numbers of economically
20 disadvantaged individuals and that an alternative formula will result in such a distribution; and
21 (2) includes a proposal for such an alternative formula.

22 (c) MINIMUM GRANT AMOUNT.—

23 (1) IN GENERAL.—No institution or consortium shall receive an allocation under this section in an amount
24 that is less than \$50,000.

25 (2) REDISTRIBUTION.—Any amounts that are not distributed by reason of paragraph (1) shall be redistributed
26 to eligible institutions or consortia in accordance with this section.

27
28 **SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL EDUCATION.**

29 (a) SPECIAL RULE FOR MINIMAL ALLOCATION.—

30 (1) GENERAL AUTHORITY.—Notwithstanding the provisions of sections 131 and 132 and in order to make a
31 more equitable distribution of funds for programs serving the areas of greatest economic need, for any
32 program year for which a minimal amount is made available by an eligible agency for distribution under
33 section 131 or 132, such eligible agency may distribute such minimal amount for such year—

34 (A) on a competitive basis; or

35 (B) through any alternative method determined by the eligible agency.

36 (2) MINIMAL AMOUNT.—For purposes of this section, the term “minimal amount” means not more than 15
37 percent of the total amount made available for distribution under section
38 112(a)(1).

1 (b) REDISTRIBUTION.—

2 (1) IN GENERAL.—In any academic year that an eligible recipient does not expend all of the amounts the
3 eligible recipient is allocated for such year under section 131 or 132, such eligible recipient shall return any
4 unexpended amounts to the eligible agency to be reallocated under section 131 or 132, as appropriate.

5 (2) REDISTRIBUTION OF AMOUNTS RETURNED LATE IN AN ACADEMIC YEAR.—In any academic year in which
6 amounts are returned to the eligible agency under section 131 or 132 and the eligible agency is unable to
7 reallocate such amounts according to such sections in time for such amounts to be expended in such
8 academic year, the eligible agency shall retain such amounts for distribution in combination with amounts
9 provided under section 112(a)(1) for the following academic year.

10 (c) CONSTRUCTION.—Nothing in section 131 or 132 shall be construed—

11 (1) to prohibit a local educational agency or a consortium thereof that receives assistance under section 131,
12 from working with an eligible institution or consortium thereof that receives assistance under section 132,
13 to carry out career and technical education programs at the secondary level in accordance with this title;

14 (2) to prohibit an eligible institution or consortium thereof that receives assistance under section 132, from
15 working with a local educational agency or consortium thereof that receives assistance under section 131,
16 to carry out postsecondary and adult career and technical education programs in accordance with this title;
17 or

18 (3) to require a charter school, that provides career and technical education programs and is considered a
19 local educational agency under State law, to jointly establish the charter school’s eligibility for assistance
20 under this title unless the charter school is explicitly permitted to do so under the State’s charter school
21 statute.

22 (d) CONSISTENT APPLICATION.—For purposes of this section, the eligible agency shall provide funds to charter
23 schools offering career and technical education programs in the same manner as the eligible agency provides those
24 funds to other schools. Such career and technical education programs within a charter school shall be of sufficient
25 size, scope, and quality to be effective.

26
27 **SEC. 134. ~~LOCAL PLAN~~ LOCAL APPLICATION FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.**

28 (a) ~~LOCAL PLAN~~ **LOCAL APPLICATION** REQUIRED.—Any eligible recipient desiring financial assistance under
29 this part shall, in accordance with requirements established by the eligible agency (in consultation with such other
30 educational training entities as the eligible agency determines to be appropriate) ~~submit a local plan~~ **submit a**
31 **local application** to the eligible agency. ~~Such local plan~~ **Such local application** shall cover the same
32 period of time as the period of time applicable to the State plan submitted under section 122.

33 ~~(b) CONTENTS.—The eligible agency shall determine the requirements for local plans, except that each local plan~~
34 ~~shall—~~

35 ~~(1) describe how the career and technical education programs required under section 135(b) will be carried~~
36 ~~out with funds received under this title;~~

1 ~~(2) describe how the career and technical education activities will be carried out with respect to meeting~~
2 ~~State and local adjusted levels of performance established under section 113;~~

3 ~~(3) describe how the eligible recipient will —~~

4 ~~(A) offer the appropriate courses of not less than 1 of the career and technical programs of study~~
5 ~~described in section 122(e)(1)(A);~~

6 ~~(B) improve the academic and technical skills of students participating in career and technical~~
7 ~~education programs by strengthening the academic and career and technical education components~~
8 ~~of such programs through the integration of coherent and rigorous content aligned with~~
9 ~~challenging academic standards and relevant career and technical education programs to ensure~~
10 ~~learning in —~~

11 ~~(i) the core academic subjects (as defined in section 9101 of the Elementary and~~
12 ~~Secondary Education Act of 1965); and~~

13 ~~(ii) career and technical education subjects;~~

14 ~~(C) provide students with strong experience in, and understanding of, all aspects of an industry;~~

15 ~~(D) ensure that students who participate in such career and technical education programs are~~
16 ~~taught to the same coherent and rigorous content aligned with challenging academic standards as~~
17 ~~are taught to all other students; and~~

18 ~~(E) encourage career and technical education students at the secondary level to enroll in rigorous~~
19 ~~and challenging courses in core academic subjects (as defined in section 9101 of the Elementary~~
20 ~~and Secondary Education Act of 1965);~~

21 ~~(4) describe how comprehensive professional development (including initial teacher preparation) for career~~
22 ~~and technical education, academic, guidance, and administrative personnel will be provided that promotes~~
23 ~~the integration of coherent and rigorous content aligned with challenging academic standards and relevant~~
24 ~~career and technical education (including curriculum development);~~

25 ~~(5) describe how parents, students, academic and career and technical education teachers, faculty,~~
26 ~~administrators, career guidance and academic counselors, representatives of tech prep consortia (if~~
27 ~~applicable), representatives of the entities participating in activities described in section 117 of Public Law~~
28 ~~105–220 (if applicable), representatives of business (including small business) and industry, labor~~
29 ~~organizations, representatives of special populations, and other interested individuals are involved in the~~
30 ~~development, implementation, and evaluation of career and technical education programs assisted under~~
31 ~~this title, and how such individuals and entities are effectively informed about, and assisted in~~
32 ~~understanding, the requirements of this title, including career and technical programs of study;~~

33 ~~(6) provide assurances that the eligible recipient will provide a career and technical education program that~~
34 ~~is of such size, scope, and quality to bring about improvement in the quality of career and technical~~
35 ~~education programs;~~

36 ~~(7) describe the process that will be used to evaluate and continuously improve the performance of the~~
37 ~~eligible recipient;~~

1 ~~(8) describe how the eligible recipient will—~~

2 ~~(A) review career and technical education programs, and identify and adopt strategies to overcome~~
3 ~~barriers that result in lowering rates of access to or lowering success in the programs, for special~~
4 ~~populations;~~

5 ~~(B) provide programs that are designed to enable the special populations to meet the local adjusted~~
6 ~~levels of performance; and~~

7 ~~(C) provide activities to prepare special populations, including single parents and displaced~~
8 ~~homemakers, for high skill, high wage, or high demand occupations that will lead to self-~~
9 ~~sufficiency;~~

10 ~~(9) describe how individuals who are members of special populations will not be discriminated against on~~
11 ~~the basis of their status as members of the special populations;~~

12 ~~(10) describe how funds will be used to promote preparation for non-traditional fields;~~

13 ~~(11) describe how career guidance and academic counseling will be provided to career and technical~~
14 ~~education students, including linkages to future education and training opportunities; and~~

15 ~~(12) describe efforts to improve—~~

16 ~~(A) the recruitment and retention of career and technical education teachers, faculty, and career~~
17 ~~guidance and academic counselors, including individuals in groups underrepresented in the~~
18 ~~teaching profession; and~~

19 ~~(B) the transition to teaching from business and industry.~~

20
21 **(b) CONTENTS.—**The eligible agency shall determine the requirements for local
22 applications, except that each local application shall contain—

23 (1) a description of the results of the comprehensive needs assessment
24 conducted under subsection (c);

25 (2) information on the programs of study approved by a State under section
26 124(b)(2) supported by the eligible recipient with funds under this part,
27 including—

28 (A) how the results of the comprehensive needs assessment described
29 in subsection (c) informed the selection of the specific career and
30 technical education programs and activities selected to be funded; and

31 (B) a description of any new programs of study the eligible recipient
32 will develop and submit to the State for approval;

33 (3) a description of how the eligible recipient will provide—

34 (A) career exploration and career development coursework, activities,
35 or services;

36 (B) career information; and

1 (C) an organized system of career guidance and academic counseling
2 to students before enrolling and while participating in a career and
3 technical education program; and

4 (4) a description of how the eligible recipient will—

5 (A) provide activities to prepare special populations for high-skill,
6 high-wage, or in-demand occupations that will lead to self-
7 sufficiency; and

8 (B) prepare CTE participants for nontraditional fields.
9

10 (c) COMPREHENSIVE NEEDS ASSESSMENT.—

11 (1) IN GENERAL.—To be eligible to receive financial assistance under this
12 part, an eligible recipient shall—

13 (A) conduct a comprehensive local needs assessment related to career
14 and technical education; and

15 (B) not less than once every 2 years, update such comprehensive local
16 needs assessment.

17 (2) REQUIREMENTS.—The comprehensive local needs assessment described
18 under paragraph (1) shall include—

19 (A) an evaluation of the performance of the students served by the
20 eligible recipient with respect to State and local adjusted levels of
21 performance established pursuant to section 113, including an
22 evaluation of performance for special populations;

23 (B) a description of how career and technical education programs
24 offered by the eligible recipient are—

25 (i) sufficient in size, scope, and quality to meet the needs of all
26 students served by the eligible recipient; and

27 (ii)(I) aligned to State, regional, or local in-demand industry
28 sectors or occupations identified by the State or local workforce
29 development board, including career pathways, where
30 appropriate; or

31 (iii)(II) designed to meet local education or economic needs not
32 identified by State or local workforce development boards;

33 (C) an evaluation of progress toward the implementation of career and
34 technical education programs and programs of study;

35 (D) an evaluation of strategies needed to overcome barriers that result
36 in lowering rates of access to, or lowering success in, career and
37 technical education programs for special populations, which may
38 include strategies to establish or utilize existing flexible learning and
39 manufacturing facilities, such as makerspaces;

- (E) a description of how the eligible recipient will improve recruitment, retention, and training of career and technical education teachers, faculty, specialized instructional support personnel, paraprofessionals, and career, academic, and guidance counselors, including individuals in groups underrepresented in such professions; and
- (F) a description of how the eligible recipient will support the transition to teaching from business and industry.

(d) CONSULTATION.—In conducting the comprehensive needs assessment under subsection (c), an eligible recipient shall involve a diverse body of stakeholders, including, at a minimum—

- (1) representatives of career and technical education programs in a local educational agency or educational service agency, including teachers and administrators;
- (2) representatives of career and technical education programs at postsecondary educational institutions, including faculty and administrators;
- (3) representatives of State or local workforce development boards and a range of local or regional businesses or industries;
- (4) parents and students;
- (5) representatives of special populations; and
- (6) representatives of local agencies serving out-of-school youth, homeless children and youth, and at-risk youth (as defined in section 1432 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6472)).

(e) CONTINUED CONSULTATION.—An eligible recipient receiving financial assistance under this part shall consult with the entities described in subsection (d) on an ongoing basis to—

- (1) provide input on annual updates to the comprehensive needs assessment required under subsection (c);
- (2) ensure programs of study are—
 - (A) responsive to community employment needs;
 - (B) aligned with employment priorities in the State, regional, or local economy identified by employers and the entities described in subsection (d), which may include in-demand industry sectors or occupations identified by the local workforce development board;
 - (C) informed by labor market information, including information provided under section 15(e)(2)(C) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)(2)(C));

1 (D) designed to meet current, intermediate, or long-term labor market
2 projections; and

3 (E) allow employer input, including input from industry or sector
4 partnerships in the local area, where applicable, into the development
5 and implementation of programs of study to ensure programs align
6 with skills required by local employment opportunities, including
7 activities such as the identification of relevant standards, curriculum,
8 industry recognized credentials, and current technology and
9 equipment;

10 (3) identify and encourage opportunities for work-based learning; and

11 (4) ensure funding under this part is used in a coordinated manner with other
12 local resources.
13

14 **SEC. 135. LOCAL USES OF FUNDS.**

15 (a) GENERAL AUTHORITY.—~~Each eligible recipient that receives funds under this part shall use such funds to improve~~
16 ~~career and technical education programs.~~ Each eligible recipient that receives funds under this
17 part shall use such funds to develop, coordinate, implement, or improve career and
18 technical education programs to meet the needs identified in the comprehensive
19 needs assessment described in section 134(c).

20 (b) REQUIREMENTS FOR USES OF FUNDS.—Funds made available to eligible recipients under this part shall be used to
21 support career and technical education programs that are of sufficient, size, scope, and quality to
22 be effective and—

23 ~~(1) strengthen the academic and career and technical skills of students participating in career and technical~~
24 ~~education programs, by strengthening the academic and career and technical education components of such~~
25 ~~programs through the integration of academics with career and technical education programs through a~~
26 ~~coherent sequence of courses, such as career and technical programs of study described in section~~
27 ~~122(c)(1)(A), to ensure learning in—~~

28 ~~(A) the core academic subjects (as defined in section 9101 of the Elementary and Secondary~~
29 ~~Education Act of 1965); and~~

30 ~~(B) career and technical education subjects;~~

31 ~~(2) link career and technical education at the secondary level and career and technical education at the~~
32 ~~postsecondary level, including by offering the relevant elements of not less than 1 career and technical~~
33 ~~program of study described in section 122(c)(1)(A);~~

34 ~~(3) provide students with strong experience in and understanding of all aspects of an industry, which may~~
35 ~~include workbased learning experiences;~~

36 ~~(4) develop, improve, or expand the use of technology in career and technical education, which may~~
37 ~~include—~~

~~(A) training of career and technical education teachers, faculty, and administrators to use technology, which may include distance learning;~~

~~(B) providing career and technical education students with the academic and career and technical skills (including the mathematics and science knowledge that provides a strong basis for such skills) that lead to entry into the technology fields; or~~

~~(C) encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs, including programs that improve the mathematics and science knowledge of students;~~

~~(5) provide professional development programs that are consistent with section 122 to secondary and postsecondary teachers, faculty, administrators, and career guidance and academic counselors who are involved in integrated career and technical education programs, including—~~

~~(A) in-service and preservice training on—~~

~~(i) effective integration and use of challenging academic and career and technical education provided jointly with academic teachers to the extent practicable;~~

~~(ii) effective teaching skills based on research that includes promising practices;~~

~~(iii) effective practices to improve parental and community involvement; and~~

~~(iv) effective use of scientifically based research and data to improve instruction;~~

~~(B) support of education programs for teachers of career and technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to career and technical education students, to ensure that such teachers and personnel stay current with all aspects of an industry;~~

~~(C) internship programs that provide relevant business experience; and~~

~~(D) programs designed to train teachers specifically in the effective use and application of technology to improve instruction;~~

~~(6) develop and implement evaluations of the career and technical education programs carried out with funds under this title, including an assessment of how the needs of special populations are being met;~~

~~(7) initiate, improve, expand, and modernize quality career and technical education programs, including relevant technology;~~

~~(8) provide services and activities that are of sufficient size, scope, and quality to be effective; and~~

~~(9) provide activities to prepare special populations, including single parents and displaced homemakers who are enrolled in career and technical education programs, for high skill, high wage, or high demand occupations that will lead to self-sufficiency.~~

(1) provide career exploration and career development activities through an organized, systematic framework designed to aid students, before enrolling and while participating in a career and technical education program, in making informed plans and decisions about future education and career opportunities and programs of study, which may include—

- 1 (A) introductory courses or activities focused on career exploration
- 2 and career awareness;
- 3 (B) readily available career and labor market information, including
- 4 information on—
- 5 (i) occupational supply and demand;
- 6 (ii) educational requirements;
- 7 (iii) other information on careers aligned to State or local
- 8 economic priorities; and
- 9 (iv) employment sectors;
- 10 (C) programs and activities related to the development of student
- 11 graduation and career plans;
- 12 (D) career guidance and academic counselors that provide information
- 13 on postsecondary education and career options; or
- 14 (E) any other activity that advances knowledge of career opportunities
- 15 and assists students in making informed decisions about future
- 16 education and employment goals;
- 17 (2) provide professional development for teachers, principals, school leaders,
- 18 administrators, faculty, and career and guidance counselors with respect to
- 19 content and pedagogy that—
- 20 (A) supports individualized academic and career and technical
- 21 education instructional approaches, including the integration of
- 22 academic and career and technical education standards and
- 23 curriculum;
- 24 (B) ensures labor market information is used to inform the programs,
- 25 guidance, and advisement offered to students;
- 26 (C) provides educators with opportunities to advance knowledge,
- 27 skills, and understanding of all aspects of an industry, including the
- 28 latest workplace equipment, technologies, standards, and credentials;
- 29 (D) supports administrators in managing career and technical
- 30 education programs in the schools, institutions, or local educational
- 31 agencies of such administrators;
- 32 (E) supports the implementation of strategies to improve student
- 33 achievement and close gaps in student participation and performance
- 34 in career and technical education programs; and
- 35 (F) provides educators with opportunities to advance knowledge,
- 36 skills, and understanding in pedagogical practices, including, to the
- 37 extent the eligible recipient determines that such evidence is
- 38 reasonably available, evidence-based pedagogical practices;

1 (3) provide career and technical education students, including special
2 populations, with the skills necessary to pursue high-skill, high-wage
3 occupations;

4 (4) support integration of academic skills into career and technical education
5 programs and programs of study to support CTE participants at the
6 secondary school level in meeting the challenging State academic standards
7 adopted under section 1111(b)(1) of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 6311(b)(1)) by the State in which the
9 eligible recipient is located;

10 (5) plan and carry out elements that support the implementation of career
11 and technical education programs and programs of study and student
12 achievement of the local adjusted levels of performance established under
13 section 113, which may include—

14 (A) curriculum aligned with the requirements for a program of study;

15 (B) sustainable relationships among education, business and industry,
16 and other community stakeholders, including industry or sector
17 partnerships in the local area, where applicable, that are designed to
18 facilitate the process of continuously updating and aligning programs
19 of study with skills in demand in the State, regional, or local
20 economy;

21 (C) dual or concurrent enrollment programs, including early college
22 high schools, and the development or implementation of articulation
23 agreements;

24 (D) appropriate equipment, technology, and instructional materials
25 (including support for library resources) aligned with business and
26 industry needs, including machinery, testing equipment, tools,
27 implements, hardware and software, and other new and emerging
28 instructional materials;

29 (E) a continuum of work-based learning opportunities;

30 (F) industry-recognized certification exams or other assessments
31 leading toward industry-recognized postsecondary credentials;

32 (G) efforts to recruit and retain career and technical education
33 program administrators and educators;

34 (H) where applicable, coordination with other education and
35 workforce development programs and initiatives, including career
36 pathways and sector partnerships developed under the Workforce
37 Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and other
38 Federal laws and initiatives that provide students with transition-
39 related services, including the Individuals with Disabilities Education
40 Act (20 U.S.C. 1400 et seq.);

- 1 (I) expanding opportunities for students to participate in distance
- 2 career and technical education and blended-learning programs;
- 3 (J) expanding opportunities for students to participate in competency-
- 4 based education programs;
- 5 (K) improving career guidance and academic counseling programs
- 6 that assist students in making informed academic and career and
- 7 technical education decisions, including academic and financial aid
- 8 counseling;
- 9 (L) supporting the integration of employability skills into career and
- 10 technical education programs and programs of study;
- 11 (M) supporting programs and activities that increase access, student
- 12 engagement, and success in science, technology, engineering, and
- 13 mathematics fields (including computer science) for students who are
- 14 members of groups underrepresented in such subject fields;
- 15 (N) providing career and technical education, in a school or other
- 16 educational setting, for adults or a school-aged individual who has
- 17 dropped out of a secondary school to complete secondary school
- 18 education or upgrade technical skills;
- 19 (O) career and technical student organizations, including student
- 20 preparation for and participation in technical skills competitions
- 21 aligned with career and technical education program standards and
- 22 curriculum;
- 23 (P) making all forms of instructional content widely available, which
- 24 may include use of open educational resources;
- 25 (Q) supporting the integration of arts and design skills, when
- 26 appropriate, into career and technical education programs and
- 27 programs of study;
- 28 (R) where appropriate, expanding opportunities for CTE concentrators
- 29 to participate in accelerated learning programs (described in section
- 30 4104(b)(3)(A)(i)(IV) of the Elementary and Secondary Education Act
- 31 of 1965 (20 U.S.C. 7114(b)(3)(A)(i)(IV)) as part of a program of
- 32 study; and
- 33 (S) other activities to improve career and technical education
- 34 programs; and
- 35 (6) develop and implement evaluations of the activities carried out with
- 36 funds under this part, including evaluations necessary to complete the
- 37 comprehensive needs assessment required under section 134(c) and the local
- 38 report required under section 113(b)(4)(C).

39 ~~(c) PERMISSIVE.—Funds made available to an eligible recipient under this title may be used—~~

- 1 ~~(1) to involve parents, businesses, and labor organizations as appropriate, in the design, implementation,~~
- 2 ~~and evaluation of career and technical education programs authorized under this title, including establishing~~
- 3 ~~effective programs and procedures to enable informed and effective participation in such programs;~~
- 4 ~~(2) to provide career guidance and academic counseling, which may include information described in~~
- 5 ~~section 118, for students participating in career and technical education programs, that —~~
- 6 ~~(A) improves graduation rates and provides information on postsecondary and career options,~~
- 7 ~~including baccalaureate degree programs, for secondary students, which activities may include the~~
- 8 ~~use of graduation and career plans; and~~
- 9 ~~(B) provides assistance for postsecondary students, including for adult students who are changing~~
- 10 ~~careers or updating skills;~~
- 11 ~~(3) for local education and business (including small business) partnerships, including for —~~
- 12 ~~(A) work related experiences for students, such as internships, cooperative education, school-~~
- 13 ~~based enterprises, entrepreneurship, and job shadowing that are related to career and technical~~
- 14 ~~education programs;~~
- 15 ~~(B) adjunct faculty arrangements for qualified industry professionals; and~~
- 16 ~~(C) industry experience for teachers and faculty;~~
- 17 ~~(4) to provide programs for special populations;~~
- 18 ~~(5) to assist career and technical student organizations;~~
- 19 ~~(6) for mentoring and support services;~~
- 20 ~~(7) for leasing, purchasing, upgrading or adapting equipment, including instructional aids and publications~~
- 21 ~~(including support for library resources) designed to strengthen and support academic and technical skill~~
- 22 ~~achievement;~~
- 23 ~~(8) for teacher preparation programs that address the integration of academic and career and technical~~
- 24 ~~education and that assist individuals who are interested in becoming career and technical education teachers~~
- 25 ~~and faculty, including individuals with experience in business and industry;~~
- 26 ~~(9) to develop and expand postsecondary program offerings at times and in formats that are accessible for~~
- 27 ~~students, including working students, including through the use of distance education;~~
- 28 ~~(10) to develop initiatives that facilitate the transition of subbaccalaureate career and technical education~~
- 29 ~~students into baccalaureate degree programs, including —~~
- 30 ~~(A) articulation agreements between sub-baccalaureate degree granting career and technical~~
- 31 ~~education postsecondary educational institutions and baccalaureate degree granting postsecondary~~
- 32 ~~educational institutions;~~
- 33 ~~(B) postsecondary dual and concurrent enrollment programs;~~
- 34 ~~(C) academic and financial aid counseling for sub-baccalaureate career and technical education~~
- 35 ~~students that informs the students of the opportunities for pursuing a baccalaureate degree and~~
- 36 ~~advises the students on how to meet any transfer requirements; and~~
- 37 ~~(D) other initiatives—~~

1 ~~(i) to encourage the pursuit of a baccalaureate degree; and~~
2 ~~(ii) to overcome barriers to enrollment in and completion of baccalaureate degree~~
3 ~~programs, including geographic and other barriers affecting rural students and special~~
4 ~~populations;~~
5 ~~(11) to provide activities to support entrepreneurship education and training;~~
6 ~~(12) for improving or developing new career and technical education courses, including the development of~~
7 ~~new proposed career and technical programs of study for consideration by the eligible agency and courses~~
8 ~~that prepare individuals academically and technically for high skill, high wage, or high demand occupations~~
9 ~~and dual or concurrent enrollment opportunities by which career and technical education students at the~~
10 ~~secondary level could obtain postsecondary credit to count towards an associate or baccalaureate degree;~~
11 ~~(13) to develop and support small, personalized career themed learning communities;~~
12 ~~(14) to provide support for family and consumer sciences programs;~~
13 ~~(15) to provide career and technical education programs for adults and school dropouts to complete the~~
14 ~~secondary school education, or upgrade the technical skills, of the adults and school dropouts;~~
15 ~~(16) to provide assistance to individuals who have participated in services and activities under this Act in~~
16 ~~continuing their education or training or finding an appropriate job, such as through referral to the system~~
17 ~~established under section 121 of Public Law 105 220 (29 U.S.C. 2801 et seq.);~~
18 ~~(17) to support training and activities (such as mentoring and outreach) in non traditional fields;~~
19 ~~(18) to provide support for training programs in automotive technologies;~~
20 ~~(19) to pool a portion of such funds with a portion of funds available to not less than 1 other eligible~~
21 ~~recipient for innovative initiatives, which may include—~~
22 ~~(A) improving the initial preparation and professional development of career and technical~~
23 ~~education teachers, faculty, administrators, and counselors;~~
24 ~~(B) establishing, enhancing, or supporting systems for—~~
25 ~~(i) accountability data collection under this Act; or~~
26 ~~(ii) reporting data under this Act;~~
27 ~~(C) implementing career and technical programs of study described in section 122(c)(1)(A); or~~
28 ~~(D) implementing technical assessments; and~~
29 ~~(20) to support other career and technical education activities that are consistent with the purpose of this~~
30 ~~Act.~~

31
32 **(c) POOLING FUNDS.**—An eligible recipient may pool a portion of funds received
33 under this Act with a portion of funds received under this Act available to not less
34 than one other eligible recipient to support implementation of programs of study
35 through the activities described in subsection (b)(2).

36 **(d) ADMINISTRATIVE COSTS.**—Each eligible recipient receiving funds under this part shall not use more than 5
37 percent of ~~the such~~ funds for **costs associated with the** ~~administrative costs associated with the~~
38 administration of activities ~~assisted~~ under this section.

1
2 **TITLE II—GENERAL PROVISIONS**

3
4 **PART A—FEDERAL ADMINISTRATIVE PROVISIONS**

5
6 **SEC. 211~~34~~. FISCAL REQUIREMENTS.**

7 (a) SUPPLEMENT NOT SUPPLANT.—Funds made available under this Act for career and technical education activities
8 shall supplement, and shall not supplant, non-Federal funds expended to carry out career and technical education
9 activities and tech prep program activities.

10 (b) MAINTENANCE OF EFFORT.—

11 (1) DETERMINATION.— ~~(A) IN GENERAL.— Except as provided in subparagraphs (B) and (C), no payments~~
12 ~~shall be made under this Act for any fiscal year to a State for career and technical education programs or~~
13 ~~tech prep programs unless the Secretary determines that the fiscal effort per student or the aggregate~~
14 ~~expenditures of such State for career and technical education programs for the fiscal year preceding the~~
15 ~~fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for career~~
16 ~~and technical education programs for the second fiscal year preceding the fiscal year for which the~~
17 ~~determination is made.~~

18 (A) IN GENERAL.— Except as provided in subparagraph (B), (C), or
19 (D), in order for a State to receive its full allotment of funds under this
20 Act for any fiscal year, the Secretary must find that the State’s fiscal
21 effort per student, or the aggregate expenditures of such State, with
22 respect to career and technical education for the preceding fiscal year
23 was not less than the fiscal effort per student, or the aggregate
24 expenditures of such State, for the second preceding fiscal year.

25 (B) COMPUTATION.—In computing the fiscal effort or aggregate expenditures pursuant to
26 subparagraph (A), the Secretary ~~shall exclude capital expenditures, special 1-time project costs,~~
27 ~~and the cost of pilot programs shall, at the request of the State, exclude~~
28 **competitive or incentive-based programs established by the State,**
29 **capital expenditures, special one-time project costs, and the cost of**
30 **pilot programs.**

31 (C) DECREASE IN FEDERAL SUPPORT.—If the amount made available for career and technical
32 education programs under this Act for a fiscal year is less than the amount made available for
33 career and technical education programs under this Act for the preceding fiscal year, then the
34 fiscal effort per student or the aggregate expenditures of a State required by subparagraph (A) for
35 the preceding fiscal year shall be decreased by the same percentage as the percentage decrease in
36 the amount so made available.

37 (D) ESTABLISHING THE STATE BASELINE.—

1 (i) **IN GENERAL.**— For purposes of subparagraph (A), the
2 State may—

3 (I) continue to use the State’s fiscal effort per student, or
4 aggregate expenditures of such State, with respect to
5 career and technical education, as was in effect on the
6 day before the date of enactment of the Strengthening
7 Career and Technical Education for the 21st Century Act;
8 or

9 (II) establish a new level of fiscal effort per student, or
10 aggregate expenditures of such State, with respect to
11 career and technical education, which is not less than 90
12 percent of the State’s fiscal effort per student, or the
13 aggregate expenditures of such State, with respect to
14 career and technical education for the preceding fiscal
15 year.

16 (ii) **AMOUNT.**— The amount of the new level described in
17 clause (i)(II) shall be the State’s fiscal effort per student, or
18 aggregate expenditures of such State, with respect to career and
19 technical education, for the first full fiscal year following the
20 enactment of the Strengthening Career and Technical Education
21 for the 21st Century Act.

22 ~~(2) **WAIVER.**— The Secretary may waive the requirements of this section, with respect to not more than 5~~
23 ~~percent of expenditures by any eligible agency for 1 fiscal year only, on making a determination that such~~
24 ~~waiver would be equitable due to exceptional or uncontrollable circumstances affecting the ability of the~~
25 ~~eligible agency to meet such requirements, such as a natural disaster or an unforeseen and precipitous~~
26 ~~decline in financial resources. No level of funding permitted under such a waiver may be used as the basis~~
27 ~~for computing the fiscal effort or aggregate expenditures required under this section for years subsequent to~~
28 ~~the year covered by such waiver. The fiscal effort or aggregate expenditures for the subsequent years shall~~
29 ~~be computed on the basis of the level of funding that would, but for such waiver, have been required.~~

1 (2) FAILURE TO MEET.—The Secretary shall reduce the amount of a State’s
2 allotment of funds under this Act for any fiscal year in the exact proportion
3 by which the State fails to meet the requirement of paragraph (1) by falling
4 below the State’s fiscal effort per student or the State’s aggregate
5 expenditures (using the measure most favorable to the State), if the State
6 failed to meet such requirement (as determined using the measure most
7 favorable to the State) for 1 or more of the 5 immediately preceding fiscal
8 years.

9 (3) WAIVER.—The Secretary may waive paragraph (2) due to exceptional or
10 uncontrollable circumstances affecting the ability of the State to meet the
11 requirement of paragraph (1).
12

13 SEC. 212³¹². AUTHORITY TO MAKE PAYMENTS.

14 Any authority to make payments or to enter into contracts under this Act shall be available only to such extent or in
15 such amounts as are provided in advance in appropriation Acts.
16

17 SEC. 213³¹³. CONSTRUCTION.

18 Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect
19 of a private, religious, or home school, regardless of whether a home school is treated as a private school or home
20 school under State law. This section shall not be construed to bar students attending private, religious, or home
21 schools from participation in programs or services under this Act.
22

23 SEC. 214³¹⁴. VOLUNTARY SELECTION AND PARTICIPATION.

24 No funds made available under this Act shall be used—

- 25 (1) to require any secondary school student to choose or pursue a specific career path or major; or
26 (2) to mandate that any individual participate in a career and technical education program, including a
27 career and technical education program that requires the attainment of a federally funded skill level,
28 standard, or certificate of mastery.
29

30 SEC. 215³¹⁵. LIMITATION FOR CERTAIN STUDENTS.

31 No funds received under this Act may be used to provide career and technical education programs to students prior
32 to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used by such
33 students.
34

35 SEC. 216³¹⁶. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS.

1 Nothing in this Act shall be construed to be inconsistent with applicable Federal law prohibiting discrimination on
2 the basis of race, color, sex, national origin, age, or disability in the provision of Federal programs or services.

3
4 **SEC. 217~~317~~. PARTICIPATION OF PRIVATE SCHOOL PERSONNEL AND CHILDREN.**

5 (a) PERSONNEL.—An eligible agency or eligible recipient that uses funds under this Act for in-service and preservice
6 career and technical education professional development programs for career and technical education teachers,
7 administrators, and other personnel shall, to the extent practicable, upon written request, permit the participation in
8 such programs of career and technical education secondary school teachers, administrators, and other personnel in
9 nonprofit private schools offering career and technical secondary education programs located in the geographical
10 area served by such eligible agency or eligible recipient.

11 (b) STUDENT PARTICIPATION.—

12 (1) STUDENT PARTICIPATION.—Except as prohibited by State or local law, an eligible recipient ~~may, upon~~
13 ~~written request, use funds made available under this Act to~~ **may use funds made available**
14 **under this Act to** provide for the meaningful participation, in career and technical education
15 programs and activities receiving funding under this Act, of secondary school students attending nonprofit
16 private schools ~~who reside in the geographical area served by~~ **located in or near the**
17 **geographical area served by** the eligible recipient.

18 (2) CONSULTATION.—An eligible recipient shall consult, upon written request, in a timely and meaningful
19 manner with representatives of nonprofit private schools in the geographical area served by the eligible
20 recipient described in paragraph (1) regarding the meaningful participation, in career and technical
21 education programs and activities receiving funding under this Act, of secondary school students attending
22 nonprofit private schools.

23
24 **SEC. 218~~318~~. LIMITATION ON FEDERAL REGULATIONS.**

25 The Secretary may issue regulations under this Act only to the extent necessary to administer and ensure compliance
26 with the specific requirements of this Act.

27
28 **SEC. 219. STUDY ON PROGRAMS OF STUDY ALIGNED TO HIGH-SKILL, HIGH-WAGE**
29 **OCCUPATIONS.**

30 (a) SCOPE OF STUDY.—The Comptroller General of the United States shall conduct
31 a study to evaluate—

32 (1) the strategies, components, policies, and practices used by eligible
33 agencies or eligible recipients receiving funding under this Act to
34 successfully assist—

35 (A) all students in pursuing and completing programs of study aligned
36 to high-skill, high-wage occupations; and

37 (B) any specific subgroup of students identified in section
38 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of
39 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) in pursuing and completing

1 programs of study aligned to high-skill, high-wage occupations in
2 fields in which such subgroup is underrepresented; and
3 (2) any challenges associated with replication of such strategies,
4 components, policies, and practices.

5 (b) CONSULTATION.—In carrying out the study conducted under subsection (a), the
6 Comptroller General of the United States shall consult with a geographically
7 diverse (including urban, suburban, and rural) representation of—

- 8 (1) students and parents;
9 (2) eligible agencies and eligible recipients;
10 (3) teachers, faculty, specialized instructional support personnel, and
11 paraprofessionals, including those with expertise in preparing CTE students
12 for nontraditional fields;
13 (4) special populations; and
14 (5) representatives of business and industry.

15 (c) SUBMISSION.—Upon completion, the Comptroller General of the United States
16 shall submit the study conducted under subsection (a) to the Committee on
17 Education and the Workforce of the House of Representatives and the Committee
18 on Health, Education, Labor, and Pensions of the Senate.
19

20 **PART B—STATE ADMINISTRATIVE PROVISIONS**

21
22 **SEC. 221³²¹. JOINT FUNDING.**

23 (a) GENERAL AUTHORITY.—Funds made available to eligible agencies under this Act may be used to provide
24 additional funds under an applicable program if—

- 25 (1) such program otherwise meets the requirements of this Act and the requirements of the applicable
26 program;
27 (2) such program serves the same individuals that are served under this Act;
28 (3) such program provides services in a coordinated manner with services provided under this Act; and
29 (4) such funds are used to supplement, and not supplant, funds provided from non-Federal sources.

30 (b) APPLICABLE PROGRAM.—For the purposes of this section, the term ‘applicable program’ means any program
31 under any of the following provisions of law:

- 32 (1) Chapters 4 and 5 of subtitle B of title I of Public Law 105–220.
33 (2) The Wagner-Peyser Act.

34 (c) USE OF FUNDS AS MATCHING FUNDS.—For the purposes of this section, the term ‘additional funds’ does not
35 include funds used as matching funds.
36

37 **SEC. 222³²². PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.**

1 No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an
2 employer to relocate a business enterprise from one State to another State if such relocation will result in a reduction
3 in the number of jobs available in the State where the business enterprise is located before such incentives or
4 inducements are offered.
5

6 **SEC. 223³²³. STATE ADMINISTRATIVE COSTS.**

7 (a) GENERAL RULE.—Except as provided in subsection (b), for each fiscal year for which an eligible agency
8 receives assistance under this Act, the eligible agency shall provide, from non-Federal sources for the costs the
9 eligible agency incurs for the administration of programs under this Act, an amount that is not less than the amount
10 provided by the eligible agency from non-Federal sources for such costs for the preceding fiscal year.

11 (b) EXCEPTION.—If the amount made available from Federal sources for the administration of programs under
12 this Act for a fiscal year (referred to in this section as the ‘determination year’) is less than the amount made
13 available from Federal sources for the administration of programs under this Act for the preceding fiscal year, then
14 the amount the eligible agency is required to provide from non-Federal sources for costs the eligible agency incurs
15 for the administration of programs under this Act for the determination year under subsection (a) shall bear the same
16 ratio to the amount the eligible agency provided from non-Federal sources for such costs for the preceding fiscal
17 year, as the amount made available from Federal sources for the administration of programs under this Act for the
18 determination year bears to the amount made available from Federal sources for the administration of programs
19 under this Act for the preceding fiscal year.
20

21 **SEC. 224³²⁴. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.**

22 (a) ATTENDANCE COSTS NOT TREATED AS INCOME OR RESOURCES.—The portion of any student financial assistance
23 received under this Act that is made available for attendance costs described in subsection (b) shall not be
24 considered as income or resources in determining eligibility for assistance under any other program funded in whole
25 or in part with Federal funds.

26 (b) ATTENDANCE COSTS.—The attendance costs described in this subsection are—

27 (1) tuition and fees normally assessed a student carrying an academic workload as determined by the
28 institution, and including costs for rental or purchase of any equipment, materials, or supplies required of
29 all students in that course of study; and

30 (2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses
31 for a student attending the institution on at least a half-time basis, as determined by the institution.

32 (c) COSTS OF CAREER AND TECHNICAL EDUCATION SERVICES.—Funds made available under this Act may be used to
33 pay for the costs of career and technical education services required in an individualized education program
34 developed pursuant to section 614(d) of the Individuals with Disabilities Education Act and services necessary to
35 meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to
36 career and technical education.
37

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1

1 TITLE III— AMENDMENTS TO THE WAGNER-PEYSER ACT

2 Sec. 301 STATE RESPONSIBILITIES.

3 (e) STATE RESPONSIBILITIES.

4 (1) DESIGNATION OF STATE AGENCY.— In order to receive Federal financial assistance under
5 this section, the Governor of a State shall—

- 6 (A) designate a single State agency to be responsible for the management of the
7 portions of the workforce and labor market information system described in subsection
8 (a) that comprise a statewide workforce and labor market information system and for
9 the State's participation in the development of the plan described in subsection (c); and
10 (B) establish a process for the oversight of such system.

11
12 (2) DUTIES.— In order to receive Federal financial assistance under this section, the State
13 agency shall—

14 (A) consult with State and local employers, participants, and local workforce investment
15 boards about the labor market relevance of the data to be collected and disseminated
16 through the statewide workforce and labor market information system;

17 (B) consult with eligible agencies (defined in section 3 of the Carl D. Perkins Career and
18 Technical Education Act of 2006 (20 U.S.C. 11 2302)), State educational agencies, and
19 local educational agencies concerning the provision of workforce and labor market
20 information in order to—

- 21 (i) meet the needs of secondary school and postsecondary school students who
22 seek such information; and
23 (ii) annually inform the development and implementation of programs of study
24 defined in section 3 of the Carl D. Perkins Career and Technical Education Act of
25 2006 (20 U.S.C. 2302), and career pathways;

26 ~~(B) consult with State educational agencies and local educational agencies concerning
27 the provision of workforce and labor market information in order to meet the needs of
28 secondary school and postsecondary school students who seek such information;~~

29 (C) collect and disseminate for the system, on behalf of the State and localities in the
30 State, the information and data described in subparagraphs (A) and (B) of subsection
31 (a)(1);

32 (D) maintain and continuously improve the statewide workforce and labor market
33 information system in accordance with this section;

34 (E) perform contract and grant responsibilities for data collection, analysis, and
35 dissemination for such system;

36 (F) conduct such other data collection, analysis, and dissemination activities as will
37 ensure an effective statewide workforce and labor market information system;

38 (G) actively seek the participation of other State and local agencies in data collection,
39 analysis, and dissemination activities in order to ensure complementarity, compatibility,
40 and usefulness of data; and

41 (H) utilize the quarterly records described in section 3141(i)(2) of this title to assist the
42 State and other States in measuring State progress on State performance measures;

43 and-

44 (I) provide, on an annual and timely basis to each eligible agency (defined in section 3 of
45 the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)), the
46 data and information described in subparagraphs (A) and (B) of subsection (a)(1).

1
2 **THE DATA AND INFORMATION DESCRIBED IN SUPARAGRAPH (A) AND (B) OF SUBSECTION (a)(1):**
3

4 ***§49I-2. Workforce and labor market information system***

5 **(a) System content**

6 **(1) In general.**— The Secretary, in accordance with the provisions of this section, shall oversee
7 the development, maintenance, and continuous improvement of a nationwide workforce and
8 labor market information system that includes—

9 (A) statistical data from cooperative statistical survey and projection programs and data
10 from administrative reporting systems that, taken together, enumerate, estimate, and
11 project employment opportunities and conditions at national, State, and local levels in a
12 timely manner, including statistics on—

13 (i) employment and unemployment status of national, State, and local
14 populations, including self-employed, part-time, and seasonal workers;

15 (ii) industrial distribution of occupations, as well as current and projected
16 employment opportunities, wages, benefits (where data is available), and skill
17 trends by occupation and industry, with particular attention paid to State and
18 local conditions;

19 (iii) the incidence of, industrial and geographical location of, and number of
20 workers displaced by, permanent layoffs and plant closings; and

21 (iv) employment and earnings information maintained in a longitudinal manner
22 to be used for research and program evaluation;

23 (B) information on State and local employment opportunities, and other appropriate
24 statistical data related to labor market dynamics, which—

25 (i) shall be current and comprehensive;

26 (ii) shall meet the needs identified through the consultations described in
27 subparagraphs (A) and (B) of subsection (e)(2); and

28 (iii) shall meet the needs for the information identified in section 134(d); 1

29 (C) technical standards (which the Secretary shall publish annually) for data and
30 information described in subparagraphs (A) and (B) that, at a minimum, meet the
31 criteria of chapter 35 of title 44;

32 (D) procedures to ensure compatibility and additivity of the data and information
33 described in subparagraphs (A) and (B) from national, State, and local levels;

34 (E) procedures to support standardization and aggregation of data from administrative
35 reporting systems described in subparagraph (A) of employment-related programs;

36 (F) analysis of data and information described in subparagraphs (A) and (B) for uses such
37 as—

38 (i) national, State, and local policymaking;

39 (ii) implementation of Federal policies (including allocation formulas);

40 (iii) program planning and evaluation; and

41 (iv) researching labor market dynamics;

42 (G) wide dissemination of such data, information, and analysis in a user-friendly manner
43 and voluntary technical standards for dissemination mechanisms; and

44 (H) programs of—

45 (i) training for effective data dissemination;

46 (ii) research and demonstration; and

47 (iii) programs and technical assistance.
48