

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

5 Be it enacted by the Senate and House of Representatives of the United States of America in
6 Congress assembled,

7 Sec. 1

8 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

9 (a) [20 U.S.C. 2301 note] Short Title.—This Act may be cited as the “[Strengthening Career](#)
10 [and Technical Education for the 21st Century Act](#)~~Carl D. Perkins Career and Technical Education~~
11 ~~Act of 2006~~”.

12 (b) Table of Contents.—The table of contents for this Act is as follows:

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

14 Sec.2.Purpose.

15 Sec.3.Definitions.

16 Sec.4.Transition provisions.

17 Sec.5.Privacy.

18 Sec.6.Limitation.

19 Sec.7.Special rule.

20 Sec.8.Prohibitions.

21 Sec.9.Authorization of appropriations.

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24 PART A—Allotment and Allocation

25 Sec.111.Reservations and State allotment.

26 Sec.112.Within State allocation.

27 Sec.113.Accountability.

28 Sec.114.National activities.

29 Sec.115.Assistance for the outlying areas.

30 Sec.116.Native American programs.

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

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

33 PART B—State Provisions

- 1 Sec.121.State administration.
- 2 Sec.122.State plan.
- 3 Sec.123.Improvement plans.
- 4 Sec.124.State leadership activities.

5 **PART C—Local Provisions**

- 6 Sec.131.Distribution of funds to secondary education programs.
- 7 Sec.132.Distribution of funds for postsecondary education programs.
- 8 Sec.133.Special rules for career and technical education.
- 9 Sec.134.Local application plan for career and technical education programs.
- 10 Sec.135.Local uses of funds.

11 **TITLE II—TECH PREP EDUCATION**

- 12 ~~Sec.201.State allotment and application.~~
- 13 ~~Sec.202.Consolidation of funds.~~
- 14 ~~Sec.203.Tech prep program.~~
- 15 ~~Sec.204.Consortium applications.~~
- 16 ~~Sec.205.Report.~~
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- 21 Sec.~~212~~³¹².Authority to make payments.
- 22 Sec.~~213~~³¹³.Construction.
- 23 Sec.~~214~~³¹⁴.Voluntary selection and participation.
- 24 Sec.~~215~~³¹⁵.Limitation for certain students.
- 25 Sec.~~216~~³¹⁶.Federal laws guaranteeing civil rights.
- 26 Sec.~~217~~³¹⁷.Participation of private school personnel and children.
- 27 Sec.~~218~~³¹⁸.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.~~221~~³²¹.Joint funding.
- 31 Sec.~~222~~³²².Prohibition on use of funds to induce out-of-state relocation of businesses.

- 1 Sec.~~223~~³²³.State administrative costs.
- 2 Sec.~~224~~³²⁴.Student assistance and other Federal programs.

3

4 SEC. 2. [20 U.S.C. 2301] PURPOSE.

5 The purpose of this Act is to develop more fully the academic knowledge and technical and
6 employability~~career and technical~~ skills of secondary education students and postsecondary
7 education students who elect to enroll in career and technical education programs and programs
8 of study, by—

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

13 (2) promoting the development of services and activities that integrate rigorous and
14 challenging academic and career and technical instruction, and that link secondary
15 education and postsecondary education for participating career and technical education
16 students;

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

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

23 (5) providing technical assistance that—

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

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

28 (6) supporting partnerships among secondary schools, postsecondary institutions,
29 baccalaureate degree granting institutions, area career and technical education schools, local
30 workforce investment boards, business and industry, and intermediaries; ~~and~~

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

34 (8) increasing the employment opportunities for populations who are chronically
35 unemployed or underemployed, including individuals with disabilities, individuals from
36 economically disadvantaged families, out-of-workforce individuals, youth who are in, or
37 have aged out of, the foster care system, racial and ethnic minorities, and homeless
38 individuals.

39

1 SEC. 3. [20 U.S.C. 2302] DEFINITIONS.

2 Unless otherwise specified, in this Act:

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

8 (2) All aspects of an industry.—The term “all aspects of an industry” means strong
9 experience in, and comprehensive understanding of, the industry that the individual is
10 preparing to enter, ~~including information as described in section 118.~~

11 (3) Area career and technical education school.—The term “area career and technical
12 education school” means—

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

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

21 (C) a public or nonprofit technical institution or career and technical education
22 school used exclusively or principally for the provision of career and technical
23 education to individuals who have completed or left secondary school and who are
24 available for study in preparation for entering the labor market, if the institution or
25 school admits, as regular students, individuals who have completed secondary school
26 and individuals who have left secondary school; or

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

33 (4) Articulation agreement.—The term “articulation agreement” means a written
34 commitment—

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

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

38 (ii) a subbaccalaureate degree granting postsecondary educational institution
39 and a baccalaureate degree granting postsecondary educational institution; and

40 (B) to a program that is—

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

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

6 (5) Career and technical education.—The term “career and technical education” means
7 organized educational activities that—

8 (A) offer a sequence of courses that—

9 (i) provides individuals with rigorous academic content and relevant technical
10 knowledge and skills needed to prepare for further education and careers in
11 current or emerging professions, including in in-demand industry sectors or
12 occupations, which shall be, ~~and~~ at the secondary level, aligned with the
13 challenging State academic standards adopted by a State under section 1111(b)(1)
14 of the Elementary and Secondary Education Act of 1965; ~~provides individuals~~
15 ~~with coherent and rigorous content aligned with challenging academic standards~~
16 ~~and relevant technical knowledge and skills needed to prepare for further~~
17 ~~education and careers in current or emerging professions;~~

18 (ii) provides technical skill proficiency or a recognized postsecondary
19 credential, ~~an industry recognized credential, a certificate, or an associate degree;~~
20 and

21 (iii) may include prerequisite courses (other than a remedial course) that meet
22 the requirements of this subparagraph; ~~and~~

23 (B) include competency-based, work-based, or other applied learning that
24 contributes to supports the development of the academic knowledge, higher-order
25 reasoning and problem-solving skills, work attitudes, ~~general~~ employability skills,
26 technical skills, and occupation-specific skills, and knowledge of all aspects of an
27 industry, including entrepreneurship, of an individual;

28 (C) to the extent practicable, coordinate between secondary and postsecondary
29 education programs through programs of study, which may include articulation
30 agreements, early college high school programs, dual or concurrent enrollment
31 program opportunities, or other credit transfer agreements that provide postsecondary
32 credit or advanced standing; and

33 (D) may include career exploration at the high school level or as early as the middle
34 grades (as such term is defined in section 8101 of the Elementary and Secondary
35 Education Act of 1965).

36
37 (6) Career and technical student organization.—

38 (A) In general.—The term “career and technical student organization” means an
39 organization for individuals enrolled in a career and technical education program that
40 engages in career and technical education activities as an integral part of the
41 instructional program.

1 (B) State and national units.—An organization described in subparagraph (A) may
2 have State and national units that aggregate the work and purposes of instruction in
3 career and technical education at the local level.

4 (7) Career guidance and academic counseling.—The term “career guidance and academic
5 counseling” means guidance and counseling that—

6 (A) provides access for students (and, as appropriate, parents and out-of-school
7 youth, as appropriate) to information regarding career awareness exploration
8 opportunities and planning with respect to an individual’s occupational and academic
9 future; ~~and~~

10 (B) provides information to students (and, as appropriate, parents and out-of-school
11 youth) with respect to career options, financial aid, job training, secondary and
12 postsecondary options, (including associate and baccalaureate degree programs), dual
13 or concurrent enrollment programs, work-based learning opportunities, early college
14 high schools, financial literacy, and support services, as appropriate; and

15 (C) may provide assistance for special populations with respect to direct support
16 services that enable students to persist in and complete career and technical education,
17 programs of study, or career pathways.

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

20 (98) Charter school.—The term “charter school” has the meaning given the term in
21 section 4310 of the Elementary and Secondary Education Act of 1965.

22 (109) Cooperative education.—The term “cooperative education” means a method of
23 education for individuals who, through written cooperative arrangements between a school
24 and employers, receive instruction, including required rigorous and challenging academic
25 courses and related career and technical education instruction, by alternation of study in
26 school with a job in any occupational field, which alternation—

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

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

32 (10) Displaced homemaker.—The term “displaced homemaker” means an individual
33 who—

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

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

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

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

3 (11) Credit transfer agreement.—The term ‘credit transfer agreement’ means a formal
4 agreement, such as an articulation agreement, among and between secondary and
5 postsecondary education institutions or systems that grant students transcribed
6 postsecondary credit, which may include credit granted to students in dual or concurrent
7 enrollment programs, early college high school, dual credit, articulated credit, and credit
8 granted on the basis of performance on technical or academic assessments.

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

10 (A) at the secondary school level, a student served by an eligible recipient who has
11 completed at least two courses in a single career and technical education program or
12 program of study; and

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

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

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

18 (13) CTE PARTICIPANT.—The term ‘CTE participant’ means an individual who completes
19 not less than one course or earns not less than one credit in a career and technical education
20 program or program of study of an eligible recipient.

21 (14) Director.—The term ‘Director’ means the Director of the Institute of Education
22 Sciences.

23 (15) DUAL OR CONCURRENT ENROLLMENT.—The term ‘dual or concurrent enrollment’ has
24 the meaning given the term in section 8101 of the Elementary and Secondary Education Act
25 of 1965.

26 (16) EARLY COLLEGE HIGH SCHOOL.—The term ‘early college high school’ has the meaning
27 given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

28 (1744) Educational service agency.—The term “educational service agency” has the meaning
29 given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

30 (1842) Eligible agency.—The term “eligible agency” means a State board designated or
31 created consistent with State law as the sole State agency responsible for the administration
32 of career and technical education in the State or for the supervision of the administration of
33 career and technical education in the State.

34 (19) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a consortium, group or
35 partnership that includes—

36 (A) Representatives of not less than two of the following entities, 1 of which shall
37 serve as the fiscal agent for the consortium, group, or partnership—

38 (i) A local educational agency or a consortium of such agencies.

39 (ii) An educational service agency serving secondary school students.

1 (iii) An area career and technical education school or a consortium of such
2 schools.

3 (iv) An Indian Tribe, Tribal organization, or tribal education agency.

4 (v) An institution of higher education whose most common degree awarded is
5 an associate degree, or a consortium of such institutions.

6 (vi) institution of higher education whose most common degree awarded is a
7 bachelor's or higher degree, or a consortium of such institutions.

8 (vii) A state educational agency.

9 (B) One or more business or industry representative partners, which may include
10 representatives of local or regional businesses or industries, including industry or
11 sector partnerships in the local area, local workforce development boards, or labor
12 organizations.

13 (C) One or more stakeholders, which may include —

14 (i) parents and students;

15 (ii) representatives of local agencies serving out-of-school youth, homeless
16 children and youth, and at-risk youth (as defined in section 1432 of the
17 Elementary and Secondary Education Act of 1965 (20 U.S.C. 6472));

18 (iii) representatives of Indian tribes and tribal organizations, where applicable;

19 (iv) representatives of minority serving institutions (as described in paragraphs
20 (1) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C.
21 1067q(a)), where applicable;

22 (v) representatives of special populations; or

23 (vi) other relevant community stakeholders.

24 (2013) Eligible institution.—The term “eligible institution” means—

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

27 (B) a public or nonprofit private institution of higher education that offers and will
28 use funds provided under this title in support of career and technical education courses
29 that lead to technical skill proficiency or a recognized postsecondary credential,
30 including an industry-recognized credential, a certificate, or an associate degree;

31 (C) a local educational agency providing education at the postsecondary level;

32 (D) an area career and technical education school providing education at the
33 postsecondary level;

34 (E) an Indian Tribe, Tribal organization, or Tribal education agency that operates a
35 school or may be present in the State;

36 (F) a postsecondary educational institution controlled by the Bureau of Indian
37 Education or operated by or on behalf of any Indian Tribe that is eligible to contract
38 with the Secretary of the Interior for the administration of programs under the Indian

1 Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or the
2 Act of April 16, 1934 (25 U.S.C. 5342 et seq.);

3 (G) a tribally controlled college or university; or

4 (H) an educational service agency.

5
6 ~~(A) a public or nonprofit private institution of higher education that offers career~~
7 ~~and technical education courses that lead to technical skill proficiency, an industry-~~
8 ~~recognized credential, a certificate, or a degree;~~

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

10 ~~(C) an area career and technical education school providing education at the~~
11 ~~postsecondary level;~~

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

17 ~~(E) an educational service agency; or~~

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

20
21 (21+4) Eligible recipient.—The term “eligible recipient” means—

22 (A) a local educational agency (including a public charter school that operates as a
23 local educational agency), an area career and technical education school, an
24 educational service agency, an Indian Tribe, Tribal organization, or Tribal educational
25 agency or a consortium, eligible to receive assistance under section 131; or

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

28 (22) ENGLISH LEARNER.—The term ‘English learner’ means—

29 (A) a secondary school student who is an English learner, as defined in section 8101
30 of the Elementary and Secondary Education Act of 1965; or

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

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

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

36 (23) EVIDENCE-BASED.—The term ‘evidence-based’ has the meaning given the term in
37 section 8101(21)(A) of the Elementary and Secondary Education Act of 1965.

38 (24+5) Governor.—The term “Governor” means the chief executive officer of a State.

1 (25) High school.—The term ‘high school’ has the meaning given the term in section
2 8101 of the Elementary and Secondary Education Act of 1965.

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

6 ~~(16) Individual with limited english proficiency.~~—The term “individual with limited
7 English proficiency” means a secondary school student, an adult, or an out-of-school youth,
8 who has limited ability in speaking, reading, writing, or understanding the English
9 language, and—

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

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

13 (27) Indian; Indian Tribe.— The terms ‘Indian’ and ‘Indian Tribe’ have the meanings given the
14 terms ‘Indian’ and ‘Indian tribe’, respectively, in section 4 of the Indian Self-Determination and
15 Education Assistance Act (25 U.S.C. 5304).

16 ~~(28) Individual with a disability.~~—

17 (A) In general.—The term “individual with a disability” means an individual with
18 any disability (as defined in section 3 of the Americans with Disabilities Act of 1990
19 (42 U.S.C. 12102)).

20 (B) Individuals with disabilities.—The term “individuals with disabilities” means
21 more than 1 individual with a disability.

22 (29) INDUSTRY OR SECTOR PARTNERSHIP.—The term ‘industry or sector partnership’ has
23 the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act
24 (29 U.S.C. 3102).

25 ~~(30) Institution of higher education.~~—The term “institution of higher education” has
26 the meaning given the term in section 101 of the Higher Education Act of 1965.

27 ~~(31) Local educational agency.~~—The term “local educational agency” has the meaning
28 given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

29 (32) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term ‘local workforce
30 development board’ means a local workforce development board established under section
31 107 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3122).

32 ~~(33) Non-traditional fields.~~—The term “non-traditional fields” means occupations or
33 fields of work, ~~such as including~~ careers in computer science, technology, and other current
34 and emerging high skill occupations, for which individuals from one gender comprise less
35 than 25 percent of the individuals employed in each such occupation or field of work.

36 ~~(34) Outlying area.~~—The term “outlying area” means the United States Virgin Islands,
37 Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the
38 Republic of Palau.

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

1 (36) OUT-OF-WORKFORCE INDIVIDUAL.—The term ‘out-of-workforce individual’
2 means—

3 (A) an individual who is a displaced homemaker, as defined in section 3 of the
4 Workforce Innovation and Opportunity Act; or

5 (B) an individual who—

6 (i)(I) has worked primarily without remuneration to care for a home and family,
7 and for that reason has diminished marketable skills; or

8 (II) is a parent whose youngest dependent child will become ineligible to
9 receive assistance under part A of title IV of the Social Security Act (42 U.S.C.
10 601 et seq.) not later than 2 years after the date on which the parent applies for
11 assistance under such title; and

12 (ii) is unemployed or underemployed and is experiencing difficulty in obtaining
13 or upgrading employment.

14
15 (37) PARAPROFESSIONAL.—The term ‘paraprofessional’ has the meaning given the term
16 in section 8101 of the Elementary and Secondary Education Act of 1965.

17 (38) PAY FOR SUCCESS INITIATIVE:

18 (A) In General. – Subject to subparagraph (B), the term ‘pay for success initiative’ means
19 a performance-based grant, contract, or cooperative agreement awarded by a State or local
20 public entity (such as a local educational agency) to a public or private non-profit entity –

21 (i) in which a commitment is made to pay for improved outcomes that result in increased
22 public value and social benefit to students and the public sector, such as improved student
23 outcomes as evidenced by the indicators of performance described in section 113(b)(2) and
24 direct cost savings or cost avoidance to the public sector; and

25 (ii) that includes –

26 (I) a feasibility study on the initiative describing how the proposed intervention is based
27 on evidence of effectiveness;

28 (II) a rigorous, third-party evaluation that uses experimental or quasi-experimental design
29 or other research methodologies that allow for the strongest possible causal inferences to
30 determine whether the initiative has met its proposed outcomes;

31 (III) an annual, publicly available report on the progress of the initiative; and

32 (IV) a requirement that payments are made to the recipient of a grant, contract, or
33 cooperative agreement only when agreed upon outcomes are achieved, except that the entity
34 may make payments to the third party conducting the evaluation described in subparagraph
35 (II).

36 (B) Exclusion. – The term ‘pay for success initiative’ does not include any initiative that
37 =

38 (i) reduces the special education or related services that a student would otherwise
39 receive under the Individuals with Disabilities Education Act; or

1 (ii) otherwise reduces the rights of a student or the obligations of an entity under the
2 Individuals with Disabilities Education Act, the Rehabilitation Act of 1973 (29 U.S.C. 701
3 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), or any other
4 law.

5 (3922) Postsecondary educational institution.—The term “postsecondary educational
6 institution” means—

7 (A) an institution of higher education that provides not less than a 2-year program of
8 instruction that is acceptable for credit toward a bachelor’s degree;

9 (B) a tribally controlled college or university; or

10 (C) a nonprofit educational institution offering certificate ~~or other skilled training~~or
11 apprenticeship programs at the postsecondary level.

12 (40) Professional development.—The term ‘professional development’ has the meaning
13 given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

14 (41) PROGRAM OF STUDY.—The term ‘program of study’ means a coordinated,
15 nonduplicative sequence of secondary and postsecondary academic and technical content
16 that—

17 (A) incorporates challenging State academic standards, including those adopted by a
18 State under section 1111(b)(1) of the Elementary and Secondary Education Act of
19 1965, that—

20 (i) address both academic and technical knowledge and skills, including
21 employability skills; and

22 (ii) are aligned with the needs of industries in the economy of the State, region,
23 Tribal community, or local area;

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

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

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

28 (42) QUALIFIED INTERMEDIARY.—The term ‘qualified intermediary’ means a non-profit
29 entity, which may be part of an industry or sector partnership, that demonstrates expertise to
30 build, connect, sustain, and measure partnerships with entities such as employers, schools,
31 community-based organizations, postsecondary institutions, social service organizations,
32 economic development organizations, Indian tribes or Tribal organizations, and workforce
33 systems to broker services, resources, and supports to youth and the organizations and
34 systems that are designed to serve youth, including—

35 (A) connecting employers to classrooms;

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

38 (C) delivering professional development;

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

1 and

2 (E) developing personalized student supports.

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

6 ~~(23) Postsecondary education tech prep student.—The term “postsecondary education~~
7 ~~tech prep student” means a student who—~~

8 ~~(A) has completed the secondary education component of a tech prep program; and~~

9 ~~(B) has enrolled in the postsecondary education component of a tech prep program~~
10 ~~at an institution of higher education described in clause (i) or (ii) of section~~
11 ~~203(a)(1)(B).~~

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

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

18 ~~(26) Secondary education tech prep student.—The term “secondary education tech prep~~
19 ~~student” means a secondary education student who has enrolled in 2 courses in the~~
20 ~~secondary education component of a tech prep program.~~

21 ~~(4427) Secondary school.—The term “secondary school” has the meaning given the term~~
22 ~~in section 8101 of the Elementary and Secondary Education Act of 1965.~~

23 ~~(4528) Secretary.—The term “Secretary” means the Secretary of Education.~~

24 (46) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term ‘specialized
25 instructional support personnel’ has the meaning given the term in section 8101 of the
26 Elementary and Secondary Education Act of 1965.

27 (47) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The term ‘specialized
28 instructional support services’ has the meaning given the term in section 8101 of the
29 Elementary and Secondary Education Act of 1965.

30 ~~(4829) Special populations.—The term “special populations” means—~~

31 ~~(A) individuals with disabilities;~~

32 ~~(B) individuals from economically disadvantaged families, including low-income~~
33 ~~youth and adults~~foster children~~;~~

34 ~~(C) individuals preparing for non-traditional fields;~~

35 ~~(D) single parents, including single pregnant women;~~

36 ~~(E) out-of-workforce individuals~~displaced homemakers~~; and~~

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

38 (G) homeless individuals described in section 725 of the McKinney-Vento

1 Homeless Assistance Act (42 U.S.C. 11434a);

2 (H) youth who are in, or have aged out of, the foster care system;

3 (I) youth with a parent who—

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

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

7 (4930) State.—The term “State”, unless otherwise specified, means each of the several
8 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico,
9 and each outlying area.

10 (5034) Support services.—The term “support services” means services related to
11 curriculum modification, equipment modification, classroom modification, supportive
12 personnel (including paraprofessionals and specialized instructional support personnel), and
13 instructional aids and devices.

14 ~~(32) Tech prep program.—The term “tech prep program” means a tech prep program~~
15 ~~described in section 203(c).~~

16 (5133) Tribally controlled college or university.—The term “tribally controlled college or
17 university” has the meaning given the term in section 2(a) of the Tribally Controlled
18 Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801(a)).

19 (5234) Tribally controlled postsecondary career and technical institution.—The term
20 “tribally controlled postsecondary career and technical institution” means an institution of
21 higher education (as defined in section 101 of the Higher Education Act of 1965, except that
22 subsection (a)(2) of such section shall not be applicable and the reference to Secretary in
23 subsection (a)(5) of such section shall be deemed to refer to the Secretary of the Interior)
24 that—

25 (A) is formally controlled, or has been formally sanctioned or chartered, by the
26 governing body of 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
30 fosters individual Indian economic and self-sufficiency opportunity, including
31 programs that are appropriate to stated Tribal goals of developing individual
32 entrepreneurships and self-sustaining economic infrastructures on reservations or tribal
33 lands;

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

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

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

39 (53) TRIBAL ORGANIZATION.—The term ‘tribal organization’ has the meaning

1 given the term ‘Tribal organization’ in section 4 of the Indian Self-Determination and
2 Education Assistance Act (25 U.S.C. 5304).

3 (54) UNIVERSAL DESIGN FOR LEARNING.—The term ‘universal design for learning’ has the
4 meaning given the term in section 8101 of the Elementary and Secondary Education Act of
5 1965.

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

11 Sec. 4

12 SEC. 4. [20 U.S.C. 2303] TRANSITION PROVISIONS.

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

23 Sec. 5

24 SEC. 5. [20 U.S.C. 2304] PRIVACY.

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

28 (b) Prohibition on Development of National Database.—Nothing in this Act shall be construed
29 to permit the development of a national database of personally identifiable information on
30 individuals receiving services under this Act.

31 Sec. 6

32 SEC. 6. [20 U.S.C. 2305] LIMITATION.

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

35 Sec. 7

36 SEC. 7. [20 U.S.C. 2306] SPECIAL RULE.

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

1 substituted for “labor organization”.

2 Sec. 8

3 **SEC. 8. [20 U.S.C. 2306a] PROHIBITIONS.**

4 (a) Local Control.—Nothing in this Act shall be construed to authorize an officer or
5 employee of the Federal Government —

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

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

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

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

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

26 ~~to mandate, direct, or control a State, local educational agency, or school’s curriculum,~~
27 ~~program of instruction, or allocation of State or local resources, or mandate a State or any~~
28 ~~subdivision thereof to spend any funds or incur any costs not paid for under this Act, except as~~
29 ~~required under sections 112(b), 311(b), and 323.~~

30 (b) No Preclusion of Other Assistance.—Any State that declines to submit an application to
31 the Secretary for assistance under this Act shall not be precluded from applying for assistance
32 under any other program administered by the Secretary.

33 (c) Prohibition on Requiring Federal Approval or Certification of Standards.—
34 Notwithstanding any other provision of Federal law, no State shall be required to have academic
35 and career and technical content standards or student academic and career and technical
36 achievement standards approved or certified by the Federal Government, in order to receive
37 assistance under this Act.

38 (d) Rule of Construction.— Nothing in this section affects the applicability of subchapter II of
39 chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative
40 Procedure Act”) or chapter 8 of title 5, United States Code commonly known as the
41 “Congressional Review Act”). ~~Nothing in this section shall be construed to affect the~~

1 ~~requirements under section 113.~~

2 (e) Coherent and Rigorous Content.—For the purposes of this Act, coherent and rigorous
3 content shall be determined by the State consistent with section 1111(b)(1) of the Elementary
4 and Secondary Education Act of 1965.

5 (fe) Congressional Notice and Comment.—

6 (1) Notice to Congress.—Not less than 15 business days prior to issuing a notice of
7 proposed rulemaking related to this Act in the Federal Register, the Secretary shall
8 provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the
9 Committee on Education and the Workforce of the House of Representatives, and other
10 relevant congressional committees, notice of the Secretary’s intent to issue a notice of
11 proposed rulemaking that shall include—

12 (A) a copy of the proposed regulation;

13 (B) the need to issue the regulation;

14 (C) a description of how the regulation is consistent with the scope of this Act;

15 (D) the anticipated burden, including the time, cost, and paperwork burden, the
16 regulation will impose on an eligible agency, institution or recipient that may be
17 impacted by the regulation, including the potential impact on rural areas;

18 (E) the anticipated benefits to an eligible agency, institution, or recipient that may be
19 impacted by the regulation, including in rural areas; and

20 (F) any regulations that will be repealed when the new regulation is issued.

21 (2) Comment Period for Congress.—The Secretary shall—

22 (A) before issuing any notice of proposed rulemaking under this subsection, provide
23 Congress with a comment period of 15 business days to make comments on the
24 proposed regulation, beginning on the date that the Secretary provides the notice of
25 intent to the appropriate committees of Congress under paragraph (1); and

26 (B) include and seek to address all comments submitted by members of Congress in
27 the public rulemaking record for the regulation published in the Federal Register.

28 (3) Comment and Review Period; Emergency Situations.— The comment and review
29 period for any proposed regulation shall be not less than 60 days unless an emergency
30 requires a shorter period, in which case the Secretary shall—

31 (A) designate the proposed regulation as an emergency with an explanation of the
32 emergency in the notice to Congress under paragraph (1);

33 (B) publish the length of the comment and review period in such notice and in the
34 Federal Register; and

35 (C) conduct immediately thereafter regional meetings to review such proposed
36 regulation before issuing any final regulation.

37 Sec. 9

38 SEC. 9. [20 U.S.C. 2307] AUTHORIZATION OF

1 **APPROPRIATIONS.**

2 There are to be authorized to be appropriated to carry out this Act (other than sections 114 and
3 117)–

- 4 (1) \$1,229,568,538 for fiscal year 2019;
- 5 (2) \$1,246,782,498 for fiscal year 2020;
- 6 (3) \$1,264,237,452 for fiscal year 2021;
- 7 (4) \$1,281,936,777 for fiscal year 2022;
- 8 (5) \$1,299,883,892 for fiscal year 2023; and
- 9 (6) \$1,318,082,266 for fiscal year 2024.

10 ~~There is authorized to be appropriated to carry out this Act (other than sections 114, 117, and~~
11 ~~118, and title II) such sums as may be necessary for each of the fiscal years 2007 through 2012.~~

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

14 **PART A—ALLOTMENT AND ALLOCATION**

15 Sec. 111

16 **SEC. 111. [20 U.S.C. 2321] RESERVATIONS AND STATE**
17 **ALLOTMENT.**

18 (a) Reservations and State Allotment.—

19 (1) Reservations.—From the ~~sum~~ amount appropriated under section 9 for each fiscal
20 year, the Secretary shall reserve—

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

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

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

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

25 (2) FOUNDATIONAL GRANT.—

26 (A) IN GENERAL.— From the remainder of the amount appropriated under section 9
27 and not reserved under paragraph (1) for a fiscal year, the Secretary shall allot to a State for
28 the fiscal year an amount equal to the amount the State received in fiscal year 2018.

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

32 ~~(2) State allotment formula.— Subject to paragraphs (3), (4), and (5), from the remainder~~
33 ~~of the sum appropriated under section 9 and not reserved under paragraph (1) for a fiscal~~
34 ~~year, the Secretary shall allot to a State for the fiscal year—~~

1 (3) ADDITIONAL FUNDS.—Subject to paragraph (4), from the additional funds
2 remaining from the amount appropriated under section 9 and not expended under
3 paragraphs (1) and (2) for a fiscal year, the Secretary shall allot to a State for the fiscal
4 year—

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

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

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

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

21 ~~(3) Minimum allotment for years with no additional funds.—~~

22 ~~(A) In general.—Notwithstanding any other provision of law and subject to~~
23 ~~subparagraphs (B) and (C), and paragraph (5), for a fiscal year for which there are no~~
24 ~~additional funds (as such term is defined in paragraph (4)(D)), no State shall receive~~
25 ~~for such fiscal year under this subsection less than 1/2 of 1 percent of the amount~~
26 ~~appropriated under section 9 and not reserved under paragraph (1) for such fiscal year.~~
27 ~~Amounts necessary for increasing such payments to States to comply with the~~
28 ~~preceding sentence shall be obtained by ratably reducing the amounts to be paid to~~
29 ~~other States.~~

30 ~~(B) Requirement.—No State, by reason of the application of subparagraph (A), shall~~
31 ~~receive for a fiscal year more than 150 percent of the amount the State received under~~
32 ~~this subsection for the preceding fiscal year.~~

33 ~~(C) Special rule.—~~

34 ~~(i) In general.—Subject to paragraph (5), no State, by reason of the application~~
35 ~~of subparagraph (A), shall be allotted for a fiscal year more than the lesser of—~~

36 ~~(I) 150 percent of the amount that the State received in the preceding fiscal~~
37 ~~year; and~~

38 ~~(II) the amount calculated under clause (ii).~~

39 ~~(ii) Amount.—The amount calculated under this clause shall be determined by~~
40 ~~multiplying—~~

41 ~~(I) the number of individuals in the State counted under paragraph (2) in~~

1 the preceding fiscal year; by

2 (H) 150 percent of the national average per pupil payment made with
3 funds available under this section for that year.

4 (4) Minimum allotment for years with additional funds.—

5 (A) In general.—Subject to subparagraph (B) ~~and paragraph (5)~~, for a fiscal year for
6 which there are additional funds described in paragraph (3), no State shall receive for
7 such fiscal year under ~~this subsection- paragraph (3)~~ less than $\frac{1}{2}$ of 1 percent of the
8 additional funds available amount appropriated under section 9 and not reserved under
9 paragraph (1) for such fiscal year. Amounts necessary for increasing such payments to
10 States to comply with the preceding sentence shall be obtained by ratably reducing the
11 amounts to be paid to other States.

12 (B) Special rule.—In the case of a qualifying State, the minimum allotment under
13 subparagraph (A) for a fiscal year for the qualifying State shall be the lesser of—

14 (i) $\frac{1}{2}$ of 1 percent of the additional funds available amount appropriated
15 under section 9 and not reserved under paragraph (1) for such fiscal year; and

16 (ii) the sum of—

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

21 ~~(iiH) the product of—~~

22 ~~(Iaa) $\frac{1}{3}$ of the additional funds; multiplied by~~

23 ~~(IIbb) the quotient of—~~

24 ~~(aaAA) the qualifying State’s ratio described in subparagraph (C)~~
25 ~~for the fiscal year for which the determination is made; divided by~~

26 ~~(bbBB) the sum of all such ratios for all qualifying States for the~~
27 ~~fiscal year for which the determination is made.~~

28 (C) Ratio.—For purposes of subparagraph (B)(ii)(II)(~~aa~~~~bb~~)(~~AA~~), the ratio for a
29 qualifying State for a fiscal year shall be 1.00 less the quotient of—

30 (i) the amount the qualifying State ~~is~~~~was~~ allotted under paragraph (~~3~~~~2~~) for ~~the~~
31 ~~fiscal year 2006 (as such paragraph was in effect on the day before the date of~~
32 ~~enactment of the Carl D. Perkins Career and Technical Education Improvement~~
33 ~~Act of 2006); divided by~~

34 (ii) $\frac{1}{2}$ of 1 percent of the amount appropriated under section 9 paragraph (3)
35 and not reserved under paragraph (1) for the fiscal year for which the
36 determination is made.

37 (D) Definitions.—In this paragraph,÷

38 (i) Additional funds.—The term “additional funds” means the amount by
39 which—

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

3 ~~(II) the sum of—~~

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

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

10 ~~(cc) \$827,671.~~

11 ~~(ii) Qualifying state.—The term “qualifying State” means a State (except the~~
12 ~~United States Virgin Islands) that, for the fiscal year for which a determination~~
13 ~~under this paragraph is made, would receive, under the allotment formula under~~
14 ~~paragraph (32) (without the application of this paragraph and paragraphs (3) and~~
15 ~~(5)), an amount that would be less than the amount the State would receive under~~
16 ~~subparagraph (A) for such fiscal year.~~

17 ~~(5) Hold harmless.—~~

18 ~~(A) In general.—No State shall receive an allotment under this section for a fiscal~~
19 ~~year that is less than the allotment the State received under part A of title I of the Carl~~
20 ~~D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2311 et seq.)~~
21 ~~(as such part was in effect on the day before the date of enactment of the Carl D.~~
22 ~~Perkins Vocational and Applied Technology Education Amendments of 1998) for~~
23 ~~fiscal year 1998.~~

24 ~~(B) Ratable reduction.—If for any fiscal year the amount appropriated for allotments~~
25 ~~under this section is insufficient to satisfy the provisions of subparagraph (A), the~~
26 ~~payments to all States under such subparagraph shall be ratably reduced.~~

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

36 (c) Allotment Ratio.—

37 (1) In general.—The allotment ratio for any State shall be 1.00 less the product of—

38 (A) 0.50; and

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

- 1 (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40; and
2 (ii) the allotment ratio for the Commonwealth of Puerto Rico and the United
3 States Virgin Islands shall be 0.60.

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

9 (3) Definition of per capita income.—For the purpose of this section, the term “per capita
10 income” means, with respect to a fiscal year, the total personal income in the calendar year
11 ending in such year, divided by the population of the area concerned in such year.

12 (4) Population determination.—For the purposes of this section, population shall be
13 determined by the Secretary on the basis of the latest estimates available to the Department
14 of Education.

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

18 Sec. 112

19 SEC. 112. [20 U.S.C. 2322] WITHIN STATE ALLOCATION.

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

22 (1) not less than 85 percent for distribution under section 131 or 132, of which not more
23 than 1510 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
25 124, of which—

26 (A) an amount equal to not more than 24 percent of the amount allotted to the State
27 under section 111 for the fiscal year shall be made available to serve individuals in
28 State institutions, such as State correctional institutions, juvenile justice facilities, and
29 educational institutions that serve individuals with disabilities; ~~and~~

30 (B) not less than \$60,000 and not more than \$150,000 shall be available for services
31 that prepare individuals for non-traditional fields; and

32 (C) an amount shall be made available for the recruitment of special populations to
33 enroll in career and technical education programs, which shall be not less than the
34 lesser of—

35 (i) an amount equal to 0.1 percent; or

36 (ii) \$50,000; and

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

39 (A) developing the State plan;

- (B) reviewing local applications~~a local plan~~;
- (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 in—

- ~~(A)~~ rural areas;
- ~~(B)~~ areas with high percentages of CTE concentrators or CTE participants~~career and technical education students~~; and
- (C) areas with high numbers of CTE concentrators or CTE participants; and
- ~~(3) areas with high numbers of career and technical education students.~~
- (D) areas with disparities or gaps in performance as described in section 113(b)(3)(C)(ii)(II).

Sec. 113

SEC. 113. [20 U.S.C. 2323] ACCOUNTABILITY.

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

(b) State Determined Performance Measures.—

(1) In general.—Each eligible agency, with input from eligible recipients, shall establish State determined performance measures for a State that consist of—

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

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

(B) a State adjusted-determined level of performance described in paragraph (3)(A) for each core indicator of performance, and State levels of performance described in paragraph (3)(B) for each additional indicator of performance.

(2) Indicators of performance.—

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

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

7 (I) the four-year adjusted cohort graduation rate (defined in section 8101
8 of the Elementary and Secondary Education Act of 1965; and

9 (II) at the State’s discretion, the extended-year adjusted cohort graduation
10 rate defined in such section 8101.

11 (ii) CTE concentrator attainment of challenging State academic standards
12 adopted by the State under section 1111(b)(1) of the Elementary and Secondary
13 Education Act of 1965, and measured by the academic assessments described in
14 section 1111(b)(2) of such Act.

15 (iii) The percentage of CTE concentrators who, in the second quarter following
16 the program year after exiting from secondary education, are in postsecondary
17 education or advanced training.

18 (iv) The percentage of CTE concentrators who, in the second quarter following
19 the program year after exiting from secondary education, are in military service or
20 a service program that receives assistance under title I of the National and
21 Community Service Act of 1990 (42 U.S.C. 12511 et seq.), are volunteers as
22 described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)), or are
23 employed (including those who are employed in high-skill, high-wage, or in-
24 demand sectors or occupations).

25 (v) Indicators of career and technical education program quality that shall
26 include not less than one of the following:

27 (I) The percentage of CTE concentrators, as defined in section
28 3(12)(A), graduating from high school having attained a recognized
29 postsecondary credential.

30 (II) The percentage of CTE concentrators, as defined in section
31 3(12)(A), graduating from high school having attained postsecondary
32 credits in the relevant career and technical educational program or
33 program of study earned through dual and concurrent enrollment or
34 another credit transfer agreement.

35 (III) The percentage of CTE concentrators, as defined in section
36 3(12)(A), graduating from high school having participated in work-
37 based learning.

38 (IV) Any other measure of student success in career and technical
39 education that is statewide, valid, and reliable, and comparable across
40 the State.

41 (vi) The percentage of CTE concentrators, as defined in section 3(12)(A), in

1 career and technical education programs and programs of study that lead to non-
2 traditional fields.

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

7 (i) The percentage of CTE concentrators who, during the second quarter after
8 program completion, remain enrolled in postsecondary education (disaggregated
9 by postsecondary award level, including certificate, associate or baccalaureate
10 degree), or in advanced training.

11 (ii) The percentage of CTE concentrators who, during the second quarter after
12 program completion, are in military service or a service program that receives
13 assistance under title I of the National and Community Service Act of 1990 (42
14 U.S.C. 12511 et seq.), are volunteers as described in section 5(a) of the Peace
15 Corps Act (22 U.S.C. 2504(a)), or have placement or retention in employment
16 (including those individuals who are employed in a high-skill, high-wage, or in-
17 demand sector or occupation).

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

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

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

28 ~~(A) Core indicators of performance for career and technical education students at~~
29 ~~the secondary level.—Each eligible agency shall identify in the State plan core~~
30 ~~indicators of performance for career and technical education students at the secondary~~
31 ~~level that are valid and reliable, and that include, at a minimum, measures of each of~~
32 ~~the following:~~

33 ~~(i) Student attainment of the challenging State academic standards, as adopted~~
34 ~~by a State in accordance with section 1111(b)(1) of the Elementary and Secondary~~
35 ~~Education Act of 1965 and measured by the State determined levels of~~
36 ~~achievement on the academic assessments described in section 1111(b)(2) of such~~
37 ~~Act.~~

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

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

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

1 ~~(H) A General Education Development (GED) credential, or other State-~~
2 ~~recognized equivalent (including recognized alternative standards for~~
3 ~~individuals with disabilities).~~

4 ~~(I) A proficiency credential, certificate, or degree, in conjunction with a~~
5 ~~secondary school diploma (if such credential, certificate, or degree is offered~~
6 ~~by the State in conjunction with a secondary school diploma).~~

7 ~~(iv) Student graduation rates (as described in section 111(c)(4)(A)(i)(I)(bb) of~~
8 ~~the Elementary and Secondary Education Act of 1965).~~

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

11 ~~(vi) Student participation in and completion of career and technical education~~
12 ~~programs that lead to non-traditional fields.~~

13 ~~(B) Core indicators of performance for career and technical education students at the~~
14 ~~postsecondary level. — Each eligible agency shall identify in the State plan core~~
15 ~~indicators of performance for career and technical education students at the~~
16 ~~postsecondary level that are valid and reliable, and that include, at a minimum,~~
17 ~~measures of each of the following:~~

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

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

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

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

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

30 ~~(C) Additional indicators of performance. — An eligible agency, with input from~~
31 ~~eligible recipients, may identify in the State plan additional indicators of performance~~
32 ~~for career and technical education activities authorized under this title, such as~~
33 ~~attainment of self-sufficiency.~~

34 ~~(D) Existing indicators. — If a State has developed, prior to the date of enactment of~~
35 ~~the Carl D. Perkins Career and Technical Education Improvement Act of 2006, State~~
36 ~~career and technical education performance measures that meet the requirements of~~
37 ~~this section (as amended by such Act), the State may use such performance measures~~
38 ~~to measure the progress of career and technical education students.~~

39 ~~(E) State role. — Indicators of performance described in this paragraph shall be~~
40 ~~established solely by each eligible agency with input from eligible recipients.~~

1 (F) Alignment of performance indicators.—In the course of developing core
2 indicators of performance and additional indicators of performance, an eligible agency
3 shall, to the greatest extent possible, align the indicators so that substantially similar
4 information gathered for other State and Federal programs, or for any other purpose, is
5 used to meet the requirements of this section.

6 (3) State levels of performance.—

7 (A) STATE DETERMINED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF
8 PERFORMANCE.—

9 (i) IN GENERAL.—

10 (I) LEVELS DETERMINED BY THE ELIGIBLE AGENCY.—Each eligible agency,
11 with input from eligible recipients, shall establish in the State plan submitted
12 under Section 122, for each year covered by the State plan, State determined
13 levels of performance for each of the core indicators described in
14 subparagraphs (A) and (B) of paragraph (2) for career and technical
15 education activities authorized under this title. The level of performance for a
16 core indicator shall be the same for all CTE concentrators in the State.

17 (II) TECHNICAL ASSISTANCE.—The Secretary may assist an eligible agency
18 in establishing the State determined levels of performance under this
19 subparagraph only at the request of that eligible agency.

20 (III) REQUIREMENTS.—Such State determined levels of performance shall,
21 at a minimum—

22 (aa) be expressed in a percentage or numerical form, so as to be
23 objective, quantifiable, and measurable;

24 (bb) require the State to continually make meaningful progress
25 toward improving the performance of all career and technical education
26 students, including the subgroups of students described in section
27 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of
28 1965, and special populations, as defined in section 3(48);

29 (cc) have been subject to the public comment process described in
30 subparagraph (B), and the eligible agency has provided a written
31 response;

32 (dd) take into account how the levels of performance involved
33 compare with the State levels of performance established for other
34 States, considering factors including the characteristics of actual (as
35 opposed to anticipated) CTE concentrators when the CTE concentrators
36 entered the program, and the services or instruction to be provided; ~~and~~

37 (ee) when adjusted under clause (ii), be higher than the average actual
38 performance of the 2 most recently completed program years, except in
39 the case of unanticipated circumstances that require revisions in
40 accordance with clause (iii); and

41 (ff) take into account the extent to which the State determined levels

1 of performance advance the eligible agency’s goals as set forth in the
2 State plan;

3 (ii) ALLOWABLE ADJUSTMENT OF STATE DETERMINED LEVELS OF
4 PERFORMANCE FOR SUBSEQUENT YEARS.—Prior to the third program year covered
5 by the State plan, each eligible agency may revise the State determined levels of
6 performance for any of the core indicators of performance for the subsequent
7 program years covered by the State plan, and submit the revised State determined
8 levels of performance to the Secretary in a manner consistent with the
9 requirements described in subclause (III) of clause (i) and the procedure described
10 in section 122(f). If the eligible agency adjusts any levels of performance, the
11 eligible agency shall adjust those levels in accordance with clause (i), and address
12 written comments of stakeholders as described in subparagraph (B). -The State
13 determined adjusted levels of performance identified under this clause shall be
14 considered to be the State determined levels of performance for the State for such
15 years and shall be incorporated into the State plan.

16 (iii) UNANTICIPATED CIRCUMSTANCES.—If unanticipated circumstances arise
17 in a State or changes occur related to improvements in data or measurement
18 approaches, the eligible agency, at the end of the program year, may revise the State
19 determined levels of performance required under this subparagraph. Any such revision
20 shall be carried out in the manner described in clause (ii). After public comment, as
21 described in subparagraph (B), the eligible agency shall submit such revised levels of
22 performance with evidence supporting the revision in a manner consistent with the
23 procedure described in section 122(f).

24 (B) Public Comment.—

25 (i) IN GENERAL. — Each eligible agency shall develop the levels of
26 performance in subparagraph (A) in consultation with the stakeholders identified
27 in section 122(c)(1)(A);

28 (ii) WRITTEN COMMENTS. — Not less than 60 days prior to submission of the
29 State plan, the eligible agency shall provide such stakeholders with the
30 opportunity to provide written comments to the eligible agency, which shall be
31 included in the State plan, regarding how the levels of performance described
32 under subparagraph (A)—

33 (I) meet the requirements of the law;

34 (II) support the improvement of performance of all CTE concentrators,
35 including subgroups of students, as described in section 1111(h)(1)(C)(ii)
36 of the Elementary and Secondary Education Act of 1965, and special
37 populations, as described in section 3(48); and

38 (III) support the needs of the local education and business community.

39 (iii) ELIGIBLE AGENCY RESPONSE.—Each eligible agency shall provide, in
40 the State plan, a written response to the comments provided by stakeholders
41 under clause (ii).

42 (C) State Report.—

1 (i) In general.—Each eligible agency that receives an allotment under section 111 shall
2 annually prepare and submit to the Secretary a report regarding—

3 (I) the progress of the State in achieving the State determined levels of
4 performance on the core indicators of performance; and

5 (II) the actual levels of performance for all CTE concentrators, and for each of
6 the subgroups of students, as ~~as~~ described in section 1111(h)(1)(C)(ii) of the
7 Elementary and Secondary Education Act of 1965, and special populations, as
8 described in section 3(48).

9 (ii) Data.—Except as provided in subparagraph (E), each eligible agency that receives
10 an allotment under section 111 shall—

11 (I) disaggregate data for each of the indicators of performance under paragraph
12 (2)—

13 (aa) for the subgroups of students, as described in section
14 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of
15 1965, and special populations, as described in section 3(48), that are
16 served under this Act; and

17 (bb) by the career and technical education programs or programs of study
18 of the CTE concentrators, except that in a case in which reporting by such
19 program or program of study is impractical, the data may be disaggregated
20 by the career clusters of the CTE concentrators, if appropriate;

21 (II) identify and quantify any disparities or gaps in performance on the State
22 determined levels of performance under subparagraph (A) between any such
23 subgroup or special population and the performance of all students served by the
24 eligible agency under this Act, which shall include a quantifiable description of
25 the progress of each such subgroup or special population of students served by the
26 eligible agency under this Act has made in meeting the State determined levels of
27 performance.

28 (iii) Nonduplication.—The Secretary shall ensure that each eligible agency does not
29 report duplicative information under this section.

30 (iv) Information dissemination.—The Secretary shall—

31 (A) make the information contained in such reports available to the general public
32 through a variety of formats, including electronically through the iInternet;

33 (B) disseminate State-by-State comparisons of the information contained in such
34 reports; and

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

36 (D) State Dissemination of Actual Levels of Performance.-- At the end of each program
37 year, the eligible agency shall disseminate the actual levels of performance described in
38 subparagraph (C)(i)(II)—

39 (I) widely, including to students, parents, and educators;

40 (II) through a variety of means, including by electronic means; and

1 (III) in user-friendly formats and languages that are easily accessible, as
2 determined by the eligible agency.

3 (E) Rules for reporting of data.—The disaggregation of data under this paragraph shall
4 not be required when the number of students in a category is insufficient to yield
5 statistically reliable information or when the results would reveal personally identifiable
6 information about an individual student.

7 (A) State-adjusted levels of performance for core indicators of performance.—

8 (i) In general.—Each eligible agency, with input from eligible recipients, shall
9 establish in the State plan submitted under section 122, levels of performance for
10 each of the core indicators of performance described in subparagraphs (A) and (B)
11 of paragraph (2) for career and technical education activities authorized under this
12 title. The levels of performance established under this subparagraph shall, at a
13 minimum—

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

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

18 (ii) Identification in the state plan.—Subject to section 4, each eligible agency
19 shall identify, in the State plan submitted under section 122, levels of performance
20 for each of the core indicators of performance for the first 2 program years
21 covered by the State plan.

22 (iii) Agreement on state adjusted levels of performance for first 2 YEARS.—The
23 Secretary and each eligible agency shall reach agreement on the levels of
24 performance for each of the core indicators of performance, for the first 2
25 program years covered by the State plan, taking into account the levels identified
26 in the State plan under clause (ii) and the factors described in clause (vi). The
27 levels of performance agreed to under this clause shall be considered to be the
28 State-adjusted level of performance for the State for such years and shall be
29 incorporated into the State plan prior to the approval of such plan.

30 (iv) Role of the secretary.—The role of the Secretary in the agreement
31 described in clauses (iii) and (v) is limited to reaching agreement on the
32 percentage or number of students who attain the State-adjusted levels of
33 performance.

34 (v) Agreement on state adjusted levels of performance for subsequent years.—
35 Prior to the third and fifth program years covered by the State plan, the Secretary
36 and each eligible agency shall reach agreement on the State-adjusted levels of
37 performance for each of the core indicators of performance for the corresponding
38 subsequent program years covered by the State plan, taking into account the
39 factors described in clause (vi). The State-adjusted levels of performance agreed
40 to under this clause shall be considered to be the State-adjusted levels of
41 performance for the State for such years and shall be incorporated into the State
42 plan.

1 (vi) Factors.—The agreement described in clause (iii) or (v) shall take into
2 account—

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

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

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

15 (B) Levels of performance for additional indicators.—Each eligible agency shall
16 identify in the State plan State levels of performance for each of the additional
17 indicators of performance described in paragraph (2)(C). Such levels shall be
18 considered to be the State levels of performance for purposes of this title.

19 (4) Local levels of performance.—

20 (A) Local ~~adjusted~~ levels of performance for core indicators of performance.—

21 (i) In general.—Each eligible recipient shall agree to accept the State
22 ~~determined~~~~adjusted~~ levels of performance for each year of the plan established
23 under paragraph (3) as local ~~adjusted~~ levels of performances, or negotiate with the
24 State to reach agreement on new local ~~adjusted~~ levels of performance, for each of
25 the core indicators of performance described in subparagraphs (A) and (B) of
26 paragraph (2) for career and technical education activities authorized under this
27 title. The levels of performance established under this subparagraph shall, at a
28 minimum—

29 (I) be expressed in a percentage or numerical form, ~~consistent with the~~
30 ~~State levels of performance established under paragraph (3), so as consistent~~
31 with the form expressed in the State determined levels, so as to be objective,
32 quantifiable, and measurable; ~~and~~

33 (II) require the eligible recipient to ~~continually make progress toward~~
34 ~~improving the performance of career and technical education students.~~
35 continually make meaningful progress toward improving the performance of
36 all CTE concentrators, including subgroups of students described in section
37 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965
38 and special populations, as described in section 3(48);

39 (III) when adjusted as described in clause (iii), be higher than the average
40 actual performance levels of the previous 2 program years, except in a case in
41 which unanticipated circumstances arise with respect to the eligible recipient

1 and that eligible recipient meets the requirements for revisions under clause
2 (iv);

3 (IV) take into account how the local levels of performance compare with
4 the local levels of performance established for other eligible recipients,
5 considering factors including the characteristics of actual (as opposed to
6 anticipated) CTE concentrators at the time those CTE concentrators entered
7 the program, and the services or instruction to be provided; and

8 (V) set the local levels of performance using valid and reliable data that
9 measures—

10 (aa) the differences within the State in actual economic conditions
11 (including differences in unemployment rates and job losses or gains in
12 particular industries); and

13 (bb) the abilities of the State and the eligible recipient to collect and
14 access valid, reliable, and cost-effective data.

15 (ii) Identification in the local plan.—Each eligible recipient shall identify, in
16 the local plan submitted under section 134, levels of performance for each of the
17 core indicators of performance for ~~the first 2 each of the~~ program years covered
18 by the local plan.

19 ~~(iii) Agreement on local adjusted levels of performance for first 2 YEARS.—~~
20 ~~The eligible agency and each eligible recipient shall reach agreement, as~~
21 ~~described in clause (i), on the eligible recipient's levels of performance for each~~
22 ~~of the core indicators of performance for the first 2 program years covered by the~~
23 ~~local plan, taking into account the levels identified in the local plan under clause~~
24 ~~(ii) and the factors described in clause (v). The levels of performance agreed to~~
25 ~~under this clause shall be considered to be the local adjusted levels of~~
26 ~~performance for the eligible recipient for such years and shall be incorporated into~~
27 ~~the local plan prior to the approval of such plan.~~

28 ~~(iviii) Agreement on local adjusted levels of performance for subsequent~~
29 ~~years.~~ Allowable Adjustments of Local Levels of Performance for Subsequent
30 Years— Prior to the ~~third and fifth program years-~~ third program year covered by
31 the local plan, ~~the eligible agency and each eligible recipient shall reach~~
32 ~~agreement on the local adjusted levels of performance for each of the core~~
33 ~~indicators of performance for the corresponding subsequent program years~~
34 ~~covered by the local plan, taking into account the factors described in clause~~
35 ~~(v)~~ the eligible recipient may, if the eligible recipient reaches an agreement with
36 the eligible agency, adjust the local levels of performance for any of the core
37 indicators of performance for the subsequent program years covered by the local
38 plan, in accordance with that agreement and with this subparagraph. The local
39 adjusted levels of performance agreed to under this clause shall be ~~considered to~~
40 ~~be the local adjusted levels of performance-~~ considered to be the local levels of
41 performance for the eligible recipient for such years and shall be incorporated into
42 the local plan.

43 ~~(v) Factors.—The agreement described in clause (iii) or (iv) shall take into~~

1 account—

2 (I) how the levels of performance involved compare with the local
3 adjusted levels of performance established for other eligible recipients in the
4 State, taking into account factors including the characteristics of participants
5 when the participants entered the program and the services or instruction to
6 be provided; and

7 (II) the extent to which the local adjusted levels of performance promote
8 continuous improvement on the core indicators of performance by the
9 eligible recipient.

10 (vi) Revisions.—~~If unanticipated circumstances arise with respect to an~~
11 ~~eligible recipient resulting in a significant change in the factors described in~~
12 ~~clause (v), the eligible recipient may request that the local adjusted levels of~~
13 ~~performance agreed to under clause (iii) or (iv) be revised. If unanticipated~~
14 ~~circumstances arise, or changes occur related to improvements in data or~~
15 ~~measurement approaches, the eligible recipient may request that the local levels of~~
16 ~~performance agreed to under clauses (i) and (iii) be revised.~~ The eligible agency
17 shall issue objective criteria and methods for making such revisions.

18 ~~(B) Levels of performance for additional indicators.—Each eligible recipient may~~
19 ~~identify, in the local plan, local levels of performance for any additional indicators of~~
20 ~~performance described in paragraph (2)(C). Such levels shall be considered to be the~~
21 ~~local levels of performance for purposes of this title.~~

22 (EB) Local report.—

23 (i) Content of report.—Each eligible recipient that receives an allocation
24 described in section 112 shall annually prepare and submit to the eligible agency a
25 report, which shall include ~~the data described in clause (ii)(I), regarding the~~
26 ~~progress of such recipient in achieving the local adjusted levels of performance~~
27 ~~the data on the performance levels described in clause (ii), including the progress~~
28 ~~of such recipient in achieving the local levels of performance~~ on the core
29 indicators of performance.

30 (ii) Data.—Except as provided in clauses (iii) and (iv), each eligible recipient
31 that receives an allocation described in section 112 shall—

32 (I) disaggregate data for each of the indicators of performance under
33 paragraph (2) for the subgroups of students described in section
34 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965
35 and section 3(2948) that are served under this Act; ~~and~~

36 (II) identify and quantify any disparities or gaps in performance, as
37 described in paragraph 3(C)(ii)(II) between any such category of students, as
38 described in subclause (I) (including special populations) and the
39 performance of all students served by the eligible recipient under this Act;
40 and

41 (III) disaggregate data by the career and technical education programs or
42 programs of study of the CTE concentrators, except that in a case in which

1 reporting by such program or program of study is impractical, the data may
2 be disaggregated by the career clusters of the CTE concentrators, if
3 appropriate.

4 (iii) Nonduplication.—The eligible agency shall ensure, in a manner that is
5 consistent with the actions of the Secretary under ~~subsection (e)(3) paragraph~~
6 ~~(3)(C)(iii)~~, that each eligible recipient does not report duplicative information
7 under this section.

8 (iv) Rules for reporting of data.—The disaggregation of data under ~~clause (ii)~~
9 ~~this paragraph~~ shall not be required when the number of students in a category is
10 insufficient to yield statistically reliable information or when the results would
11 reveal personally identifiable information about an individual student.

12 (v) Actual Levels of Performance.—At the end of the each program year, the
13 eligible recipient shall determine actual levels of performance on each of the core
14 indicators of performance of all career and technical education students and for
15 each of the subgroups of students described in section 111(h)(1)(C)(ii) of the
16 Elementary and Secondary Education Act of 1965 and special populations as
17 described in section 3(48).

18 (vi) Availability.—The report described in clause (i) and the levels of
19 performance described in clause (v) shall be made available by the eligible
20 recipient to the public through a variety of formats, including electronically
21 through the Internet to students, parents, educators, and the public, and the
22 information contained in such report shall be in a format that is understandable
23 and uniform, and to the extent practicable, provided in a language that students,
24 parents, and educators can understand.

25 ~~(e) Report.—~~

26 ~~(1) In general.—Each eligible agency that receives an allotment under section 111 shall~~
27 ~~annually prepare and submit to the Secretary a report regarding—~~

28 ~~(A) the progress of the State in achieving the State adjusted levels of performance on~~
29 ~~the core indicators of performance; and~~

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

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

35 ~~(A) disaggregate data for each of the indicators of performance under subsection~~
36 ~~(b)(2) for the categories of students described in section 111(h)(1)(C)(i) of the~~
37 ~~Elementary and Secondary Education Act of 1965 and section 3(29) that are served~~
38 ~~under this Act; and~~

39 ~~(B) identify and quantify any disparities or gaps in performance between any such~~
40 ~~category of students and the performance of all students served by the eligible agency~~
41 ~~under this Act, which shall include a quantifiable description of the progress each such~~
42 ~~category of students served by the eligible agency under this Act has made in meeting~~

~~the State-adjusted levels of performance.~~

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

~~(4) Rules for reporting of data.—The disaggregation of data under paragraph (2) shall not be required when the number of students in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual student.~~

~~(5) Information dissemination.—The Secretary—~~

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

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

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

Sec. 114

SEC. 114. [20 U.S.C. 2324] NATIONAL ACTIVITIES.

(a) Program Performance Information.—

(1) In general.—The Secretary shall, in consultation with the Director, collect performance information about, and report on, the condition of career and technical education and on the effectiveness of State and local programs, services, and activities carried out under this title in order to provide the Secretary and Congress, as well as Federal, State, local, and tribal agencies, with information relevant to improvement in the quality and effectiveness of career and technical education. The Secretary shall report annually to Congress on the Secretary's aggregate analysis of performance information collected each year pursuant to this title from eligible agencies under section 113(b)(3)(C), including an analysis of performance data regarding special populations.

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

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

(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.

~~(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~~

1 ~~ensure reasonable cost, the Secretary, in consultation with the National Center for Education~~
2 ~~Statistics, the Office of Career, Technical, and Adult Education, and an entity assisted under~~
3 ~~section 118 (if applicable), shall determine the methodology to be used and the frequency~~
4 ~~with which information is to be collected.~~

5 ~~(2) Cooperation of states.—All eligible agencies receiving assistance under this Act shall~~
6 ~~cooperate with the Secretary in implementing the information systems developed pursuant~~
7 ~~to this Act.~~

8 (c) Single Plan for Research, Development, Dissemination, Evaluation, and Assessment.—

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

14 (2) Plan.—Such plan shall—

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

17 (B) describe how the Secretary, acting through the Director, will evaluate such
18 career and technical education activities in accordance with subsection (d)(2); and

19 (C) include such other information as the Secretary, in consultation with the
20 Director, determines to be appropriate.

21 (d) Advisory Panel; Evaluation; Reports.—

22 (1) Independent advisory panel.—

23 (A) In general.—The Secretary, acting through the Director, shall appoint an
24 independent advisory panel to advise the Secretary on the implementation of the
25 assessment-evaluation described in paragraph (2) and the plan developed under
26 subsection (c), including the issues to be addressed and the methodology of the studies
27 involved to ensure that the assessment-evaluation adheres to the highest standards of
28 quality.

29 (B) Members.—The advisory panel shall consist of—

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

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

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

36 (iv) parents;

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

38 (vi) other individuals and qualified intermediaries with relevant expertise,
39 which may include individuals with expertise in addressing inequities in access to,

1 and in opportunities for academic and technical skill attainment; and

2 (vii) representatives of Indian Tribes and Tribal organizations; and

3 (viii) representatives of special populations.

4 (C) Independent analysis.—The advisory panel shall transmit to the Secretary, the
5 Director, the relevant committees of Congress, and the Library of Congress an
6 independent analysis of the findings and recommendations resulting from the
7 assessment-evaluation described in paragraph (2).

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

10 (2) Evaluation ~~and assessment~~.—

11 (A) In general.—From amounts made available under subsection (e), the Secretary,
12 acting through the Director, shall provide for the conduct of an independent evaluation
13 and assessment a series of research and evaluation initiatives for each year for which
14 funds are appropriated to carry out this Act, which are aligned with the plan in
15 subsection (c)(2), of career and technical education programs under this Act, including
16 the implementation of the ~~Carl D. Perkins Career and Technical Education~~
17 ~~Improvement Act of 2006~~ Strengthening Career and Technical Education for the 21st
18 Century Act, to the extent practicable, through studies and analyses conducted
19 independently through grants, contracts, and cooperative agreements that are awarded
20 on a competitive basis to institutions of higher education or a consortia of one or more
21 institutions of higher education and one or more private nonprofit organizations or
22 agencies. Whenever possible, data used for the evaluation for a fiscal year shall be data
23 from the most recent fiscal year for which such data are available, and from the 5-year
24 period preceding that fiscal year.

25 (B) Contents.—The evaluation~~assessment~~ required under subparagraph (A) shall
26 include descriptions and evaluations of—

27 (i) the extent and success of the integration of challenging State academic
28 standards adopted under section 1111(b)(1) of the Elementary and Secondary
29 Education Act of 1965 and career and technical education for students
30 participating in career and technical education programs, including a review of the
31 effect of such integration on the academic and technical proficiency achievement
32 of such students, including—

33 (I) the number of such students that receive a regular high school diploma,
34 as such term is defined under section 8101 of the Elementary and
35 Secondary Education Act of 1965 or a State-defined alternative diploma
36 described in section 8101(25)(A)(ii)(I)(bb) of such Act;

37 (II) the number of such students that are high school students that receive
38 a recognized postsecondary credential; and

39 (III) the number of such students that are high school students that earn
40 credit toward a recognized postsecondary credential;

41 (ii) the extent to which career and technical education programs and programs

1 of study prepare students, including special populations, for subsequent
2 employment in high-skill, high-wage occupations (including those in which
3 mathematics and science, which may include computer science, skills are critical),
4 or for participation in postsecondary education;

5 (iii) employer involvement in, benefit from, and satisfaction with, career and
6 technical education programs and programs of study and career and technical
7 education students' preparation for employment;

8 (iv) efforts to expand access to career and technical education programs of
9 study for all students;

10 (v) innovative approaches to work-based learning programs that increase
11 participation and alignment with employment in high-growth industries, including
12 in rural and low-income areas;

13 (vi) the effectiveness of different delivery systems and approaches for career
14 and technical education, including comprehensive high schools, technical high
15 schools, area technical centers, career academies, community and technical
16 colleges, early college high schools, pre-apprenticeship programs, voluntary after
17 school programs, and individual course offerings, including dual or concurrent
18 enrollment courses, as well as communication strategies for promoting career and
19 technical education opportunities involving teachers, school counselors, and
20 parents or other guardians;

21 (vii) the extent to which career and technical education programs supported by
22 this Act are grounded on evidence-based research;

23 (viii) the impact of the amendments to this Act made under the Strengthening
24 Career and Technical Education for the 21st Century Act, including comparisons,
25 where appropriate, of—

26 (I) the use of the comprehensive needs assessment under section 134(be);

27 (II) the implementation of programs of study; and

28 (III) coordination of planning and program delivery with other relevant
29 laws, including the Workforce Innovation and Opportunity Act (29 U.S.C.
30 3101 et seq.) and the Elementary and Secondary Education Act of 1965;

31 (ix) changes in career and technical education program accountability as
32 described in section 113 and any effects of such changes on program delivery and
33 program quality; and

34 (x) changes in student enrollment patterns; and

35 (xi) efforts to reduce disparities or performance gaps described in section
36 113(b)(3)(C)(ii)(II).

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

40 ~~(ii) the preparation and qualifications of teachers and faculty of career and~~

1 technical education (such as meeting State-established teacher certification or
2 licensing requirements), as well as shortages of such teachers and faculty;

3 (iii) ~~academic and career and technical education achievement and employment~~
4 ~~outcomes of career and technical education, including analyses of—~~

5 ~~(I) the extent and success of the integration of rigorous and challenging~~
6 ~~academic and career and technical education for students participating in~~
7 ~~career and technical education programs, including a review of the effect of~~
8 ~~such integration on the academic and technical proficiency achievement of~~
9 ~~such students (including the number of such students receiving a secondary~~
10 ~~school diploma); and~~

11 ~~(II) the extent to which career and technical education programs prepare~~
12 ~~students, including special populations, for subsequent employment in high~~
13 ~~skill, high-wage occupations (including those in which mathematics and~~
14 ~~science skills are critical), or for participation in postsecondary education;~~

15 ~~(iv) employer involvement in, and satisfaction with, career and technical~~
16 ~~education programs and career and technical education students' preparation for~~
17 ~~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~~
20 ~~career and technical education and tech prep programs; and~~

21 ~~(vii) the effect of State and local adjusted levels of performance and State and~~
22 ~~local levels of performance on the delivery of career and technical education~~
23 ~~services, including the percentage of career and technical education and tech prep~~
24 ~~students meeting the adjusted levels of performance described in section 113.~~

25 (C) Reports.—

26 (i) In general.—The Secretary, in consultation with the Director, shall submit to
27 the relevant committees of Congress—

28 ~~(I) an interim report regarding the assessment on or before January 1,~~
29 ~~2010; and~~

30 ~~(II) a final report, summarizing all studies and analyses that relate to the~~
31 ~~assessment and that are completed after the interim report, on or before July~~
32 ~~1, 2011.~~

33 (I) not later than 2 years after the date of enactment of the Strengthening
34 Career and Technical Education for the 21st Century Act, an interim report
35 regarding the evaluation and summary of research activities carried out under
36 this section that builds on studies and analyses existing as of such date of
37 enactment;

38 (II) not later than 4 years after the date of enactment of the Strengthening
39 Career and Technical Education for the 21st Century Act, a final report
40 summarizing the studies and analyses that relate to the evaluation and
41 summary of research activities carried out under this section; and

1 (III) a biennial update to such final report for succeeding years.

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

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

16 (3) Collection of state information and report.—

17 (A) In general.—The Secretary may collect and disseminate information from States
18 regarding State efforts to meet State determined ~~adjusted~~ levels of performance
19 described in section 113(b), as long as such information does not reveal any personally
20 identifiable information.

21 (B) Report.—The Secretary shall gather any information collected pursuant to
22 subparagraph (A) and submit a report to the relevant committees in Congress.

23 (4) Research.—

24 (A) In general.—From amounts made available under subsection (f), the Secretary,
25 after consultation with the Director, the Commissioner for Education Research, and the
26 States, and with input from the independent advisory panel established under
27 subsection (d)(1)(A), shall award grants, on a competitive basis, to institutions of
28 higher education, or to consortia of one or more institutions of higher education and
29 one or more private nonprofit organizations or agencies, to carry out one or more of the
30 activities described in subparagraph (C)—

31 (B) Grant Activities.—An institution or consortium receiving ~~receiving~~ a grant
32 under this paragraph shall use grant funds to carry out one or more of the following
33 activities:

34 (i) Evidence-based research and evaluation for the purpose of developing,
35 improving, and identifying the most successful methods for —

36 (I) eliminating inequities in access to, and in opportunities for, learning,
37 skill development, or effective teaching in career and technical education
38 programs; and

39 (II) addressing the education, employment, and training needs of CTE
40 participants, including special populations, in career and technical education
41 programs or programs of study;

1 (ii) Research on, and evaluation of, the impact of changes made by the
2 Strengthening Career and Technical Education for the 21st Century Act, including
3 State-by-State comparisons, where appropriate, of—

4 (I) the use of the needs assessment under section 134(c);

5 (II) the implementation of programs of study;

6 (III) how States have implemented provisions of the Act, including both
7 fiscal and programmatic elements;

8 (IV) career and technical education funding and finance models; and

9 (V) coordination with other relevant laws, including the Workforce
10 Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Elementary
11 and Secondary Education Act of 1965, and the Higher Education Act of
12 1965.

13 (iii) Research and analyses that provide longitudinal information with respect to
14 career and technical education programs and programs of study and student
15 achievement.

16 (iv) To carry out, evaluate, or research innovative methods that support high-
17 quality implementation of career and technical education programs and programs
18 of study and student achievement related to career and technical education,
19 including—

20 (I) creating or expanding dual or concurrent enrollment activities and early
21 college high schools;

22 (II) awarding of academic credit or academic alignment for industry
23 recognized credentials, competency based education, or work-based
24 learning;

25 (III) making available open, searchable, and comparable information on
26 the quality of industry recognized credentials, including the related skills or
27 competencies, attainment by CTE concentrators, related employment and
28 earnings outcomes, labor market value, and use by employers; or

29 (IV) initiatives to facilitate the transition of sub-baccalaureate career and
30 technical education students into baccalaureate degree programs, including
31 barriers affecting rural students and special populations;

32 (A) In general.—From amounts made available under subsection (e), the Secretary,
33 after consulting with the States, shall award a grant, contract, or cooperative
34 agreement, on a competitive basis, to an institution of higher education, a public or
35 private nonprofit organization or agency, or a consortium of such institutions,
36 organizations, or agencies to establish a national research center—

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

1 (I) the integration of—

2 (aa) career and technical instruction; and

3 (bb) academic, secondary and postsecondary instruction;

4 (II) education technology and distance learning approaches and strategies
5 that are effective with respect to career and technical education;

6 (III) State adjusted levels of performance and State levels of performance
7 that serve to improve career and technical education programs and student
8 achievement;

9 (IV) academic knowledge and career and technical skills required for
10 employment or participation in postsecondary education; and

11 (V) preparation for occupations in high skill, high wage, or high demand
12 business and industry, including examination of—

13 (aa) collaboration between career and technical education programs
14 and business and industry; and

15 (bb) academic and technical skills required for a regional or sectoral
16 workforce, including small business;

17 (ii) to carry out scientifically based research and evaluation to increase the
18 effectiveness and improve the implementation of career and technical education
19 programs that are integrated with coherent and rigorous content aligned with
20 challenging academic standards, including conducting research and development,
21 and studies, that provide longitudinal information or formative evaluation with
22 respect to career and technical education programs and student achievement;

23 (iii) to carry out scientifically based research and evaluation that can be used to
24 improve the preparation and professional development of teachers, faculty, and
25 administrators, and to improve student learning in the career and technical
26 education classroom, including—

27 (I) effective in-service and preservice teacher and faculty education that
28 assists career and technical education programs in—

29 (aa) integrating those programs with challenging State academic
30 standards, as adopted by States under section 1111(b)(1) of the
31 Elementary and Secondary Education Act of 1965; and

32 (bb) coordinating technical education with industry-recognized
33 certification requirements;

34 (II) dissemination and training activities related to the applied research and
35 demonstration activities described in this subsection, which may also include
36 serving as a repository for information on career and technical skills, State
37 academic standards, and related materials; and

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

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

4 (CB) Report.—~~The center~~Each institution or consortium receiving a grant under this
5 paragraph ~~conducting the activities described in subparagraph (A)~~ shall annually
6 prepare a report containing information about the key research findings of such ~~center~~
7 entity under this paragraph and shall submit copies of the report to the Secretary, the
8 Director, the relevant committees of Congress, the Library of Congress, and each
9 eligible agency.

10 (C) Dissemination.—Each institution or consortium receiving a grant under this
11 paragraph shall conduct dissemination and training activities based on the research
12 carried out under this paragraph on a timely basis, including through dissemination
13 networks and, as appropriate and relevant, technical assistance providers within the
14 Department.~~The center shall conduct dissemination and training activities based upon~~
15 ~~the research described in subparagraph (A).~~

16 ~~(5) Demonstrations and dissemination.~~—~~The Secretary is authorized to carry out~~
17 ~~demonstration career and technical education programs, to replicate model career and~~
18 ~~technical education programs, to disseminate best practices information, and to provide~~
19 ~~technical assistance upon request of a State, for the purposes of developing, improving, and~~
20 ~~identifying the most successful methods and techniques for providing career and technical~~
21 ~~education programs assisted under this Act.~~

22 (5) INNOVATION AND MODERNIZATION.—

23 (A) GRANT PROGRAM.—To identify, support, and rigorously evaluate evidence-based and
24 innovative strategies and activities to improve and modernize career and technical education
25 and align workforce skills with labor market needs as part of the State plan under section
26 122 and local plan under section 134 and the requirements of this subsection, the Secretary
27 may use not more than 20 percent of the amounts appropriated under subsection (e) to
28 award grants to eligible entities, eligible institutions, or eligible recipients to carry out the
29 activities described in subparagraph (G)—

30 (B) NON-FEDERAL MATCH.—

31 (i) Matching Funds Required. —Except as provided under clause (ii), to receive a
32 grant under this paragraph, an eligible entity, eligible institution, or eligible recipient
33 shall, through cash or in-kind contributions, provide matching funds from Non-Federal
34 sources in an amount equal to not less than 50 percent of the funds provided under
35 such grant.

36 (ii) EXCEPTION.—The Secretary may waive the matching fund requirement under
37 clause (i) if the eligible entity, eligible institution, or eligible recipient demonstrates
38 exceptional circumstances.

39 (C) APPLICATION.—To receive a grant under this paragraph, an eligible entity, eligible
40 institution, or eligible recipient shall submit an application to the Secretary at such a time, in
41 such manner, and containing such information as the Secretary may require, including, at a
42 minimum—

1 (i) an identification and designation of the agency, institution, or school
2 responsible for the administration and supervision of the program assisted under this
3 paragraph;

4 (ii) a description of the budget for the project, the source and amount of the
5 matching funds required under subparagraph (B)(i), and how the applicant will
6 continue the project after the grant period ends, if applicable;

7 (iii) a description of how the applicant will use the grant funds, including how
8 such funds will directly benefit students, including special populations, served by
9 the applicant;

10 (iv) a description of how the program assisted under this paragraph will be
11 coordinated with the activities carried out under section 124 or 135;

12 (v) a description of how the career and technical education programs or programs
13 of study to be implemented with grant funds reflect the needs of regional, State, or
14 local employers, as demonstrated by the comprehensive needs assessment under
15 section 134(c);

16 (vi) a description of how the program assisted under this paragraph will be
17 evaluated and how that evaluation may inform the report described in paragraph
18 (2)(C); and

19 (vii) an assurance that the applicant will—

20 (I) provide information to the Secretary, as requested, for evaluations that the
21 Secretary may carry out; and

22 (II) make data available to third parties for validation, in accordance with
23 applicable data privacy laws, including section 444 of the General Education
24 Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational
25 Rights and Privacy Act of 1974’);

26 (D) PRIORITY.—In awarding grants under this paragraph, the Secretary shall give priority
27 to applications from eligible entities, eligible institutions, or eligible recipients that will
28 predominantly serve students from low-income families.

29 (E) GEOGRAPHIC DIVERSITY.—

30 (A) IN GENERAL.—In awarding grants under this paragraph, the Secretary shall
31 award no less than 25 percent of the total available funds for any fiscal year to eligible
32 entities, eligible institutions, or eligible recipients proposing to fund career and
33 technical education activities that serve—

34 (I) a local educational agency with an urban-centric district locale code of 32,
35 33, 41, 42, or 43, as determined by the Secretary;

36 (II) an institution of higher education primarily serving the one or more areas
37 served by such a local educational agency;

38 (III) a consortium of such local educational agencies or such institutions of
39 higher education;

40 (IV) a partnership between—

1 (aa) an educational service agency or a nonprofit organization; and

2 (bb) such a local educational agency or such an institution of higher
3 education; or

4 (V) a partnership between—

5 (aa) a grant recipient described in subclause (I) or (II); and

6 (bb) a State educational agency.

7 (ii) EXCEPTION.—Notwithstanding clause (i), the Secretary shall reduce the amount
8 of funds made available under such clause if the Secretary does not receive a sufficient
9 number of applications of sufficient quality.

10 (F) Duration—

11 (i) In General.—Grants awarded under this paragraph shall be for a period of not more
12 than 3 years.

13 (ii) Extension.—The Secretary may extend such grants for not more than 1 additional 2-
14 year period if the grantee demonstrates to the Secretary that the grantee is achieving the
15 grantee’s program objectives and, as applicable, has improved education outcomes for
16 career and technical education students, including special populations.

17 (G) USES OF FUNDS.— An eligible entity, eligible institution, or eligible recipient that is
18 awarded a grant under this paragraph shall use the grant funds to create, develop,
19 implement, replicate, or take to scale evidence-based, field-initiated innovations to
20 modernize and improve effectiveness and alignment of career and technical education and
21 to improve student outcomes in career and technical education, and rigorously evaluate such
22 innovations, through one or more of the following activities—

23 (i) Designing and implementing courses or programs of study aligned to labor
24 market needs in new or emerging fields, working with industry to upgrade equipment,
25 technology, and related curriculum used in CTE programs that—

26 (I) is needed for the development, expansion, and implementation of State-
27 approved CTE programs of study; and

28 (II) includes the development or acquisition of instructional materials
29 associated with the equipment and technology purchased by an eligible entity,
30 eligible institution, or eligible recipient through the grant.

31 (ii) Improving career and technical education outcomes of students served by
32 eligible entities, eligible institutions, or eligible recipients through activities such as —

33 (I) supporting the development and enhancement of innovative delivery
34 models for career and technical education related work-based learning, including
35 school-based simulated work sites, mentoring, work site visits, job shadowing,
36 project-based learning, and skills-based and paid internships;

37 (II) increasing the effective use of technology within career and technical
38 education programs and programs of study;

39 (III) supporting new models for integrating academic content at the secondary
40 and postsecondary level in career and technical education; or

1 (IV) integrating science, technology, engineering, and mathematics fields,
2 including computer science education, with career and technical education.

3 (iii) Improving the transition of students—

4 (I) from secondary education to postsecondary education or employment through
5 programs, activities, or services that may include the creation, development or
6 expansion of dual or concurrent enrollment, articulation agreements, credit transfer
7 agreements, and competency based education; or

8 (II) from the completion of one postsecondary program to another postsecondary
9 program that awards a recognized postsecondary credential.

10 (iv) Supporting the development and enhancement of innovative delivery models for
11 career and technical education.

12 (v) Working with industry to design and implement courses or programs of study
13 aligned to labor market needs in new or emerging fields.

14 (vi) Supporting innovative approaches to career and technical education by
15 redesigning the high school experience for students, which may include evidence-
16 based transitional support strategies for students who have not met postsecondary
17 education eligibility requirements;

18 (vii) Creating or expanding recruitment, retention or professional development
19 activities for career and technical education teachers, faculty, school leaders,
20 administrators, specialized instructional support personnel, career guidance and
21 academic counselors, and paraprofessionals, which may include—

22 (I) resources and training to improve instruction for, and provide appropriate
23 accommodations to, special populations;

24 (II) externships or site visits with business and industry;

25 (III) the integration of coherent and rigorous academic content standards and
26 career and technical education curricula, including through opportunities for
27 appropriate academic and career and technical education teachers to jointly
28 develop and implement curricula and pedagogical strategies; ~~or~~

29 (IV) mentoring by experienced teachers; ~~or~~

30 (V) resources or assistance with meeting State teacher licensure and credential
31 requirements; or

32 (VI) training for career guidance and academic counselors at the secondary
33 level to improve awareness of postsecondary education and postsecondary career
34 options, and improve the ability of such counselors to communicate to students
35 the career opportunities and employment trends.

36 (viii) Improving CTE concentrator employment outcomes in non-traditional fields.

37 (ix) Supporting the use of career and technical education programs and programs of study
38 in coordinated strategy to address identified employer needs and workforce shortages, such
39 as shortages in early childhood, elementary school, and secondary school education
40 workforce.

1 (x) Providing integrated student support that addresses the comprehensive needs of
2 students, such as incorporating accelerated and differentiated learning opportunities
3 supported by evidence-based strategies for special populations.

4 (xi) Establishing an online portal for career and technical education students, including
5 special populations, preparing for postsecondary career and technical education, which
6 may include opportunities for mentoring, gaining financial literacy skills, and identifying
7 career opportunities and interests, and a platform to establish online savings accounts to
8 be used exclusively for postsecondary CTE programs and programs of study.

9 (H) EVALUATION.—Each eligible entity, eligible institution, or eligible recipient
10 receiving a grant under this paragraph shall provide for an independent evaluation of the
11 activities carried out using such grant and submit to the Secretary an annual report that
12 includes—

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

14 (ii) the performance of the eligible entity, eligible institution, or eligible recipient
15 with respect to, at a minimum, the performance indicators described under section 113,
16 as applicable, and disaggregated by—

17 (I) subgroups of students described in section 1111(c)(2)(B) of the Elementary
18 and Secondary Education Act;

19 (II) special populations; and

20 (III) as appropriate, each career and technical education program and program
21 of study; and

22 (iii) a quantitative analysis of the effectiveness of the project carried out under this
23 paragraph.

24 ~~(fe) Authorization of Appropriations.—There are authorized to be appropriated to carry out~~
25 ~~this section such sums as may be necessary for each of fiscal years 2007 through 2012.~~

26
27 (e) Authorization of Appropriations.—There are authorized to be appropriated to carry out this
28 section —

29 (1) \$7,651,051 for fiscal year 2019;

30 (2) \$7,758,166 for fiscal year 2020;

31 (3) \$7,866,780 for fiscal year 2021;

32 (4) \$7,976,915 for fiscal year 2022;

33 (5) \$8,088,592 for fiscal year 2023; and

34 (6) \$8,201,832 for fiscal year 2024.

35
36 Sec. 115

37 **SEC. 115. [20 U.S.C. 2325] ASSISTANCE FOR THE**

1 OUTLYING AREAS.

2 (a) Outlying Areas.—From funds reserved pursuant to section 111(a)(1)(A), the Secretary
3 shall—

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

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

7 (3) make a grant of \$160,000 to the Republic of Palau, subject to subsection (b).

8 ~~(b) Remainder.—~~

9 ~~(1) First year.—Subject to subsection (a), for the first fiscal year following the date of~~
10 ~~enactment of the Carl D. Perkins Career and Technical Education Improvement Act of~~
11 ~~2006, the Secretary shall make a grant of the remainder of funds reserved pursuant to~~
12 ~~section 111(a)(1)(A) to the Pacific Region Educational Laboratory in Honolulu, Hawaii, to~~
13 ~~make grants for career and technical education and training in Guam, American Samoa, and~~
14 ~~the Commonwealth of the Northern Mariana Islands, for the purpose of providing direct~~
15 ~~career and technical educational services, including—~~

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

17 ~~(B) curriculum development; and~~

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

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

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

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

33 Sec. 116

34 SEC. 116. [20 U.S.C. 2326] NATIVE AMERICAN 35 PROGRAMS.

36 (a) Definitions.—In this section:

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

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

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

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

9 (45) Native Hawaiian organization.—The term “Native Hawaiian organization” has the
10 meaning given the term in section 6207 of the Native Hawaiian Education Act (20 U.S.C.
11 7517).

12 (b) Program Authorized.—

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

18 (2) Indian ~~tribes~~Tribes and ~~tribal~~Tribal organizations.—The grants or contracts
19 described in this section that are awarded to any Indian ~~tribe~~Tribe or ~~tribal~~Tribal
20 organization shall be subject to the terms and conditions of section 102 of the Indian Self-
21 Determination Act (25 U.S.C. ~~450f~~5321) and shall be conducted in accordance with the
22 provisions of sections 4, 5, and 6 of the Act of April 16, 1934 (25 U.S.C. ~~455–457~~5345-
23 5347), which are relevant to the programs administered under this subsection.

24 (3) Special authority relating to secondary schools operated or supported by the Bureau
25 of Indian Education~~bureau of indian affairs~~.—An Indian ~~†~~TTribe, a ~~†~~TTribe organization, or an
26 Alaska Native entity, that receives funds through a grant made or contract entered into
27 under paragraph (1) may use the funds to provide assistance to a secondary school operated
28 or supported by the Bureau of Indian Education~~Bureau of Indian Affairs~~ to enable such
29 school to carry out career and technical education programs.

30 (4) Matching.—If sufficient funding is available, the Bureau of Indian Education~~Bureau~~
31 ~~of Indian Affairs~~ shall expend an amount equal to the amount made available under this
32 subsection, relating to programs for Indians, to pay a part of the costs of programs funded
33 under this subsection. During each fiscal year the Bureau of Indian Education~~Bureau of~~
34 ~~Indian Affairs~~ shall expend not less than the amount expended during the prior fiscal year
35 on career and technical education programs, services, and technical activities administered
36 directly by, or under contract with, the Bureau of Indian Education~~Bureau of Indian Affairs~~,
37 except that in no year shall funding for such programs, services, and activities be provided
38 from accounts and programs that support other Indian education programs. The Secretary
39 and the Director of the Bureau of Indian Education~~Assistant Secretary of the Interior for~~
40 ~~Indian Affairs~~ shall prepare jointly a plan for the expenditure of funds made available and
41 for the evaluation of programs assisted under this subsection. Upon the completion of a
42 joint plan for the expenditure of the funds and the evaluation of the programs, the Secretary
43 shall assume responsibility for the administration of the program, with the assistance and

1 consultation of the Bureau of Indian Education~~Bureau of Indian Affairs~~.

2 (5) Regulations.—If the Secretary promulgates any regulations applicable to paragraph
3 (2), the Secretary shall—

4 (A) confer with, and allow for active participation by, representatives of Indian
5 ~~tribes~~Tribes, ~~tribal~~Tribal organizations, and individual ~~tribal~~Tribal members; and

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

8 (6) Application.—Any Indian ~~tribe~~Tribe, ~~tribal~~Tribal organization, or Bureau-funded
9 school eligible to receive assistance under this subsection may apply individually or as part
10 of a consortium with another such Indian ~~tribe~~Tribe, ~~tribal~~Tribal organization, or Bureau-
11 funded school.

12 (c) Authorized Activities.—

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

15 (2) SPECIAL RULE.—Notwithstanding section 3(5)(A)(iii), funds made available under
16 this section may be used to provide preparatory, refresher, and remedial education services
17 that are designed to enable students to achieve success in career and technical education
18 programs or programs of study.

19 (3) Stipends.—

20 (A) In general.—Funds received pursuant to grants or contracts awarded under
21 subsection (b) may be used to provide stipends to students who are enrolled in career
22 and technical education programs and who have acute economic needs which cannot
23 be met through work-study programs.

24 (B) Amount.—Stipends described in subparagraph (A) shall not exceed reasonable
25 amounts as prescribed by the Secretary.

26 (d) Grant or Contract Application.—In order to receive a grant or contract under this section,
27 an organization, ~~tribe~~Tribe, or entity described in subsection (b) shall submit an application to
28 the Secretary that shall include an assurance that such organization, ~~tribe~~Tribe, or entity shall
29 comply with the requirements of this section.

30 (e) Restrictions and Special Considerations.—The Secretary may not place upon grants
31 awarded or contracts entered into under subsection (b) any restrictions relating to programs other
32 than restrictions that apply to grants made to or contracts entered into with States pursuant to
33 allotments under section 111(a). The Secretary, in awarding grants and entering into contracts
34 under this section, shall ensure that the grants and contracts will improve career and technical
35 education programs, and shall give special consideration to—

36 (1) programs that involve, coordinate with, or encourage ~~tribe~~Tribal economic development
37 plans; and

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

39 (A) are accredited or are candidates for accreditation by a nationally recognized
40 accreditation organization as an institution of postsecondary career and technical

1 education; or

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

5 (f) Consolidation of Funds.—Each organization, [tribeTribe](#), or entity receiving assistance
6 under this section may consolidate such assistance with assistance received from related
7 programs in accordance with the provisions of the Indian Employment, Training and Related
8 Services Demonstration Act of 1992 (25 U.S.C. 3401 et seq.).

9 (g) Nonduplicative and Nonexclusive Services.—Nothing in this section shall be construed—

10 (1) to limit the eligibility of any organization, [tribeTribe](#), or entity described in subsection
11 (b) to participate in any activity offered by an eligible agency or eligible recipient under this
12 title; or

13 (2) to preclude or discourage any agreement, between any organization, [tribeTribe](#), or
14 entity described in subsection (b) and any eligible agency or eligible recipient, to facilitate
15 the provision of services by such eligible agency or eligible recipient to the population
16 served by such eligible agency or eligible recipient.

17 (h) Native Hawaiian Programs.—From the funds reserved pursuant to section 111(a)(1)(B)(ii),
18 the Secretary shall award grants to or enter into contracts with community-based organizations
19 primarily serving and representing Native Hawaiians to plan, conduct, and administer programs,
20 or portions thereof, which are authorized by and consistent with the provisions of this section for
21 the benefit of Native Hawaiians.

22 Sec. 117

23 **SEC. 117. [20 U.S.C. 2327] TRIBALLY CONTROLLED**
24 **POSTSECONDARY CAREER AND TECHNICAL**
25 **INSTITUTIONS.**

26 (a) Grant Program.—Subject to the availability of appropriations, the Secretary shall make
27 grants under this section, to provide basic support for the education and training of Indian
28 students, to tribally controlled postsecondary career and technical institutions that are not
29 receiving Federal assistance as of the date on which the grant is provided under—

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

32 (2) the Navajo Community College Act ([Public Law 92-189; 85 Stat. 646](#)). (~~25 U.S.C.~~
33 ~~640a et seq.~~).

34 (b) Uses of Grants.—Amounts made available under this section shall be used for career and
35 technical education programs for Indian students and for the institutional support costs of the
36 grant, including the expenses described in subsection (e).

37 (c) Amount of Grants.—

38 (1) In general.—If the sums appropriated for any fiscal year for grants under this section
39 are not sufficient to pay in full the total amount which approved applicants are eligible to

1 receive under this section for such fiscal year, the Secretary shall first allocate to each such
2 applicant who received funds under this part for the preceding fiscal year an amount equal
3 to 100 percent of the product of the per capita payment for the preceding fiscal year and
4 such applicant's Indian student count for the current program year, plus an amount equal to
5 the actual cost of any increase to the per capita figure resulting from inflationary increases
6 to necessary costs beyond the institution's control.

7 (2) Per capita determination.—For the purposes of paragraph (1), the per capita payment
8 for any fiscal year shall be determined by dividing the amount available for grants to
9 tribally controlled postsecondary career and technical institutions under this section for such
10 program year by the sum of the Indian student counts of such institutions for such program
11 year. The Secretary shall, on the basis of the most accurate data available from the
12 institutions, compute the Indian student count for any fiscal year for which such count was
13 not used for the purpose of making allocations under this section.

14 (3) Indirect costs.—Notwithstanding any other provision of law or regulation, the
15 Secretary shall not require the use of a restricted indirect cost rate for grants issued under
16 this section.

17 (d) Applications.—To be eligible to receive a grant under this section, a tribally controlled
18 postsecondary career and technical institution that is not receiving Federal assistance under title I
19 of the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1802 et
20 seq.) or the Navajo Community College Act ([Public Law 92-189; 85 Stat. 646](#)) (~~25 U.S.C. 640a~~
21 ~~et seq.~~) shall submit to the Secretary an application at such time, in such manner, and containing
22 such information as the Secretary may require.

23 (e) Expenses.—

24 (1) In general.—The Secretary shall, subject to the availability of appropriations, provide
25 for each program year to each tribally controlled postsecondary career and technical
26 institution having an application approved by the Secretary, an amount necessary to pay
27 expenses associated with—

28 (A) the maintenance and operation of the program, including development costs,
29 costs of basic and special instruction (including special programs for individuals with
30 disabilities and academic instruction), materials, student costs, administrative
31 expenses, boarding costs, transportation, student services, daycare and family support
32 programs for students and their families (including contributions to the costs of
33 education for dependents), and student stipends;

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

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

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

40 (2) Accounting.—Each institution receiving a grant under this section shall provide
41 annually to the Secretary an accurate and detailed accounting of the institution's operating
42 and maintenance expenses and such other information concerning costs as the Secretary

1 may reasonably require.

2 (f) Other Programs.—

3 (1) In general.—Except as specifically provided in this Act, eligibility for assistance
4 under this section shall not preclude any tribally controlled postsecondary career and
5 technical institution from receiving Federal financial assistance under any program
6 authorized under the Higher Education Act of 1965, or under any other applicable program
7 for the benefit of institutions of higher education or career and technical education.

8 (2) Prohibition on alteration of grant amount.—The amount of any grant for which
9 tribally controlled postsecondary career and technical institutions are eligible under this
10 section shall not be altered because of funds allocated to any such institution from funds
11 appropriated under the Act of November 2, 1921 (commonly known as the “Snyder Act”)
12 (25 U.S.C. 13).

13 (3) Prohibition on contract denial.—No tribally controlled postsecondary career and
14 technical institution for which an Indian Tribe has designated a portion of the funds
15 appropriated for the Tribe from funds appropriated under the Act of November 2, 1921 (25
16 U.S.C. 13), may be denied a contract for such portion under the Indian Self-Determination
17 and Education Assistance Act (except as provided in that Act), or denied appropriate
18 contract support to administer such portion of the appropriated funds.

19 (g) Complaint Resolution Procedure.—The Secretary shall establish (after consultation with
20 tribally controlled postsecondary career and technical institutions) a complaint resolution
21 procedure for grant determinations and calculations under this section for tribally controlled
22 postsecondary career and technical institutions.

23 (h) Definitions.—In this section:

24 (1) Indian; Indian Tribe.—The terms “Indian” and “Indian Tribe” have the meanings
25 given the terms “Indian” and “Indian Tribe”, respectively, in section 2 of the Tribally
26 Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801).

27 (2) Indian student count.—

28 (A) In general.—The term “Indian student count” means a number equal to the total
29 number of Indian students enrolled in each tribally controlled postsecondary career and
30 technical institution, as determined in accordance with subparagraph (B).

31 (B) Determination.—

32 (i) Enrollment.—For each academic year, the Indian student count shall be
33 determined on the basis of the enrollments of Indian students as in effect at the
34 conclusion of—

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

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

37 (ii) Calculation.—For each academic year, the Indian student count for a
38 tribally controlled postsecondary career and technical institution shall be the
39 quotient obtained by dividing—

40 (I) the sum of the credit hours of all Indian students enrolled in the tribally

1 controlled postsecondary career and technical institution (as determined
2 under clause (i)); by

3 (II) 12.

4 (iii) Summer term.—Any credit earned in a class offered during a summer term
5 shall be counted in the determination of the Indian student count for the
6 succeeding fall term.

7 (iv) Students without secondary school degrees.—

8 (I) In general.—A credit earned at a tribally controlled postsecondary
9 career and technical institution by any Indian student that has not obtained a
10 secondary school degree (or the recognized equivalent of such a degree)
11 shall be counted toward the determination of the Indian student count if the
12 institution at which the student is enrolled has established criteria for the
13 admission of the student on the basis of the ability of the student to benefit
14 from the education or training of the institution.

15 (II) Presumption.—The institution shall be presumed to have established
16 the criteria described in subclause (I) if the admission procedures for the
17 institution include counseling or testing that measures the aptitude of a
18 student to successfully complete a course in which the student is enrolled.

19 (III) Credits toward secondary school degree.—No credit earned by an
20 Indian student for the purpose of obtaining a secondary school degree (or the
21 recognized equivalent of such a degree) shall be counted toward the
22 determination of the Indian student count under this clause.

23 (v) Continuing education programs.—Any credit earned by an Indian student in
24 a continuing education program of a tribally controlled postsecondary career and
25 technical institution shall be included in the determination of the sum of all credit
26 hours of the student if the credit is converted to a credit hour basis in accordance
27 with the system of the institution for providing credit for participation in the
28 program.

29 (i) Authorization of Appropriations.—There are authorized to be appropriated to carry out this
30 section —

31 (1) \$9,762,539 for fiscal year 2019;

32 (2) \$9,899,215 for fiscal year 2020;

33 (3) \$10,037,804 for fiscal year 2021;

34 (4) \$10,178,333 for fiscal year 2022;

35 (5) \$10,320,829 for fiscal year 2023; and

36 (6) \$10,465,321 for fiscal year 2024.

37 ~~There are authorized to be appropriated to carry out this section such sums as may be~~
38 ~~necessary for each of fiscal years 2007 through 2012.~~

39 ~~Sec. 118~~

1 ~~SEC. 118. [20 U.S.C. 2328] OCCUPATIONAL AND~~
2 ~~EMPLOYMENT INFORMATION.~~

3 ~~(a) National Activities. — From funds appropriated under subsection (g), the Secretary, in~~
4 ~~consultation with appropriate Federal agencies, is authorized —~~

5 ~~(1) to provide assistance to an entity to enable the entity —~~

6 ~~(A) to provide technical assistance to State entities designated under subsection (e)~~
7 ~~to enable the State entities to carry out the activities described in such subsection;~~

8 ~~(B) to disseminate information that promotes the replication of high quality practices~~
9 ~~described in subsection (e); and~~

10 ~~(C) to develop and disseminate products and services related to the activities~~
11 ~~described in subsection (e); and~~

12 ~~(2) to award grants to States that designate State entities in accordance with subsection~~
13 ~~(e) to enable the State entities to carry out the State level activities described in such~~
14 ~~subsection.~~

15 ~~(b) State Application. —~~

16 ~~(1) In general. — A jointly designated State entity described in subsection (c) that desires~~
17 ~~to receive a grant under this section shall submit an application to the Secretary at the same~~
18 ~~time the State submits its State plan under section 122, in such manner, and accompanied by~~
19 ~~such additional information, as the Secretary may reasonably require.~~

20 ~~(2) Contents. — Each application submitted under paragraph (1) shall include a~~
21 ~~description of how the jointly designated State entity described in subsection (c) will~~
22 ~~provide information based on trends provided pursuant to section 15 of the Wagner-Peyser~~
23 ~~Act to inform program development.~~

24 ~~(c) State Level Activities. — In order for a State to receive a grant under this section, the~~
25 ~~eligible agency and the Governor of the State shall jointly designate an entity in the State —~~

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

31 ~~(2) to make available to students, parents, teachers, administrators, faculty, and career~~
32 ~~guidance and academic counselors, and to improve accessibility with respect to, information~~
33 ~~and planning resources that relate academic and career and technical educational~~
34 ~~preparation to career goals and expectations;~~

35 ~~(3) to provide academic and career and technical education teachers, faculty,~~
36 ~~administrators, and career guidance and academic counselors with the knowledge, skills,~~
37 ~~and occupational information needed to assist parents and students, especially special~~
38 ~~populations, with career exploration, educational opportunities, education financing, and~~
39 ~~exposure to high skill, high wage, or high demand occupations and non-traditional fields,~~
40 ~~including occupations and fields requiring a baccalaureate degree;~~

1 ~~(4) to assist appropriate State entities in tailoring career-related educational resources and~~
2 ~~training for use by such entities, including information on high skill, high wage, or high~~
3 ~~demand occupations in current or emerging professions and on career ladder information;~~

4 ~~(5) to improve coordination and communication among administrators and planners of~~
5 ~~programs authorized by this Act and by section 15 of the Wagner Peyser Act at the Federal,~~
6 ~~State, and local levels to ensure nonduplication of efforts and the appropriate use of shared~~
7 ~~information and data;~~

8 ~~(6) to provide ongoing means for customers, such as students and parents, to provide~~
9 ~~comments and feedback on products and services and to update resources, as appropriate, to~~
10 ~~better meet customer requirements; and~~

11 ~~(7) to provide readily available occupational information such as—~~

12 ~~(A) information relative to employment sectors;~~

13 ~~(B) information on occupation supply and demand; and~~

14 ~~(C) other information provided pursuant to section 15 of the Wagner Peyser Act as~~
15 ~~the jointly designated State entity considers relevant.~~

16 ~~(d) Nonduplication.—~~

17 ~~(1) Wagner peyser act.—The jointly designated State entity described under subsection~~
18 ~~(e) may use funds provided under subsection (a)(2) to supplement activities under section~~
19 ~~15 of the Wagner Peyser Act to the extent such activities do not duplicate activities assisted~~
20 ~~under such section.~~

21 ~~(2) Workforce innovation and opportunity Act.—None of the functions and activities~~
22 ~~assisted under this section shall duplicate the functions and activities carried out under the~~
23 ~~Workforce Innovation and Opportunity Act.~~

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

26 ~~(1) not less than 85 percent to carry out subsection (e); and~~

27 ~~(2) not more than 15 percent to carry out subsection (a).~~

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

30 ~~(1) a description of activities assisted under this section during the prior program year;~~

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

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

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

38 PART B—STATE PROVISIONS

1 Sec. 121

2 **SEC. 121. [20 U.S.C. 2341] STATE ADMINISTRATION.**

3 (a) Eligible Agency Responsibilities.—The responsibilities of an eligible agency under this
4 title shall include—

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

8 (2) consultation with the Governor and appropriate agencies, groups, and individuals
9 including teachers, faculty, specialized instructional support personnel, paraprofessionals,
10 school leaders, authorized public chartering agencies and charter school leaders (consistent
11 with State law), employers, representatives of business (including small businesses), labor
12 organizations, eligible recipients, local program administrators, State and local officials,
13 parents, students, and community organizations. ~~parents, students, teachers, teacher and~~
14 ~~faculty preparation programs, representatives of businesses (including small businesses),~~
15 ~~labor organizations, eligible recipients, State and local officials, and local program~~
16 ~~administrators, involved in the planning, administration, evaluation, and coordination of~~
17 ~~programs funded under this title;~~

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

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

23 (A) implement State level coordination with the activities undertaken by the State
24 boards under section 101 of the Workforce Innovation and Opportunity Act; and

25 (B) make available to the one-stop delivery system under section 121 of the
26 Workforce Innovation and Opportunity Act within the State a listing of all school
27 dropout, postsecondary education, and adult programs assisted under this title.

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

32 Sec. 122

33 **SEC. 122. [20 U.S.C. 2342] STATE PLAN.**

34 (a) State Plan.—

35 (1) In general.—Each eligible agency desiring assistance under this title for any fiscal
36 year shall prepare and submit to the Secretary ~~a State plan for a 6-year period, every 4 years~~
37 a State plan for a 4-year period, consistent with subsection (b), together with such annual
38 revisions as the eligible agency determines to be necessary, except that, during the period
39 described in section 4, each eligible agency may submit a transition plan that shall fulfill the
40 eligible agency’s obligation to submit a State plan under this section for the first fiscal year

1 following the date of enactment of the Strengthening Career and Technical Education for
2 the 21st Century Act~~Carl D. Perkins Career and Technical Education Improvement Act of~~
3 2006.

4 (2) Revisions.—Each eligible agency—

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

7 (B) shall, after the second year of the 46-year period, conduct a review of activities
8 assisted under this title and submit any revisions of the State plan that the eligible
9 agency determines necessary to the Secretary.

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

21 (4) Public Comment.—Each eligible agency shall make the State plan publicly available
22 for public comment for a period of not less than 30 days, by electronic means and in an
23 easily accessible format, prior to submission to the Secretary for approval under this
24 subsection. In the plan the eligible agency files under this subsection, the eligible agency
25 shall provide an assurance that public comments were taken into account in the
26 development of the State plan.

27 (5) SUBMISSION OF SUBSEQUENT PLANS.—Any State plan submitted by an
28 eligible agency after the first 4-year State plan is submitted under this section shall be
29 submitted not later than 120 days prior to the end of the 4-year period covered by the
30 preceding State plan.

31 (b) Options for Submission of State Plan.—

32 (1) COMBINED PLAN.—The eligible agency may submit a combined plan that meets the
33 requirements of this section and the requirements of section 103 of the Workforce
34 Innovation and Opportunity Act (29 U.S.C. 3113).

35 (2) NOTICE TO SECRETARY.—The eligible agency shall inform the Secretary of
36 whether the eligible agency intends to submit a combined plan described in paragraph (1) or
37 a single plan.

38 (c) Plan Development.—

39 (1) In general.—The eligible agency shall—

40 (A) develop the State plan in consultation with—

41 (i) representatives of secondary and postsecondary career and technical

1 education programs, including eligible recipients and representatives of 2-year
2 Minority-Serving Institutions and Historically Black Colleges and Universities
3 and tribally controlled colleges or universities in States where such institutions are
4 in existence, and charter school representatives in States where such schools are
5 in existence, which shall include teachers, faculty, school leaders, specialized
6 instructional support personnel (including career guidance and academic ~~guidance~~
7 counselors), and paraprofessionals);

8 (ii) interested community representatives, including parents, students and
9 community organizations;

10 (iii) representatives of the State workforce development board established
11 under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C.
12 3111)(referred to in this section as the “State board”);

13 (iv) members and representatives of special populations;

14 (v) representatives of business and industry (including representatives of small
15 business), which shall include representatives of industry and sector partnerships
16 in the State, as appropriate, and representatives of labor organizations in the State;

17 (vi) representatives of agencies serving out-of-school youth, homeless children
18 and youth, and at-risk youth, including the State Coordinator for Education of
19 Homeless Children and Youths established or designated under section 722(d)(3)
20 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(d)(3));

21 (vii) representatives of Indian Tribes and Tribal organizations located in, or
22 providing services in, the State ~~or are providing services in the State;~~ and

23 (viii) individuals with disabilities; and

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

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

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

30 ~~(iii) eligible recipients;~~

31 ~~(iv) charter school authorizers and organizers consistent with State law;~~

32 ~~(v) parents and students;~~

33 ~~(vi) institutions of higher education;~~

34 ~~(vii) the State tech prep coordinator and representatives of tech prep consortia~~
35 ~~(if applicable);~~

36 ~~(viii) entities participating in activities described in section 101 of the~~
37 ~~Workforce Innovation and Opportunity Act;~~

38 ~~(ix) interested community members (including parent and community~~
39 ~~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.

(3) CONSULTATION WITH THE GOVERNOR.—The consultation described in paragraph (1)(B) shall include meetings of officials from the eligible agency and the Governor’s office and shall occur—

- (A) during the development of such plan; and
- (B) prior to submission of the plan to the Secretary.

~~(d)~~ Plan Contents.—The State plan shall include information that—

(1) a summary of State-supported workforce development activities (including education and training) in the State, including the degree to which the State’s career and technical education programs and programs of study are aligned with and address the education and skill needs of the employers in the State identified by the State board.

(2) the State’s strategic vision and set of goals for preparing an educated and skilled workforce (including special populations) and for meeting the skilled workforce needs of employers, including in existing and emerging in-demand industry sectors and occupations as identified by the State, and how the State’s career and technical education programs will help to meet these goals;

(3) a strategy for any joint planning, alignment, coordination, and leveraging of funds between the State’s career and technical education programs and programs of study with the State’s workforce development system, to achieve the strategic vision and goals described in paragraph (2), including the core programs defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) and the elements related to system alignment under section 102(b)(2)(B) of such Act (29 U.S.C. 3112(b)(2)(B)), and for programs carried out under this title with other Federal programs, which may include programs funded under the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965;

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

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

(B) the process and criteria to be used for approving locally developed programs of study or career pathways, including how such programs address State workforce development and education needs and the criteria to assess the extent to which the local

1 application under section 132 will—

2 (i) promote continuous improvement in academic achievement and technical skill
3 attainment;

4 (ii) expand access to career and technical education for special populations; and

5 (iii) support the alignment of employability skills;

6 (C) how the eligible agency will—

7 (i) make information on approved programs of study and career pathways
8 (including career exploration, work-based learning opportunities, early college
9 high schools, and dual and concurrent enrollment opportunities) and guidance and
10 advisement resources, available to students (and parents, as appropriate),
11 representatives of secondary and postsecondary education, and special
12 populations, and to the extent practicable, provide that information and those
13 resources in a language students, parents, and educators can understand;

14 (ii) facilitate collaboration among eligible recipients in the development of
15 career and technical education programs and programs of study and career
16 pathways and ensure nonduplication of eligible recipients' development of
17 programs of study and career pathways;

18 (iii) determine alignment of eligible recipients' programs of study to the State,
19 regional, or local economy, including in-demand sectors and occupations
20 identified by the State board, as appropriate;

21 (iv) ensure equal access to approved career and technical education programs
22 of study and activities assisted under this Act for special populations;

23 (v) coordinate with the State ~~workforce~~ board to support the local development
24 of career pathways and articulate processes by which career pathways will be
25 developed by local workforce development boards;

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

28 (vii) support effective and meaningful collaboration between secondary
29 schools, postsecondary institutions, and employers to provide students with
30 experience in, and understanding of, all aspects of an industry, which may include
31 work-based learning such as internships, mentorships, simulated work
32 environments, and other hands-on or inquiry-based learning activities; and

33 (viii) improve outcomes and reduce performance gaps for CTE concentrators,
34 including those who are members of special populations; and

35 (D) how the eligible agency may include the opportunity for secondary school students
36 to participate in dual or concurrent enrollment programs, early college high school, or
37 competency based education;

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

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

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

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

6 (6) a description of how the eligible agency will support the recruitment and preparation
7 of teachers, including special education teachers, faculty, school principals, administrators,
8 specialized instructional support personnel, and paraprofessionals to provide career and
9 technical education instruction, leadership, and support, including professional development
10 that provides the knowledge and skills needed to work with and improve instruction for
11 special populations;

12 (7) a description of how the eligible agency will use State leadership funds~~ing to meet the~~
13 ~~requirements~~ under section 124;

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

16 (A) among career and technical education at the secondary level, or career and
17 technical education at the postsecondary and adult level, or both, including how such
18 distribution will most effectively provide students with the skills needed to succeed in
19 the workplace; and

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

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

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

27 (B) will not be discriminated against on the basis of status as a member of a special
28 population;

29 (C) will be provided with programs designed to enable individuals who are members
30 of special populations to meet or exceed State determined levels of performance, and
31 prepare special populations for further learning and for high-skill, high-wage, or in-
32 demand industry sectors or occupations;

33 (D) will be provided with appropriate accommodations; and

34 (E) will be provided instruction and work-based learning opportunities in integrated
35 settings that support competitive, integrated employment;

36 (10) a description of the procedure the eligible agency will adopt for determining State
37 determined levels of performance described in section 113, which, at a minimum, shall
38 include—

39 (A) a description of the process for public comment under section 113(b)(3)(B) as
40 part of the development of the State determined levels of performance under that

1 section;

2 (B) an explanation for the State determined levels of performance; and

3 (C) a description of how the state determined levels of performance set by the
4 eligible agency align with the levels, goals and objectives of other Federal and State
5 laws;

6 (11) a description of how the eligible agency will address disparities or gaps in
7 performance, as described in section 113(b)(3)(C)(ii)(II) in each of the plan years, and if no
8 meaningful progress has been achieved prior to the third program year, a description of the
9 additional actions the eligible agency will take to eliminate these disparities or gaps;

10 (12) describes how the eligible agency will involve parents, academic and career and
11 technical education teachers, administrators, faculty, career guidance and academic
12 counselors, local business (including small businesses), labor organizations, and
13 representatives of Indian tribes and Tribal organizations, as appropriate, in the planning,
14 development, implementation, and evaluation of such career and technical education
15 programs; and

16 (13) assurances that—

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

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

25 (C) the eligible agency will use the funds to promote preparation for high-skill, high-
26 wage, or in-demand industry sectors or occupations and non-traditional fields, as
27 identified by the State;

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

31 (E) the eligible agency will provide local educational agencies, area career and technical
32 education schools, and eligible institutions in the State with technical assistance, including
33 technical assistance on how to close gaps in student participation and performance in career
34 and technical education programs; and

35 (14) a description of the opportunities for the public to comment in person and in writing
36 on the State plan under this subsection.

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

39 ~~(A) the career and technical programs of study, which may be adopted by local~~
40 ~~educational agencies and postsecondary institutions to be offered as an option to~~
41 ~~students (and their parents as appropriate) when planning for and completing future~~

1 coursework, for career and technical content areas that—

2 (i) incorporate secondary education and postsecondary education elements;

3 (ii) include coherent and rigorous content aligned with challenging academic
4 standards and relevant career and technical content in a coordinated,
5 nonduplicative progression of courses that align secondary education with
6 postsecondary education to adequately prepare students to succeed in
7 postsecondary education;

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

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

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

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

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

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

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

28 (i) promote continuous improvement in academic achievement;

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

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

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

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

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

1 (i) at the secondary level that are aligned with challenging State academic
2 standards adopted by the State under section 1111(b)(1) of the Elementary and
3 Secondary Education Act of 1965;

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

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

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

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

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

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

20 (A) promotes the integration of coherent and rigorous academic content standards
21 and career and technical education curricula, including through opportunities for the
22 appropriate academic and career and technical education teachers to jointly develop
23 and implement curricula and pedagogical strategies, as appropriate;

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

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

29 (D) encourages applied learning that contributes to the academic and career and
30 technical knowledge of the student;

31 (E) provides the knowledge and skills needed to work with and improve instruction
32 for special populations;

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

35 (G) promotes integration with professional development activities that the State
36 carries out under title II of the Elementary and Secondary Education Act of 1965 and
37 title II of the Higher Education Act of 1965;

38 (3) describes efforts to improve —

39 (A) the recruitment and retention of career and technical education teachers, faculty,
40 and career guidance and academic counselors, including individuals in groups

1 underrepresented in the teaching profession; and

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

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

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

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

12 (A) among career and technical education at the secondary level, or career and
13 technical education at the postsecondary and adult level, or both, including the
14 rationale for such allocation; and

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

18 (7) describes how the eligible agency will—

19 (A) improve the academic and technical skills of students participating in career and
20 technical education programs, including strengthening the academic and career and
21 technical components of career and technical education programs through the
22 integration of academics with career and technical education to ensure learning in—

23 (i) a well-rounded education (as defined in section 8101 of the Elementary and
24 Secondary Education Act of 1965); and

25 (ii) career and technical education subjects;

26 (B) provide students with strong experience in, and understanding of, all aspects of
27 an industry; and

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

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

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

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

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

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

4 ~~(10) describes —~~

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

8 ~~(B) how the eligible agency, in consultation with eligible recipients, will develop a~~
9 ~~process for the negotiation of local adjusted levels of performance under section~~
10 ~~113(b)(4) if an eligible recipient does not accept the State adjusted levels of~~
11 ~~performance under section 113(b)(3);~~

12 ~~(11) provides assurances that the eligible agency will comply with the requirements of~~
13 ~~this Act and the provisions of the State plan, including the provision of a financial audit of~~
14 ~~funds received under this Act which may be included as part of an audit of other Federal or~~
15 ~~State programs;~~

16 ~~(12) provides assurances that none of the funds expended under this Act will be used to~~
17 ~~acquire equipment (including computer software) in any instance in which such acquisition~~
18 ~~results in a direct financial benefit to any organization representing the interests of the~~
19 ~~acquiring entity or the employees of the acquiring entity, or any affiliate of such an~~
20 ~~organization;~~

21 ~~(13) describes how the eligible agency will report data relating to students participating in~~
22 ~~career and technical education in order to adequately measure the progress of the students,~~
23 ~~including special populations, and how the eligible agency will ensure that the data reported~~
24 ~~to the eligible agency from local educational agencies and eligible institutions under this~~
25 ~~title and the data the eligible agency reports to the Secretary are complete, accurate, and~~
26 ~~reliable;~~

27 ~~(14) describes how the eligible agency will adequately address the needs of students in~~
28 ~~alternative education programs, if appropriate;~~

29 ~~(15) describes how the eligible agency will provide local educational agencies, area~~
30 ~~career and technical education schools, and eligible institutions in the State with technical~~
31 ~~assistance;~~

32 ~~(16) describes how career and technical education relates to State and regional~~
33 ~~occupational opportunities;~~

34 ~~(17) describes the methods proposed for the joint planning and coordination of programs~~
35 ~~carried out under this title with other Federal education programs;~~

36 ~~(18) describes how funds will be used to promote preparation for high skill, high wage, or~~
37 ~~high demand occupations and non-traditional fields;~~

38 ~~(19) describes how funds will be used to serve individuals in State correctional~~
39 ~~institutions; and~~

40 ~~(20) contains the description and information specified in subparagraphs (B) and (C)(iii)~~
41 ~~of section 102(b)(2), and, as appropriate, section 103(b)(3)(A), and section 121(c), of the~~

1 ~~Workforce Innovation and Opportunity Act concerning the provision of services only for~~
2 ~~postsecondary students and school dropouts.~~

3 ~~(d) Plan Options.—~~

4 ~~(1) Single plan.— An eligible agency not choosing to consolidate funds under section 202~~
5 ~~shall fulfill the plan or application submission requirements of this section, and section~~
6 ~~201(e), by submitting a single State plan. In such plan, the eligible agency may allow~~
7 ~~recipients to fulfill the plan or application submission requirements of section 134 and~~
8 ~~subsections (a) and (b) of section 204 by submitting a single local plan.~~

9 ~~(2) Plan submitted as part of combined plan.— The eligible agency may submit the plan~~
10 ~~required under this section as part of the plan submitted under section 103 of the Workforce~~
11 ~~Innovation and Opportunity Act, if the plan submitted pursuant to the requirement of this~~
12 ~~section meets the requirements of this Act.~~

13 ~~(e) Consultation.—~~

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

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

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

22 ~~(C) the State agency responsible for adult education.~~

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

27 ~~(3) Joint Signature Authority. – A Governor shall have 30 days prior to the eligible~~
28 ~~agency submitting the State plan to the Secretary to sign such plan. If the Governor has not~~
29 ~~signed the plan within 30 days of delivery by the eligible agency to the Governor, the~~
30 ~~eligible agency shall submit the plan to the Secretary without such signature.~~

31 ~~(f) Plan Approval.—~~

32 ~~(1) IN GENERAL.— Not later than 120 days after the eligible agency submits its State plan,~~
33 ~~the Secretary shall approve such state plan, or a revision of the plan under subsection (a)(2)~~
34 ~~(including a revision of State determined levels of performance in accordance with section~~
35 ~~113(b)(3)(A)(iii)) if the Secretary determines that the State has submitted in its State plan~~
36 ~~State determined levels of performance that meet the criteria established in section~~
37 ~~113(b)(3), including the minimum requirements described in 113(b)(3)(A)(i)(III), unless the~~
38 ~~Secretary —~~

39 ~~(A) determines that the State plan does not meet the requirements of this Act,~~
40 ~~including the minimum requirements as described in section 113(b)(3)(A)(i)(III); and~~

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

2 (2) DISAPPROVAL.—The Secretary—

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

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

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

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

10 ~~(1) In general.—The Secretary shall approve a State plan, or a revision to an approved~~
11 ~~State plan, unless the Secretary determines that—~~

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

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

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

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

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

32 Sec. 123

33 SEC. 123. [20 U.S.C. 2343] IMPROVEMENT PLANS.

34 (a) State Program Improvement.—

35 (1) Plan.—If a State fails to meet at least 90 percent of ~~the an agreed-upon~~ State
36 ~~determined adjusted~~ level of performance for any of the core indicators of performance
37 described in section 113(b)(~~23~~) for all CTE concentrators, the eligible agency shall develop
38 and implement a program improvement plan (that includes an analysis of the performance
39 disparities or gaps identified under section 113(b)(3)(C)(ii)(II), and actions that will be

1 ~~taken to address such gaps)~~ ~~(with special consideration to performance gaps identified under~~
2 ~~section 113(e)(2))~~ in consultation with the appropriate agencies, individuals, and
3 organizations during the first program year succeeding the program year for which the
4 eligible agency failed to so meet the State ~~adjusted~~ determined level of performance for any
5 of the core indicators of performance.

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

13 (3) Subsequent action.—

14 (A) In general.—The Secretary may, after notice and opportunity for a hearing,
15 withhold from an eligible agency all, or a portion, of the eligible agency’s allotment
16 under paragraphs (2) and (3) of section 112(a) if the eligible agency—

- 17 (i) fails to implement an improvement plan as described in paragraph (1); or
18 ~~(ii) fails to make any improvement in meeting any of the State adjusted levels~~
19 ~~of performance for the core indicators of performance identified under paragraph~~
20 ~~(1) within the first program year of implementation of its improvement plan~~
21 ~~described in paragraph (1); or~~
22 ~~(iii) fails to meet at least 90 percent of an agreed upon State adjusted level of~~
23 ~~performance for the same core indicator of performance for 3 consecutive years.~~
24 (ii) with respect to any specific core indicator of performance that was
25 identified in a program improvement plan under paragraph (1), fails to meet at
26 least 90 percent of a State determined level of performance for such core
27 indicator for 2 consecutive years.

28 (B) Waiver for exceptional circumstances.—The Secretary may waive the
29 sanction in subparagraph (A) due to exceptional or uncontrollable
30 circumstances, such as a natural disaster or a precipitous and unforeseen
31 decline in the financial resources of the State.

32 (4) Funds resulting from reduced allotments.—The Secretary shall use funds withheld
33 under paragraph (3) for a State served by an eligible agency to provide technical assistance,
34 to assist in the development of an improved State improvement plan, or for other
35 improvement activities consistent with the requirements of this Act for such State.

36 (5) ADJUSTMENTS PROHIBITED.—An eligible agency shall not be eligible to adjust
37 performance levels while executing an improvement plan under this section.

38 (b) Local Program Improvement.—

39 (1) Local evaluation.—Each eligible agency shall evaluate annually, using the local
40 ~~adjusted~~ levels of performance described in section 113(b)(4), the career and technical
41 education activities of each eligible recipient receiving funds under this title.

1 (2) Plan.—If, after reviewing the evaluation in paragraph (1), the eligible agency
2 determines that an eligible recipient failed to meet at least 90 percent of an agreed upon
3 local ~~adjusted~~ level of performance for any of the core indicators of performance described
4 in section 113(b)(4) for all CTE concentrators, the eligible recipient shall develop and
5 implement a program improvement plan (that includes an analysis of the performance
6 disparities or gaps identified under section 113(b)(3)(C)(ii)(II), and actions that will be
7 taken to address such gaps) ~~(with special consideration to performance gaps identified under~~
8 ~~section 113(b)(4)(C)(ii)(II))~~ in consultation with local stakeholders described in section
9 134(d)(1), the eligible agency, appropriate agencies, individuals, and organizations during
10 the first program year succeeding the program year for which the eligible recipient failed to
11 so meet any of the local ~~adjusted~~ levels of performance for any of the core indicators of
12 performance.

13 (3) Technical assistance.—If the eligible agency determines that an eligible recipient is
14 not properly implementing the eligible recipient’s responsibilities under section 134, or is
15 not making substantial progress in meeting the purposes of this Act, based on the local
16 adjusted levels of performance, the eligible agency shall work with the eligible recipient to
17 implement improvement activities consistent with the requirements of this Act.

18 (4) Subsequent action.—

19 (A) In general.—The eligible agency may, after notice and opportunity for a
20 hearing, withhold from the eligible recipient all, or a portion, of the eligible recipient’s
21 allotment under this title if the eligible recipient—

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

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

29 (ii) with respect to any specific core indicator of performance that was
30 identified in a program improvement plan under paragraph (2), fails to meet at
31 least 90 percent of a local level of performance for such core indicator for 2
32 consecutive years.

33 (B) Waiver for exceptional circumstances.—In determining whether to impose
34 sanctions under subparagraph (A), the eligible agency may waive imposing
35 sanctions—

36 (i) due to exceptional or uncontrollable circumstances, such as a natural disaster
37 or a precipitous and unforeseen decline in the financial resources of the eligible
38 recipient; ~~or~~

39 (ii) based on the impact on the eligible recipient’s reported performance of the
40 small size of the career and technical education program operated by the eligible
41 recipient; or

42 (iii) in response to a public request from an eligible recipient, if the eligible

1 agency determines that the requirements described in clause (i) or (ii) have been
2 met.

3 (5) Funds resulting from reduced allotments.—The eligible agency shall use funds
4 withheld under paragraph (4) from an eligible recipient to provide (through alternative
5 arrangements) services and activities to students within the area served by such recipient to
6 meet the purposes of this Act.

7 (6) ADJUSTMENTS PROHIBITED.—An eligible recipient shall not be eligible to adjust
8 performance levels while executing an improvement plan under this section.

9
10 Sec. 124

11 SEC. 124. [20 U.S.C. 2344] STATE LEADERSHIP 12 ACTIVITIES.

13 (a) General Authority.—From amounts reserved under section 112(a)(2), each eligible agency
14 ~~shall conduct State leadership activities.~~ shall—

15
16 (1) conduct State leadership activities to improve career and technical education, which
17 shall include support for —

18 (A) preparation for non-traditional fields in current and emerging professions, support
19 for programs for special populations, and other activities that expose students,
20 including special populations, to high-skill, high-wage, and in-demand occupations;

21 (B) individuals in State institutions, such as State correctional institutions, including
22 juvenile justice facilities, and educational institutions that serve individuals with
23 disabilities;

24 (C) recruiting, preparing, or retaining of career and technical education teachers,
25 faculty, specialized instructional support personnel, or paraprofessionals, such as
26 preservice, professional development, or leadership development programs, and

27 (D) technical assistance for eligible recipients; and

28
29 (2) report on the effectiveness of such use of funds in achieving the goals described in
30 section 122(d)(2) and the State levels of performance described in section 113(b)(3)(A),
31 and reducing disparities or performance gaps as described in section 113(b)(3)(C)(ii)(II).

32
33 (b) ~~Required~~ Permissible Uses of Funds.—The State leadership activities described in
34 subsection (a) ~~shall~~ may include—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 ~~(iii) develop a higher level of academic and industry knowledge and skills in~~

1 career and technical education; and

2 (iv) effectively use applied learning that contributes to the academic and career
3 and technical knowledge of the student; and

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

7 (4) supporting career and technical education programs that improve the academic and
8 career and technical skills of students participating in career and technical education
9 programs by strengthening the academic and career and technical components of such
10 career and technical education programs, through the integration of coherent and relevant
11 content aligned with challenging academic standards and relevant career and technical
12 education, to ensure achievement in—

13 (A) a well-rounded education (as defined in section 8101 of the Elementary and
14 Secondary Education Act of 1965); and

15 (B) career and technical education subjects;

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

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

24 (7) serving individuals in State institutions, such as State correctional institutions and
25 institutions that serve individuals with disabilities;

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

28 (9) technical assistance for eligible recipients.

29 (c) Permissible Uses of Funds.—The State leadership activities described in subsection (a)
30 may include—

31 (1) developing statewide programs of study, which may include standards, curriculum, and
32 course development, and career exploration, guidance, and advisement activities and
33 resources;

34 (2) approving locally developed programs of study that meet the requirements established
35 in section 122(d)(1)(B);

36 (3) establishing statewide articulation agreements aligned to approved programs of study;

37 (4) establishing statewide sector or industry partnerships among local educational
38 agencies, institutions of higher education, adult education providers, Indian Tribes and
39 Tribal organizations that may be present in the State, employers, including small
40 businesses, and parents, as appropriate to—

1 (A) develop and implement programs of study aligned to State and local
2 economic and education needs, including as appropriate, in-demand industry
3 sectors and occupations;

4 (B) facilitate the establishment, expansion, and integration of opportunities for
5 students at the secondary level to—

6 (i) successfully complete coursework that integrates rigorous and
7 challenging technical and academic instruction aligned with the
8 challenging State academic standards adopted by the State under section
9 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and

10 (ii) earn a recognized postsecondary credential or credit toward a
11 recognized postsecondary credential, which may be earned through a dual
12 or concurrent enrollment program or early college high school, at no cost
13 to the student or the student’s family; and

14 (C) facilitate work-based learning opportunities, (including, internships,
15 externships, and simulated-work environments) into programs of study;

16 (5) for teachers, faculty, specialized instructional support personnel, and
17 paraprofessionals providing career and technical education instruction, support services, and
18 specialized instructional support services, high-quality comprehensive professional
19 development that is, to the extent practicable, grounded in evidence-based research (to the
20 extent a State determines that such evidence is reasonably available) that identifies the most
21 effective educator professional development process and is coordinated and aligned with
22 other professional development activities carried out by the State (including under title II of
23 the Elementary and Secondary Education Act of 1965 and title II of the Higher Education
24 Act of 1965), including programming that—

25 (A) promotes the integration of the challenging State academic standards adopted by
26 the State under section 1111(b)(1) of the Elementary and Secondary Education Act of
27 1965 and relevant technical knowledge and skills, including programming jointly
28 delivered to academic and career and technical education teachers;

29 (B) prepares career and technical education teachers, faculty, specialized
30 instructional support personnel, and paraprofessionals to provide appropriate
31 accommodations for students who are members of special populations, including
32 through the use of principles of universal design for learning, multi-tier systems of
33 supports and positive behavioral interventions and support; and

34 (C) increases the ability of teachers, faculty, specialized instructional support
35 personnel, and paraprofessionals providing career and technical education instruction
36 to stay current with industry standards and earn an industry-recognized credential or
37 license, as appropriate;

38 (6) supporting eligible recipients in eliminating inequities in student access to—

39 (A) high-quality programs of study that provide skill development; and

40 (B) effective teachers, faculty, specialized instructional support personnel, and
41 paraprofessionals; and

1 (7) awarding incentive grants to eligible recipients—

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

4 (i) eligible recipients exceeding the local level of performance established
5 under section 113(b)(4)(A) in a manner that reflects sustained or significant
6 improvement;

7 (ii) eligible recipients effectively developing connections between secondary
8 education and postsecondary education and training;

9 (iii) the integration of academic and technical standards;

10 (iv) eligible recipients' progress in closing achievement gaps among sub
11 populations who participate in programs of study; or

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

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

15
16 (8) providing support for—

17 (A) the adoption and integration of recognized postsecondary credentials and work-based
18 learning into programs of study, and for increasing data collection associated with
19 recognized postsecondary credentials and employment outcomes; or

20 (B) consultation and coordination with other State agencies for the identification and
21 examination of licenses or certifications that—

22 (i) pose an unwarranted barrier to entry into the workforce for career and technical
23 education students, and

24 (ii) do not protect the health, safety, or welfare of consumers;

25 (9) the creation, implementation, and support of pay for success initiatives leading to a
26 recognized postsecondary credential;

27 (10) support for career and technical education programs for adults and out-of-school
28 youth concurrent with their completion of their secondary school education in a school or
29 other educational setting;

30 (11) the creation, evaluation, and support of competency-based curricula;

31 (12) support for the development, implementation, and expansion of programs of study or
32 career pathways in areas declared to be in a state of emergency under section 501 of the
33 Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191);

34 (13) partnering with qualified intermediary organizations to improve training, the
35 development of public-private partnerships, systems development, capacity-building, and
36 scalability of the delivery of high-quality career and technical education;

37 (14) improvement of career guidance and academic counseling programs that assist
38 students in making informed academic and career and technical education decisions,

1 including academic and financial aid counseling;

2 (15) support for the integration of employability skills into career and technical education
3 programs and programs of study;

4 (16) support for programs and activities that increase access, student engagement, and
5 success in science, technology, engineering, and mathematics fields (including computer
6 science, coding, and architecture), support for the integration of arts and design skills, and
7 support for hands-on learning, particularly for students who are members of groups
8 underrepresented in such subject fields, such as female students, minority students, and
9 students who are members of special populations;

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

13 (18) support for establishing and expanding work-based learning opportunities, including
14 those aligned to career and technical education programs and programs of study;

15 (19) integrating and aligning programs of study and career pathways;

16 (20) supporting the use of career and technical education programs and programs of study
17 aligned with State, regional, or local in-demand industry sectors or occupations identified
18 by the State workforce development board described in section 101 of the Workforce
19 Innovation and Opportunity Act (29 U.S.C. 3111) or local workforce development boards;

20 (21) making all forms of instructional content widely available, which may include use of
21 open educational resources;

22 (22) developing valid and reliable assessments of competencies and technical skills and
23 enhancing data systems to collect and analyze data on secondary and postsecondary
24 academic and employment outcomes;

25 (23) support for accelerated learning programs, as described in section
26 4104(b)(3)(A)(i)(IV) of the Elementary and Secondary Education Act of 1965, in the case
27 of any such program that is part of a program of study;

28 (24) support for career academies to implement a postsecondary education and workforce
29 ready curriculum at the secondary education level that integrates rigorous academic,
30 technical, and employability contents through career and technical education programs and
31 programs of study that address needs described in the needs assessment under section
32 134(c);

33 (25) other State leadership activities that improve career and technical education.

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

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

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

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

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

7 ~~(A) statewide articulation agreements between associate degree granting career and~~
8 ~~technical postsecondary educational institutions and baccalaureate degree granting~~
9 ~~postsecondary educational institutions;~~

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

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

12 ~~(D) other initiatives—~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 ~~(13) providing assistance to individuals, who have participated in services and activities~~
12 ~~under this title, in continuing the individuals' education or training or finding appropriate~~
13 ~~jobs, such as through referral to the system established under section 121 of the Workforce~~
14 ~~Innovation and Opportunity Act;~~

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

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

18 ~~(16) improving—~~

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

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

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

26 ~~(dc) Restriction on Uses of Funds.—An eligible agency that receives funds under section~~
27 ~~112(a)(2) may not use any of such funds for administrative costs, except for technical assistance.~~

28 PART C—LOCAL PROVISIONS

29 Sec. 131

30 SEC. 131. [20 U.S.C. 2351] DISTRIBUTION OF FUNDS TO 31 SECONDARY EDUCATION PROGRAMS.

32 (a) Distribution Rules.—Except as provided in section 133 and as otherwise provided in this
33 section, each eligible agency shall distribute the portion of funds made available under section
34 112(a)(1) to carry out this section to local educational agencies within the State as follows:

35 (1) Thirty percent.—Thirty percent shall be allocated to such local educational agencies
36 in proportion to the number of individuals aged 5 through 17, inclusive, who reside in the
37 school district served by such local educational agency for the preceding fiscal year
38 compared to the total number of such individuals who reside in the school districts served

1 by all local educational agencies in the State for such preceding fiscal year, as determined
2 on the basis of the most recent satisfactory—

3 (A) data provided to the Secretary by the Bureau of the Census for the purpose of
4 determining eligibility under title I of the Elementary and Secondary Education Act of
5 1965; or

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

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

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

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

20 (B) include local educational agencies without geographical boundaries, such as
21 charter schools and secondary schools funded by the Bureau of Indian
22 [Affairs Education](#).

23 (b) Waiver for More Equitable Distribution.—The Secretary may waive the application of
24 subsection (a) in the case of any eligible agency that submits to the Secretary an application for
25 such a waiver that—

26 (1) demonstrates that a proposed alternative formula more effectively targets funds on the
27 basis of poverty (as defined by the Office of Management and Budget and revised annually
28 in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C.
29 9902(2))) to local educational agencies within the State than the formula described in
30 subsection (a); and

31 (2) includes a proposal for such an alternative formula.

32 (c) Minimum Allocation.—

33 (1) In general.—Except as provided in paragraph (2), a local educational agency shall not
34 receive an allocation under subsection (a) unless the amount allocated to such agency under
35 subsection (a) is greater than \$15,000. A local educational agency may enter into a
36 consortium with other local educational agencies for purposes of meeting the minimum
37 allocation requirement of this paragraph.

38 (2) Waiver.—The eligible agency shall waive the application of paragraph (1) in any case
39 in which the local educational agency—

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

1 (ii) is a public charter school operating secondary school career and technical
2 education programs or programs of study; and

3 (B) demonstrates that the local educational agency is unable to enter into a
4 consortium for purposes of providing activities under this part.

5 (3) Redistribution.—Any amounts that are not allocated by reason of paragraph (1) or
6 paragraph (2) shall be redistributed to local educational agencies that meet the requirements
7 of paragraph (1) or (2) in accordance with the provisions of this section.

8 (d) Limited Jurisdiction Agencies.—

9 (1) In general.—In applying the provisions of subsection (a), no eligible agency receiving
10 assistance under this title shall allocate funds to a local educational agency that serves only
11 elementary schools, but shall distribute such funds to the local educational agency or
12 regional educational agency that provides secondary school services to secondary school
13 students in the same attendance area.

14 (2) Special rule.—The amount to be allocated under paragraph (1) to a local educational
15 agency that has jurisdiction only over secondary schools shall be determined based on the
16 number of students that entered such secondary schools in the previous year from the
17 elementary schools involved.

18 (e) Allocations to Area Career and Technical Education Schools and Educational Service
19 Agencies.—

20 (1) In general.—Each eligible agency shall distribute the portion of funds made available
21 under section 112(a)(1) for any fiscal year by such eligible agency for career and technical
22 education activities at the secondary level under this section to the appropriate area career
23 and technical education school or educational service agency in any case in which the area
24 career and technical education school or educational service agency, and the local
25 educational agency concerned—

26 (A) have formed or will form a consortium for the purpose of receiving funds under
27 this section; or

28 (B) have entered into or will enter into a cooperative arrangement for such purpose.

29 (2) Allocation basis.—If an area career and technical education school or educational
30 service agency meets the requirements of paragraph (1), then the amount that would
31 otherwise be distributed to the local educational agency shall be allocated to the area career
32 and technical education school, the educational service agency, and the local educational
33 agency based on each school, agency or entity's relative share of students who are attending
34 career and technical education programs (based, if practicable, on the average enrollment
35 for the preceding 3 years).

36 (3) Appeals procedure.—The eligible agency shall establish an appeals procedure for
37 resolution of any dispute arising between a local educational agency and an area career and
38 technical education school or an educational service agency with respect to the allocation
39 procedures described in this section, including the decision of a local educational agency to
40 leave a consortium or terminate a cooperative arrangement.

41 (f) Consortium Requirements.—

1 (1) Alliance.—Any local educational agency receiving an allocation that is not sufficient
2 to conduct a program which meets the requirements of section 135 is encouraged to—

3 (A) form a consortium or enter into a cooperative agreement with an area career and
4 technical education school or educational service agency offering programs that meet
5 the requirements of section 135;

6 (B) transfer such allocation to the area career and technical education school or
7 educational service agency; and

8 (C) operate programs that are of sufficient size, scope, and quality to be effective.

9 (2) Funds to consortium.—Funds allocated to a consortium formed to meet the
10 requirements of this subsection shall be used only for purposes and programs that are
11 mutually beneficial to all members of the consortium and can be used only for programs
12 authorized under this title. Such funds may not be reallocated to individual members of the
13 consortium for purposes or programs benefitting only 1 member of the consortium.

14 (g) Data.—The Secretary shall collect information from eligible agencies regarding the
15 specific dollar allocations made available by the eligible agency for career and technical
16 education programs and programs of study under subsections (a), (b), (c), (d), and (e) and how
17 these allocations are distributed to local educational agencies, area career and technical education
18 schools, and educational service agencies, within the State in accordance with this section.

19 (h) Special Rule.—Each eligible agency distributing funds under this section shall treat a
20 secondary school funded by the Bureau of Indian Affairs Education within the State as if such
21 school were a local educational agency within the State for the purpose of receiving a
22 distribution under this section.

23 Sec. 132

24 SEC. 132. [20 U.S.C. 2352] DISTRIBUTION OF FUNDS FOR 25 POSTSECONDARY EDUCATION PROGRAMS.

26 (a) Allocation.—

27 (1) In general.—Except as provided in subsections (b) and (c) and section 133, each
28 eligible agency shall distribute the portion of the funds made available under section
29 112(a)(1) to carry out this section for any fiscal year to eligible institutions or consortia of
30 eligible institutions within the State.

31 (2) Formula.—Each eligible institution or consortium of eligible institutions shall be
32 allocated an amount that bears the same relationship to the portion of funds made available
33 under section 112(a)(1) to carry out this section for any fiscal year as the sum of the number
34 of individuals who are Federal Pell Grant recipients and recipients of assistance from the
35 Bureau of Indian Affairs enrolled in programs meeting the requirements of section 135
36 offered by such institution or consortium in the preceding fiscal year bears to the sum of the
37 number of such recipients enrolled in such programs within the State for such year.

38 (3) Consortium requirements.—

39 (A) In general.—In order for a consortium of eligible institutions described in
40 paragraph (2) to receive assistance pursuant to such paragraph, such consortium shall

1 operate joint projects that—

2 (i) provide services to all postsecondary institutions participating in the
3 consortium; and

4 (ii) are of sufficient size, scope, and quality to be effective.

5 (B) Funds to consortium.—Funds allocated to a consortium formed to meet the
6 requirements of this section shall be used only for purposes and programs that are
7 mutually beneficial to all members of the consortium and shall be used only for
8 programs authorized under this title. Such funds may not be reallocated to individual
9 members of the consortium for purposes or programs benefitting only 1 member of the
10 consortium.

11 (4) Waiver.—The eligible agency may waive the application of paragraph (3)(A)(i) in
12 any case in which the eligible institution is located in a rural, sparsely populated area.

13 (b) Waiver for More Equitable Distribution.—The Secretary may waive the application of
14 subsection (a) if an eligible agency submits to the Secretary an application for such a waiver
15 that—

16 (1) demonstrates that the formula described in subsection (a) does not result in a
17 distribution of funds to the eligible institutions or consortia within the State that have the
18 highest numbers of economically disadvantaged individuals and that an alternative formula
19 will result in such a distribution; and

20 (2) includes a proposal for such an alternative formula.

21 (c) Minimum Grant Amount.—

22 (1) In general.—No institution or consortium shall receive an allocation under this
23 section in an amount that is less than \$50,000.

24 (2) Redistribution.—Any amounts that are not distributed by reason of paragraph (1)
25 shall be redistributed to eligible institutions or consortia in accordance with this section.

26 Sec. 133

27 SEC. 133. [20 U.S.C. 2353] SPECIAL RULES FOR CAREER 28 AND TECHNICAL EDUCATION.

29 (a) Special Rule for Minimal Allocation.—

30 (1) General authority.—Notwithstanding the provisions of sections 131 and 132 and in
31 order to make a more equitable distribution of funds for programs serving the areas of
32 greatest economic need, for any program year for which a minimal amount is made
33 available by an eligible agency for distribution under section 131 or 132, such eligible
34 agency may distribute such minimal amount for such year—

35 (A) on a competitive basis; or

36 (B) through any alternative method determined by the eligible agency.

37 (2) Minimal amount.—For purposes of this section, the term “minimal amount” means
38 not more than 15 percent of the total amount made available for distribution under section

1 112(a)(1).

2 (b) Redistribution.—

3 (1) In general.—In any academic year that an eligible recipient does not expend all of the
4 amounts the eligible recipient is allocated for such year under section 131 or 132, such
5 eligible recipient shall return any unexpended amounts to the eligible agency to be
6 reallocated under section 131 or 132, as appropriate.

7 (2) Redistribution of amounts returned late in an academic year.—In any academic year
8 in which amounts are returned to the eligible agency under section 131 or 132 and the
9 eligible agency is unable to reallocate such amounts according to such sections in time for
10 such amounts to be expended in such academic year, the eligible agency shall retain such
11 amounts for distribution in combination with amounts provided under section 112(a)(1) for
12 the following academic year.

13 (c) Construction.—Nothing in section 131 or 132 shall be construed—

14 (1) to prohibit a local educational agency or a consortium thereof that receives assistance
15 under section 131, from working with an eligible institution or consortium thereof that
16 receives assistance under section 132, to carry out career and technical education programs
17 or programs of study at the secondary level in accordance with this title;

18 (2) to prohibit an eligible institution or consortium thereof that receives assistance under
19 section 132, from working with a local educational agency or consortium thereof that
20 receives assistance under section 131, to carry out postsecondary and adult career and
21 technical education programs or programs of study in accordance with this title; or

22 (3) to require a charter school, that provides career and technical education programs or
23 programs of study and is considered a local educational agency under State law, to jointly
24 establish the charter school's eligibility for assistance under this title unless the charter
25 school is explicitly permitted to do so under the State's charter school statute.

26 (d) Consistent Application.—For purposes of this section, the eligible agency shall provide
27 funds to charter schools offering career and technical education programs or programs of study
28 in the same manner as the eligible agency provides those funds to other schools. Such career and
29 technical education programs or programs of study within a charter school shall be of sufficient
30 size, scope, and quality to be effective.

31 Sec. 134

32 **SEC. 134. [20 U.S.C. 2354] LOCAL APPLICATION PLAN**
33 **FOR CAREER AND TECHNICAL EDUCATION**
34 **PROGRAMS.**

35 (a) Local Plan Application Required.—Any eligible recipient desiring financial assistance
36 under this part shall, in accordance with requirements established by the eligible agency (in
37 consultation with such other educational training entities as the eligible agency determines to be
38 appropriate) submit a local plan application to the eligible agency. Such local plan application
39 shall cover the same period of time as the period of time applicable to the State plan submitted
40 under section 122.

1 (b) Contents.—The eligible agency shall determine the requirements for local
2 ~~plans~~ applications, except that each local ~~application~~ plan shall contain—

3 (1) a description of the results of the comprehensive needs assessment conducted under
4 subsection (c); and

5 (2) information on the career and technical education course offerings and activities,
6 which shall include not less than 1 State-approved programs of study approved by a State
7 under section 124(b)(2) and supported by the eligible recipient with funds under this part,
8 including—

9 (A) how the results of the comprehensive needs assessment described in subsection
10 (c) informed the selection of the specific career and technical education programs and
11 activities selected to be funded;

12 (B) a description of any new programs of study the eligible recipient will develop
13 and submit to the State for approval; and

14 (C) how students, including students who are members of special populations, will
15 learn about their school’s career and technical education course offerings and whether
16 each course is part of a career and technical education program of study;

17 (3) a description of how the eligible recipient, in collaboration with local workforce
18 development boards and other local workforce agencies, one-stop delivery systems
19 described in section 121(e)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C.
20 3151(e)(2)), and other partners, will provide—

21 (A) career exploration and career development coursework, activities, or services;

22 (B) career information on employment opportunities that incorporate the most up-to-
23 date information on in-demand industry sectors or occupations, as determined by the
24 needs assessment in subsection (c); and

25 (C) an organized system of career guidance and academic counseling to students
26 before enrolling and while participating in a career and technical education program;

27 (4) a description of how the eligible recipient will improve the academic and
28 technical skills of students participating in career and technical education programs by
29 strengthening the academic and career and technical education components of such
30 programs through the integration of coherent and rigorous content aligned with
31 challenging academic standards and relevant career and technical education programs
32 to ensure learning in the subjects that constitute a well-rounded education (as defined
33 in section 8101 of the Elementary and Secondary Education Act of 1965);

34 (5) a description of how the eligible recipient will—

35 (A) provide activities to prepare special populations for high-skill, high-wage, or in-
36 demand occupations that will lead to self-sufficiency;

37 (B) prepare CTE participants for non-traditional fields;

38 (C) provide equal access for special populations to career and technical education
39 courses, programs, and programs of study; and

40 (D) ensure that members of special populations will not be discriminated against on

1 the basis of their status as members of special populations;

2 (6) a description of the work-based learning opportunities that the eligible recipient will
3 provide to students participating in the career and technical education programs and how the
4 recipient will work with representatives from employers to develop or expand work-based
5 learning opportunities for career and technical education students, as applicable;

6 (7) a description of the career and technical education programs providing an opportunity
7 to gain postsecondary credit while still attending high school, such as through dual or
8 concurrent enrollment programs or early college high school, as practicable, that the eligible
9 recipient will provide to students participating in career and technical education programs
10 and programs of study;

11 (8) a description of how the eligible recipient will coordinate with the eligible agency and
12 postsecondary educational institutions to support the recruitment, preparation, retention, and
13 training, including professional development of teachers, faculty, administrators, and
14 specialized instructional support personnel and paraprofessionals who meet applicable State
15 certification and licensure requirements (including any requirements obtained through
16 alternative routes to certification), including individuals from groups underrepresented in
17 the teaching profession; and

18 (9) a description of how the eligible recipient will address disparities or gaps in
19 performance as described in section 113(b)(3)(C)(ii)(II) in each of the plan years, and if no
20 meaningful progress has been achieved prior to the third program year, a description of the
21 additional actions such recipient will take to eliminate these disparities or gaps.

22 ~~(1) describe how the career and technical education programs required under section~~
23 ~~135(b) will be carried out with funds received under this title;~~

24 ~~(2) describe how the career and technical education activities will be carried out with~~
25 ~~respect to meeting State and local adjusted levels of performance established under section~~
26 ~~113;~~

27 ~~(3) describe how the eligible recipient will—~~

28 ~~(A) offer the appropriate courses of not less than 1 of the career and technical~~
29 ~~programs of study described in section 122(c)(1)(A);~~

30 ~~(B) improve the academic and technical skills of students participating in career and~~
31 ~~technical education programs by strengthening the academic and career and technical~~
32 ~~education components of such programs through the integration of coherent and~~
33 ~~rigorous content aligned with challenging academic standards and relevant career and~~
34 ~~technical education programs to ensure learning in—~~

35 ~~(i) a well rounded education (as defined in section 8101 of the Elementary and~~
36 ~~Secondary Education Act of 1965); and~~

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

38 ~~(C) provide students with strong experience in, and understanding of, all aspects of~~
39 ~~an industry;~~

40 ~~(D) ensure that students who participate in such career and technical education~~
41 ~~programs are taught to the same coherent and rigorous content aligned with~~

1 challenging academic standards as are taught to all other students; and

2 (E) encourage career and technical education students at the secondary level to enroll
3 in rigorous and challenging courses in order to provide a well rounded education (as
4 defined in section 8101 of the Elementary and Secondary Education Act of 1965);

5 (4) describe how comprehensive professional development (including initial teacher
6 preparation) for career and technical education, academic, guidance, and administrative
7 personnel will be provided that promotes the integration of coherent and rigorous content
8 aligned with challenging academic standards and relevant career and technical education
9 (including curriculum development);

10 (5) describe how parents, students, academic and career and technical education teachers,
11 faculty, administrators, career guidance and academic counselors, representatives of tech
12 prep consortia (if applicable), representatives of the entities participating in activities
13 described in section 107 of the Workforce Innovation and Opportunity Act (if applicable),
14 representatives of business (including small business) and industry, labor organizations,
15 representatives of special populations, and other interested individuals are involved in the
16 development, implementation, and evaluation of career and technical education programs
17 assisted under this title, and how such individuals and entities are effectively informed
18 about, and assisted in understanding, the requirements of this title, including career and
19 technical programs of study;

20 (6) provide assurances that the eligible recipient will provide a career and technical
21 education program that is of such size, scope, and quality to bring about improvement in the
22 quality of career and technical education programs;

23 (7) describe the process that will be used to evaluate and continuously improve the
24 performance of the eligible recipient;

25 (8) describe how the eligible recipient will—

26 (A) review career and technical education programs, and identify and adopt
27 strategies to overcome barriers that result in lowering rates of access to or lowering
28 success in the programs, for special populations;

29 (B) provide programs that are designed to enable the special populations to meet the
30 local adjusted levels of performance; and

31 (C) provide activities to prepare special populations, including single parents and
32 displaced homemakers, for high skill, high wage, or high demand occupations that will
33 lead to self-sufficiency;

34 (9) describe how individuals who are members of special populations will not be
35 discriminated against on the basis of their status as members of the special populations;

36 (10) describe how funds will be used to promote preparation for non-traditional fields;

37 (11) describe how career guidance and academic counseling will be provided to career
38 and technical education students, including linkages to future education and training
39 opportunities; and

40 (12) describe efforts to improve—

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

~~(B) the transition to teaching from business and industry.~~

(c) Comprehensive Needs Assessment.—

(1) IN GENERAL.—To be eligible to receive financial assistance under this part, an eligible recipient shall—

(A) conduct a comprehensive local needs assessment related to career and technical education and include the results of the needs assessment in the local application submitted under subsection (a); and

(B) not less than once every 2 years, update such comprehensive local needs assessment.

(2) REQUIREMENTS.— The comprehensive local needs assessment described in paragraph (1) shall include each of the following—

(A) An evaluation of the performance of the students served by the eligible recipient with respect to State and local levels of performance established pursuant to section 113, including an evaluation of performance for special populations and each subgroup described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965.

(B) A description of how career and technical education programs offered by the eligible recipient are—

(i) sufficient in size, scope, and quality to meet the needs of all students served by the eligible recipient; and

(ii)(I) aligned to State, regional, or local in-demand industry sectors or occupations identified by the State workforce development board described in section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111) (referred to in this section as the ‘State board’) or local workforce development board, including career pathways, where appropriate; or

(II) designed to meet local education or economic needs not identified by State boards or local workforce development boards.

(C) An evaluation of progress toward the implementation of career and technical education programs and programs of study.

(D) 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.

(E) A description of progress toward implementation of equal access to high-quality career and technical education courses and programs of study, for all students including —

(i) strategies to overcome barriers that result in lower rates of access to, or

1 performance gaps in, the courses and programs for special populations;

2 (ii) providing programs that are designed to enable special populations to meet
3 the local levels of performance; and

4 (iii) providing activities to prepare special populations for high-skill, high-
5 wage, or in-demand industry sectors or occupations in competitive, integrated
6 settings that will lead to self-sufficiency.

7 (d) Consultation.—In conducting the comprehensive needs assessment under subsection (c),
8 and developing the local plan described in subsection (b), an eligible recipient shall involve a
9 diverse body of stakeholders, including, at a minimum —

10 (1) representatives of career and technical education programs in a local educational
11 agency or educational service agency, including teachers, career and guidance and academic
12 counselors, principals and other school leaders, administrators, and specialized instructional
13 support personnel and paraprofessionals;

14 (2) representatives of career and technical education programs at postsecondary
15 educational institutions, including faculty and administrators;

16 (3) representatives of the State board or local workforce development boards and a range
17 of local or regional businesses or industries;

18 (4) parents and students;

19 (5) representatives of special populations;

20 (6) representatives of regional or local agencies serving out-of-school youth, homeless
21 children and youth, and at-risk youth (as defined in section 1432 of the Elementary and
22 Secondary Education Act of 1965;

23 (7) representatives of Indian Tribes and Tribal organizations in the State; and

24 (8) any other stakeholders that the eligible agency may require the eligible recipient to
25 consult.

26 (e) Continued Consultation.—An eligible recipient receiving financial assistance under this
27 part shall consult with ~~the~~ stakeholders described in subsection (d) on an ongoing basis, as
28 determined by the eligible agency. This may include consultation in order to—

29 (1) provide input on annual updates to the comprehensive needs assessment required
30 under subsection (c);

31 (2) ensure programs of study are—

32 (A) responsive to community employment needs;

33 (B) aligned with employment priorities in the State, regional, tribal, or local
34 economy identified by employers and the entities described in subsection (d), which
35 may include in-demand industry sectors or occupations identified by the local
36 workforce development board;

37 (C) informed by labor market information, including information provided under
38 section 15(e)(2)(C) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)(2)(C));

39 (D) designed to meet current, intermediate, or long-term labor market projections;

1 and

2 (E) allow employer input, including input from industry or sector partnerships in the
3 local area, where applicable, into the development and implementation of programs of
4 study to ensure programs align with skills required by local employment opportunities,
5 including activities such as the identification of relevant standards, curriculum,
6 industry-recognized credentials, and current technology and equipment;

7 (3) identify and encourage opportunities for work-based learning; and

8 (4) ensure funding under this part is used in a coordinated manner with other local
9 resources.

10
11 Sec. 135

12 **SEC. 135. [20 U.S.C. 2355] LOCAL USES OF FUNDS.**

13 (a) General Authority.—Each eligible recipient that receives funds under this part shall use
14 such funds to develop, coordinate, implement, or improve career and technical education
15 programs to meet the needs identified in the comprehensive needs assessment described in
16 section 134(c).~~improve career and technical education programs.~~

17 (b) Requirements for Uses of Funds.—Funds made available to eligible recipients under this
18 part shall be used to support career and technical education programs that are of sufficient size,
19 scope, and quality to be effective, that—~~that—~~

20 (1) provide career exploration and career development activities through an organized,
21 systematic framework designed to aid students, including in the middle grades, before
22 enrolling and while participating in a career and technical education program, in making
23 informed plans and decisions about future education and career opportunities and programs
24 of study, which may include—

25 (A) introductory courses or activities focused on career exploration and career
26 awareness, including non-traditional fields;

27 (B) readily available career and labor market information, including information
28 on—

29 (i) occupational supply and demand;

30 (ii) educational requirements;

31 (iii) other information on careers aligned to State, local, or tribal (as applicable)
32 economic priorities; and

33 (iv) employment sectors;

34 (C) programs and activities related to the development of student graduation and
35 career plans;

36 (D) career guidance and academic counselors that provide information on
37 postsecondary education and career options;

38 (E) any other activity that advances knowledge of career opportunities and assists

1 students in making informed decisions about future education and employment goals,
2 including in non-traditional fields; or

3 (F) provide students with strong experience in, and comprehensive understanding of,
4 all aspects of industry;

5 (2) provide professional development for teachers, faculty, school leaders, administrators,
6 specialized instructional support personnel, career guidance and academic counselors, or
7 paraprofessionals, as appropriate, with respect to content and pedagogy and support
8 activities described in section 122, which may include—

9 (A) supporting individualized academic and career and technical education
10 instructional approaches, including the integration of academic and career and
11 technical education standards and curriculum;

12 (B) ensuring labor market information is used to inform the programs, guidance, and
13 advisement offered to students, including information provided under section
14 15(e)(2)(C) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)(2)(C));

15 (C) providing teachers, faculty, school leaders, administrators, specialized
16 instructional support personnel, career guidance and academic counselors, or
17 paraprofessionals, as appropriate, with opportunities to advance knowledge, skills, and
18 understanding of all aspects of an industry, including the latest workplace equipment,
19 technologies, standards, and credentials;

20 (D) supporting school leaders and administrators in managing career and technical
21 education programs in the schools, institutions, or local educational agencies of such
22 administrators or school leaders;

23 (E) supporting the implementation of strategies to improve student achievement and
24 close gaps in student participation and performance in career and technical education
25 programs;

26 (F) providing teachers, faculty, specialized instructional support personnel, career
27 guidance and academic counselors, principals, school leaders, or paraprofessionals, as
28 appropriate -with opportunities to advance knowledge, skills, and understanding in
29 pedagogical practices, including, to the extent the eligible recipient determines that
30 such evidence is reasonably available, evidence-based pedagogical practices;

31 (G) training teachers, faculty, school leaders, administrators, specialized
32 instructional support personnel (including career guidance and academic counselors),
33 or paraprofessionals, as appropriate to provide appropriate accommodations for
34 individuals with disabilities, and students with disabilities who are provided
35 accommodations under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) or the
36 Individuals with Disabilities Education Act;

37 (H) training teachers, faculty, specialized instructional support personnel (including
38 career guidance and academic counselors), and paraprofessionals in frameworks to
39 effectively teach students, including a particular focus on students with disabilities and
40 English learners, which may include universal design for learning, multi-tier systems
41 of supports and positive behavioral interventions and support; or

42 (I) training for the effective use of community spaces that provide access to tools,

1 technology, and knowledge for learners and entrepreneurs, such as makerspaces or
2 libraries;

3 (3) provide within career and technical education—

4 (A) the skills necessary to pursue high-skill, high-wage or in-demand industry sectors
5 or occupations; and

6 (B) support to reduce or eliminate out-of-pocket expenses for special populations
7 participating in career and technical education, including those participating in dual or
8 concurrent enrollment or early college high school programs, and supporting the costs
9 associated with fees, transportation, child care, or mobility challenges for those special
10 populations;

11 (4) support integration of academic skills into career and technical education programs
12 and programs of study to support—

13 (A) CTE participants at the secondary school level in meeting the challenging State
14 academic standards adopted under section 1111(b)(1) of the Elementary and Secondary
15 Education Act of 1965 by the State in which the eligible recipient is located; and

16 (B) CTE participants at the postsecondary level in achieving academic skills;

17 (5) plan and carry out elements that support the implementation of career and technical
18 education programs and programs of study and that result in increasing student achievement
19 of the local levels of performance established under section 113, which may include—

20 (A) curriculum aligned with the requirements for a program of study;

21 (B) sustainable relationships among education, business and industry, and other
22 community stakeholders, including industry or sector partnerships in the local area,
23 where applicable, that are designed to facilitate the process of continuously updating
24 and aligning programs of study with skills in demand in the State, regional, or local
25 economy, and in collaboration with business outreach staff in one-stop career centers,
26 as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C.
27 3102), and other appropriate organizations, including community-based and youth-
28 serving organizations;

29 (C) dual or concurrent enrollment programs, including early college high schools,
30 and the development or implementation of articulation agreements;

31 (D) appropriate equipment, technology, and instructional materials (including
32 support for library resources) aligned with business and industry needs, including
33 machinery, testing equipment, tools, implements, hardware and software, and other
34 new and emerging instructional materials;

35 (E) a continuum of work-based learning opportunities, including simulated work
36 environments;

37 (F) industry-recognized certification exams or other assessments leading toward a
38 recognized postsecondary credential;

39 (G) efforts to recruit and retain career and technical education program teachers,
40 faculty, school leaders, administrators, specialized instructional support personnel,

1 career guidance and academic counselors, and paraprofessionals;

2 (H) where applicable, coordination with other education and workforce development
3 programs and initiatives, including career pathways and sector partnerships developed
4 under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and
5 other Federal laws and initiatives that provide students with transition-related services,
6 including the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

7 (I) expanding opportunities for students to participate in distance career and
8 technical education and blended-learning programs;

9 (J) expanding opportunities for students to participate in competency-based
10 education programs;

11 (K) improving career guidance and academic counseling programs that assist
12 students in making informed academic and career and technical education decisions,
13 including academic and financial aid counseling;

14 (L) supporting the integration of employability skills into career and technical
15 education programs and programs of study, including through family and consumer
16 science programs;

17 (M) supporting programs and activities that increase access, student engagement,
18 and success in science, technology, engineering, and mathematics fields (including
19 computer science and architecture) for students who are members of groups
20 underrepresented in such subject fields;

21 (N) providing career and technical education, in a school or other educational
22 setting, for adults or out-of-school youth to complete secondary school education or
23 upgrade technical skills;

24 (O) supporting career and technical student organizations, including student
25 preparation for and participation in technical skills competitions aligned with career
26 and technical education program standards and curriculum;

27 (P) making all forms of instructional content widely available, which may include
28 use of open educational resources;

29 (Q) supporting the integration of arts and design skills, when appropriate, into career
30 and technical education programs and programs of study;

31 (R) partnering with a qualified intermediary to improve training, the development of
32 public-private partnerships, systems development, capacity-building, and scalability of
33 the delivery of high-quality career and technical education;

34 (S) where appropriate, expanding opportunities for CTE concentrators to participate
35 in accelerated learning programs (described in section 4104(b)(3)(A)(i)(IV) of the
36 Elementary and Secondary Education Act of 1965 (20 U.S.C. 7114(b)(3)(A)(i)(IV)) as
37 part of a program of study; or

38 (T) other activities to improve career and technical education programs; and

39 (6) develop and implement evaluations of the activities carried out with funds under this
40 part, including evaluations necessary to complete the comprehensive needs assessment

1 required under section 134(c) and the local report required under section 113(b)(4)(B).

2 (c) Pooling Funds.—An eligible recipient may pool a portion of funds received under this Act
3 with a portion of funds received under this Act available to not less than one other eligible
4 recipient to support implementation of programs of study through the activities described in
5 subsection (b)(2).

6 (d) Administrative Costs.—Each eligible recipient receiving funds under this part shall not use
7 more than 5 percent of such funds for costs associated with the administration of activities under
8 this section.

9 ~~(1) strengthen the academic and career and technical skills of students participating in~~
10 ~~career and technical education programs, by strengthening the academic and career and~~
11 ~~technical education components of such programs through the integration of academics with~~
12 ~~career and technical education programs through a coherent sequence of courses, such as~~
13 ~~career and technical programs of study described in section 122(c)(1)(A), to ensure learning~~
14 ~~in—~~

15 ~~(A) a well rounded education (as defined in section 8101 of the Elementary and~~
16 ~~Secondary Education Act of 1965); and~~

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

18 ~~(2) link career and technical education at the secondary level and career and technical~~
19 ~~education at the postsecondary level, including by offering the relevant elements of not less~~
20 ~~than 1 career and technical program of study described in section 122(c)(1)(A);~~

21 ~~(3) provide students with strong experience in and understanding of all aspects of an~~
22 ~~industry, which may include work based learning experiences;~~

23 ~~(4) develop, improve, or expand the use of technology in career and technical education,~~
24 ~~which may include—~~

25 ~~(A) training of career and technical education teachers, faculty, and administrators to~~
26 ~~use technology, which may include distance learning;~~

27 ~~(B) providing career and technical education students with the academic and career~~
28 ~~and technical skills (including the mathematics and science knowledge that provides a~~
29 ~~strong basis for such skills) that lead to entry into the technology fields; or~~

30 ~~(C) encouraging schools to collaborate with technology industries to offer voluntary~~
31 ~~internships and mentoring programs, including programs that improve the mathematics~~
32 ~~and science knowledge of students;~~

33 ~~(5) provide professional development programs that are consistent with section 122 to~~
34 ~~secondary and postsecondary teachers, faculty, administrators, and career guidance and~~
35 ~~academic counselors who are involved in integrated career and technical education~~
36 ~~programs, including—~~

37 ~~(A) in service and preservice training on—~~

38 ~~(i) effective integration and use of challenging academic and career and~~
39 ~~technical education provided jointly with academic teachers to the extent~~
40 ~~practicable;~~

1 (ii) effective teaching skills based on research that includes promising
2 practices;

3 (iii) effective practices to improve parental and community involvement; and

4 (iv) effective use of scientifically based research and data to improve
5 instruction;

6 (B) support of education programs for teachers of career and technical education in
7 public schools and other public school personnel who are involved in the direct
8 delivery of educational services to career and technical education students, to ensure
9 that such teachers and personnel stay current with all aspects of an industry;

10 (C) internship programs that provide relevant business experience; and

11 (D) programs designed to train teachers specifically in the effective use and
12 application of technology to improve instruction;

13 (6) develop and implement evaluations of the career and technical education programs
14 carried out with funds under this title, including an assessment of how the needs of special
15 populations are being met;

16 (7) initiate, improve, expand, and modernize quality career and technical education
17 programs, including relevant technology;

18 (8) provide services and activities that are of sufficient size, scope, and quality to be
19 effective; and

20 (9) provide activities to prepare special populations, including single parents and
21 displaced homemakers who are enrolled in career and technical education programs, for
22 high skill, high wage, or high demand occupations that will lead to self-sufficiency.

23 (e) Permissive.—Funds made available to an eligible recipient under this title may be used—

24 (1) to involve parents, businesses, and labor organizations as appropriate, in the design,
25 implementation, and evaluation of career and technical education programs authorized
26 under this title, including establishing effective programs and procedures to enable informed
27 and effective participation in such programs;

28 (2) to provide career guidance and academic counseling, which may include information
29 described in section 118, for students participating in career and technical education
30 programs, that—

31 (A) improves graduation rates and provides information on postsecondary and career
32 options, including baccalaureate degree programs, for secondary students, which
33 activities may include the use of graduation and career plans; and

34 (B) provides assistance for postsecondary students, including for adult students who
35 are changing careers or updating skills;

36 (3) for local education and business (including small business) partnerships, including
37 for—

38 (A) work-related experiences for students, such as internships, cooperative
39 education, school-based enterprises, entrepreneurship, and job shadowing that are
40 related to career and technical education programs;

- 1 (B) adjunct faculty arrangements for qualified industry professionals; and
- 2 (C) industry experience for teachers and faculty;
- 3 (4) to provide programs for special populations;
- 4 (5) to assist career and technical student organizations;
- 5 (6) for mentoring and support services;
- 6 (7) for leasing, purchasing, upgrading or adapting equipment, including instructional aids
- 7 and publications (including support for library resources) designed to strengthen and
- 8 support academic and technical skill achievement;
- 9 (8) for teacher preparation programs that address the integration of academic and career
- 10 and technical education and that assist individuals who are interested in becoming career
- 11 and technical education teachers and faculty, including individuals with experience in
- 12 business and industry;
- 13 (9) to develop and expand postsecondary program offerings at times and in formats that
- 14 are accessible for students, including working students, including through the use of
- 15 distance education;
- 16 (10) to develop initiatives that facilitate the transition of subbaccalaureate career and
- 17 technical education students into baccalaureate degree programs, including—
- 18 (A) articulation agreements between sub-baccalaureate degree granting career and
- 19 technical education postsecondary educational institutions and baccalaureate degree
- 20 granting postsecondary educational institutions;
- 21 (B) postsecondary dual and concurrent enrollment programs;
- 22 (C) academic and financial aid counseling for sub-baccalaureate career and technical
- 23 education students that informs the students of the opportunities for pursuing a
- 24 baccalaureate degree and advises the students on how to meet any transfer
- 25 requirements; and
- 26 (D) other initiatives—
- 27 (i) to encourage the pursuit of a baccalaureate degree; and
- 28 (ii) to overcome barriers to enrollment in and completion of baccalaureate
- 29 degree programs, including geographic and other barriers affecting rural students
- 30 and special populations;
- 31 (11) to provide activities to support entrepreneurship education and training;
- 32 (12) for improving or developing new career and technical education courses, including
- 33 the development of new proposed career and technical programs of study for consideration
- 34 by the eligible agency and courses that prepare individuals academically and technically for
- 35 high skill, high wage, or high demand occupations and dual or concurrent enrollment
- 36 opportunities by which career and technical education students at the secondary level could
- 37 obtain postsecondary credit to count towards an associate or baccalaureate degree;
- 38 (13) to develop and support small, personalized career-themed learning communities;
- 39 (14) to provide support for family and consumer sciences programs;

1 ~~(15) to provide career and technical education programs for adults and school dropouts to~~
2 ~~complete the secondary school education, or upgrade the technical skills, of the adults and~~
3 ~~school dropouts;~~

4 ~~(16) to provide assistance to individuals who have participated in services and activities~~
5 ~~under this Act in continuing their education or training or finding an appropriate job, such~~
6 ~~as through referral to the system established under section 121 of the Workforce Innovation~~
7 ~~and Opportunity Act;~~

8 ~~(17) to support training and activities (such as mentoring and outreach) in non-traditional~~
9 ~~fields;~~

10 ~~(18) to provide support for training programs in automotive technologies;~~

11 ~~(19) to pool a portion of such funds with a portion of funds available to not less than 1~~
12 ~~other eligible recipient for innovative initiatives, which may include —~~

13 ~~(A) improving the initial preparation and professional development of career and~~
14 ~~technical education teachers, faculty, administrators, and counselors;~~

15 ~~(B) establishing, enhancing, or supporting systems for —~~

16 ~~(i) accountability data collection under this Act; or~~

17 ~~(ii) reporting data under this Act;~~

18 ~~(C) implementing career and technical programs of study described in section~~
19 ~~122(e)(1)(A); or~~

20 ~~(D) implementing technical assessments; and~~

21 ~~(20) to support other career and technical education activities that are consistent with the~~
22 ~~purpose of this Act.~~

23 ~~(d) Administrative Costs. — Each eligible recipient receiving funds under this part shall not use~~
24 ~~more than 5 percent of the funds for administrative costs associated with the administration of~~
25 ~~activities assisted under this section.~~

26 ~~TITLE II — TECH PREP EDUCATION~~

27 ~~Sec. 201~~

28 ~~SEC. 201. [20 U.S.C. 2371] STATE ALLOTMENT AND~~ 29 ~~APPLICATION.~~

30 ~~(a) In General. — For any fiscal year, the Secretary shall allot the amount made available under~~
31 ~~section 206 among the States in the same manner as funds are allotted to States under paragraph~~
32 ~~(2) of section 111(a).~~

33 ~~(b) Payments to Eligible Agencies. — The Secretary shall make a payment in the amount of a~~
34 ~~State's allotment under subsection (a) to the eligible agency that serves the State and has an~~
35 ~~application approved under subsection (c).~~

36 ~~(c) State Application. — Each eligible agency desiring an allotment under this title shall submit,~~
37 ~~as part of its State plan under section 122, an application that —~~

1 (1) describes how activities under this title will be coordinated, to the extent practicable,
2 with activities described in the State plan submitted under section 122; and

3 (2) contains such information as the Secretary may require.

4 Sec. 202

5 ~~SEC. 202. [20 U.S.C. 2372] CONSOLIDATION OF FUNDS.~~

6 (a) In General.—An eligible agency receiving an allotment under sections 111 and 201 may
7 choose to consolidate all, or a portion of, funds received under section 201 with funds received
8 under section 111 in order to carry out the activities described in the State plan submitted under
9 section 122.

10 (b) Notification Requirement.—Each eligible agency that chooses to consolidate funds under
11 this section shall notify the Secretary, in the State plan submitted under section 122, of the
12 eligible agency's decision to consolidate funds under this section.

13 (c) Treatment of Consolidated Funds.—Funds consolidated under this section shall be
14 considered as funds allotted under section 111 and shall be distributed in accordance with section
15 112.

16 Sec. 203

17 ~~SEC. 203. [20 U.S.C. 2373] TECH PREP PROGRAM.~~

18 (a) Grant Program Authorized.—

19 (1) In general.—From amounts made available to each eligible agency under section 201,
20 the eligible agency, in accordance with the provisions of this title, shall award grants, on a
21 competitive basis or on the basis of a formula determined by the eligible agency, for tech
22 prep programs described in subsection (c). The grants shall be awarded to consortia between
23 or among—

24 (A) a local educational agency, an intermediate educational agency, educational
25 service agency, or area career and technical education school, serving secondary
26 school students, or a secondary school funded by the Bureau of Indian Affairs; and

27 (B)(i) a nonprofit institution of higher education that—

28 (I)(aa) offers a 2-year associate degree program or a 2-year certificate program;
29 and

30 (bb) is qualified as an institution of higher education pursuant to section 102 of
31 the Higher Education Act of 1965, including—

32 (AA) an institution receiving assistance under the Tribally Controlled
33 Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.);
34 and

35 (BB) a tribally controlled postsecondary career and technical institution;
36 or

37 (H) offers a 2-year apprenticeship program that follows secondary education
38 instruction,

1 if such nonprofit institution of higher education is not prohibited from receiving
2 assistance under part B of title IV of the Higher Education Act of 1965 pursuant to the
3 provisions of section 435(a)(2) of such Act; or

4 (ii) a proprietary institution of higher education that offers a 2-year associate degree
5 program and is qualified as an institution of higher education pursuant to section 102
6 of the Higher Education Act of 1965, if such proprietary institution of higher education
7 is not subject to a default management plan required by the Secretary.

8 (2) Special rule.—In addition, a consortium described in paragraph (1) may include 1 or
9 more—

10 (A) institutions of higher education that award a baccalaureate degree; and

11 (B) employers (including small businesses), business intermediaries, or labor
12 organizations.

13 (b) Duration.—Each consortium receiving a grant under this title shall use amounts provided
14 under the grant to develop and operate a 4- or 6-year tech prep program described in subsection
15 (e).

16 (e) Contents of Tech Prep Program.—Each tech prep program shall—

17 (1) be carried out under an articulation agreement between the participants in the
18 consortium;

19 (2) consist of a program of study that—

20 (A) combines—

21 (i) a minimum of 2 years of secondary education (as determined under State
22 law); with

23 (ii)(I) a minimum of 2 years of postsecondary education in a nonduplicative,
24 sequential course of study; or

25 (II) an apprenticeship program of not less than 2 years following secondary
26 education instruction; and

27 (B) integrates academic and career and technical education instruction, and utilizes
28 work-based and worksite learning experiences where appropriate and available;

29 (C) provides technical preparation in a career field, including high skill, high wage,
30 or high demand occupations;

31 (D) builds student competence in technical skills and as part of a well-rounded
32 education (as defined in section 8101 of the Elementary and Secondary Education Act
33 of 1965), as appropriate, through applied, contextual, and integrated instruction, in a
34 coherent sequence of courses;

35 (E) leads to technical skill proficiency, an industry recognized credential, a
36 certificate, or a degree, in a specific career field;

37 (F) leads to placement in high skill or high wage employment, or to further
38 education; and

39 (G) utilizes career and technical education programs of study, to the extent

1 practicable;

2 ~~(3) include the development of tech prep programs for secondary education and~~
3 ~~postsecondary education that —~~

4 ~~(A) meet academic standards developed by the State;~~

5 ~~(B) link secondary schools and 2-year postsecondary institutions, and if possible and~~
6 ~~practicable, 4-year institutions of higher education, through —~~

7 ~~(i) nonduplicative sequences of courses in career fields;~~

8 ~~(ii) the use of articulation agreements; and~~

9 ~~(iii) the investigation of opportunities for tech prep secondary education~~
10 ~~students to enroll concurrently in secondary education and postsecondary~~
11 ~~education coursework;~~

12 ~~(C) use, if appropriate and available, work-based or worksite learning experiences in~~
13 ~~conjunction with business and all aspects of an industry; and~~

14 ~~(D) use educational technology and distance learning, as appropriate, to involve all~~
15 ~~the participants in the consortium more fully in the development and operation of~~
16 ~~programs;~~

17 ~~(4) include in-service professional development for teachers, faculty, and administrators~~
18 ~~that —~~

19 ~~(A) supports effective implementation of tech prep programs;~~

20 ~~(B) supports joint training in the tech prep consortium;~~

21 ~~(C) supports the needs, expectations, and methods of business and all aspects of an~~
22 ~~industry;~~

23 ~~(D) supports the use of contextual and applied curricula, instruction, and assessment;~~

24 ~~(E) supports the use and application of technology; and~~

25 ~~(F) assists in accessing and utilizing data, information available pursuant to section~~
26 ~~118, and information on student achievement, including assessments;~~

27 ~~(5) include professional development programs for counselors designed to enable~~
28 ~~counselors to more effectively —~~

29 ~~(A) provide information to students regarding tech prep programs;~~

30 ~~(B) support student progress in completing tech prep programs, which may include~~
31 ~~the use of graduation and career plans;~~

32 ~~(C) provide information on related employment opportunities;~~

33 ~~(D) ensure that students are placed in appropriate employment or further~~
34 ~~postsecondary education;~~

35 ~~(E) stay current with the needs, expectations, and methods of business and all~~
36 ~~aspects of an industry; and~~

37 ~~(F) provide comprehensive career guidance and academic counseling to~~

1 participating students, including special populations;

2 (6) provide equal access, to the full range of technical preparation programs (including
3 preapprenticeship programs), to individuals who are members of special populations,
4 including the development of tech prep program services appropriate to the needs of special
5 populations;

6 (7) provide for preparatory services that assist participants in tech prep programs; and

7 (8) coordinate with activities conducted under title I.

8 (d) Additional Authorized Activities. — Each tech prep program may —

9 (1) provide for the acquisition of tech prep program equipment;

10 (2) acquire technical assistance from State or local entities that have designed,
11 established, and operated tech prep programs that have effectively used educational
12 technology and distance learning in the delivery of curricula and services;

13 (3) establish articulation agreements with institutions of higher education, labor
14 organizations, or businesses located inside or outside the State and served by the
15 consortium, especially with regard to using distance learning and educational technology to
16 provide for the delivery of services and programs;

17 (4) improve career guidance and academic counseling for participating students through
18 the development and implementation of graduation and career plans; and

19 (5) develop curriculum that supports effective transitions between secondary and
20 postsecondary career and technical education programs.

21 (e) Indicators of Performance and Accountability. —

22 (1) In general. — Each consortium shall establish and report to the eligible agency
23 indicators of performance for each tech prep program for which the consortium receives a
24 grant under this title. The indicators of performance shall include the following:

25 (A) The number of secondary education tech prep students and postsecondary
26 education tech prep students served.

27 (B) The number and percent of secondary education tech prep students enrolled in
28 the tech prep program who —

29 (i) enroll in postsecondary education;

30 (ii) enroll in postsecondary education in the same field or major as the
31 secondary education tech prep students were enrolled at the secondary level;

32 (iii) complete a State or industry recognized certification or licensure;

33 (iv) successfully complete, as a secondary school student, courses that award
34 postsecondary credit at the secondary level; and

35 (v) enroll in remedial mathematics, writing, or reading courses upon entering
36 postsecondary education.

37 (C) The number and percent of postsecondary education tech prep students who —

38 (i) are placed in a related field of employment not later than 12 months after

1 graduation from the tech prep program;

2 (ii) complete a State or industry recognized certification or licensure;

3 (iii) complete a 2-year degree or certificate program within the normal time for
4 completion of such program; and

5 (iv) complete a baccalaureate degree program within the normal time for
6 completion of such program.

7 (2) Number and percent.— For purposes of subparagraphs (B) and (C) of paragraph (1),
8 the numbers and percentages shall be determined separately with respect to each clause of
9 each such subparagraph.

10 Sec. 204

11 ~~SEC. 204. [20 U.S.C. 2374] CONSORTIUM APPLICATIONS.~~

12 (a) ~~In General.~~— Each consortium that desires to receive a grant under this title shall submit an
13 application to the eligible agency at such time and in such manner as the eligible agency shall
14 require.

15 (b) ~~Plan.~~— Each application submitted under this section shall contain a 6-year plan for the
16 development and implementation of tech prep programs under this title, which plan shall be
17 reviewed after the second year of the plan.

18 (c) ~~Approval.~~— The eligible agency shall approve applications under this title based on the
19 potential of the activities described in the application to create an effective tech prep program.

20 (d) ~~Special Consideration.~~— The eligible agency, as appropriate, shall give special
21 consideration to applications that —

22 (1) provide for effective employment placement activities or the transfer of students to
23 baccalaureate or advanced-degree programs;

24 (2) are developed in consultation with business, industry, institutions of higher education,
25 and labor organizations;

26 (3) address effectively the issues of school dropout prevention and reentry, and the needs
27 of special populations;

28 (4) provide education and training in an area or skill, including an emerging technology,
29 in which there is a significant workforce shortage based on the data provided by the eligible
30 entity in the State under section 118;

31 (5) demonstrate how tech prep programs will help students meet high academic and
32 employability competencies; and

33 (6) demonstrate success in, or provide assurances of, coordination and integration with
34 eligible recipients described in part C of title I.

35 (e) ~~Performance Levels.~~—

36 (1) ~~In general.~~— Each consortium receiving a grant under this title shall enter into an
37 agreement with the eligible agency to meet a minimum level of performance for each of the
38 performance indicators described in sections 113(b) and 203(e).

1 (2) ~~Resubmission of application; termination of funds.—An eligible agency—~~

2 (A) ~~shall require consortia that do not meet the performance levels described in~~
3 ~~paragraph (1) for 3 consecutive years to resubmit an application to the eligible agency~~
4 ~~for a tech prep program grant; and~~

5 (B) ~~may choose to terminate the funding for the tech prep program for a consortium~~
6 ~~that does not meet the performance levels described in paragraph (1) for 3 consecutive~~
7 ~~years, including when the grants are made on the basis of a formula determined by the~~
8 ~~eligible agency.~~

9 (f) ~~Equitable Distribution of Assistance.—In awarding grants under this title, the eligible~~
10 ~~agency shall ensure an equitable distribution of assistance between or among urban and rural~~
11 ~~participants in the consortium.~~

12 ~~Sec. 205~~

13 ~~SEC. 205. [20 U.S.C. 2375] REPORT.~~

14 ~~Each eligible agency that receives an allotment under this title annually shall prepare and~~
15 ~~submit to the Secretary a report on the effectiveness of the tech prep programs assisted under this~~
16 ~~title, including a description of how grants were awarded within the State.~~

17 ~~Sec. 206~~

18 ~~SEC. 206. [20 U.S.C. 2376] AUTHORIZATION OF~~ 19 ~~APPROPRIATIONS.~~

20 ~~There are authorized to be appropriated to carry out this title such sums as may be necessary~~
21 ~~for fiscal year 2007 and each of the 5 succeeding fiscal years.~~

22 **TITLE III—GENERAL PROVISIONS**

23 **PART A—FEDERAL ADMINISTRATIVE PROVISIONS**

24 ~~Sec. 211344~~

25 ~~SEC. 211344. [20 U.S.C. 2391] FISCAL REQUIREMENTS.~~

26 (a) ~~Supplement Not Supplant.—Funds made available under this Act for career and technical~~
27 ~~education activities shall supplement, and shall not supplant, non-Federal funds expended to~~
28 ~~carry out career and technical education activities and tech prep program activities.~~

29 (b) ~~Maintenance of Effort.—~~

30 (1) ~~Determination.—~~

31 (A) ~~In general.—Except as provided in subparagraph (B), (C), or (D), in order for a~~
32 ~~State to receive its full allotment of funds under this Act for any fiscal year, the~~
33 ~~Secretary must find that the State’s fiscal effort per student, or the aggregate~~
34 ~~expenditures of such State, with respect to career and technical education for the~~
35 ~~preceding fiscal year was not less than the fiscal effort per student, or the aggregate~~
36 ~~expenditures of such State, for the second preceding fiscal year.Except as provided in~~

1 ~~subparagraphs (B) and (C), no payments shall be made under this Act for any fiscal~~
2 ~~year to a State for career and technical education programs or tech prep programs~~
3 ~~unless the Secretary determines that the fiscal effort per student or the aggregate~~
4 ~~expenditures of such State for career and technical education programs for the fiscal~~
5 ~~year preceding the fiscal year for which the determination is made, equaled or~~
6 ~~exceeded such effort or expenditures for career and technical education programs for~~
7 ~~the second fiscal year preceding the fiscal year for which the determination is made.~~

8 (B) Computation.—In computing the fiscal effort or aggregate expenditures
9 pursuant to subparagraph (A), the Secretary shall, at the request of the State, exclude
10 competitive or incentive-based programs established by the State, capital expenditures,
11 special one+time project costs, and the cost of pilot programs.

12 (C) Decrease in federal support.—If the amount made available for career and
13 technical education programs under this Act for a fiscal year is less than the amount
14 made available for career and technical education programs under this Act for the
15 preceding fiscal year, then the fiscal effort per student or the aggregate expenditures of
16 a State required by subparagraph (A) for the preceding fiscal year shall be decreased
17 by the same percentage as the percentage decrease in the amount so made available.

18
19 (D) ESTABLISHING THE STATE BASELINE.—For purposes of applying
20 subparagraph (A) for years which require the calculation of the State’s fiscal effort per
21 student, or aggregate expenditures of such State, with respect to career and technical
22 education for the first full fiscal year following the date of enactment of the Strengthening
23 Career and Technical Education for the 21st Century Act, the State may determine the
24 State’s fiscal effort per student, or aggregate expenditures of such State, with respect to
25 career and technical education for such first full fiscal year by—

26 (i) continuing to use the State’s fiscal effort per student, or aggregate expenditures
27 of such State, with respect to career and technical education, as was in effect on
28 the day before the date of enactment of the Strengthening Career and Technical
29 Education for the 21st Century Act; or

30 (ii) establishing a new level of fiscal effort per student, or aggregate expenditures
31 of such State, with respect to career and technical education, which is not less
32 than 95 percent of the State’s fiscal effort per student, or the aggregate
33 expenditures of such State, with respect to career and technical education for the
34 preceding fiscal year.

35 (2) FAILURE TO MEET.—

36 (A) In General—The Secretary shall reduce the amount of a State’s allotment of funds
37 under this Act for any fiscal year in the exact proportion by which the State fails to
38 meet the requirement of paragraph (1) by falling below the State’s fiscal effort per
39 student or the State’s aggregate expenditures (using the measure most favorable to the
40 State), if the State failed to meet such requirement (as determined using the measure
41 most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

42
43 (A)(B) Special Rule. – No such lesser amount shall be used for computing the effort

1 required under paragraph (1) for subsequent years.

2 (32) Waiver.— The Secretary may waive paragraph (2) due to exceptional or
3 uncontrollable circumstances affecting the ability of the State to meet the requirement of
4 paragraph (1) such as a natural disaster or an unforeseen and precipitous decline in financial
5 resources. No level of funding permitted under such a waiver may be used as the basis for
6 computing the fiscal effort or aggregate expenditures required under this section for years
7 subsequent to the year covered by such waiver. The fiscal effort or aggregate expenditures
8 for the subsequent years shall be computed on the basis of the level of funding that would,
9 but for such waiver, have been required. ~~The Secretary may waive the requirements of this~~
10 ~~section, with respect to not more than 5 percent of expenditures by any eligible agency for 1~~
11 ~~fiscal year only, on making a determination that such waiver would be equitable due to~~
12 ~~exceptional or uncontrollable circumstances affecting the ability of the eligible agency to~~
13 ~~meet such requirements, such as a natural disaster or an unforeseen and precipitous decline~~
14 ~~in financial resources. No level of funding permitted under such a waiver may be used as~~
15 ~~the basis for computing the fiscal effort or aggregate expenditures required under this~~
16 ~~section for years subsequent to the year covered by such waiver. The fiscal effort or~~
17 ~~aggregate expenditures for the subsequent years shall be computed on the basis of the level~~
18 ~~of funding that would, but for such waiver, have been required.~~

19 Sec. 212312

20 **SEC. 212312. [20 U.S.C. 2392] AUTHORITY TO MAKE**
21 **PAYMENTS.**

22 Any authority to make payments or to enter into contracts under this Act shall be available
23 only to such extent or in such amounts as are provided in advance in appropriation Acts.

24 Sec. 213313

25 **SEC. 213313. [20 U.S.C. 2393] CONSTRUCTION.**

26 Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal
27 control over any aspect of a private, religious, or home school, regardless of whether a home
28 school is treated as a private school or home school under State law. This section shall not be
29 construed to bar students attending private, religious, or home schools from participation in
30 programs or services under this Act.

31 Sec. 314

32 **SEC. 214314. [20 U.S.C. 2394] VOLUNTARY SELECTION**
33 **AND PARTICIPATION.**

34 No funds made available under this Act shall be used—

35 (1) to require any secondary school student to choose or pursue a specific career path way
36 or program of study ~~or major~~; or

37 (2) to mandate that any individual participate in a career and technical education
38 program, including a career and technical education program that requires the attainment of
39 a federally funded skill level, standard, or certificate of mastery.

1 Sec. ~~215315~~

2 SEC. ~~215315~~. [20 U.S.C. 2395] LIMITATION FOR CERTAIN
3 STUDENTS.

4 No funds received under this Act may be used to provide career and technical education
5 programs or programs of study to students prior to the ~~seventh grade~~middle grades (as such term
6 is defined in section 8101 of the Elementary and Secondary Education Act of 1965), except that
7 equipment and facilities purchased with funds under this Act may be used by such students.

8 Sec. ~~216316~~

9 SEC. ~~216316~~. [20 U.S.C. 2396] FEDERAL LAWS
10 GUARANTEEING CIVIL RIGHTS.

11 Nothing in this Act shall be construed to be inconsistent with applicable Federal law
12 prohibiting discrimination on the basis of race, color, sex, national origin, age, or disability in the
13 provision of Federal programs or services.

14 Sec. ~~217317~~

15 SEC. ~~217317~~. [20 U.S.C. 2397] PARTICIPATION OF
16 PRIVATE SCHOOL PERSONNEL AND CHILDREN.

17 (a) Personnel.—An eligible agency or eligible recipient that uses funds under this Act for in-
18 service and preservice career and technical education professional development programs for
19 career and technical education teachers, administrators, and other personnel shall, to the extent
20 practicable, upon written request, permit the participation in such programs of career and
21 technical education secondary school teachers, administrators, and other personnel in nonprofit
22 private schools offering career and technical secondary education programs located in the
23 geographical area served by such eligible agency or eligible recipient.

24 (b) Student Participation.—

25 (1) Student participation.—Except as prohibited by State or local law, an eligible
26 recipient may, upon written request, use funds made available under this Act to provide for
27 the meaningful participation, in career and technical education programs and activities,
28 including CTE programs of study, receiving funding under this Act, of secondary school
29 students attending nonprofit private schools who reside in ~~the geographical areas~~served by
30 the eligible recipient.

31 (2) Consultation.—An eligible recipient shall consult, upon written request, in a timely
32 and meaningful manner with representatives of nonprofit private schools in ~~the~~
33 geographical areas served by the eligible recipient described in paragraph (1) regarding the
34 meaningful participation, in career and technical education programs and activities,
35 including CTE programs of study, receiving funding under this Act, of secondary school
36 students attending nonprofit private schools.

37 Sec. ~~318-218~~

1 SEC. ~~318~~218. [20 U.S.C. 2398] LIMITATION ON FEDERAL
2 REGULATIONS.

3 The Secretary may issue regulations under this Act only to the extent necessary to administer
4 and ensure compliance with the specific requirements of this Act.

5 SEC. 219. STUDY ON PROGRAMS OF STUDY ALIGNED
6 TO HIGH-SKILL, HIGH-WAGE OCCUPATIONS.

7 (a) Scope of Study.—The Comptroller General of the United States shall conduct a study to
8 evaluate—

9 (1) the strategies, components, policies, and practices used by eligible agencies or eligible
10 recipients receiving funding under this Act to successfully assist—

11 (A) all students in pursuing and completing programs of study aligned to high-skill,
12 high-wage occupations; and

13 (B) any special population or specific subgroup of students identified in section
14 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 in pursuing
15 and completing programs of study aligned to high-skill, high-wage occupations in
16 fields in which such subgroup is underrepresented; and

17 (2) any challenges associated with replication of such strategies, components, policies,
18 and practices.

19 (b) Consultation.—In carrying out the study conducted under subsection (a), the Comptroller
20 General of the United States shall consult with a geographically diverse (including urban,
21 suburban, and rural) representation of—

22 (1) students and parents;

23 (2) eligible agencies and eligible recipients;

24 (3) teachers, faculty, specialized instructional support personnel, and paraprofessionals,
25 including those with expertise in preparing career and technical education students for non-
26 traditional fields;

27 (4) special populations; and

28 (5) representatives of business and industry.

29 (c) Submission.—Upon completion, the Comptroller General of the United States shall submit
30 the study conducted under subsection (a) to the Committee on Education and the Workforce of
31 the House of Representatives and the Committee on Health, Education, Labor, and Pensions of
32 the Senate.

33
34 PART B—STATE ADMINISTRATIVE PROVISIONS

35 Sec. ~~221~~321

36 SEC. ~~221~~321. [20 U.S.C. 2411] JOINT FUNDING.

1 (a) General Authority.—Funds made available to eligible agencies under this Act may be used
2 to provide additional funds under an applicable program if—

3 (1) such program otherwise meets the requirements of this Act and the requirements of
4 the applicable program;

5 (2) such program serves the same individuals that are served under this Act;

6 (3) such program provides services in a coordinated manner with services provided under
7 this Act; and

8 (4) such funds are used to supplement, and not supplant, funds provided from non-
9 Federal sources.

10 (b) Applicable Program.—For the purposes of this section, the term “applicable program”
11 means any program under any of the following provisions of law:

12 (1) Chapters 2 and 3 of subtitle B of title I of the Workforce Innovation and Opportunity
13 Act.

14 (2) The Wagner-Peyser Act.

15 (c) Use of Funds as Matching Funds.—For the purposes of this section, the term “additional
16 funds” does not include funds used as matching funds.

17 Sec. ~~222322~~

18 **SEC. ~~222322~~. [20 U.S.C. 2412] PROHIBITION ON USE OF**
19 **FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF**
20 **BUSINESSES.**

21 No funds provided under this Act shall be used for the purpose of directly providing incentives
22 or inducements to an employer to relocate a business enterprise from one State to another State if
23 such relocation will result in a reduction in the number of jobs available in the State where the
24 business enterprise is located before such incentives or inducements are offered.

25 Sec. 323

26 **SEC. ~~223323~~. [20 U.S.C. 2413] STATE ADMINISTRATIVE**
27 **COSTS.**

28 (a) General Rule.—Except as provided in subsection (b), for each fiscal year for which an
29 eligible agency receives assistance under this Act, the eligible agency shall provide, from non-
30 Federal sources for the costs the eligible agency incurs for the administration of programs under
31 this Act, an amount that is not less than the amount provided by the eligible agency from non-
32 Federal sources for such costs for the preceding fiscal year.

33 (b) Exception.—If the amount made available from Federal sources for the administration of
34 programs under this Act for a fiscal year (referred to in this section as the “determination year”)
35 is less than the amount made available from Federal sources for the administration of programs
36 under this Act for the preceding fiscal year, then the amount the eligible agency is required to
37 provide from non-Federal sources for costs the eligible agency incurs for the administration of

1 programs under this Act for the determination year under subsection (a) shall bear the same ratio
2 to the amount the eligible agency provided from non-Federal sources for such costs for the
3 preceding fiscal year, as the amount made available from Federal sources for the administration
4 of programs under this Act for the determination year bears to the amount made available from
5 Federal sources for the administration of programs under this Act for the preceding fiscal year.

6 Sec. ~~224324~~

7 **SEC. ~~224324~~. [20 U.S.C. 2414] STUDENT ASSISTANCE**
8 **AND OTHER FEDERAL PROGRAMS.**

9 (a) Attendance Costs Not Treated as Income or Resources.—The portion of any student
10 financial assistance received under this Act that is made available for attendance costs described
11 in subsection (b) shall not be considered as income or resources in determining eligibility for
12 assistance under any other program funded in whole or in part with Federal funds.

13 (b) Attendance Costs.—The attendance costs described in this subsection are—

14 (1) tuition and fees normally assessed a student carrying an academic workload as
15 determined by the institution, and including costs for rental or purchase of any equipment,
16 materials, or supplies required of all students in that course of study; and

17 (2) an allowance for books, supplies, transportation, dependent care, and miscellaneous
18 personal expenses for a student attending the institution on at least a half-time basis, as
19 determined by the institution.

20 (c) Costs of Career and Technical Education Services.—Funds made available under this Act
21 may be used to pay for the costs of career and technical education services required in an
22 individualized education program developed pursuant to section 614(d) of the Individuals with
23 Disabilities Education Act and services necessary to meet the requirements of section 504 of the
24 Rehabilitation Act of 1973 with respect to ensuring equal access to career and technical
25 education.

26 **TITLE III—AMENDMENTS TO THE WAGNER-PEYSER**
27 **ACT**

28 **SEC. 301. STATE RESPONSIBILITIES.**

29 Section 15(e)(2) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)(2)) is amended—

30 (1) by striking subparagraph (B) and inserting the following:

31 “(B) consult with eligible agencies (defined in section 3 of the Carl D. Perkins Career and
32 Technical Education Act of 2006 (20 U.S.C. 2302)), State educational agencies, and local
33 educational agencies concerning the provision of workforce and labor market information in
34 order to—

35 “(i) meet the needs of secondary school and postsecondary school students who seek such
36 information; and

37 “(ii) annually inform the development and implementation of programs of study defined
38 in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20

- 1 U.S.C. 2302), and career pathways;”;
- 2 (2) in subparagraph (G), by striking “and” after the semicolon;
- 3 (3) in subparagraph (H), by striking the period at the end and inserting “; and”; and
- 4 (4) by adding at the end the following:
- 5 “(I) provide, on an annual and timely basis to each eligible agency (defined in section 3
- 6 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)),
- 7 the data and information described in subparagraphs (A) and (B) of subsection (a)(1).”
- 8

DRAFT