

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

3
4 [As Amended Through P.L. 110–315, Enacted August 14, 2008]
5

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

9
10 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
11

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

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

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

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

19 Sec. 2. Purpose.

20 Sec. 3. Definitions.

21 Sec. 4. Transition provisions.

22 Sec. 5. Privacy.

23 Sec. 6. Limitation.

24 Sec. 7. Special rule.

25 Sec. 8. Prohibitions.

26 Sec. 9. Authorization of appropriations.
27

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

29 **PART A—ALLOTMENT AND ALLOCATION**

30 Sec. 111. Reservations and State allotment.

31 Sec. 112. Within State allocation.

32 Sec. 113. Accountability.

33 Sec. 114. National activities.

34 Sec. 115. Assistance for the outlying areas.

35 Sec. 116. Native American programs.

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

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

38 **PART B—STATE PROVISIONS**

39 Sec. 121. State administration.

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

4 PART C—LOCAL PROVISIONS

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

10

- 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.~~
- 17 ~~Sec. 206. Authorization of appropriations.~~

18

19 TITLE III—GENERAL PROVISIONS

20 PART A—FEDERAL ADMINISTRATIVE PROVISIONS

- 21 Sec. ~~211311~~. Fiscal requirements.
- 22 Sec. ~~212312~~. Authority to make payments.
- 23 Sec. ~~213313~~. Construction.
- 24 Sec. ~~214314~~. Voluntary selection and participation.
- 25 Sec. ~~215315~~. Limitation for certain students.
- 26 Sec. ~~216316~~. Federal laws guaranteeing civil rights.
- 27 Sec. ~~217317~~. Participation of private school personnel and children.
- 28 Sec. ~~218318~~. Limitation on Federal regulations.
- 29 Sec. 219. Study on programs of study aligned to high-skill, high-wage occupations.

30 PART B—STATE ADMINISTRATIVE PROVISIONS

- 31 Sec. ~~221321~~. Joint funding.
- 32 Sec. ~~222322~~. Prohibition on use of funds to induce out-of-state relocation of businesses.
- 33 Sec. ~~223323~~. State administrative costs.
- 34 Sec. ~~224324~~. Student assistance and other Federal programs.

35

36 SEC. 2. PURPOSE.

1 | The purpose of this Act is to develop more fully the ~~academic and career and technical skills~~ **academic**
2 **knowledge and technical and employability skills** of secondary education students and
3 postsecondary education students who elect to enroll in career and technical education programs **and**
4 **programs of study**, by—

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

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

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

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

16 (5) providing technical assistance that—

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

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

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

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

27
28 **SEC. 3. DEFINITIONS.**

29 Unless otherwise specified, in this Act:

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

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

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

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

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

11 (C) a public or nonprofit technical institution or career and technical education school used
12 exclusively or principally for the provision of career and technical education to individuals
13 who have completed or left secondary school and who are available for study in preparation
14 for entering the labor market, if the institution or school admits, as regular students,
15 individuals who have completed secondary school and individuals who have left secondary
16 school; or

17 (D) the department or division of an institution of higher education, that operates under the
18 policies of the eligible agency and that provides career and technical education in ~~not fewer~~
19 ~~than 5 different occupational fields~~ **not fewer than 3 different occupational**
20 **fields** leading to immediate employment but not necessarily leading to a baccalaureate
21 degree, if the department or division admits, as regular students, both individuals who have
22 completed secondary school and individuals who have left secondary school.

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

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

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

27 (ii) a subbaccalaureate degree granting postsecondary educational institution and a
28 baccalaureate degree granting postsecondary educational institution; and

29 (B) to a program that is—

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

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

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

37 (A) offer a sequence of courses that—

38 (i) provides individuals with ~~coherent and rigorous content aligned with challenging~~
39 ~~academic standards~~ **content at the secondary level aligned with**

1 the challenging State academic standards adopted by a State
2 under section 1111(b)(1) of the Elementary and Secondary
3 Education Act of 1965 (20 U.S.C. 6311(b)(1)), and at the
4 postsecondary level with the rigorous academic content and
5 relevant technical knowledge and skills, needed to prepare for further education
6 and careers in current or emerging professions, including in in-demand
7 industry sectors or occupations;

8 (ii) provides technical skill proficiency, ~~an industry-recognized credential, a~~
9 ~~certificate, or an associate degree~~ or a recognized postsecondary
10 credential, which may include an industry-recognized
11 credential; and

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

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

19 (C) to the extent practicable, coordinate between secondary
20 and postsecondary education programs, which may include
21 early college programs with articulation agreements, dual
22 or concurrent enrollment program opportunities, or
23 programs of study; and

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

28 (6) CAREER AND TECHNICAL STUDENT ORGANIZATION.—

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

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

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

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

4 (B) provides information with respect to career options, **financial aid, job training,**
5 **secondary and postsecondary options (including baccalaureate**
6 **degree programs), dual or concurrent enrollment programs,**
7 **work-based learning opportunities, and support services.** ~~financial~~
8 ~~aid, and postsecondary options, including baccalaureate degree programs.~~

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

12 **(9) ~~(8)~~ CHARTER SCHOOL.—**The term “charter school” has the meaning given the term in section 5210
13 of the Elementary and Secondary Education Act of 1965.

14 **(10) ~~(9)~~ COOPERATIVE EDUCATION.—**The term “cooperative education” means a method of education
15 for individuals who, through written cooperative arrangements between a school and employers,
16 receive instruction, including required rigorous and challenging academic courses and related career
17 and technical education instruction, by alternation of study in school with a job in any occupational
18 field, which alternation—

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

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

24 **(11) CTE CONCENTRATOR.—The term ‘CTE concentrator’ means—**
25 **(A) at the secondary school level, a student served by an eligible**
26 **recipient who has—**

27 **(i) completed 3 or more career and technical education**
28 **courses; or**

29 **(ii) completed at least 2 courses in a single career and**
30 **technical education program or program of study; or**

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

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

35 **(ii) completed such a program if the program encompasses**
36 **fewer than 12 credits or the equivalent in total.**

37 **(12) CTE PARTICIPANT.—The term ‘CTE participant’ means an individual**
38 **who completes not less than 1 course or earns not less than 1 credit in a**

1 career and technical education program or program of study of an
2 eligible recipient.

3 (13) ~~(10)~~ DISPLACED HOMEMAKER.—The term “displaced homemaker” means an individual who—

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

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

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

11 (B) is unemployed or underemployed and is experiencing difficulty in obtaining or
12 upgrading employment.

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

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

19 (16) ~~(11)~~ EDUCATIONAL SERVICE AGENCY.—The term “educational service agency” has the meaning
20 given the term in section 9101 of the Elementary and Secondary Education Act of 1965.

21 (17) ~~(12)~~ ELIGIBLE AGENCY.—The term “eligible agency” means a State board designated or created
22 consistent with State law as the sole State agency responsible for the administration of career and
23 technical education in the State or for the supervision of the administration of career and technical
24 education in the State.

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

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

28 (i) a local educational agency;

29 (ii) an educational service agency;

30 (iii) an eligible institution;

31 (iv) an area career and technical education school;

32 (v) a State educational agency; or

33 (vi) the Bureau of Indian Education;

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

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

3 (19) ~~(13)~~ ELIGIBLE INSTITUTION.—The term “eligible institution” means—

4 (A) a consortium of 2 or more of the entities described in
5 subparagraphs (B) through (F);

6 (B) ~~(A)~~ a public or nonprofit private institution of higher education that offers **and will**
7 **use** funds provided under this title in support of career and technical
8 education courses that lead to technical skill proficiency, an industry recognized credential, a

9 certificate, or **an associate** degree;
10

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

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

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

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

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

21 (20) ~~(14)~~ ELIGIBLE RECIPIENT.—The term “eligible recipient” means—

22 (A) an eligible institution or consortium of eligible institutions
23 eligible to receive assistance under section 132; or

24 (B) ~~(A)~~ a local educational agency (including a public charter school that operates as a local
25 educational agency), an area career and technical education school, an educational service
26 agency, or a consortium **of such entities**, eligible to receive assistance under section
27 131; ~~or~~

28 ~~(B) an eligible institution or consortium of eligible institutions eligible to receive assistance~~
29 ~~under section 132.~~

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

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

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

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

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

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

11 (23) ~~(15)~~ GOVERNOR.—The term “Governor” means the chief executive officer of a State.

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

15 ~~(A) whose native language is a language other than English, or~~

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

18 (24) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.—The term ‘in-demand
19 industry sector or occupation’ has the meaning given the term in section
20 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

21 (25) ~~(17)~~ INDIVIDUAL WITH A DISABILITY.—

22 (A) IN GENERAL.—The term “individual with a disability” means an individual with any
23 disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C.
24 12102)).

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

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

30 (27) ~~(18)~~ INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the
31 meaning given the term in section 101 of the Higher Education Act of 1965.

32 (28) ~~(19)~~ LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the
33 term in section 9101 of the Elementary and Secondary Education Act of 1965.

34 (29) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term ‘local workforce
35 development board’ means a local workforce development board

1 established under section 107 of the Workforce Innovation and
2 Opportunity Act.

3 (30) ~~(20)~~NON-TRADITIONAL FIELDS.—The term “non-traditional fields” means occupations or fields of
4 work, including careers in computer science, technology, and other current and emerging high skill
5 occupations, for which individuals from one gender comprise less than 25 percent of the individuals
6 employed in each such occupation or field of work.

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

10 (32) ~~(21)~~OUTLYING AREA.—The term “outlying area” means the United States Virgin Islands, Guam,
11 American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.

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

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

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

22 (B) otherwise reduces the rights of a student or the obligations of
23 an entity under the Individuals with Disabilities Education Act (20
24 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701
25 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C.
26 12101 et seq.), or any other law.

27 (35) ~~(22)~~POSTSECONDARY EDUCATIONAL INSTITUTION.—The term “postsecondary educational institution”
28 means—

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

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

32 (C) a nonprofit educational institution offering certificate or apprenticeship programs at the
33 postsecondary level.

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

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

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

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

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

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

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

14 (A) incorporates challenging State academic standards, including
15 those adopted by a State under section 1111(b)(1) of the
16 Elementary and Secondary Education Act of 1965 (20 U.S.C.
17 6311(b)(1)), that—

18 (i) address both academic and technical knowledge and
19 skills, including employability skills; and

20 (ii) are aligned with the needs of industries in the economy
21 of the State, region, or local area;

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

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

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

29 (37) QUALIFIED INTERMEDIARY.—The term ‘qualified intermediary’ means a
30 non-profit entity that demonstrates expertise to build, connect, sustain,
31 and measure partnerships with entities such as employers, schools,
32 community-based organizations, postsecondary institutions, social
33 service organizations, economic development organizations, and
34 workforce systems to broker services, resources, and supports to youth
35 and the organizations and systems that are designed to serve youth,
36 including—

37 (A) connecting employers to classrooms;

- (B) assisting in the design and implementation of career and technical education programs and programs of study;
- (C) delivering professional development;
- (D) connecting students to internships and other work-based learning opportunities; and
- (E) developing personalized student supports.

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

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

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

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

- (A) individuals with disabilities;
- (B) individuals from economically disadvantaged families, including ~~foster children~~ **youth who are in or have aged out of the foster care system;**
- (C) individuals preparing for non-traditional fields;
- (D) single parents, including single pregnant women;
- (E) displaced homemakers; ~~and~~
- (F) ~~individuals with limited English proficiency.~~ **English learners**
- (G) homeless individuals described in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a); and
- (H) youth with a parent who—
 - (i) is a member of the armed forces (as such term is defined in section 101(a)(4) of title 10, United States Code); and
 - (ii) is on active duty (as such term is defined in section 101(d)(1) of such title).

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

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

1 | ~~(44) (30)~~ STATE.—The term “State”, unless otherwise specified, means each of the several States of
2 | the United States, the District of Columbia, the Commonwealth of Puerto Rico, and each outlying area.

3 | ~~(45) (31)~~ SUPPORT SERVICES.—The term “support services” means services related to curriculum
4 | modification, equipment modification, classroom modification, supportive personnel **(including**
5 | **paraprofessionals and specialized instructional support personnel)**, and
6 | instructional aids and devices.

7 | ~~(32) TECH PREP PROGRAM.—The term “tech prep program” means a tech prep program described in~~
8 | ~~section 203(c).~~

9 | ~~(46) (33)~~ TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term “tribally controlled college or
10 | university” has the meaning given the term in section 2(a) of the Tribally Controlled Colleges and
11 | Universities Assistance Act of 1978 (25 U.S.C. 1801(a)).

12 | ~~(47) (34)~~ TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTION.—The term “tribally
13 | controlled postsecondary career and technical institution” means an institution of higher education
14 | (as defined in section 101 of the Higher Education Act of 1965, except that subsection (a)(2) of such
15 | section shall not be applicable and the reference to Secretary in subsection (a)(5) of such section
16 | shall be deemed to refer to the Secretary of the Interior) that—

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

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

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

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

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

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

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

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

33 | **(49) WORK-BASED LEARNING.—The term ‘work-based learning’ means**
34 | **sustained interactions with industry or community professionals in real**
35 | **workplace settings, to the extent practicable, or simulated**
36 | **environments at an educational institution that foster in-depth, first-**

1 hand engagement with the tasks required of a given career field, that
2 are aligned to curriculum and instruction.
3

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

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

16 **SEC. 5. PRIVACY.**

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

19 (b) PROHIBITION ON DEVELOPMENT OF NATIONAL DATABASE.— Nothing in this Act shall be construed to
20 permit the development of a national database of personally identifiable information on individuals receiving
21 services under this Act.
22

23 **SEC. 6. LIMITATION.**

24 All of the funds made available under this Act shall be used in accordance with the requirements of this Act.
25

26 **SEC. 7. SPECIAL RULE.**

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

29 **SEC. 8. PROHIBITIONS.**

30 (a) LOCAL CONTROL.—Nothing in this Act shall be construed to authorize an officer or employee of the
31 ~~Federal Government to mandate, direct, or control a State, local educational agency, or school’s curriculum,~~
32 ~~program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof~~
33 ~~to spend any funds or incur any costs not paid for under this Act, except as required under sections 112(b),~~
34 ~~311(b), and 323.~~ **Federal Government—**
35

36 **(1) to condition or incentivize the receipt of any grant, contract, or**
37 **cooperative agreement, or the receipt of any priority or preference**
38 **under such grant, contract, or cooperative agreement, upon a State, local**
39 **educational agency, eligible agency, eligible recipient, eligible entity, or**
40 **school’s adoption or implementation of specific instructional content,**
41 **academic standards and assessments, curricula, or program of**

1 instruction (including any condition, priority, or preference to adopt the
2 Common Core State Standards developed under the Common Core State
3 Standards Initiative, any other academic standards common to a
4 significant number of States, or any assessment, instructional content,
5 or curriculum aligned to such standards);

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

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

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

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

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

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

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

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

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

32 33 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

34 There ~~are to be~~ ~~is~~ authorized to be appropriated to carry out this Act (~~other than sections 114, 117, and~~
35 ~~118, and title II) such sums as may be necessary for each of the fiscal years 2007 through 2012.~~ ~~other~~
36 ~~than sections 114 and 117)—~~

- 1 (1) \$1,133,002,074 for fiscal year 2017;
- 2 (2) \$1,148,618,465 for fiscal year 2018;
- 3 (3) \$1,164,450,099 for fiscal year 2019;
- 4 (4) \$1,180,499,945 for fiscal year 2020;
- 5 (5) \$1,196,771,008 for fiscal year 2021; and
- 6 (6) \$1,213,266,339 for fiscal year 2022.

7
8 **TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE**
9 **STATES**

10
11 **PART A—ALLOTMENT AND ALLOCATION**

12
13 **SEC. 111. RESERVATIONS AND STATE ALLOTMENT.**

14 (a) RESERVATIONS AND STATE ALLOTMENT.—

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

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

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

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

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

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

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

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

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

36 (D) an amount that bears the same ratio to 15 percent of the sum being allotted as the
37 amounts allotted to the State under subparagraphs (A), (B), and (C) for such years bears to

1 the sum of the amounts allotted to all the States under subparagraphs (A), (B), and (C) for
2 such year.

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

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

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

14 (C) SPECIAL RULE.—

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

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

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

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

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

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

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

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

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

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

37 (ii) the sum of—

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

5 (II) the product of—

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

7 (bb) the quotient of—

8 (AA) the qualifying State's ratio described in subparagraph

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

10 divided by

11 (BB) the sum of all such ratios for all qualifying States for

12 the fiscal year for which the determination is made.

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

15 (i) the amount the qualifying State was allotted under paragraph (2) for fiscal year
16 2006 (as such paragraph was in effect on the day before the date of enactment of the
17 Carl D. Perkins Career and Technical Education Improvement Act of 2006); divided
18 by

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

21 (D) DEFINITIONS.—In this paragraph:

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

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

25 (II) the sum of—

26 (aa) the amount allotted under paragraph (2) for fiscal year 2006

27 (as such paragraph (2) was in effect on the day before the date of
28 enactment of the Carl D. Perkins Career and Technical Education
29 Improvement Act of 2006);

30 (bb) the amount reserved under paragraph (1)(C) for fiscal year
31 2006 (as such paragraph (1)(C) was so in effect); and

32 (cc) \$827,671.

33 (ii) QUALIFYING STATE.—The term “qualifying State” means a State (except the United
34 States Virgin Islands) that, for the fiscal year for which a determination under this
35 paragraph is made, would receive, under the allotment formula under paragraph (2)
36 (without the application of this paragraph and paragraphs (3) and (5)), an amount

1 that would be less than the amount the State would receive under subparagraph (A)
2 for such fiscal year.

3 (5) HOLD HARMLESS.—

4 (A) IN GENERAL.—~~No State~~ For each of fiscal years 2017, 2018, and 2019,
5 no State shall receive an allotment under this section for a fiscal year that is less than the
6 allotment the State received under part A of title I of the Carl D. Perkins Vocational and
7 Applied Technology Education Act (20 U.S.C. 2311 et seq.) (as such part was in effect on the
8 day before the date of enactment of the Carl D. Perkins Vocational and Applied Technology
9 Education Amendments of 1998) for fiscal year 1998.

10 (B) FISCAL YEAR 2020 AND EACH SUCCEEDING FISCAL YEAR.—
11 For fiscal year 2020 and each of the succeeding fiscal years, no
12 State shall receive an allotment under this section for a fiscal year
13 that is less than 90 percent of the allotment the State received
14 under this section for the preceding fiscal year.

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

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

26 (c) ALLOTMENT RATIO.—

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

28 (A) 0.50; and

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

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

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

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

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

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

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

SEC. 112. WITHIN STATE ALLOCATION.

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

(1) not less than 85 percent for distribution under section 131 or 132, of which not more than 15 ~~40~~ percent of the 85 percent may be used in accordance with subsection (c);

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

which—

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

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

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

(A) developing the State plan;

(B) reviewing ~~a local plan~~ **local applications**;

(C) monitoring and evaluating program effectiveness;

- (D) assuring compliance with all applicable Federal laws;
- (E) providing technical assistance; and
- (F) supporting and developing State data systems relevant to the provisions of this Act.

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

(c) RESERVE.—From amounts made available under subsection (a)(1) to carry out this subsection, an eligible agency may award grants to eligible recipients for career and technical education activities described in section 135—

~~135 in—~~

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

(1) in—

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

(2) in order to—

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

SEC. 113. ACCOUNTABILITY.

(a) PURPOSE.—The purpose of this section is to establish and support State and local performance accountability systems, **comprising the activities** ~~comprised of the activities~~ described in this

1 section, to assess the effectiveness of the State and the eligible recipients of the State in achieving statewide
2 progress in career and technical education, and to optimize the return of investment of Federal funds in
3 career and technical education activities.

4 (b) STATE PERFORMANCE MEASURES.—

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

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

8 (2);

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

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

14 (2) INDICATORS OF PERFORMANCE.—

15 ~~(A) CORE INDICATORS OF PERFORMANCE FOR CAREER AND TECHNICAL EDUCATION STUDENTS AT THE SECONDARY~~
16 ~~LEVEL.—Each eligible agency shall identify in the State plan core indicators of performance~~
17 ~~for career and technical education students at the secondary level that are valid and reliable,~~
18 ~~and that include, at a minimum, measures of each of the following:~~

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

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

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

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

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

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

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

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

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

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

9 | (i) The percentage of CTE concentrators who graduate high
10 | school, as measured by—

11 | (I) the four-year adjusted cohort graduation rate
12 | (defined in section 8101 of the Elementary and
13 | Secondary Education Act of 1965 (20 U.S.C.
14 | 7801)); and

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

18 | (ii) CTE concentrator attainment of challenging State
19 | academic standards adopted by the State under section
20 | 1111(b)(1)(A) of the Elementary and Secondary
21 | Education Act of 1965 (U.S.C. 6311(b)(1)(A)), and
22 | measured by the academic assessments described in
23 | Section 111(b)(2) of such Act (20 U.S.C. 6311(b)(2)).

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

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

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

5 (aa) the percentage of CTE concentrators
6 graduating from high school having attained
7 recognized postsecondary credentials;

8 (bb) the percentage of CTE concentrators
9 graduating from high school having attained
10 postsecondary credits in the relevant career
11 and technical education program or program of
12 study earned through dual and concurrent
13 enrollment or another credit transfer
14 agreement; or

15 (cc) the percentage of CTE concentrators
16 graduating from high school having participated
17 in work-based learning; and

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

21 (v) The percentage of CTE concentrators in career and
22 technical education programs and programs of study
23 that lead to nontraditional fields.

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

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

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

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

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

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

13 **(B) CORE INDICATORS OF PERFORMANCE FOR CTE**

14 **CONCENTRATORS AT THE POSTSECONDARY LEVEL.—** Each
15 eligible agency shall identify in the State plan core indicators of
16 performance for CTE concentrators at the postsecondary level
17 that are valid and reliable, and that include, at a minimum,
18 measures of each of the following:

19 (i) The percentage of CTE concentrators, who, during the
20 second quarter after program completion, are in education
21 or training activities, advanced training, or unsubsidized
22 employment.

23 (ii) The median earnings of CTE concentrators in
24 unsubsidized employment two quarters after program
25 completion.

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

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

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

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

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

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

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

27 (3) STATE LEVELS OF PERFORMANCE.—

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

29 (i) IN GENERAL.— Each eligible agency, with input from eligible recipients, shall **and**
30 **identify** in the State plan submitted under section 122, **for the first 2**
31 **program years covered by the State plan, levels of**

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

- 6 (I) be expressed in a percentage or numerical form, so
- 7 as to be objective, quantifiable, and measurable; and
- 8 (II) be sufficiently ambitious to allow for meaningful
- 9 evaluation of program quality.

10 ~~levels of performance for each of the core indicators of performance described in~~
11 ~~subparagraphs (A) and (B) of paragraph (2) for career and technical education~~
12 ~~activities authorized under this title. The levels of performance established under~~
13 ~~this subparagraph shall, at a 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 shall~~
19 ~~identify, in the State plan submitted under section 122, levels of performance for~~
20 ~~each of the core indicators of performance for the first 2 program years covered by~~
21 ~~the State plan.~~

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

30 (ii) STATE ADJUSTED LEVELS OF PERFORMANCE FOR
31 SUBSEQUENT YEARS.— Prior to the third program year
32 covered by the State plan, each eligible agency shall revise

1 the State levels of performance for each of the core
2 indicators of performance for the subsequent program
3 years covered by the State plan, taking into account the
4 extent to which such levels of performance promote
5 meaningful program improvement on such indicators. The
6 State adjusted levels of performance identified under this
7 clause shall be considered to be the State adjusted levels of
8 performance for the State for such years and shall be
9 incorporated into the State plan.

10 (iii) REPORTING.— The eligible agency shall, for each year
11 described in clauses (i) and (iii), publicly report and widely
12 disseminate the State levels of performance described in
13 this subparagraph.

14 (iv) REVISIONS.— If unanticipated circumstances arise in a
15 State, the eligible agency may revise the State adjusted
16 levels of performance required under this subparagraph,
17 and submit such revised levels of performance with
18 evidence supporting the revision and demonstrating public
19 consultation, in a manner consistent with the process
20 described in subsections (d) and (f) of section 122.

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

24 ~~(v) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.— Prior to~~
25 ~~the third and fifth program years covered by the State plan, the Secretary and each~~
26 ~~eligible agency shall reach agreement on the State adjusted levels of performance for~~
27 ~~each of the core indicators of performance for the corresponding subsequent~~
28 ~~program years covered by the State plan, taking into account the factors described in~~
29 ~~clause (vi). The State adjusted levels of performance agreed to under this clause~~

1 shall be considered to be the State adjusted levels of performance for the State for
2 such years and shall be incorporated into the State plan.

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

5 (I) how the levels of performance involved compare with the State adjusted
6 levels of performance established for other States, taking into account
7 factors including the characteristics of participants when the participants
8 entered the program and the services or instruction to be provided; and
9 (II) the extent to which such levels of performance promote continuous
10 improvement on the indicators of performance by such State.

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

16 **(B) ACTUAL LEVELS OF PERFORMANCE.—** At the end of each
17 program year, the eligible agency shall determine actual levels of
18 performance on each of the core indicators of performance and
19 publicly report and widely disseminate the actual levels of
20 performance described in this subparagraph.

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

25 (4) LOCAL LEVELS OF PERFORMANCE.—

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

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

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

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

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

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

21 (iv) AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.—Prior to
22 the ~~third and fifth program years~~ **third program year** covered by the local
23 plan, the eligible agency and each eligible recipient shall reach agreement on the
24 local adjusted levels of performance for each of the core indicators of performance
25 for the ~~corresponding~~ subsequent program years covered by the local plan, taking
26 into account the factors described in clause (v). The local adjusted levels of
27 performance agreed to under this clause shall be considered to be the local adjusted
28 levels of performance for the eligible recipient for such years and shall be
29 incorporated into the local plan.

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

32 (I) how the levels of performance involved compare with the local adjusted
33 levels of performance established for other eligible recipients in the State,
34 taking into account factors including the characteristics of participants

1 when the participants entered the program and the services or instruction
2 to be provided; ~~and~~

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

4 **(II)** the extent to which the local adjusted levels of performance

5 **advance the eligible recipient's accomplishments of**

6 **the goals set forth in the local application; and** ~~promote~~

7 ~~continuous improvement on the core indicators of performance by the~~

8 ~~eligible recipient.~~

9 **(IV) the eligible recipient's ability and capacity to**
10 **collect and assess valid, reliable, and cost effective**
11 **data.**

12 (vi) REVISIONS.—If unanticipated circumstances arise with respect to an eligible

13 recipient resulting in a significant change in the factors described in clause (v) **or**

14 **changes occur related to improvements in data or**

15 **measurement approaches**, the eligible recipient may request that the local

16 adjusted levels of performance agreed to under clause (iii) or (iv) be revised. The

17 eligible agency shall issue objective criteria and methods for making such revisions.

18 **(vii) REPORTING.— The eligible recipient, shall, for each**

19 **year described in clauses (iii) and (iv), publicly report the**

20 **local levels of performance described in this subparagraph.**

21 ~~(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—Each eligible recipient may identify, in~~

22 ~~the local plan, local levels of performance for any additional indicators of performance~~

23 ~~described in paragraph (2)(C). Such levels shall be considered to be the local levels of~~

24 ~~performance for purposes of this title.~~

25 ~~(C)~~ **(B)** LOCAL REPORT.—

26 (i) CONTENT OF REPORT.—Each eligible recipient that receives an allocation described

27 in section 112 shall annually prepare and submit to the eligible agency a report,

28 which shall include the data described in clause (ii)(I), regarding the progress of

29 such recipient in achieving the local adjusted levels of performance on the core

30 indicators of performance.

31 (ii) DATA.—Except as provided in clauses (iii) and (iv), each eligible recipient that

32 receives an allocation described in section 112 shall—

1 (I) disaggregate data for each of the indicators of performance under
2 paragraph (2) for the categories of students described in section
3 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965
4 and section 3(40) that are served under this Act; and

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

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

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

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

17 (c) **STATE** REPORT.—

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

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

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

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

27 (A) disaggregate data for each of the indicators of performance under subsection (b)(2) for
28 the **subgroups** ~~categories~~ of students described in section 1111(h)(1)(C)(i) of the
29 Elementary and Secondary Education Act of 1965 and section 3(40) that are served under
30 this Act; and

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

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

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

6 (5) INFORMATION DISSEMINATION.—The Secretary—

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

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

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

11
12 **SEC. 114. NATIONAL ACTIVITIES.**

13 (a) PROGRAM PERFORMANCE INFORMATION.—

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

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

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

27 (b) MISCELLANEOUS PROVISIONS.—

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

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

35 **(b) REASONABLE COST.—The Secretary shall take such action as may be**
36 **necessary to secure at reasonable cost the information required by this title.**
37 **To ensure reasonable cost, the Secretary, in consultation with the National**

1 Center for Education Statistics and the Office of Career, Technical, and Adult
2 Education shall determine the methodology to be used and the frequency with
3 which such information is to be collected.

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

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

10 (2) PLAN.—Such plan shall—

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

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

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

19 (d) ADVISORY PANEL; EVALUATION; REPORTS.—

20 (1) INDEPENDENT ADVISORY PANEL.—

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

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

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

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

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

34 (iv) parents;

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

(vi) other individuals and intermediaries with relevant expertise, **which may include individuals with expertise in addressing inequities in access to, and in opportunities for academic and technical skill attainment; and**
(vii) **representatives of special populations.**

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

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

(2) EVALUATION ~~AND ASSESSMENT.~~—

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

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

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

~~(ii) the preparation and qualifications of teachers and faculty of career and technical education (such as meeting State established teacher certification or licensing requirements), as well as shortages of such teachers and faculty;~~

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

~~(I) the extent and success of the integration of rigorous and challenging academic and career and technical education for students participating in career and technical education programs, including a review of the effect of such integration on the academic and technical proficiency achievement of~~

1 such students (including the number of such students receiving a secondary
2 school diploma); and
3 (II) the extent to which career and technical education programs prepare
4 students, including special populations, for subsequent employment in high
5 skill, high-wage occupations (including those in which mathematics and
6 science skills are critical), or for participation in postsecondary education;
7 (iv) employer involvement in, and satisfaction with, career and technical education
8 programs and career and technical education students' preparation for
9 employment;
10 (v) the participation of students in career and technical education programs;
11 (vi) the use of educational technology and distance learning with respect to career
12 and technical education and tech-prep programs; and
13 (vii) the effect of State and local adjusted levels of performance and State and local
14 levels of performance on the delivery of career and technical education services, including
15 the percentage of career and technical education and tech-prep students meeting the
16 adjusted levels of performance described in section 113.

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

- 19 (i) the extent and success of the integration of challenging
20 State academic standards adopted under 1111(b)(1) of the
21 Elementary and Secondary Education Act of 1965 (20 U.S.C.
22 6311(b)(1)) and career and technical education for
23 students participating in career and technical education
24 programs, including a review of the effect of such
25 integration on the academic and technical proficiency
26 achievement of such students (including the number of such
27 students that receive a regular high school
28 diploma, as such term is defined under section 8101 of the
29 Elementary and Secondary Education Act of 1965 or a State-
30 defined alternative diploma described in section
31 8101(25)(A)(ii)(I)(bb) of such Act (20 U.S.C.
32 7801(25)(A)(ii)(I)(bb));
- 33 (ii) the extent to which career and technical education
34 programs and programs of study prepare students,
35 including special populations, for subsequent employment
36 in high-skill, high-wage occupations (including those in
37 which mathematics and science, which may include

1 computer science, skills are critical), or for participation in
2 postsecondary education;
3 (iii) employer involvement in, benefit from, and satisfaction
4 with, career and technical education programs and
5 programs of study and career and technical education
6 students' preparation for employment;
7 (iv) efforts to expand access to career and technical
8 education programs of study for all students; and
9 (v) the impact of the amendments to this Act made under
10 the Strengthening Career and Technical Education for the
11 21st Century Act, including comparisons, where appropriate,
12 of—

13 (I) the use of the comprehensive needs assessment
14 under section 134(b);

15 (II) the implementation of programs of study; and
16 (III) coordination of planning and program delivery
17 with other relevant laws, including the Workforce
18 Innovation and Opportunity Act and the Elementary
19 and Secondary Education Act of 1965.

20 (vi) changes in career and technical education program
21 accountability as described in section 113 and any effects of
22 such changes on program delivery and program quality; and
23 (vii) changes in student enrollment patterns.

24 (C) REPORTS.—

25 (i) IN GENERAL.—The Secretary, in consultation with the Director of
26 the Institute for Education Sciences, shall submit to the relevant
27 committees of Congress—

28 (I) an interim report regarding the ~~assessment~~ evaluation and
29 summary of research activities carried out under this

30 section on or before January 1, ~~2010~~ 2021; and

31 (II) a final report, summarizing all studies and analyses that relate to the
32 ~~assessment~~ evaluation and summary of

33 research activities carried out under this section and
34 that are completed after the interim report, on or before July 1,
35 ~~2011~~ 2023.

36 (ii) PROHIBITION.—Notwithstanding any other provision of law, the reports required
37 by this subsection shall not be subject to any review outside the Department of
38 Education before their transmittal to the relevant committees of Congress and the
39 Secretary, but the President, the Secretary, and the independent advisory panel
40 established under paragraph (1) may make such additional recommendations to

1 Congress with respect to the assessment as the President, the Secretary, or the panel
2 determine to be appropriate.

3 (iii) in addition to submitting the reports required under clause
4 (i), the Secretary shall disseminate the results of the evaluation
5 widely and on a timely basis in order to increase the
6 understanding among State and local officials and educators of the
7 effectiveness of programs and activities supported under the Act
8 and of the career and technical education programs that are most
9 likely to produce positive educational and employment outcomes.

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

11 ~~(A) IN GENERAL.—The Secretary may collect and disseminate information from States~~
12 ~~regarding State efforts to meet State adjusted levels of performance described in section~~
13 ~~113(b).~~

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

16 ~~(4) RESEARCH.—~~

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

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

27 ~~(I) the integration of—~~

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

29 ~~(bb) academic, secondary and postsecondary instruction;~~

30 ~~(II) education technology and distance learning approaches and strategies~~
31 ~~that are effective with respect to career and technical education;~~

32 ~~(III) State adjusted levels of performance and State levels of performance~~
33 ~~that serve to improve career and technical education programs and student~~
34 ~~achievement;~~

35 ~~(IV) academic knowledge and career and technical skills required for~~
36 ~~employment or participation in postsecondary education; and~~

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

3 ~~(aa) collaboration between career and technical education~~
4 ~~programs and business and industry; and~~

5 ~~(bb) academic and technical skills required for a regional or~~
6 ~~sectoral workforce, including small business;~~

7 ~~(ii) to carry out scientifically based research and evaluation to increase the~~
8 ~~effectiveness and improve the implementation of career and technical education~~
9 ~~programs that are integrated with coherent and rigorous content aligned with~~
10 ~~challenging academic standards, including conducting research and development,~~
11 ~~and studies, that provide longitudinal information or formative evaluation with~~
12 ~~respect to career and technical education programs and student achievement;~~

13 ~~(iii) to carry out scientifically based research and evaluation that can be used to~~
14 ~~improve the preparation and professional development of teachers, faculty, and~~
15 ~~administrators, and to improve student learning in the career and technical~~
16 ~~education classroom, including—~~

17 ~~(I) effective in-service and preservice teacher and faculty education that~~
18 ~~assists career and technical education programs in—~~

19 ~~(aa) integrating those programs with academic content standards~~
20 ~~and student academic achievement standards, as adopted by States~~
21 ~~under section 1111(b)(1) of the Elementary and Secondary~~
22 ~~Education Act of 1965; and~~

23 ~~(bb) coordinating technical education with industry-recognized~~
24 ~~certification requirements;~~

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

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

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

35 ~~(B) REPORT.—The center conducting the activities described in subparagraph (A) shall~~
36 ~~annually prepare a report of the key research findings of such center and shall submit copies~~

1 of the report to the Secretary, the relevant committees of Congress, the Library of Congress,
2 and each eligible agency.

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

5
6 **(3) INNOVATION.—**

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

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

17 (ii) rigorously evaluate such innovations.

18 **(B) MATCHING FUNDS.—**

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

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

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

31 (i) identifies and designates the agency, institution, or
32 school responsible for the administration and supervision
33 of the program assisted under this paragraph;

34 (ii) identifies the source and amount of the matching funds
35 required under subparagraph (B)(i);

36 (iii) describes how the eligible entity will use the grant
37 funds, including how such funds will directly benefit
38 students, including special populations, served by the
39 eligible entity;

1 (iv) describes how the program assisted under this
2 paragraph will be coordinated with the activities carried out
3 under sections 124 or 135;

4 (v) describes how the program assisted under this
5 paragraph aligns with the single plan described in
6 subsection (c); and

7 (vi) describes how the program assisted under this
8 paragraph will be evaluated and how that evaluation may
9 inform the report described in subsection (d)(2)(C).

10 (D) PRIORITY.—In awarding grants under this paragraph, the
11 Secretary shall give priority to applications from eligible entities
12 that will predominantly serve students from low-income families.

13 (E) GEOGRAPHIC DIVERSITY.—

14 (i) IN GENERAL.—In awarding grants under this paragraph,
15 the Secretary shall award no less than 25 percent of the
16 total available funds for any fiscal year to eligible entities
17 proposing to fund career and technical education activities
18 that serve—

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

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

25 (III) a consortium of such local educational agencies
26 or such institutions of higher education;

27 (IV) a partnership between—

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

30 (bb) such a local educational agency or such an
31 institution of higher education; or

32 (V) a partnership between—

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

35 (bb) a State educational agency.

36 (F) USES OF FUNDS.—An eligible entity that is awarded a grant
37 under this paragraph shall use the grant funds, in a manner
38 consistent with subparagraph (A)(i), to—

- (i) improve career and technical education outcomes of students served by eligible entities under this title;
- (ii) improve career and technical education teacher effectiveness;
- (iii) improve the transition of students from secondary education to postsecondary education or employment;
- (iv) improve the incorporation of comprehensive work-based learning into career and technical education;
- (v) increase the effective use of technology within career and technical education programs;
- (vi) support new models for integrating academic content and career and technical education content in such programs;
- (vii) support the development and enhancement of innovative delivery models for career and technical education;
- (viii) work with industry to design and implement courses or programs of study aligned to labor market needs in new or emerging fields;
- (ix) integrate science, technology, engineering, and mathematics fields, including computer science education, with career and technical education;
- (x) support innovative approaches to career and technical education by redesigning the high school experience for students, which may include evidence-based transitional support strategies for students who have not met postsecondary education eligibility requirements;
- (xi) improve CTE concentrator employment outcomes in non-traditional fields; or
- (xii) support the use of career and technical education programs and programs of study in a coordinated strategy to address identified employer needs and workforce shortages, such as shortages in the early childhood, elementary school, and secondary school education workforce.

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

- 1 (i) a description of how funds received under this
2 paragraph were used;
3 (ii) the performance of the eligible entity with respect to, at
4 a minimum, the performance indicators described under
5 section 113, as applicable, and disaggregated by—
6 (I) subgroups of students described in section
7 1111(c)(2)(B) of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 6311(c)(2)(B));
9 (II) special populations;
10 (III) as appropriate, each career and technical
11 education program and program of study; and
12 (iii) a quantitative analysis of the effectiveness of the project
13 carried out under this paragraph.
14
15

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

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

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

- 25 (1) \$7,523,285 for fiscal year 2017;
26 (2) \$7,626,980 for fiscal year 2018;
27 (3) \$7,732,104 for fiscal year 2019;
28 (4) \$7,838,677 for fiscal year 2020;
29 (5) \$7,946,719 for fiscal year 2021; and
30 (6) \$8,056,251 for fiscal year 2022.
31

32 **SEC. 115. ASSISTANCE FOR THE OUTLYING AREAS.**

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

- 34 (1) make a grant in the amount of \$660,000 to Guam;
35 (2) make a grant in the amount of \$350,000 to each of American Samoa and the Commonwealth of
36 the Northern Mariana Islands; and
37 (3) make a grant of \$160,000 to the Republic of Palau, subject to subsection (d).

38 (b) REMAINDER.—

39 (1) FIRST YEAR.—Subject to subsection (a), for the first fiscal year following the date of enactment of
40 the Carl D. Perkins Career and Technical Education Improvement Act of 2006, the Secretary shall

1 make a grant of the remainder of funds reserved pursuant to section 111(a)(1)(A) to the Pacific
2 Region Educational Laboratory in Honolulu, Hawaii, to make grants for career and technical
3 education and training in Guam, American Samoa, and the Commonwealth of the Northern Mariana
4 Islands, for the purpose of providing direct career and technical educational services, including—

5 (A) teacher and counselor training and retraining;

6 (B) curriculum development; and

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

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

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

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

21
22 **SEC. 116. NATIVE AMERICAN PROGRAMS.**

23 (a) DEFINITIONS.—In this section:

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

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

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

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

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

35 (b) PROGRAM AUTHORIZED.—

36 (1) AUTHORITY.—From funds reserved under section 111(a)(1)(B)(i), the Secretary shall make grants
37 to or enter into contracts with Indian tribes, tribal organizations, and Alaska Native entities to carry

1 out the authorized programs described in subsection (c), except that such grants or contracts shall
2 not be awarded to secondary school programs in Bureau-funded schools.

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

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

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

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

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

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

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

34 (c) AUTHORIZED ACTIVITIES.—

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

37 (2) STIPENDS.—

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

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

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

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

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

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

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

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

23 (f) CONSOLIDATION OF FUNDS.—Each organization, tribe, or entity receiving assistance under this section may
24 consolidate such assistance with assistance received from related programs in accordance with the
25 provisions of the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C.
26 3401 et seq.).

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

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

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

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

1
2 **SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.**

3 (a) GRANT PROGRAM.—Subject to the availability of appropriations, the Secretary shall make grants under this
4 section, to provide basic support for the education and training of Indian students, to tribally controlled
5 postsecondary career and technical institutions that are not receiving Federal assistance as of the date on
6 which the grant is provided under—

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

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

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

13 (c) AMOUNT OF GRANTS.—

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

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

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

30 (d) APPLICATIONS.—To be eligible to receive a grant under this section, a tribally controlled postsecondary
31 career and technical institution that is not receiving Federal assistance under title I of the Tribally Controlled
32 Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1802 et seq.) or the Navajo Community College Act
33 (25 U.S.C. 640a et seq.) shall submit to the Secretary an application at such time, in such manner, and
34 containing such information as the Secretary may require.

35 (e) EXPENSES.—

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

4 (A) the maintenance and operation of the program, including development costs, costs of
5 basic and special instruction (including special programs for individuals with disabilities and
6 academic instruction), materials, student costs, administrative expenses, boarding costs,
7 transportation, student services, daycare and family support programs for students and
8 their families (including contributions to the costs of education for dependents), and student
9 stipends;

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

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

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

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

19 (f) OTHER PROGRAMS.—

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

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

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

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

1 (h) DEFINITIONS.—In this section:

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

4 (2) INDIAN STUDENT COUNT.—

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

8 (B) DETERMINATION.—

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

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

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

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

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

20 (II) 12.

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

24 (iv) STUDENTS WITHOUT SECONDARY SCHOOL DEGREES.—

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

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

36 (III) CREDITS TOWARD SECONDARY SCHOOL DEGREE.— No credit earned by an Indian
37 student for the purpose of obtaining a secondary school degree (or the

1 recognized equivalent of such a degree) shall be counted toward the
2 determination of the Indian student count under this clause.

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

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

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

- 13 (1) \$8,400,208 for fiscal year 2017;
- 14 (2) \$8,515,989 for fiscal year 2018;
- 15 (3) \$8,633,367 for fiscal year 2019;
- 16 (4) \$8,752,362 for fiscal year 2020;
- 17 (5) \$8,872,998 for fiscal year 2021; and
- 18 (6) \$8,995,296 for fiscal year 2022.

19
20 ~~SEC. 118. OCCUPATIONAL AND EMPLOYMENT INFORMATION.~~

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

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

24 ~~(A) to provide technical assistance to State entities designated under subsection (c) to~~
25 ~~enable the State entities to carry out the activities described in such subsection;~~

26 ~~(B) to disseminate information that promotes the replication of high quality practices~~
27 ~~described in subsection (c); and~~

28 ~~(C) to develop and disseminate products and services related to the activities described in~~
29 ~~subsection (c); and~~

30 ~~(2) to award grants to States that designate State entities in accordance with subsection (c) to enable~~
31 ~~the State entities to carry out the State level activities described in such subsection.~~

32 ~~(b) STATE APPLICATION.—~~

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

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

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

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

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

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

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

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

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

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

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

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

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

34 ~~(d) NONDUPLICATION.—~~

35 ~~(1) WAGNER-PEYSER ACT.—The jointly designated State entity described under subsection (c) may use~~
36 ~~funds provided under subsection (a)(2) to supplement activities under section 15 of the Wagner-~~
37 ~~Peyser Act to the extent such activities do not duplicate activities assisted under such section.~~

1 ~~(2) PUBLIC LAW 105-220.—None of the functions and activities assisted under this section shall duplicate~~
2 ~~the functions and activities carried out under Public Law 105-220.~~

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

5 ~~(1) not less than 85 percent to carry out subsection (c); and~~

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

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

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

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

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

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

16 17 **PART B—STATE PROVISIONS**

18 **SEC. 121. STATE ADMINISTRATION.**

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

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

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

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

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

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

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

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

4
5 **SEC. 122. STATE PLAN.**

6 (a) STATE PLAN.—

7 (1) IN GENERAL.—Each eligible agency desiring assistance under this title for any fiscal year shall
8 prepare and submit to the Secretary a State plan for a **4-year period**~~6-year period~~, together with
9 such annual revisions as the eligible agency determines to be necessary, except that, during the
10 period described in section 4, each eligible agency may submit a transition plan that shall fulfill the
11 eligible agency’s obligation to submit a State plan under this section for the first fiscal year following
12 the date of enactment of the **Strengthening Career and Technical Education for**
13 **the 21st Century Act**~~Carl D. Perkins Career and Technical Education Improvement Act of~~
14 ~~2006~~.

15 (2) REVISIONS.—Each eligible agency—

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

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

21 (3) HEARING PROCESS.—The eligible agency shall conduct public hearings in the State, after appropriate
22 and sufficient notice, for the purpose of affording all segments of the public and interested
23 organizations and groups (**including teachers, specialized instructional support**
24 **personnel, paraprofessionals, school leaders, authorized public**
25 **chartering agencies, and charter school leaders, consistent with State**
26 **law, employers, labor organizations, parents, students, and community**
27 **organizations**) ~~including charter school authorizers and organizers consistent with State law,~~
28 ~~employers, labor organizations, parents, students, and community organizations~~), an opportunity to
29 present their views and make recommendations regarding the State plan. A summary of such
30 recommendations and the eligible agency’s response to such recommendations shall be included in
31 the State plan.

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

1 (1) COMBINED PLAN.— The eligible agency may submit a combined
2 plan that meets the requirements of this section and the requirements
3 of section 103 of the WIOA (29 U.S.C. 3113), unless the eligible agency
4 opts to submit a single plan under paragraph (2) and informs the
5 Secretary of such a decision.

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

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

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

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

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

14 ~~(iii) eligible recipients;~~

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

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

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

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

20 ~~(viii) entities participating in activities described in section 111 of Public Law 105–~~
21 ~~220;~~

22 ~~(ix) interested community members (including parent and community~~
23 ~~organizations);~~

24 ~~(x) representatives of special populations;~~

25 ~~(xi) representatives of business and industry (including representatives of small~~
26 ~~business); and~~

27 ~~(xii) representatives of labor organizations in the State; and~~

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

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

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

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

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

3 (i) representatives of secondary and postsecondary CTE
4 programs, including eligible recipients and representatives
5 of two-year Minority-Serving Institutions and Historically
6 Black Colleges and Universities in States where such
7 institutions are in existence, and charter school
8 representatives in States where such schools are in
9 existence, which shall include teachers, school leaders,
10 specialized instructional support personnel (including
11 guidance counselors), and paraprofessionals;

12 (ii) interested community representatives, including
13 parents and students;

14 (iii) the State workforce development board described in
15 section 101 of the WIOA (29 U.S.C. 3111);

16 (iv) representatives of special populations;

17 (v) Representatives of business and industry (including
18 representatives of small business), which shall include
19 representatives of industry and sector partnerships in the
20 State, as appropriate, and representatives of labor
21 organizations in the State; and

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

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

26 (B) consult the Governor of the State, and the heads of other State
27 agencies with authority for career and technical education

1 programs that are not the eligible agency, with respect to the
2 development of the State plan.

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

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

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

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

15 ~~(ii) include coherent and rigorous content aligned with challenging academic
16 standards and relevant career and technical content in a coordinated,
17 nonduplicative progression of courses that align secondary education with
18 postsecondary education to adequately prepare students to succeed in
19 postsecondary education;~~

20 ~~(iii) may include the opportunity for secondary education students to participate in
21 dual or concurrent enrollment programs or other ways to acquire postsecondary
22 education credits; and~~

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

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

27 ~~(C) how the eligible agency will support eligible recipients in developing and implementing
28 articulation agreements between secondary education and postsecondary education
29 institutions;~~

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

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

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

3 (i) promote continuous improvement in academic achievement;

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

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

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

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

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

15 (i) at the secondary level that are aligned with rigorous and challenging academic
16 content standards and student academic achievement standards adopted by the
17 State under section 1111(b)(1) of the Elementary and Secondary Education Act of
18 1965;

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

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

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

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

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

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

34 (A) promotes the integration of coherent and rigorous academic content standards and
35 career and technical education curricula, including through opportunities for the
36 appropriate academic and career and technical education teachers to jointly develop and
37 implement curricula and pedagogical strategies, as appropriate;

1 ~~(B) increases the percentage of teachers that meet teacher certification or licensing~~
2 ~~requirements;~~
3 ~~(C) is high quality, sustained, intensive, and focused on instruction, and increases the~~
4 ~~academic knowledge and understanding of industry standards, as appropriate, of career and~~
5 ~~technical education teachers;~~
6 ~~(D) encourages applied learning that contributes to the academic and career and technical~~
7 ~~knowledge of the student;~~
8 ~~(E) provides the knowledge and skills needed to work with and improve instruction for~~
9 ~~special populations;~~
10 ~~(F) assists in accessing and utilizing data, including data provided under section 118, student~~
11 ~~achievement data, and data from assessments; and~~
12 ~~(G) promotes integration with professional development activities that the State carries out~~
13 ~~under title II of the Elementary and Secondary Education Act of 1965 and title II of the~~
14 ~~Higher Education Act of 1965;~~
15 ~~(3) describes efforts to improve —~~
16 ~~(A) the recruitment and retention of career and technical education teachers, faculty, and~~
17 ~~career guidance and academic counselors, including individuals in groups underrepresented~~
18 ~~in the teaching profession; and~~
19 ~~(B) the transition to teaching from business and industry, including small business;~~
20 ~~(4) describes efforts to facilitate the transition of subbaccalaureate career and technical education~~
21 ~~students into baccalaureate degree programs at institutions of higher education;~~
22 ~~(5) describes how the eligible agency will actively involve parents, academic and career and technical~~
23 ~~education teachers, administrators, faculty, career guidance and academic counselors, local business~~
24 ~~(including small businesses), and labor organizations in the planning, development, implementation,~~
25 ~~and evaluation of such career and technical education programs;~~
26 ~~(6) describes how funds received by the eligible agency through the allotment made under section~~
27 ~~111 will be allocated —~~
28 ~~(A) among career and technical education at the secondary level, or career and technical~~
29 ~~education at the postsecondary and adult level, or both, including the rationale for such~~
30 ~~allocation; and~~
31 ~~(B) among any consortia that will be formed among secondary schools and eligible~~
32 ~~institutions, and how funds will be allocated among the members of the consortia, including~~
33 ~~the rationale for such allocation;~~
34 ~~(7) describes how the eligible agency will —~~
35 ~~(A) improve the academic and technical skills of students participating in career and~~
36 ~~technical education programs, including strengthening the academic and career and~~

1 technical components of career and technical education programs through the integration of
2 academics with career and technical education to ensure learning in—
3 (i) the core academic subjects (as defined in section 9101 of the Elementary and
4 Secondary Education Act of 1965); and
5 (ii) career and technical education subjects;
6 (B) provide students with strong experience in, and understanding of, all aspects of an
7 industry; and
8 (C) ensure that students who participate in such career and technical education programs
9 are taught to the same challenging academic proficiencies as are taught to all other students;
10 (8) describes how the eligible agency will annually evaluate the effectiveness of such career and
11 technical education programs, and describe, to the extent practicable, how the eligible agency is
12 coordinating such programs to ensure nonduplication with other Federal programs;
13 (9) describes the eligible agency's program strategies for special populations, including a description
14 of how individuals who are members of the special populations—
15 (A) will be provided with equal access to activities assisted under this Act;
16 (B) will not be discriminated against on the basis of their status as members of the special
17 populations; and
18 (C) will be provided with programs designed to enable the special populations to meet or
19 exceed State adjusted levels of performance, and prepare special populations for further
20 learning and for high skill, high wage, or high demand occupations;
21 (10) describes—
22 (A) the eligible agency's efforts to ensure that eligible recipients are given the opportunity to
23 provide input in determining the State adjusted levels of performance described in section
24 113; and
25 (B) how the eligible agency, in consultation with eligible recipients, will develop a process
26 for the negotiation of local adjusted levels of performance under section 113(b)(4) if an
27 eligible recipient does not accept the State adjusted levels of performance under section
28 113(b)(3);
29 (11) provides assurances that the eligible agency will comply with the requirements of this Act and
30 the provisions of the State plan, including the provision of a financial audit of funds received under
31 this Act which may be included as part of an audit of other Federal or State programs;
32 (12) provides assurances that none of the funds expended under this Act will be used to acquire
33 equipment (including computer software) in any instance in which such acquisition results in a
34 direct financial benefit to any organization representing the interests of the acquiring entity or the
35 employees of the acquiring entity, or any affiliate of such an organization;
36 (13) describes how the eligible agency will report data relating to students participating in career
37 and technical education in order to adequately measure the progress of the students, including

1 special populations, and how the eligible agency will ensure that the data reported to the eligible
2 agency from local educational agencies and eligible institutions under this title and the data the
3 eligible agency reports to the Secretary are complete, accurate, and reliable;

4 (14) describes how the eligible agency will adequately address the needs of students in alternative
5 education programs, if appropriate;

6 (15) describes how the eligible agency will provide local educational agencies, area career and
7 technical education schools, and eligible institutions in the State with technical assistance;

8 (16) describes how career and technical education relates to State and regional occupational
9 opportunities;

10 (17) describes the methods proposed for the joint planning and coordination of programs carried out
11 under this title with other Federal education programs;

12 (18) describes how funds will be used to promote preparation for high skill, high wage, or high
13 demand occupations and non-traditional fields;

14 (19) describes how funds will be used to serve individuals in State correctional institutions; and

15 (20) contains the description and information specified in sections 112(b)(8) and 121(c) of Public
16 Law 105-220 concerning the provision of services only for postsecondary students and school
17 dropouts.

18 (d) **PLAN CONTENTS** ~~PLAN OPTIONS.~~ — The State plan shall include—

19 (1) a summary of state-supported workforce development activities
20 (including education and training) in the State, including the degree to
21 which the State's career and technical education programs and
22 programs of study are aligned with such activities;

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

28 (3) a summary of the strategic planning elements of the unified State
29 plan required under section 102(b)(1) of the WIOA (29 U.S.C.
30 3112(b)(1)), including the elements related to system alignment under
31 section 102(b)(2)(B) of such Act (29 U.S.C 3112(b)(2)(B));

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

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

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

10 (C) how the eligible agency will—

11 (i) make information on approved programs of study and
12 career pathways, including career exploration, guidance and
13 advisement resources, available to students and parents;

14 (ii) ensure non-duplication of eligible recipients'
15 development of programs of study and career pathways;

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

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

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

- (vi) use State, regional, or local labor market data to align career and technical education with State labor market needs;
- (vii) support effective and meaningful collaboration between secondary schools, postsecondary institutions, and employers; and
- (viii) improve outcomes for CTE concentrators, including those who are members of special populations;

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

- (A) each eligible recipient will promote academic achievement;
- (B) each eligible recipient will promote skill attainment, including skill attainment that leads to a recognized postsecondary credential; and
- (C) each eligible recipient will ensure the local needs assessment under section 134 takes into consideration local economic and education needs, including where appropriate, in-demand industry sectors and occupations;

(6) a description of how the eligible agency will support the recruitment and preparation of teachers, including special education teachers, faculty, administrators, specialized instructional support personnel, and paraprofessionals to provide

1 career and technical education instruction, leadership, and
2 support;

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

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

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

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

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

22 (A) consultation with stakeholders identified in paragraph
23 (1);

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

1 (C) submission of public comment on state adjusted levels
2 of performance as part of the State plan;

3 (10) assurances that—

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

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

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

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

24 (E) the eligible agency will provide local educational
25 agencies, area career and technical education schools, and
26 eligible institutions in the State with technical assistance,

1 including technical assistance on how to close gaps in
2 student participation and performance in career and
3 technical education programs.

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

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

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

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

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

22 (B) the State agency responsible for secondary education.

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

1 (f) PLAN APPROVAL.—

2 (1) IN GENERAL.— The Secretary shall approve a State plan, or a
3 revision to an approved State plan, unless the Secretary determines that
4 the State plan, or revision, respectively, does not meet the requirements
5 of this Act.

6 (2) DISAPPROVAL.— The Secretary shall—

7 (A) have the authority to disapprove a State plan only if the
8 Secretary—

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

11 (ii) immediately provides to the State, in writing, notice of
12 such determination and the supporting information and
13 rationale to substantiate such determination; and

14 (A) not finally disapprove a State plan, except after making the
15 determination and providing the information described in
16 subparagraph (A) and giving the eligible agency notice and an
17 opportunity for a hearing.

18 (3) TIMEFRAME— A State plan shall be deemed approved by the
19 Secretary if the Secretary has not responded to the eligible agency
20 regarding the State plan within 90 days of the date the Secretary
21 receives the State plan.

22 ~~(1) IN GENERAL.— The Secretary shall approve a State plan, or a revision to an approved State plan,~~
23 ~~unless the Secretary determines that—~~
24 ~~(A) the State plan, or revision, respectively, does not meet the requirements of this Act; or~~
25 ~~(B) the State’s levels of performance on the core indicators of performance consistent with~~
26 ~~section 113 are not sufficiently rigorous to meet the purpose of this Act.~~
27 ~~(2) DISAPPROVAL.— The Secretary shall not finally disapprove a State plan, except after giving the~~
28 ~~eligible agency notice and an opportunity for a hearing.~~

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

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

13
14 **SEC. 123. IMPROVEMENT PLANS.**

15 **(a) STATE PROGRAM IMPROVEMENT.—**

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

23 (2) TECHNICAL ASSISTANCE.—If the Secretary determines that an eligible agency is not properly
24 implementing the eligible agency's responsibilities under section 122, or is not making substantial
25 progress in meeting the purposes of this Act **including after implementation of the**
26 **improvement plan described in paragraph (1)**, based on the State's adjusted levels
27 of performance, the Secretary shall work with the eligible agency to implement the improvement
28 activities consistent with the requirements of this- **subsection** ~~Act~~.

29 **(3) SUBSEQUENT ACTION.—**

30 **(A) IN GENERAL.— If the eligible agency fails to make any**
31 **improvement in meeting any of the State adjusted levels of**
32 **performance for any of the core indicators of performance**
33 **identified under paragraph (1) during the first 2 years of**

1 implementation of the improvement plan required under
2 paragraph (1), the eligible agency—

3 (i) shall revise such improvement plan to address the
4 reasons for such failure; and

5 (ii) shall continue to implement such improvement plan
6 until the eligible agency meets at least 90 percent of the
7 State adjusted level of performance for the same core
8 indicators of performance for which the plan is revised.

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

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

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

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

19 (B) WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.—The Secretary may waive the **requirements**

20 **of** ~~sanction in~~ subparagraph (A) due to exceptional or uncontrollable circumstances, such as
21 a natural disaster or a precipitous and unforeseen decline in the financial resources of the
22 State.

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

27 (b) LOCAL PROGRAM IMPROVEMENT.—

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

31 (2) PLAN.—If, after reviewing the evaluation in paragraph (1), the eligible agency determines that an
32 eligible recipient failed to meet at least 90 percent of an agreed upon local adjusted level of
33 performance for any of the core indicators of performance described in section 113(b)(4), the

1 eligible recipient shall develop and implement a program improvement plan (with special
2 consideration to performance gaps identified under section 113(b)(4)(C)(ii)(II)) in consultation with
3 **local stakeholders included in section 134(d)(1)** ~~the eligible agency, appropriate~~
4 ~~agencies, individuals, and organizations~~ during the first program year succeeding the program year
5 for which the eligible recipient failed to so meet any of the local adjusted levels of performance for
6 any of the core indicators of performance.

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

13 (4) SUBSEQUENT ACTION.—

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

- 19 **(i) shall revise the improvement plan described in**
20 **paragraph (2) to address the reasons for such failure; and**
21 **(ii) shall continue to implement such improvement plan**
22 **until such recipient meets at least 90 percent of an agreed**
23 **upon local adjusted level of performance for the same core**
24 **indicators of performance for which the plan is revised.**

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

- 28 ~~(i) fails to implement an improvement plan as described in paragraph (2);~~
29 ~~(ii) fails to make any improvement in meeting any of the local adjusted levels of~~
30 ~~performance for the core indicators of performance identified under paragraph (2).~~

1 within the first program year of implementation of its improvement plan described
2 in paragraph (2); or
3 (iii) fails to meet at least 90 percent of an agreed-upon local adjusted level of
4 performance for the same core indicator of performance for 3 consecutive years.

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

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

9 (i) due to exceptional or uncontrollable circumstances, such as a natural disaster or
10 a precipitous and unforeseen decline in the financial resources of the eligible
11 recipient; ~~or~~

12 (ii) based on the impact on the eligible recipient's reported performance of the small
13 size of the career and technical education program operated by the eligible
14 recipient; **OR**

15 **(iii) in response to a public request from an eligible**
16 **recipient consistent with clauses (i) and (ii).**

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

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

24
25 **SEC. 124. STATE LEADERSHIP ACTIVITIES.**

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

28 **(1) conduct State leadership activities directly; and**

29 **(2) report on the effectiveness of such use of funds in achieving the**
30 **goals described in section 122(d)(2) and the State adjusted levels of**
31 **performance described in section 113(b)(3)(A).**

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

- (1) developing statewide programs of study, which may include standards, curriculum, and course development, and career exploration, guidance, and advisement activities and resources;
- (2) approving locally-developed programs of study that meet the requirements established in section 122(d)(4)(B);
- (3) establishing statewide articulation agreements aligned to approved programs of study;
- (4) establishing statewide partnerships among local educational agencies, institutions of higher education, and employers, including small businesses, to develop and implement programs of study aligned to State and local economic and education needs, including as appropriate, in-demand industry sectors and occupations;

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

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

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

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

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

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

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

1 (i) on effective integration and use of challenging academic and career and technical
2 education provided jointly with academic teachers to the extent practicable;
3 (ii) on effective teaching skills based on research that includes promising practices;
4 (iii) on effective practices to improve parental and community involvement; and
5 (iv) on effective use of scientifically based research and data to improve instruction;
6 (B) are high quality, sustained, intensive, and classroom-focused in order to have a positive
7 and lasting impact on classroom instruction and the teacher's performance in the classroom,
8 and are not 1-day or short-term workshops or conferences;
9 (C) will help teachers and personnel to improve student achievement in order to meet the
10 State adjusted levels of performance established under section 113;
11 (D) will support education programs for teachers of career and technical education in public
12 schools and other public school personnel who are involved in the direct delivery of
13 educational services to career and technical education students to ensure that teachers and
14 personnel—
15 (i) stay current with the needs, expectations, and methods of industry;
16 (ii) can effectively develop rigorous and challenging, integrated academic and career
17 and technical education curricula jointly with academic teachers, to the extent
18 practicable;
19 (iii) develop a higher level of academic and industry knowledge and skills in career
20 and technical education; and
21 (iv) effectively use applied learning that contributes to the academic and career and
22 technical knowledge of the student; and
23 (E) are coordinated with the teacher certification or licensing and professional development
24 activities that the State carries out under title II of the Elementary and Secondary Education
25 Act of 1965 and title II of the Higher Education Act of 1965;
26 (4) supporting career and technical education programs that improve the academic and career and
27 technical skills of students participating in career and technical education programs by strengthening
28 the academic and career and technical components of such career and technical education programs,
29 through the integration of coherent and relevant content aligned with challenging academic
30 standards and relevant career and technical education, to ensure achievement in—
31 (A) the core academic subjects (as defined in section 9101 of the Elementary and Secondary
32 Education Act of 1965); and
33 (B) career and technical education subjects;
34 (5) providing preparation for non-traditional fields in current and emerging professions, and other
35 activities that expose students, including special populations, to high skill, high wage occupations;

1 (6) serving individuals in State institutions, such as State correctional
2 institutions, including juvenile justice facilities, and educational
3 institutions that serve individuals with disabilities;
4 (7) for faculty and teachers providing career and technical education
5 instruction, support services, and specialized instructional support
6 services, high-quality comprehensive professional development that is,
7 to the extent practicable, coordinated and aligned with other
8 professional development activities carried out by the State (including
9 under title II of the ESEA of 1965 (20 U.S.C. 6601 et seq.) and title II of
10 the Higher Education Act of 1965 (20 U.S.C. 1021 et seq.)) including
11 programming that—

12 (A) promotes the integration of the challenging State academic
13 standards adopted by the State under Section 1111(b)(2) of the
14 ESEA of 1965 (20 U.S.C. 6311(b)(2)) and relevant technical
15 knowledge and skills;

16 (B) prepares career and technical education teachers, specialized
17 instructional support personnel, and paraprofessionals to provide
18 appropriate accommodation for students who are members of
19 special populations, including through the use of principles of
20 universal design for learning; and

21 (C) increases understanding of industry standards, as
22 appropriate, for faculty providing career and technical education
23 instruction.

24 ~~(6) supporting partnerships among local educational agencies, institutions of higher education, adult~~
25 ~~education providers, and, as appropriate, other entities, such as employers, labor organizations,~~
26 ~~intermediaries, parents, and local partnerships, to enable students to achieve State academic~~

standards, and career and technical skills, or complete career and technical programs of study, as described in section 122(c)(1)(A);
(7) serving individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities;
(8) support for programs for special populations that lead to high skill, high wage, or high demand occupations; and
(9) technical assistance for eligible recipients.

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

(1) awarding incentive grants to eligible recipients—

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

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

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

(2) providing support for the adoption and integration of recognized postsecondary credentials or for consultation and coordination with

1 other State agencies for the identification, consolidation, or elimination
2 of license or certifications which pose an unnecessary barrier to entry
3 for aspiring workers and provide limited consumer protection;
4 (3) the creation, implementation, and support of pay-for-success
5 initiatives leading to recognized postsecondary credentials;
6 (4) support for career and technical education programs for adults and
7 out-of-school youth concurrent with their completion of their secondary
8 school education in a school or other educational setting;
9 (5) the creation, evaluation, and support of competency-based curricula;
10 (6) support for the development, implementation, and expansion of
11 programs of study or career pathways in areas declared to be in a state
12 of emergency under section 501 of the Robert T. Stafford Disaster Relief
13 and Emergency Assistance Act (42 U.S.C. 5191);
14 (7) providing support for dual or concurrent enrollment programs, such
15 as early college high schools;
16 (8) improvement of career guidance and academic counseling programs
17 that assist students in making informed academic and career and
18 technical education decisions, including academic and financial aid
19 counseling;
20 (9) support for the integration of employability skills into career and
21 technical education programs of study;
22 (10) support for programs and activities that increase access, student
23 engagement, and success in science, technology, engineering, and
24 mathematics fields (including computer science), particularly for
25 students who are members of groups underrepresented in such subject

1 fields, such as female students, minority students, and students who are
2 members of special populations;

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

6 (12) support for establishing and expanding work-based learning
7 opportunities;

8 (13) support for preparing, retaining, and training of career and
9 technical education teachers, faculty, specialized instructional support
10 personnel, and paraprofessionals, such as pre-service, professional
11 development, and leadership development programs;

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

13 (15) supporting the use of career and technical education programs and
14 programs of study aligned with State, regional, or local in-demand
15 industry sectors or occupations identified by State or local workforce
16 development boards;

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

19 (17) support for the integration of arts and design skills, when
20 appropriate, into career and technical education programs and
21 programs of study.

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

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

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

27 ~~(2) establishment of agreements, including articulation agreements, between secondary school and~~
28 ~~postsecondary career and technical education programs in order to provide postsecondary education~~

1 and training opportunities for students participating in such career and technical education
2 programs, such as tech prep programs;

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

5 (A) statewide articulation agreements between associate degree granting career and
6 technical postsecondary educational institutions and baccalaureate degree granting
7 postsecondary educational institutions;

8 (B) postsecondary dual and concurrent enrollment programs;

9 (C) academic and financial aid counseling; and

10 (D) other initiatives—

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

12 (ii) to overcome barriers to participation in baccalaureate degree programs,
13 including geographic and other barriers affecting rural students and special
14 populations;

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

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

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

20 (7) support for family and consumer sciences programs;

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

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

26 (10) awarding incentive grants to eligible recipients—

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

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

32 (ii) eligible recipients effectively developing connections between secondary
33 education and postsecondary education and training;

34 (iii) the adoption and integration of coherent and rigorous content aligned with
35 challenging academic standards and technical coursework;

1 ~~(iv) eligible recipients' progress in having special populations who participate in~~
2 ~~career and technical education programs meet local adjusted levels of performance;~~
3 ~~or~~
4 ~~(v) other factors relating to the performance of eligible recipients under this Act as~~
5 ~~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 complete~~
9 ~~their secondary school education, in coordination, to the extent practicable, with activities~~
10 ~~authorized under the Adult Education and Family Literacy Act;~~
11 ~~(13) providing assistance to individuals, who have participated in services and activities under this~~
12 ~~title, in continuing the individuals' education or training or finding appropriate jobs, such as through~~
13 ~~referral to the system established under section 121 of Public Law 105-220;~~
14 ~~(14) developing valid and reliable assessments of technical skills;~~
15 ~~(15) developing and enhancing data systems to collect and analyze data on secondary and~~
16 ~~postsecondary academic and employment outcomes;~~
17 ~~(16) improving—~~
18 ~~(A) the recruitment and retention of career and technical education teachers, faculty,~~
19 ~~administrators, and career guidance and academic counselors, including individuals in~~
20 ~~groups underrepresented in the teaching profession; and~~
21 ~~(B) the transition to teaching from business and industry, including small business; and~~
22 ~~(17) support for occupational and employment information resources, such as those described in~~
23 ~~section 118.~~

24 (d) RESTRICTION ON USES OF FUNDS.—An eligible agency that receives funds under section 112(a)(2) may not use
25 any of such funds for administrative costs.
26
27

28 **PART C—LOCAL PROVISIONS**

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

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

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

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

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

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

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

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

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

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

21 (1) demonstrates that a proposed alternative formula more effectively targets funds on the basis of
22 poverty (as defined by the Office of Management and Budget and revised annually in accordance with
23 section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) to local educational
24 agencies within the State than the formula described in subsection (a); and

25 (2) includes a proposal for such an alternative formula.

26 (c) MINIMUM ALLOCATION.—

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

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

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

34 (ii) is a public charter school operating secondary school career and technical education
35 programs; and

36 (B) demonstrates that the local educational agency is unable to enter into a consortium for
37 purposes of providing activities under this part.

1 (3) REDISTRIBUTION.—Any amounts that are not allocated by reason of paragraph (1) or paragraph (2)
2 shall be redistributed to local educational agencies that meet the requirements of paragraph (1) or
3 (2) in accordance with the provisions of this section.

4 (d) LIMITED JURISDICTION AGENCIES.—

5 (1) IN GENERAL.—In applying the provisions of subsection (a), no eligible agency receiving assistance
6 under this title shall allocate funds to a local educational agency that serves only elementary schools,
7 but shall distribute such funds to the local educational agency or regional educational agency that
8 provides secondary school services to secondary school students in the same attendance area.

9 (2) SPECIAL RULE.—The amount to be allocated under paragraph (1) to a local educational agency that
10 has jurisdiction only over secondary schools shall be determined based on the number of students
11 that entered such secondary schools in the previous year from the elementary schools involved.

12 (e) ALLOCATIONS TO AREA CAREER AND TECHNICAL EDUCATION SCHOOLS AND EDUCATIONAL SERVICE AGENCIES.—

13 (1) IN GENERAL.—Each eligible agency shall distribute the portion of funds made available under
14 section 112(a)(1) for any fiscal year by such eligible agency for career and technical education
15 activities at the secondary level under this section to the appropriate area career and technical
16 education school or educational service agency in any case in which the area career and technical
17 education school or educational service agency, and the local educational agency concerned—

18 (A) have formed or will form a consortium for the purpose of receiving funds under this
19 section; or

20 (B) have entered into or will enter into a cooperative arrangement for such purpose.

21 (2) ALLOCATION BASIS.—If an area career and technical education school or educational service agency
22 meets the requirements of paragraph (1), then the amount that would otherwise be distributed to
23 the local educational agency shall be allocated to the area career and technical education school, the
24 educational service agency, and the local educational agency based on each school, agency or entity's
25 relative share of students who are attending career and technical education programs (based, if
26 practicable, on the average enrollment for the preceding 3 years).

27 (3) APPEALS PROCEDURE.—The eligible agency shall establish an appeals procedure for resolution of any
28 dispute arising between a local educational agency and an area career and technical education school
29 or an educational service agency with respect to the allocation procedures described in this section,
30 including the decision of a local educational agency to leave a consortium or terminate a cooperative
31 arrangement.

32 (f) CONSORTIUM REQUIREMENTS.—

33 (1) ALLIANCE.—Any local educational agency receiving an allocation that is not sufficient to conduct a
34 program which meets the requirements of section 135 is encouraged to—

35 (A) form a consortium or enter into a cooperative agreement with an area career and
36 technical education school or educational service agency offering programs that meet the
37 requirements of section 135;

1 (B) transfer such allocation to the area career and technical education school or educational
2 service agency; and

3 (C) operate programs that are of sufficient size, scope, and quality to be effective.

4 (2) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements of this
5 subsection shall be used only for purposes and programs that are mutually beneficial to all members
6 of the consortium and can be used only for programs authorized under this title. Such funds may not
7 be reallocated to individual members of the consortium for purposes or programs benefitting only 1
8 member of the consortium.

9 (g) DATA.—The Secretary shall collect information from eligible agencies regarding the specific dollar
10 allocations made available by the eligible agency for career and technical education programs under
11 subsections (a), (b), (c), (d), and (e) and how these allocations are distributed to local educational agencies,
12 area career and technical education schools, and educational service agencies, within the State in accordance
13 with this section.

14 (h) SPECIAL RULE.—Each eligible agency distributing funds under this section shall treat a secondary school
15 funded by the Bureau of Indian Affairs within the State as if such school were a local educational agency
16 within the State for the purpose of receiving a distribution under this section.

17
18 **SEC. 132. DISTRIBUTION OF FUNDS FOR POSTSECONDARY EDUCATION PROGRAMS.**

19 (a) ALLOCATION.—

20 (1) IN GENERAL.—Except as provided in subsections (b) and (c) and section 133, each eligible agency
21 shall distribute the portion of the funds made available under section 112(a)(1) to carry out this
22 section for any fiscal year to eligible institutions or consortia of eligible institutions within the State.

23 (2) FORMULA.—Each eligible institution or consortium of eligible institutions shall be allocated an
24 amount that bears the same relationship to the portion of funds made available under section
25 112(a)(1) to carry out this section for any fiscal year as the sum of the number of individuals who are
26 Federal Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled
27 in programs meeting the requirements of section 135 offered by such institution or consortium in the
28 preceding fiscal year bears to the sum of the number of such recipients enrolled in such programs
29 within the State for such year.

30 (3) CONSORTIUM REQUIREMENTS.—

31 (A) IN GENERAL.—In order for a consortium of eligible institutions described in paragraph (2)
32 to receive assistance pursuant to such paragraph, such consortium shall operate joint
33 projects that—

34 (i) provide services to all postsecondary institutions participating in the consortium;
35 and

36 (ii) are of sufficient size, scope, and quality to be effective.

1 (B) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements
2 of this section shall be used only for purposes and programs that are mutually beneficial to
3 all members of the consortium and shall be used only for programs authorized under this
4 title. Such funds may not be reallocated to individual members of the consortium for
5 purposes or programs benefitting only 1 member of the consortium.

6 (4) WAIVER.—The eligible agency may waive the application of paragraph (3)(A)(i) in any case in
7 which the eligible institution is located in a rural, sparsely populated area.

8 (b) WAIVER FOR MORE EQUITABLE DISTRIBUTION.—The Secretary may waive the application of subsection (a) if an
9 eligible agency submits to the Secretary an application for such a waiver that—

10 (1) demonstrates that the formula described in subsection (a) does not result in a distribution of
11 funds to the eligible institutions or consortia within the State that have the highest numbers of
12 economically disadvantaged individuals and that an alternative formula will result in such a
13 distribution; and

14 (2) includes a proposal for such an alternative formula.

15 (c) MINIMUM GRANT AMOUNT.—

16 (1) IN GENERAL.—No institution or consortium shall receive an allocation under this section in an
17 amount that is less than \$50,000.

18 (2) REDISTRIBUTION.—Any amounts that are not distributed by reason of paragraph (1) shall be
19 redistributed to eligible institutions or consortia in accordance with this section.

20
21 **SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL EDUCATION.**

22 (a) SPECIAL RULE FOR MINIMAL ALLOCATION.—

23 (1) GENERAL AUTHORITY.—Notwithstanding the provisions of sections 131 and 132 and in order to
24 make a more equitable distribution of funds for programs serving the areas of greatest economic
25 need, for any program year for which a minimal amount is made available by an eligible agency for
26 distribution under section 131 or 132, such eligible agency may distribute such minimal amount for
27 such year—

28 (A) on a competitive basis; or

29 (B) through any alternative method determined by the eligible agency.

30 (2) MINIMAL AMOUNT.—For purposes of this section, the term “minimal amount” means not more than
31 15 percent of the total amount made available for distribution under section
32 112(a)(1).

33 (b) REDISTRIBUTION.—

34 (1) IN GENERAL.—In any academic year that an eligible recipient does not expend all of the amounts the
35 eligible recipient is allocated for such year under section 131 or 132, such eligible recipient shall
36 return any unexpended amounts to the eligible agency to be reallocated under section 131 or 132, as
37 appropriate.

1 (2) REDISTRIBUTION OF AMOUNTS RETURNED LATE IN AN ACADEMIC YEAR.—In any academic year in which
2 amounts are returned to the eligible agency under section 131 or 132 and the eligible agency is
3 unable to reallocate such amounts according to such sections in time for such amounts to be
4 expended in such academic year, the eligible agency shall retain such amounts for distribution in
5 combination with amounts provided under section 112(a)(1) for the following academic year.

6 (c) CONSTRUCTION.—Nothing in section 131 or 132 shall be construed—

7 (1) to prohibit a local educational agency or a consortium thereof that receives assistance under
8 section 131, from working with an eligible institution or consortium thereof that receives assistance
9 under section 132, to carry out career and technical education programs at the secondary level in
10 accordance with this title;

11 (2) to prohibit an eligible institution or consortium thereof that receives assistance under section
12 132, from working with a local educational agency or consortium thereof that receives assistance
13 under section 131, to carry out postsecondary and adult career and technical education programs in
14 accordance with this title; or

15 (3) to require a charter school, that provides career and technical education programs and is
16 considered a local educational agency under State law, to jointly establish the charter school's
17 eligibility for assistance under this title unless the charter school is explicitly permitted to do so
18 under the State's charter school statute.

19 (d) CONSISTENT APPLICATION.—For purposes of this section, the eligible agency shall provide funds to charter
20 schools offering career and technical education programs in the same manner as the eligible agency provides
21 those funds to other schools. Such career and technical education programs within a charter school shall be of
22 sufficient size, scope, and quality to be effective.

23
24 **SEC. 134. LOCAL PLAN LOCAL APPLICATION FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.**

25 (a) ~~LOCAL PLAN~~ **LOCAL APPLICATION** REQUIRED.—Any eligible recipient desiring financial assistance under
26 this part shall, in accordance with requirements established by the eligible agency (in consultation with such
27 other educational training entities as the eligible agency determines to be appropriate) ~~submit a local plan~~
28 **submit a local application** to the eligible agency. ~~Such local plan~~ **Such local application** shall
29 cover the same period of time as the period of time applicable to the State plan submitted under section
30 122.

31 (b) ~~CONTENTS.—The eligible agency shall determine the requirements for local plans, except that each local~~
32 ~~plan shall—~~

33 ~~(1) describe how the career and technical education programs required under section 135(b) will be~~
34 ~~carried out with funds received under this title;~~

35 ~~(2) describe how the career and technical education activities will be carried out with respect to~~
36 ~~meeting State and local adjusted levels of performance established under section 113;~~

1 ~~(3) describe how the eligible recipient will—~~

2 ~~(A) offer the appropriate courses of not less than 1 of the career and technical programs of~~
3 ~~study described in section 122(c)(1)(A);~~

4 ~~(B) improve the academic and technical skills of students participating in career and~~
5 ~~technical education programs by strengthening the academic and career and technical~~
6 ~~education components of such programs through the integration of coherent and rigorous~~
7 ~~content aligned with challenging academic standards and relevant career and technical~~
8 ~~education programs to ensure learning in—~~

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

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

12 ~~(C) provide students with strong experience in, and understanding of, all aspects of an~~
13 ~~industry;~~

14 ~~(D) ensure that students who participate in such career and technical education programs~~
15 ~~are taught to the same coherent and rigorous content aligned with challenging academic~~
16 ~~standards as are taught to all other students; and~~

17 ~~(E) encourage career and technical education students at the secondary level to enroll in~~
18 ~~rigorous and challenging courses in core academic subjects (as defined in section 9101 of the~~
19 ~~Elementary and Secondary Education Act of 1965);~~

20 ~~(4) describe how comprehensive professional development (including initial teacher preparation)~~
21 ~~for career and technical education, academic, guidance, and administrative personnel will be~~
22 ~~provided that promotes the integration of coherent and rigorous content aligned with challenging~~
23 ~~academic standards and relevant career and technical education (including curriculum~~
24 ~~development);~~

25 ~~(5) describe how parents, students, academic and career and technical education teachers, faculty,~~
26 ~~administrators, career guidance and academic counselors, representatives of tech prep consortia (if~~
27 ~~applicable), representatives of the entities participating in activities described in section 117 of~~
28 ~~Public Law 105–220 (if applicable), representatives of business (including small business) and~~
29 ~~industry, labor organizations, representatives of special populations, and other interested individuals~~
30 ~~are involved in the development, implementation, and evaluation of career and technical education~~
31 ~~programs assisted under this title, and how such individuals and entities are effectively informed~~
32 ~~about, and assisted in understanding, the requirements of this title, including career and technical~~
33 ~~programs of study;~~

34 ~~(6) provide assurances that the eligible recipient will provide a career and technical education~~
35 ~~program that is of such size, scope, and quality to bring about improvement in the quality of career~~
36 ~~and technical education programs;~~

1 ~~(7) describe the process that will be used to evaluate and continuously improve the performance of~~
2 ~~the eligible recipient;~~

3 ~~(8) describe how the eligible recipient will—~~

4 ~~(A) review career and technical education programs, and identify and adopt strategies to~~
5 ~~overcome barriers that result in lowering rates of access to or lowering success in the~~
6 ~~programs, for special populations;~~

7 ~~(B) provide programs that are designed to enable the special populations to meet the local~~
8 ~~adjusted levels of performance; and~~

9 ~~(C) provide activities to prepare special populations, including single parents and displaced~~
10 ~~homemakers, for high skill, high wage, or high demand occupations that will lead to self-~~
11 ~~sufficiency;~~

12 ~~(9) describe how individuals who are members of special populations will not be discriminated~~
13 ~~against on the basis of their status as members of the special populations;~~

14 ~~(10) describe how funds will be used to promote preparation for non-traditional fields;~~

15 ~~(11) describe how career guidance and academic counseling will be provided to career and technical~~
16 ~~education students, including linkages to future education and training opportunities; and~~

17 ~~(12) describe efforts to improve—~~

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

21 ~~(B) the transition to teaching from business and industry.~~

22
23 **(b) CONTENTS.—**The eligible agency shall determine the requirements for local
24 applications, except that each local application shall contain—

25 (1) a description of the results of the comprehensive needs assessment
26 conducted under subsection (c);

27 (2) information on the programs of study approved by a State under
28 section 124(b)(2) supported by the eligible recipient with funds under
29 this part, including—

30 (A) how the results of the comprehensive needs assessment
31 described in subsection (c) informed the selection of the specific
32 career and technical education programs and activities selected to
33 be funded; and

34 (B) a description of any new programs of study the eligible
35 recipient will develop and submit to the State for approval;

36 (3) a description of how the eligible recipient will provide—

- 1 (A) career exploration and career development coursework,
- 2 activities, or services;
- 3 (B) career information; and
- 4 (C) an organized system of career guidance and academic
- 5 counseling to students before enrolling and while participating in
- 6 a career and technical education program; and
- 7 (4) a description of how the eligible recipient will—
- 8 (A) provide activities to prepare special populations for high-skill,
- 9 high-wage, or in-demand occupations that will lead to self-
- 10 sufficiency; and
- 11 (B) prepare CTE participants for nontraditional fields.

12
13 (c) COMPREHENSIVE NEEDS ASSESSMENT.—

14 (1) IN GENERAL.—To be eligible to receive financial assistance under this
15 part, an eligible recipient shall—

- 16 (A) conduct a comprehensive local needs assessment related to
- 17 career and technical education; and
- 18 (B) not less than once every two years, update such
- 19 comprehensive local needs assessment.

20 (2) REQUIREMENTS.—The comprehensive local needs assessment
21 described under paragraph (1) shall include—

- 22 (A) an evaluation of the performance of the students served by the
- 23 eligible recipient with respect to State and local adjusted levels of
- 24 performance established pursuant to section 113, including an
- 25 evaluation of performance for special populations;
- 26 (B) a description of how career and technical education programs
- 27 offered by the eligible recipient are—
- 28 (i) sufficient in size, scope, and quality to meet the needs of
- 29 all students served by the eligible recipient; and
- 30 (ii)(I) aligned to State, regional, or local in-demand industry
- 31 sectors or occupations identified by the State or local
- 32 workforce development board, including career pathways,
- 33 where appropriate; or
- 34 (iii)(II) designed to meet local education or economic needs
- 35 not identified by State or local workforce development
- 36 boards;
- 37 (C) an evaluation of progress toward the implementation of
- 38 career and technical education programs and programs of study;

1 (D) an evaluation of strategies needed to overcome barriers that
2 result in lowering rates of access to, or lowering success in, career
3 and technical education programs for special populations, which
4 may include strategies to establish or utilize existing flexible
5 learning and manufacturing facilities, such as makerspaces;
6 (E) a description of how the eligible recipient will improve
7 recruitment, retention, and training of career and technical
8 education teachers, faculty, specialized instructional support
9 personnel, paraprofessionals, and career, academic, and guidance
10 counselors, including individuals in groups underrepresented in
11 such professions; and
12 (F) a description of how the eligible recipient will support the
13 transition to teaching from business and industry.
14

15 (d) CONSULTATION.—In conducting the comprehensive needs assessment under
16 subsection (c), an eligible recipient shall involve a diverse body of
17 stakeholders, including, at a minimum—

- 18 (1) representatives of career and technical education programs in a
19 local educational agency or educational service agency, including
20 teachers and administrators;
- 21 (2) representatives of career and technical education programs at
22 postsecondary educational institutions, including teachers and
23 administrators;
- 24 (3) representatives of State or local workforce development boards and
25 a range of local or regional businesses or industries;
- 26 (4) parents and students;
- 27 (5) representatives of special populations; and
- 28 (6) representatives of local agencies serving out-of-school youth,
29 homeless children and youth, and at-risk youth (as defined in section
30 1432 of the Elementary and Secondary Education Act of 1965).

31
32 (e) CONTINUED CONSULTATION.—An eligible recipient receiving a financial
33 assistance under this part shall consult with the entities described in
34 subsection (d) on an ongoing basis to—

- 35 (1) provide input on annual updates to the comprehensive needs
36 assessment required under subsection (c);
- 37 (2) ensure programs of study are—
 - 38 (A) responsive to community employment needs;

1 (B) aligned with employment priorities in the State, regional, or
2 local economy identified by employers and the entities described
3 in subsection (d), which may include in-demand industry sectors
4 or occupations identified by the local workforce development
5 board;

6 (C) informed by labor market information, including information
7 provided under section 15(e)(2)(C) of the Wagner-Peyser Act (29
8 U.S.C. 491-2(e)(2)(C));

9 (D) designed to meet current, intermediate, or long-term labor
10 market projections; and

11 (E) allow employer input, including input from industry or sector
12 partnerships in the local area, where applicable, into the
13 development and implementation of programs of study to ensure
14 programs align with skills required by local employment
15 opportunities, including activities such as the identification of
16 relevant standards, curriculum, industry recognized credentials,
17 and current technology and equipment;

18 (3) identify and encourage opportunities for work-based learning; and

19 (4) ensure funding under this part is used in a coordinated manner with
20 other local resources.
21

22 SEC. 135. LOCAL USES OF FUNDS.

23 (a) GENERAL AUTHORITY.—~~Each eligible recipient that receives funds under this part shall use such funds to~~
24 ~~improve career and technical education programs.~~ Each eligible recipient that receives funds
25 under this part shall use such funds to develop, coordinate, implement, or
26 improve career and technical education programs to meet the needs identified
27 in the comprehensive needs assessment described in section 134(c).

28 (b) REQUIREMENTS FOR USES OF FUNDS.—Funds made available to eligible recipients under this part shall be used
29 to support career and technical education programs that are of sufficient, size, scope and
30 quality to be effective and—

31 ~~(1) strengthen the academic and career and technical skills of students participating in career and~~
32 ~~technical education programs, by strengthening the academic and career and technical education~~
33 ~~components of such programs through the integration of academics with career and technical~~
34 ~~education programs through a coherent sequence of courses, such as career and technical programs~~
35 ~~of study described in section 122(c)(1)(A), to ensure learning in—~~

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

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

- ~~(2) link career and technical education at the secondary level and career and technical education at the postsecondary level, including by offering the relevant elements of not less than 1 career and technical program of study described in section 122(c)(1)(A);~~
- ~~(3) provide students with strong experience in and understanding of all aspects of an industry, which may include workbased learning experiences;~~
- ~~(4) develop, improve, or expand the use of technology in career and technical education, which may include—~~
- ~~(A) training of career and technical education teachers, faculty, and administrators to use technology, which may include distance learning;~~
 - ~~(B) providing career and technical education students with the academic and career and technical skills (including the mathematics and science knowledge that provides a strong basis for such skills) that lead to entry into the technology fields; or~~
 - ~~(C) encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs, including programs that improve the mathematics and science knowledge of students;~~
- ~~(5) provide professional development programs that are consistent with section 122 to secondary and postsecondary teachers, faculty, administrators, and career guidance and academic counselors who are involved in integrated career and technical education programs, including—~~
- ~~(A) in-service and preservice training on—~~
 - ~~(i) effective integration and use of challenging academic and career and technical education provided jointly with academic teachers to the extent practicable;~~
 - ~~(ii) effective teaching skills based on research that includes promising practices;~~
 - ~~(iii) effective practices to improve parental and community involvement; and~~
 - ~~(iv) effective use of scientifically based research and data to improve instruction;~~
 - ~~(B) support of education programs for teachers of career and technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to career and technical education students, to ensure that such teachers and personnel stay current with all aspects of an industry;~~
 - ~~(C) internship programs that provide relevant business experience; and~~
 - ~~(D) programs designed to train teachers specifically in the effective use and application of technology to improve instruction;~~
- ~~(6) develop and implement evaluations of the career and technical education programs carried out with funds under this title, including an assessment of how the needs of special populations are being met;~~
- ~~(7) initiate, improve, expand, and modernize quality career and technical education programs, including relevant technology;~~
- ~~(8) provide services and activities that are of sufficient size, scope, and quality to be effective; and~~

1 ~~(9) provide activities to prepare special populations, including single parents and displaced~~
2 ~~homemakers who are enrolled in career and technical education programs, for high skill, high wage,~~
3 ~~or high demand occupations that will lead to self-sufficiency.~~

4 (1) provide career exploration and career development activities
5 through an organized, systematic framework designed to aid students,
6 before enrolling and while participating in a program of study, in
7 making informed plans and decisions about future education and career
8 opportunities and programs of study, which may include—

9 (A) introductory courses or activities focused on career
10 exploration and career awareness;

11 (B) readily available career and labor market information,
12 including information on—

13 (i) occupational supply and demand;

14 (ii) educational requirements;

15 (iii) other information on careers aligned to State or local
16 economic priorities; and

17 (iv) employment sectors;

18 (C) programs and activities related to the development of student
19 graduation and career plans;

20 (D) career guidance and academic counselors that provide
21 information on postsecondary education and career options; or

22 (E) any other activity that advances knowledge of career
23 opportunities and assists students in making informed decisions
24 about future education and employment goals;

25 (2) provide professional development for teachers, principals, school
26 leaders, administrators, and career and guidance counselors with
27 respect to content and pedagogy that—

28 (A) supports individualized academic and career and technical
29 education instructional approaches, including the integration of
30 academic and career and technical education standards and
31 curriculum;

32 (B) ensures labor market information is used to inform the
33 programs, guidance, and advisement offered to students;

34 (C) provides educators with opportunities to advance knowledge,
35 skills, and understanding of all aspects of an industry, including
36 the latest workplace equipment, technologies, standards, and
37 credentials;

- 1 (D) supports administrators in managing career and technical
2 education programs in the schools, institutions, or local
3 educational agencies of such administrators; and
4 (E) supports the implementation of strategies to improve student
5 achievement and close gaps in student participation and
6 performance in career and technical education programs;
7 (F) provides educators with opportunities to advance knowledge,
8 skills, and understanding in pedagogical practices, including, to
9 the extent the eligible recipient determines that such evidence is
10 reasonably available, evidence-based pedagogical practices;
- 11 (3) provide career and technical education students, including special
12 populations, with the skills necessary to pursue high skill, high wage
13 occupations;
- 14 (4) support integration of academic skills into career and technical
15 education programs and programs of study to support CTE participants
16 at the secondary school level in meeting the challenging State academic
17 standards adopted under section 1111(b)(1) of the Elementary and
18 Secondary Education Act of 1965 by the State in which the eligible
19 recipient is located;
- 20 (5) plan and carry out elements that support the implementation of
21 programs of study and student achievement of the local adjusted levels
22 of performance established under section 113, which may include—
- 23 (A) curriculum aligned with the requirements for a program of
24 study;
- 25 (B) sustainable relationships among education, business and
26 industry, and other community stakeholders, including industry
27 or sector partnerships in the local area, where applicable, that are
28 designed to facilitate the process of continuously updating and
29 aligning programs of study with skills in demand in the State,
30 regional, or local economy;
- 31 (C) dual or concurrent enrollment programs, including early
32 college high schools, and the development or implementation or
33 articulation agreements;
- 34 (D) appropriate equipment, technology, and instructional
35 materials aligned with business and industry needs, including
36 machinery, testing equipment, tools, implements, hardware and
37 software, and other new and emerging instructional materials;
- 38 (E) a continuum of work-based learning opportunities;

1 (F) industry-recognized certification exams or other assessments
2 leading toward industry-recognized postsecondary credentials;
3 (G) recruitment and retention efforts to ensure effective
4 educators and career and technical education program
5 administrators;
6 (H) where applicable, coordination with other education and
7 workforce development programs and initiatives, including
8 career pathways and sector partnerships developed under the
9 Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et
10 seq.) and other Federal laws and initiatives that provide students
11 with transition-related services, including the Individuals with
12 Disabilities Education Act (20 U.S.C. 1400 et seq.);
13 (I) expanding opportunities for students to participate in distance
14 career and technical education and blended-learning programs;
15 (J) expanding opportunities for students to participate in
16 competency-based education programs;
17 (K) improving career guidance and academic counseling
18 programs that assist students in making informed academic and
19 career and technical education decisions, including academic and
20 financial aid counseling;
21 (L) supporting the integration of employability skills into career
22 and technical education programs and programs of study;
23 (M) supporting programs and activities that increase access,
24 student engagement, and success in science, technology,
25 engineering, and mathematics fields (including computer science)
26 for students who are members of groups underrepresented in
27 such subject fields;
28 (N) providing career and technical education, in a school or other
29 educational setting, for adults or a school-aged individual who has
30 dropped out of a secondary school to complete secondary school
31 education or upgrade technical skills;
32 (O) career and technical student organizations, including students
33 participation for and participation in technical skills competitions
34 aligned with career and technical education program standards
35 and curriculum;
36 (P) making all forms of instructional content widely available,
37 which may include the use of open educational resources;

1 (Q) supporting the integration of arts and design skills, when
2 appropriate, into career and technical education programs and
3 programs of study; and

4 (R) other activities to improve career and technical education
5 programs; and

6 (6) develop and implement evaluations of the activities carried out with
7 funds under this part, including evaluations necessary to complete the
8 comprehensive needs assessment required under section 134(c) and
9 the local report required under section 113(b)(4)(C).

10 ~~(c) PERMISSIVE.—Funds made available to an eligible recipient under this title may be used—~~

11 ~~(1) to involve parents, businesses, and labor organizations as appropriate, in the design,~~
12 ~~implementation, and evaluation of career and technical education programs authorized under this~~
13 ~~title, including establishing effective programs and procedures to enable informed and effective~~
14 ~~participation in such programs;~~

15 ~~(2) to provide career guidance and academic counseling, which may include information described in~~
16 ~~section 118, for students participating in career and technical education programs, that—~~

17 ~~(A) improves graduation rates and provides information on postsecondary and career~~
18 ~~options, including baccalaureate degree programs, for secondary students, which activities~~
19 ~~may include the use of graduation and career plans; and~~

20 ~~(B) provides assistance for postsecondary students, including for adult students who are~~
21 ~~changing careers or updating skills;~~

22 ~~(3) for local education and business (including small business) partnerships, including for—~~

23 ~~(A) work-related experiences for students, such as internships, cooperative education,~~
24 ~~school-based enterprises, entrepreneurship, and job shadowing that are related to career~~
25 ~~and technical education programs;~~

26 ~~(B) adjunct faculty arrangements for qualified industry professionals; and~~

27 ~~(C) industry experience for teachers and faculty;~~

28 ~~(4) to provide programs for special populations;~~

29 ~~(5) to assist career and technical student organizations;~~

30 ~~(6) for mentoring and support services;~~

31 ~~(7) for leasing, purchasing, upgrading or adapting equipment, including instructional aids and~~
32 ~~publications (including support for library resources) designed to strengthen and support academic~~
33 ~~and technical skill achievement;~~

34 ~~(8) for teacher preparation programs that address the integration of academic and career and~~
35 ~~technical education and that assist individuals who are interested in becoming career and technical~~
36 ~~education teachers and faculty, including individuals with experience in business and industry;~~

1 ~~(9) to develop and expand postsecondary program offerings at times and in formats that are~~
2 ~~accessible for students, including working students, including through the use of distance education;~~
3 ~~(10) to develop initiatives that facilitate the transition of subbaccalaureate career and technical~~
4 ~~education students into baccalaureate degree programs, including—~~
5 ~~(A) articulation agreements between sub-baccalaureate degree-granting career and technical~~
6 ~~education postsecondary educational institutions and baccalaureate degree-granting~~
7 ~~postsecondary educational institutions;~~
8 ~~(B) postsecondary dual and concurrent enrollment programs;~~
9 ~~(C) academic and financial aid counseling for sub-baccalaureate career and technical~~
10 ~~education students that informs the students of the opportunities for pursuing a~~
11 ~~baccalaureate degree and advises the students on how to meet any transfer requirements;~~
12 ~~and~~
13 ~~(D) other initiatives—~~
14 ~~(i) to encourage the pursuit of a baccalaureate degree; and~~
15 ~~(ii) to overcome barriers to enrollment in and completion of baccalaureate degree~~
16 ~~programs, including geographic and other barriers affecting rural students and~~
17 ~~special populations;~~
18 ~~(11) to provide activities to support entrepreneurship education and training;~~
19 ~~(12) for improving or developing new career and technical education courses, including the~~
20 ~~development of new proposed career and technical programs of study for consideration by the~~
21 ~~eligible agency and courses that prepare individuals academically and technically for high skill, high~~
22 ~~wage, or high demand occupations and dual or concurrent enrollment opportunities by which career~~
23 ~~and technical education students at the secondary level could obtain postsecondary credit to count~~
24 ~~towards an associate or baccalaureate degree;~~
25 ~~(13) to develop and support small, personalized career-themed learning communities;~~
26 ~~(14) to provide support for family and consumer sciences programs;~~
27 ~~(15) to provide career and technical education programs for adults and school dropouts to complete~~
28 ~~the secondary school education, or upgrade the technical skills, of the adults and school dropouts;~~
29 ~~(16) to provide assistance to individuals who have participated in services and activities under this~~
30 ~~Act in continuing their education or training or finding an appropriate job, such as through referral to~~
31 ~~the system established under section 121 of Public Law 105–220 (29 U.S.C. 2801 et seq.);~~
32 ~~(17) to support training and activities (such as mentoring and outreach) in non-traditional fields;~~
33 ~~(18) to provide support for training programs in automotive technologies;~~
34 ~~(19) to pool a portion of such funds with a portion of funds available to not less than 1 other eligible~~
35 ~~recipient for innovative initiatives, which may include—~~
36 ~~(A) improving the initial preparation and professional development of career and technical~~
37 ~~education teachers, faculty, administrators, and counselors;~~

1 ~~(B) establishing, enhancing, or supporting systems for—~~
2 ~~(i) accountability data collection under this Act; or~~
3 ~~(ii) reporting data under this Act;~~
4 ~~(C) implementing career and technical programs of study described in section 122(c)(1)(A);~~
5 ~~or~~
6 ~~(D) implementing technical assessments; and~~
7 ~~(20) to support other career and technical education activities that are consistent with the purpose of~~
8 ~~this Act.~~

10 **(c) POOLING FUNDS.—**An eligible recipient may pool a portion of funds received
11 under this Act with a portion of funds received under this Act available to not
12 less than 1 other eligible recipient to support implementation of programs of
13 study through the activities described in
14 subsection (b)(2).

15 (d) ADMINISTRATIVE COSTS.—Each eligible recipient receiving funds under this part shall not use more than 5
16 percent of ~~the such~~ funds for **costs associated with the** ~~administrative costs associated with the~~
17 administration of activities ~~assisted~~ under this section.

19 **TITLE II ~~III~~—GENERAL PROVISIONS**

21 **PART A—FEDERAL ADMINISTRATIVE PROVISIONS**

23 **SEC. 211~~311~~. FISCAL REQUIREMENTS.**

24 (a) SUPPLEMENT NOT SUPPLANT.—Funds made available under this Act for career and technical education
25 activities shall supplement, and shall not supplant, non-Federal funds expended to carry out career and
26 technical education activities and tech prep program activities.

27 (b) MAINTENANCE OF EFFORT.—

28 (1) DETERMINATION.—

29 ~~(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no payments shall be~~
30 ~~made under this Act for any fiscal year to a State for career and technical education~~
31 ~~programs or tech prep programs unless the Secretary determines that the fiscal effort per~~
32 ~~student or the aggregate expenditures of such State for career and technical education~~
33 ~~programs for the fiscal year preceding the fiscal year for which the determination is made,~~
34 ~~equaled or exceeded such effort or expenditures for career and technical education~~
35 ~~programs for the second fiscal year preceding the fiscal year for which the determination is~~
36 ~~made.~~

37 **(A) IN GENERAL.—** Except as provided in subparagraphs (B), (C), or
38 (D), in order for a State to receive its full allotment of funds under
39 this Act for any fiscal year, the Secretary must find that the State's

1 fiscal effort per student, or the aggregate expenditures of such
2 State, with respect to career and technical education for the
3 preceding fiscal year was not less than the fiscal effort per
4 student, or the aggregate expenditures of such State, for the
5 second preceding fiscal year.

6 (B) COMPUTATION.—In computing the fiscal effort or aggregate expenditures pursuant to
7 subparagraph (A), the Secretary ~~shall exclude capital expenditures, special 1-time project~~
8 ~~costs, and the cost of pilot programs~~ shall, at the request of the State, exclude
9 competitive or incentive-based programs established by the State,
10 capital expenditures, special one-time project costs, and the cost
11 of pilot programs.

12 (C) DECREASE IN FEDERAL SUPPORT.—If the amount made available for career and technical
13 education programs under this Act for a fiscal year is less than the amount made available
14 for career and technical education programs under this Act for the preceding fiscal year,
15 then the fiscal effort per student or the aggregate expenditures of a State required by
16 subparagraph (A) for the preceding fiscal year shall be decreased by the same percentage as
17 the percentage decrease in the amount so made available.

18 (D) ESTABLISHING THE STATE BASELINE.—

19 (i) IN GENERAL.— For purposes of subparagraph (A), the
20 State may—

21 (I) continue to use the State’s fiscal effort per student,
22 or aggregate expenditures of such State, with respect
23 to career and technical education, as was in effect on
24 the day before the date of enactment of the
25 Strengthening Career and Technical Education for the
26 21ST Century Act; or

27 (II) establish a new level of fiscal effort per student, or
28 aggregate expenditures of such State, with respect to
29 career and technical education.

30 (ii) AMOUNT.— The amount of the new level described in
31 clause (i)(II) shall be the State’s fiscal effort per student, or
32 aggregate expenditures of such State, with respect to career

1 and technical education for the first full fiscal year following
2 the enactment of such Act;

3 ~~(2) WAIVER.—The Secretary may waive the requirements of this section, with respect to not more
4 than 5 percent of expenditures by any eligible agency for 1 fiscal year only, on making a
5 determination that such waiver would be equitable due to exceptional or uncontrollable
6 circumstances affecting the ability of the eligible agency to meet such requirements, such as a natural
7 disaster or an unforeseen and precipitous decline in financial resources. No level of funding
8 permitted under such a waiver may be used as the basis for computing the fiscal effort or aggregate
9 expenditures required under this section for years subsequent to the year covered by such waiver.
10 The fiscal effort or aggregate expenditures for the subsequent years shall be computed on the basis of
11 the level of funding that would, but for such waiver, have been required.~~

12 (2) FAILURE TO MEET.—The Secretary shall reduce the amount of a State’s
13 allotment of funds under this Act for any fiscal year in the exact
14 proportion by which the State fails to meet the requirement of
15 paragraph (1) by falling below the State’s fiscal effort per student or the
16 State’s aggregate expenditures (using the measure most favorable to the
17 State), if the State failed to meet such requirement (as determined using
18 the measure most favorable to the State) for 1 or more of the 5
19 immediately preceding fiscal years.

20 (3) WAIVER.—The Secretary may waive paragraph (2) due to exceptional
21 or uncontrollable circumstances affecting the ability of the State to meet
22 the requirement of paragraph (1).
23

24 **SEC. 212~~312~~. AUTHORITY TO MAKE PAYMENTS.**

25 Any authority to make payments or to enter into contracts under this Act shall be available only to such
26 extent or in such amounts as are provided in advance in appropriation Acts.
27

28 **SEC. 213~~313~~. CONSTRUCTION.**

29 Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any
30 aspect of a private, religious, or home school, regardless of whether a home school is treated as a private
31 school or home school under State law. This section shall not be construed to bar students attending private,
32 religious, or home schools from participation in programs or services under this Act.
33

34 **SEC. 214~~314~~. VOLUNTARY SELECTION AND PARTICIPATION.**

35 No funds made available under this Act shall be used—

1 (1) to require any secondary school student to choose or pursue a specific career path or major; or
2 (2) to mandate that any individual participate in a career and technical education program, including
3 a career and technical education program that requires the attainment of a federally funded skill
4 level, standard, or certificate of mastery.
5

6 **SEC. 215~~315~~. LIMITATION FOR CERTAIN STUDENTS.**

7 No funds received under this Act may be used to provide career and technical education programs to students
8 prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be
9 used by such students.
10

11 **SEC. 216~~316~~. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS.**

12 Nothing in this Act shall be construed to be inconsistent with applicable Federal law prohibiting
13 discrimination on the basis of race, color, sex, national origin, age, or disability in the provision of Federal
14 programs or services.
15

16 **SEC. 217~~317~~. PARTICIPATION OF PRIVATE SCHOOL PERSONNEL AND CHILDREN.**

17 (a) PERSONNEL.—An eligible agency or eligible recipient that uses funds under this Act for in-service and
18 preservice career and technical education professional development programs for career and technical
19 education teachers, administrators, and other personnel shall, to the extent practicable, upon written request,
20 permit the participation in such programs of career and technical education secondary school teachers,
21 administrators, and other personnel in nonprofit private schools offering career and technical secondary
22 education programs located in the geographical area served by such eligible agency or eligible recipient.

23 (b) STUDENT PARTICIPATION.—

24 (1) STUDENT PARTICIPATION.—Except as prohibited by State or local law, an eligible recipient ~~may, upon~~
25 ~~written request, use funds made available under this Act to~~ **may use funds made**
26 **available under this Act to** provide for the meaningful participation, in career and
27 technical education programs and activities receiving funding under this Act, of secondary school
28 students attending nonprofit private schools ~~who reside in the geographical area served by~~
29 **located in or near the geographical area served by** the eligible recipient.

30 (2) CONSULTATION.—An eligible recipient shall consult, upon written request, in a timely and
31 meaningful manner with representatives of nonprofit private schools in the geographical area served
32 by the eligible recipient described in paragraph (1) regarding the meaningful participation, in career
33 and technical education programs and activities receiving funding under this Act, of secondary school
34 students attending nonprofit private schools.
35

36 **SEC. 218~~318~~. LIMITATION ON FEDERAL REGULATIONS.**

1 The Secretary may issue regulations under this Act only to the extent necessary to administer and ensure
2 compliance with the specific requirements of this Act.

3
4 **SEC. 219. STUDY ON PROGRAMS OF STUDY ALIGNED TO HIGH-SKILL, HIGH-WAGE OCCUPATIONS.**

5 **(a) SCOPE OF STUDY.**—The Comptroller General of the United States shall
6 conduct a study to evaluate—

7 (1) the strategies, components, policies, and practices used by eligible
8 agencies or eligible recipients receiving funding under this Act to
9 successfully assist—

10 (A) all students in pursuing and completing programs of study
11 aligned to high-skill, high-wage occupations; and

12 (B) any specific subgroup of students identified in section
13 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act
14 of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) in pursuing and completing
15 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,
18 components, policies, and practices.

19 **(b) CONSULTATION.**—In carrying out the study conducted under subsection (a),
20 the Comptroller General of the United States shall consult with a
21 geographically diverse (including urban, suburban, and rural) representation
22 of—

23 (1) students and parents;

24 (2) eligible agencies and eligible recipients;

25 (3) teachers, faculty, specialized instructional support personnel, and
26 paraprofessionals, including those with expertise in preparing CTE
27 students for nontraditional fields;

28 (4) special populations; and

29 (5) representatives of business and industry.

30 **(c) SUBMISSION.**—Upon completion, the Comptroller General of the United
31 States shall submit the study conducted under subsection (a) to the
32 Committee on Education and the Workforce of the House of Representatives
33 and the Committee on Health, Education, Labor, and Pensions of the Senate.
34

35 **PART B—STATE ADMINISTRATIVE PROVISIONS**

36
37 **SEC. 221~~321~~. JOINT FUNDING.**

38 (a) **GENERAL AUTHORITY.**—Funds made available to eligible agencies under this Act may be used to provide
39 additional funds under an applicable program if—

- 1 (1) such program otherwise meets the requirements of this Act and the requirements of the
- 2 applicable program;
- 3 (2) such program serves the same individuals that are served under this Act;
- 4 (3) such program provides services in a coordinated manner with services provided under this Act;
- 5 and
- 6 (4) such funds are used to supplement, and not supplant, funds provided from non-Federal sources.

7 (b) APPLICABLE PROGRAM.—For the purposes of this section, the term ‘applicable program’ means any program
8 under any of the following provisions of law:

- 9 (1) Chapters 4 and 5 of subtitle B of title I of Public Law 105–220.
- 10 (2) The Wagner-Peyser Act.

11 (c) USE OF FUNDS AS MATCHING FUNDS.—For the purposes of this section, the term ‘additional funds’ does not
12 include funds used as matching funds.

13
14 | **SEC. 222~~322~~. PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.**

15 No funds provided under this Act shall be used for the purpose of directly providing incentives or
16 inducements to an employer to relocate a business enterprise from one State to another State if such
17 relocation will result in a reduction in the number of jobs available in the State where the business enterprise
18 is located before such incentives or inducements are offered.

19
20 | **SEC. 223~~323~~. STATE ADMINISTRATIVE COSTS.**

21 (a) GENERAL RULE.—Except as provided in subsection (b), for each fiscal year for which an eligible agency
22 receives assistance under this Act, the eligible agency shall provide, from non-Federal sources for the costs
23 the eligible agency incurs for the administration of programs under this Act, an amount that is not less than
24 the amount provided by the eligible agency from non-Federal sources for such costs for the preceding fiscal
25 year.

26 (b) EXCEPTION.—If the amount made available from Federal sources for the administration of programs
27 under this Act for a fiscal year (referred to in this section as the ‘determination year’) is less than the amount
28 made available from Federal sources for the administration of programs under this Act for the preceding
29 fiscal year, then the amount the eligible agency is required to provide from non-Federal sources for costs the
30 eligible agency incurs for the administration of programs under this Act for the determination year under
31 subsection (a) shall bear the same ratio to the amount the eligible agency provided from non-Federal sources
32 for such costs for the preceding fiscal year, as the amount made available from Federal sources for the
33 administration of programs under this Act for the determination year bears to the amount made available
34 from Federal sources for the administration of programs under this Act for the preceding fiscal year.

35
36 | **SEC. 224~~324~~. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.**

1 (a) ATTENDANCE COSTS NOT TREATED AS INCOME OR RESOURCES.—The portion of any student financial assistance
2 received under this Act that is made available for attendance costs described in subsection (b) shall not be
3 considered as income or resources in determining eligibility for assistance under any other program funded
4 in whole or in part with Federal funds.

5 (b) ATTENDANCE COSTS.—The attendance costs described in this subsection are—

6 (1) tuition and fees normally assessed a student carrying an academic workload as determined by
7 the institution, and including costs for rental or purchase of any equipment, materials, or supplies
8 required of all students in that course of study; and

9 (2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal
10 expenses for a student attending the institution on at least a half-time basis, as determined by the
11 institution.

12 (c) COSTS OF CAREER AND TECHNICAL EDUCATION SERVICES.— Funds made available under this Act may be used to
13 pay for the costs of career and technical education services required in an individualized education program
14 developed pursuant to section 614(d) of the Individuals with Disabilities Education Act and services
15 necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring
16 equal access to career and technical education.

17

18

1 TITLE III— AMENDMENTS TO THE WAGNER-PEYSER ACT

2 Sec. 301 STATE RESPONSIBILITIES.

3 (e) STATE RESPONSIBILITIES.

4 (1) DESIGNATION OF STATE AGENCY.— In order to receive Federal financial assistance under
5 this section, the Governor of a State shall—

- 6 (A) designate a single State agency to be responsible for the management of the
7 portions of the workforce and labor market information system described in subsection
8 (a) that comprise a statewide workforce and labor market information system and for
9 the State's participation in the development of the plan described in subsection (c); and
10 (B) establish a process for the oversight of such system.

11
12 (2) DUTIES.— In order to receive Federal financial assistance under this section, the State
13 agency shall—

14 (A) consult with State and local employers, participants, and local workforce investment
15 boards about the labor market relevance of the data to be collected and disseminated
16 through the statewide workforce and labor market information system;

17 (B) consult with eligible agencies (defined in section 3 of the Carl D. Perkins Career and
18 Technical Education Act of 2006 (20 U.S.C. 11 2302)), State educational agencies, and
19 local educational agencies concerning the provision of workforce and labor market
20 information in order to—

21 (i) meet the needs of secondary school and postsecondary school students who
22 seek such information; and

23 (ii) annually inform the development and implementation of programs of study
24 defined in section 3 of the Carl D. Perkins CTE Act of 2006 (20 U.S.C. 2302), and
25 career pathways;

26 ~~(B) consult with State educational agencies and local educational agencies concerning
27 the provision of workforce and labor market information in order to meet the needs of
28 secondary school and postsecondary school students who seek such information;~~

29 (C) collect and disseminate for the system, on behalf of the State and localities in the
30 State, the information and data described in subparagraphs (A) and (B) of subsection
31 (a)(1);

32 (D) maintain and continuously improve the statewide workforce and labor market
33 information system in accordance with this section;

34 (E) perform contract and grant responsibilities for data collection, analysis, and
35 dissemination for such system;

36 (F) conduct such other data collection, analysis, and dissemination activities as will
37 ensure an effective statewide workforce and labor market information system;

38 (G) actively seek the participation of other State and local agencies in data collection,
39 analysis, and dissemination activities in order to ensure complementarity, compatibility,
40 and usefulness of data; and

41 (H) utilize the quarterly records described in section 3141(i)(2) of this title to assist the
42 State and other States in measuring State progress on State performance measures;

43 and-

44 (I) provide, on an annual and timely basis to each eligible agency (defined in section 3 of
45 the Carl D. Perkins CTE Act of 2006 (20 U.S.C. 2302)), the data and information described
46 in subparagraphs (A) and (B) of subsection (a)(1).

1
2 **THE DATA AND INFORMATION DESCRIBED IN SUPARAGRAPH (A) AND (B) OF SUBSECTION (a)(1):**
3

4 ***§49I-2. Workforce and labor market information system***

5 **(a) System content**

6 **(1) In general.**— The Secretary, in accordance with the provisions of this section, shall oversee
7 the development, maintenance, and continuous improvement of a nationwide workforce and
8 labor market information system that includes—

9 (A) statistical data from cooperative statistical survey and projection programs and data
10 from administrative reporting systems that, taken together, enumerate, estimate, and
11 project employment opportunities and conditions at national, State, and local levels in a
12 timely manner, including statistics on—

13 (i) employment and unemployment status of national, State, and local
14 populations, including self-employed, part-time, and seasonal workers;

15 (ii) industrial distribution of occupations, as well as current and projected
16 employment opportunities, wages, benefits (where data is available), and skill
17 trends by occupation and industry, with particular attention paid to State and
18 local conditions;

19 (iii) the incidence of, industrial and geographical location of, and number of
20 workers displaced by, permanent layoffs and plant closings; and

21 (iv) employment and earnings information maintained in a longitudinal manner
22 to be used for research and program evaluation;

23 (B) information on State and local employment opportunities, and other appropriate
24 statistical data related to labor market dynamics, which—

25 (i) shall be current and comprehensive;

26 (ii) shall meet the needs identified through the consultations described in
27 subparagraphs (A) and (B) of subsection (e)(2); and

28 (iii) shall meet the needs for the information identified in section 134(d); 1

29 (C) technical standards (which the Secretary shall publish annually) for data and
30 information described in subparagraphs (A) and (B) that, at a minimum, meet the
31 criteria of chapter 35 of title 44;

32 (D) procedures to ensure compatibility and additivity of the data and information
33 described in subparagraphs (A) and (B) from national, State, and local levels;

34 (E) procedures to support standardization and aggregation of data from administrative
35 reporting systems described in subparagraph (A) of employment-related programs;

36 (F) analysis of data and information described in subparagraphs (A) and (B) for uses such
37 as—

38 (i) national, State, and local policymaking;

39 (ii) implementation of Federal policies (including allocation formulas);

40 (iii) program planning and evaluation; and

41 (iv) researching labor market dynamics;

42 (G) wide dissemination of such data, information, and analysis in a user-friendly manner
43 and voluntary technical standards for dissemination mechanisms; and

44 (H) programs of—

45 (i) training for effective data dissemination;

46 (ii) research and demonstration; and

47 (iii) programs and technical assistance.
48