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105TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 105–177

CARL D. PERKINS VOCATIONAL-TECHNICAL EDUCATION ACT AMENDMENTS OF 1997

JULY 14, 1997.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GOODLING, from the Committee on Education and the Workforce, submitted the following

R E P O R T

together with

ADDITIONAL AND MINORITY VIEWS

[To accompany H.R. 1853]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and the Workforce, to whom was referred the bill (H.R. 1853) to amend the Carl D. Perkins Vocational and Applied Technology Education Act, having considered the same report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Carl D. Perkins Vocational-Technical Education Act Amendments of 1997".

SEC. 2. REFERENCES TO ACT.

(a) SHORT TITLE OF ACT.—Section 1(a) of the Act is amended by striking "(a) SHORT TITLE.—" and further by striking "Vocational and Applied Technology" and inserting "Vocational-Technical".

(b) REFERENCES TO ACT.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a title, chapter, part, subpart, section, subsection, or other provision, the reference shall be considered to be made to a title, chapter, part, subpart, section, subsection, or other provision of the Carl D. Perkins Vocational-Technology Education Act as amended in subsection (a).

SEC. 3. TABLE OF CONTENTS.

Section 1(b) is repealed.

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SEC. 4. PURPOSE.

Section 2 of the Act is amended to read as follows:

"SEC. 2. PURPOSE.

"It is the purpose of this Act to develop more fully the academic, occupational, and technical skills of individuals participating in vocational-technical education programs. This purpose will be achieved through concentrating resources on improving vocational-technical education programs leading to academic and technical skill competencies needed to work in a technologically advanced society.".

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 3 of the Act is amended—

(1) in subsection (a) by striking "$1,600,000,000" and all that follows and inserting "$1,300,000,000, for fiscal year 1998 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out the provisions of titles I and II.";

(2) by amending subsection (b) to read as follows:

"(b) TITLE I.—Of the amounts made available under subsection (a)—

"(1) 1.5 percent shall be reserved to carry out section 103, relating to Indian and Native Hawaiians programs; and

"(2) 0.2 percent shall be reserved to carry out section 101A, relating to the territories."; and

(3) by striking subsections (c) through (f).

TITLE I—VOCATIONAL-TECHNICAL EDUCATION ASSISTANCE TO THE STATES

SEC. 101. ALLOTMENT.

(a) IN GENERAL.—Title I is amended by striking the matter preceding the text of section 101 and inserting the following:

"TITLE I—VOCATIONAL-TECHNICAL EDUCATION ASSISTANCE TO THE STATES

"PART A—ALLOTMENT AND ALLOCATION"

"SEC. 101. ALLOTMENT.".

(b) ALLOTMENT.—

(1) Paragraphs (1) and (2) of section 101(a) are amended to read as follows:

"(a) SPECIFIC POPULATIONS.—";

"(1) IN GENERAL.—In each fiscal year, from amounts made available under section 3(a), the Secretary shall reserve—

"(A) 1.5 percent to carry out section 103, of which—

"(i) 1.25 percent shall be available to carry out section 103(c); and

"(ii) 0.25 percent shall be available to carry out section 103(i); and

"(B) 0.2 percent for the purpose of carrying out section 101A."; and

"(2) REMAINDER OF FUNDS.—From the remainder of the sums appropriated pursuant to section 3, the Secretary shall allot to each State for each fiscal year—

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

"(B) an amount which bears the same ratio to 50 percent of the sums being allotted as the product of the population aged 20 to 24, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States.";

(2) Paragraph (3) of section 101(a) is amended—

(A) by striking subparagraphs (A) and (C);

(B) by redesignating subparagraphs (B) and (D) as (A) and (B), respectively;

(C) in subparagraph (A), as redesignated, by striking clause (i), and inserting the following:

"(i) Notwithstanding any other provision of law and subject to subparagraph (B) and clause (ii), no State shall receive less than ½ of 1 percent of the amount available for each such program for each fiscal year under this subsection."; and

(D) in subparagraph (A)(ii), as redesignated, by striking "or part A, B, C, D, or E of title III"; and

(3) by amending subsection (c) to read as follows:

"(c) ALLOTMENT RATIO.—

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

"(A) 0.50; and

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

"(i) the allotment ratio in no case shall be more than 0.55 or less than 0.40; and

"(ii) the allotment ratio for Puerto Rico and the Virgin Islands shall be 0.55.

"(2) ALLOTMENT RATIOS.—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.—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.".

SEC. 101A. THE TERRITORIES.

Section 101A of the Act is amended by inserting after subsection (c) the following new subsection:

"(d) RESTRICTION.—Notwithstanding any other provision of law, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall not receive any funds under this part for any fiscal year that begins after September 30, 2001.".

SEC. 102. WITHIN STATE ALLOTMENTS.

Section 102 is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking "at least" and all that follows through the semicolon and inserting "an amount equal to not less than 90 percent of the allotment shall be available for basic programs under part B of title II;";

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(D) in paragraph (2), as redesignated, by striking "8.5" and inserting "8" and further by adding after the semicolon "and";

(E) in paragraph (3), as redesignated—

(i) by striking "5" and inserting "2";

(ii) by striking "of which—" and all that follows through "and" at the end and inserting the following:

"which may be used for the costs of—

"(A) developing the State application;

"(B) reviewing local applications;

"(C) monitoring and evaluating program effectiveness; and

"(D) assuring compliance with all applicable Federal laws."; and

(F) by striking paragraph (5);

(2) in subsection (b) by striking "(a)(4)" and inserting "(a)(3)"; and

(3) by striking subsection (c) and inserting the following:

"(c) RURAL RESERVE.—A State may reserve not more than 10 percent of the allotment made under section 102(a)(1) to use for grants to rural areas.

"(d) INCENTIVE AWARDS.—A State may reserve not more than 5 percent of the allotment made under section 102(a)(1) to make awards—

"(1) to a local eligible recipient that meets or exceeds the State benchmarks described in section 114;

"(2) to a local eligible recipient that meets or exceeds the average State graduation rate; or

"(3) to assist a local eligible recipient that has significantly failed to meet the State benchmarks described in section 114, or has a graduation rate that is significantly below the average State graduation rate."

SEC. 103. INDIAN AND NATIVE HAWAIIAN PROGRAMS.

Section 103 of the Act is amended to read as follows:

"SEC. 103. NATIVE AMERICAN PROGRAM.

"(a) INDIAN POLICY.—All programs assisted under this section shall be administered in a manner consistent with the principles of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and the government-to-government relationship between the Federal Government and Indian tribal governments.

"(b) DEFINITIONS.—As used in this section:

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

"(2) BUREAU FUNDED.—The term 'Bureau funded school' means—

"(A) a Bureau school;

"(B) a contract school; or

"(C) a school for which assistance is provided under the Tribally Controlled Schools Act of 1988.

"(3) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION.—The terms 'Indian', 'Indian tribe', and 'tribal organization' have the meanings given such terms in subsections (d), (e), and (l), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(4) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

"(5) NATIVE HAWAIIAN AND NATIVE HAWAIIAN ORGANIZATION.—The terms 'Native Hawaiian' and 'Native Hawaiian organization' have the meanings given such terms in paragraphs (1) and (3), respectively, of section 9212 of the Native Hawaiian Education Act (20 U.S.C. 7912).

"(6) TRIBALLY CONTROLLED COMMUNITY COLLEGE.—The term 'tribally controlled community college' has the meaning given such term in section 2(a)(4) of the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1801(a)(4)).

"(7) TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL INSTITUTION.—The term 'tribally controlled postsecondary vocational institution' means an institution of higher education that—

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

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

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

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

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

"(F) holds accreditation with or is a candidate for accreditation by a nationally recognized accrediting authority for postsecondary vocational-technical education; and

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

"(c) PROGRAM AUTHORIZED.—

"(1) IN GENERAL.—From amounts reserved under section 101(a)(1)(A)(i), the Secretary shall make grants to Indian tribes, tribal organizations and Alaska Native entities to carry out the authorized programs described in subsection (d), except that such terms shall not include secondary school programs in Bureau funded schools.

"(2) SPECIAL AUTHORITY RELATING TO SECONDARY SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN AFFAIRS.—An Indian tribe, a tribal organization, or an Alaska Native entity, that receives funds through a grant made or contract entered into under paragraph (1) may use the funds to provide assist-

ance to a secondary school operated or supported by the Bureau of Indian Affairs to enable such school to carry out vocational-technical education programs.

"(d) AUTHORIZED PROGRAMS.—Funds made available under this section shall be used to carry out vocational-technical education programs consistent with the purposes of this Act.

"(e) GRANT APPLICATION.—In order to receive a grant under this section an entity described in subsection (c) shall submit an application to the Secretary and shall include an assurance that such entity shall comply with the requirements of this Act.

"(f) SPECIAL CONSIDERATION.—The Secretary, in making grants under subsection (c), shall give special consideration to—

"(1) grants which involve, coordinate with, or encourage tribal economic development plans; and

"(2) applications from tribally controlled community colleges which—

"(A) are accredited or are candidates for accreditation by a nationally recognized accreditation organization as an institution of postsecondary vocational-technical education; or

"(B) operate vocational-technical education programs that are accredited or are candidates for accreditation by a nationally recognized accreditation organization and issue certificates for completion of vocational-technical education programs.

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

"(h) NONDUPLICATIVE AND NONEXCLUSIVE SERVICES.—Nothing in this section shall be construed—

"(1) to limit the eligibility of any entity described in subsection (c) to participate in any activity offered by a State or local entity under this title; or

"(2) to preclude or discourage any agreement, between any entity described in subsection (c) and any State or local entity, to facilitate the provision of services by such entity or to the population served by such entity.

"(i) NATIVE HAWAIIAN PROGRAMS.—From the funds reserved pursuant to section 101(a)(1)(A)(ii), the Secretary is directed to enter into contracts with organizations primarily serving and representing Native Hawaiian Programs which are recognized by the Governor of the State of Hawaii to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the provisions of this section for the benefit of Native Hawaiian Programs.".

SEC. 104. TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL INSTITUTIONS.

Part A of title I of the Act is amended by adding at the end the following:

"SEC. 104. TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL-TECHNICAL EDUCATION PROGRAMS

"(a) GRANTS AUTHORIZED.—The Secretary shall, subject to the availability of appropriations, make grants pursuant to this section to tribally controlled postsecondary vocational-technical institutions to provide basic support for the education and training of Indian students.

"(b) USE OF GRANTS.—Amounts made available pursuant to this section shall be used for vocational-technical education programs.

"(c) ELIGIBLE GRANT RECIPIENTS.—To be eligible for assistance under this section a tribally controlled postsecondary vocational-technical institution shall—

"(1) be governed by a board of directors or trustees, a majority of whom are Indians;

"(2) have been in operation for at least 3 years;

"(3) hold accreditation with or be a candidate for accreditation by a nationally recognized accrediting authority for postsecondary vocational-technical education; and

"(4) enroll the full-time equivalent of not less than 100 students, of whom a majority are Indians.

"(d) APPLICATIONS.—Any tribally controlled postsecondary vocational-technical institution that desires to receive a grant under this section shall submit an application to the Secretary in such manner and form as the Secretary may require.

"(e) OTHER PROGRAMS.—

"(1) IN GENERAL.—Except as specifically provided in this Act, eligibility for assistance under this section shall not preclude any tribally controlled postsecondary vocational-technical institution from receiving Federal financial assistance under any program authorized under the Higher Education Act of 1965 or any

other applicable program for the benefit of institutions of higher education or vocational-technical education.

"(2) PROHIBITION ON ALLOCATION OF GRANT AMOUNT.—The amount of any grant for which tribally controlled postsecondary vocational-technical institutions are eligible under this subpart shall not be altered because of funds allocated to any such institution from funds appropriated under the Act of November 2, 1921.

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

"(f) DEFINITIONS.—For the purposes of this section:

"(1) INDIAN.—The terms 'Indian' and 'Indian tribe' have the meanings given such terms in section 2 of the Tribally Controlled Community College Assistance Act of 1978.

"(2) TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL-TECHNICAL INSTITUTION.—The term 'tribally controlled postsecondary vocational-technical institution' means an institution of higher education which is formally controlled, or has been formally sanctioned or chartered by the governing body of an Indian tribe or tribes which offers technical degrees or certificate granting programs.

"(3) INDIAN STUDENT COUNT.—The term 'Indian student count' means a number equal to the total number of Indian students enrolled in each tribally controlled vocational-technical institution, determined as follows:

"(A) REGISTRATIONS.—The registrations of Indian students as in effect on October 1 of each year.

"(B) SUMMER TERM.—Credits or clock hours toward a certificate earned in classes offered during a summer term shall be counted toward the computation of the Indian student count in the succeeding fall term.

"(C) ADMISSION CRITERIA.—Credits or clock hours toward a certificate earned in classes during a summer term shall be counted toward the computation of the Indian student count if the institution at which the student is in attendance has established criteria for the admission of such student on the basis of the student's ability to benefit from the education or training offered. The institution shall be presumed to have established such criteria if the admission procedures for such studies include counseling or testing that measures the student's aptitude to successfully complete the course in which the student has enrolled. No credit earned by such student for purposes of obtaining a high school degree or its equivalent shall be counted toward the computation of the Indian student count.

"(D) DETERMINATION OF HOURS.—Indian students earning credits in any continuing education program of a tribally controlled vocational-technical institution shall be included in determining the sum of all credit or clock hours.

"(E) CONTINUING EDUCATION.—Credits or clock hours earned in a continuing education program shall be converted to the basis that is in accordance with the institution's system for providing credit for participation in such programs.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated not more than $4,000,000 for fiscal year 1998 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out the provisions of this section.".

PART B—STATE ORGANIZATIONAL AND PLANNING RESPONSIBILITIES

SEC. 111. STATE ADMINISTRATION.

Section 111 of this Act is amended—

(1) in subsection (a)(1)(A), by striking "pursuant to section 113(b)(8), section 116, and section 117";

(2) by striking subsection (a)(1)(B);

(3) in subsection (a)(1)(C), by striking "consultation with" and all that follows through the semicolon at the end of subsection (a)(1)(C) and inserting "consultation with the Governor and appropriate agencies, groups, and individuals, including business, industry and representatives of employees involved in the

planning, administration, evaluation, and coordination of programs funded under this Act;"; and

(4) by striking subsections (b) through (g) and inserting the following:

"(b) LIST OF PROGRAMS ASSISTED.—The State board shall make available to each Private Industry Council established under section 102 of the Job Training Partnership Act within the State a listing of all programs assisted under this Act.".

SEC. 112. STATE COUNCIL ON VOCATIONAL EDUCATION.

Section 112 of the Act is repealed.

SEC. 113. STATE APPLICATION.

Section 113 of the Act is amended—

(1) by redesignating such section as section 112;

(2) by striking "**plan**" in the section heading and inserting "**application**";

(3) in subsection (a)—

(A) in paragraph (1), by striking "(A)" and further by striking all that follows after "Secretary" and inserting "an application in such manner and accompanied by such information as the Secretary may require but which, at a minimum, shall be for a 5-year period.";

(B) in paragraph (1), by striking subparagraph (B);

(C) by amending paragraph (2) to read as follows:

"(2) The State board shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups an opportunity to present their views and make recommendations regarding the State application. A summary of such recommendations and the State board's response shall be included with the State application."; and

(D) by striking paragraph (3); and

(4) by striking subsections (b) and (c) and inserting the following:

"(b) CONTENTS.—Each State application shall—

"(1) describe the vocational-technical education programs that will be carried out with funds received by the State under this Act, including a description of—

"(A) the secondary and postsecondary vocational-technical education programs to be carried out at the State level pursuant to section 201, including programs that will be carried out by the State to develop, improve, and expand access to quality, state-of-the-art technology in vocational-technical education programs;

"(B) the criteria that will be used by the State in approving applications of eligible recipients of funds under this Act; and

"(C) how such programs will prepare vocational-technical education students for opportunities in postsecondary education or entry into high skill, high wage jobs;

"(2) describe how the State will actively involve parents, teachers, local businesses (including small- and medium-sized businesses) and representatives of employees in the planning, development, and implementation of such vocational-technical education programs;

"(3) describe how funds received by the State through the allotment made under section 102 will be allocated among secondary school vocational-technical education, or postsecondary and adult vocational-technical education, or both, including the rationale for such allotment;

"(4) describe how the State will—

"(A) improve the academic and technical skills of students participating in vocational-technical education programs which includes strengthening the academic component of vocational-technical education programs through the integration of academics with vocational-technical education to ensure learning in the core academic subjects and provide students with strong experience and understanding of all aspects of the industry; and

"(B) ensure that students who participate in such vocational-technical education programs are taught to the same challenging academic proficiencies as are provided for all other students;

"(5) describe how the State will annually evaluate the effectiveness of such vocational-technical education programs and describe how the State is coordinating such programs to ensure nonduplication with other existing Federal programs;

"(6) identify the benchmarks that the State will use to measure the progress of the State, including a description of how such benchmarks will ensure continuous improvement for vocational-technical students in meeting such benchmarks;

"(7) describe how the State will—

"(A) provide vocational-technical education programs that lead to high skill, high wage careers for members of special populations, displaced homemakers, single parents, and single pregnant women; and

"(B) ensure that members of special populations meet State benchmarks established under section 114 and are prepared for postsecondary education, further learning, and high skill, high wage careers;

"(8) provide a financial audit of funds received under this Act; and

"(9) provide assurances that none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.

"(c) AMENDMENTS.—The State board may submit amendments to the State application, as necessary, during the 5-year period. Such amendments shall be submitted in accordance with section 113(c).".

SEC. 114. SUBMISSION OF STATE APPLICATION.

Section 114 of the Act is amended—

(1) by redesignating such section as section 113;

(2) by striking "**STATE PLAN APPROVAL**" in the section heading and inserting "**SUBMISSION OF STATE APPLICATION**";

(3) by striking subsections (a) and (b); and

(4) by adding at the end the following:

"(a) APPLICATION.—Each State application shall be submitted to the Secretary by not later than May 1 preceding the beginning of the first fiscal year for which a State application is to be in effect.

"(b) CONSULTATION.—The State board shall develop the portion of each State application relating to the amount and uses of any funds proposed to be reserved for adult vocational-technical education, postsecondary vocational-technical education, tech-prep education, and secondary vocational-technical education after consultation with the State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary vocational-technical education, and the State agency responsible for secondary education. If a State agency finds that a portion of the final State application is objectionable, such agency shall file such objections with the State board. The State board shall respond to any objections of such agency in submitting such application to the Secretary.

"(c) APPLICATION SUBMISSION.—A State application submitted to the Secretary under this section shall be approved by the Secretary unless the Secretary makes a written determination, within 90 days after receiving the application, that the application is in violation of the provisions of this Act.".

SEC. 115. ACCOUNTABILITY.

Part B of title I is amended by inserting after section 113, as redesignated, the following:

"SEC. 114. ACCOUNTABILITY.

"(a) BENCHMARKS.—To be eligible to receive an allotment under section 102, a State shall develop and identify in the State application submitted under section 113 proposed rigorous and quantifiable benchmarks to measure the statewide progress of the State, which shall include, at a minimum, measures, of—

"(1) attainment of challenging State academic proficiencies;

"(2) attainment of secondary school diplomas or general equivalency diplomas; and

"(3) placement in, retention in, and completion of, postsecondary education or advanced training, or placement and retention in military service, or employment.

"(b) PROGRAM IMPROVEMENT AND SANCTIONS.—

"(1) STATE PROGRAM IMPROVEMENT PLAN.—If a State fails to meet its State benchmarks as described in the report submitted under subsection (c), the State shall develop and implement a program improvement plan in consultation with appropriate agencies, individuals, and organizations for the first program year succeeding the program year in which the State failed to meet its benchmarks in order to avoid a sanction as provided under paragraph (3).

"(2) LOCAL IMPROVEMENT PLAN.—If an eligible recipient fails to meet its State benchmarks, the eligible recipient shall develop a program improvement plan with appropriate agencies, individuals, and organizations for the succeeding program year.

"(3) SANCTIONS.—

"(A) IN GENERAL.—If a State fails to meet the State benchmarks required under subsection (a), and has not implemented an improvement plan as described in paragraph (1), has not demonstrated improvement in meeting its benchmarks, or has failed to meet its benchmarks for 2 or more consecutive years, the Secretary may, after notice and opportunity for a hearing, or withhold from the State all, or a portion of, the State's allotment under this Act. The Secretary may waive the sanction due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.

"(B) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The amount of funds retained by the Secretary as a result of a reduction in an allotment made under subparagraph (A) shall be redistributed to other States in accordance with section 101.

"(c) REPORT.—

"(1) IN GENERAL.—

"(A) INFORMATION.—Each State that receives an allotment under section 102 shall annually prepare and submit to the Secretary a report on how the State is performing on State benchmarks that relate to vocational-technical education programs. In preparing the report, the State may include information on such additional vocational-technical education benchmarks as the State may establish.

"(B) SPECIAL POPULATIONS.—The report submitted by the State in accordance with subparagraph (A) shall include a description of how special populations, displaced homemakers, single parents, and single pregnant women participating in vocational-technical education programs have met the vocational-technical education benchmarks established by the State.

"(2) INFORMATION DISSEMINATION.—The Secretary shall make the information contained in such reports available to the general public through publication and other appropriate methods which may include electronic communication.

"(3) BENCHMARK PERFORMANCE.—Each local recipient shall make available to the general public information regarding how the local recipient is performing in regard to the State benchmarks.".

SEC. 116. PROGRAM EVALUATION.

Sections 115, 116, 117, and 118 of the Act are repealed.

TITLE II—BASIC STATE GRANTS FOR VOCATIONAL-TECHNICAL EDUCATION

SEC. 201. STATE PROGRAMS.

(a) HEADING.—The heading for title II is amended to read as follows:

"TITLE II—BASIC STATE GRANTS FOR VOCATIONAL-TECHNICAL EDUCATION".

(b) PROGRAMS.—Section 201 of the Act is amended—

(1) in subsection (a), by striking "102(a)(3)" and inserting "102(a)(2)";

(2) by amending subsection (b) to read as follows:

"(b) REQUIRED USES OF FUNDS.—The programs described in subsection (a) shall include—

"(1) an assessment of the vocational-technical education programs carried out with funds under this Act that includes an assessment of how the needs of special populations are being met and how such programs will ensure that the benchmarks established under section 114 are being met;

"(2) developing, improving, or expanding the use of technology in vocational-technical education which may include:

"(A) training of vocational-technical education personnel to use state-of-the-art technology, which may include distance learning,

"(B) providing vocational-technical education students with the academic and technical skills that lead to entry into the high technology and telecommunications field; or

"(C) encouraging schools to work with high tech industries to offer voluntary internships and mentoring programs;

"(3) professional development programs, including—

"(A) inservice and preservice training in state-of-the-art vocational-technical education programs and techniques; and

"(B) support of education programs for teachers of vocational-technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to vocational education students to ensure that such teachers stay current with the needs, expectations, and methods of industry; and

"(4) support for vocational-technical education programs that improve the academic and technical skills of students participating in vocational-technical education programs by strengthening the academic component of such vocational-technical education programs through the integration of academics with vocational-technical education to ensure learning in the core academic subjects.";

(3) by amending subsection (c) to read as follows:

"(c) PERMISSIBLE USES OF FUNDS.—The programs under subsection (a) may include—

"(1) technical support for eligible recipients;

"(2) support for tech-prep programs;

"(3) support for programs for single parents, displaced homemakers, single pregnant women, and individuals in nontraditional occupations that lead to high skill, high wage careers;

"(4) support for cooperative education;

"(5) support for vocational student organizations;

"(6) support for public charter schools operating secondary vocational-technical education programs;

"(7) support for vocational-technical education programs that offer experience in, and understanding of, all aspects of the industry for which students are preparing to enter;

"(8) support for family and consumer sciences programs; and

"(9) support for corrections vocational-technical education."; and

(4) by adding after subsection (c) the following new subsection:

"(d) RESTRICTION ON USES OF FUNDS.—A State that receives funds under section 102(a)(2) may not use any of such funds to pay administrative costs.".

SEC. 202. SECONDARY, POSTSECONDARY, AND ADULT VOCATION-TECHNICAL EDUCATION PROGRAMS.

Part B of title II of the Act is amended to read as follows:

"PART B—SECONDARY, POSTSECONDARY, AND ADULT VOCATIONAL-TECHNICAL EDUCATION PROGRAMS

"Subpart 1—Within-State Allocation

"SEC. 221. DISTRIBUTION OF FUNDS TO SECONDARY SCHOOL PROGRAMS.

"(a) GENERAL RULE.—Except as otherwise provided in this section and section 223, each State shall distribute the funds received under this Act and available in fiscal year 1998 for secondary school vocational-technical education to local educational agencies within the State as follows:

"(1) From 70 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 70 percent as the amount such local educational agency was allocated under section 1124 or such section's predecessor authority of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the total amount received under such section by local educational agencies in the State in such year.

"(2) From 20 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 20 percent as the number of students with disabilities who have individualized education programs under section 614(d) of the Individuals with Disabilities Education Act who are served by such local educational agency in the preceding fiscal year bears to the total number of such students served by local educational agencies in the State in such year.

"(3) From 10 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 10 percent as the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of such local educational agency in the preceding fiscal year bears to the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of all local educational agencies in the State in such year.

"(b) ALLOCATION FOR SUBSEQUENT FISCAL YEARS.—In fiscal year 1999, and the succeeding 3 fiscal years, each State shall distribute the funds available in any such fiscal year for secondary school vocational-technical education programs to local educational agencies within the State as follows:

"(1) POPULATION.—50 percent shall be allocated to such agencies in proportion to the number of individuals aged 15 to 19, inclusive, who reside in the school district served by such agency for the preceding fiscal year compared to the total number of such individuals who reside in the school districts served by all local educational agencies in the State for such preceding year.

"(2) INCOME.—50 percent shall be allocated to such agencies in proportion to the number of individuals aged 15 through 19, inclusive, who reside in the school district served by such agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the fiscal year for which the determination is made compared to the number of such individuals in all the local educational agencies in the State.

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

"(1) demonstrates that the formula described in subsection (b) does not result in a distribution of funds to local educational agencies within the State that have the greatest economic need and that an alternative formula would result in such a distribution; and

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

"(d) MINIMUM GRANT AMOUNT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), no local educational agency shall be eligible for a grant under this part unless the amount allocated to such agency under subsections (a) and (b) is not less than $7,500. A local educational agency may enter into a consortium with other local educational agencies for purposes of meeting the minimum allocation requirement of this paragraph.

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

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

"(ii) is a public charter school operating secondary vocational-technical education programs; and

"(B) demonstrates that the agency is unable to enter into a consortium for purposes of providing services under this part.

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

"(e) LIMITED JURISDICTION AGENCIES.—

"(1) IN GENERAL.—In applying the provisions of subsections (a), (b), (c), and (d), no State receiving assistance under this Act shall allocate funds to a local educational agency that serves only elementary schools, but shall distribute such funds to the local educational agency or regional educational agency that provides secondary school services to secondary school students in the same attendance area.

"(2) SECONDARY SCHOOL JURISDICTION.—The amount to be allocated under paragraph (1) to a local educational agency that has jurisdiction only over secondary schools shall be determined based on the number of students that were enrolled in such secondary schools in the previous year from the elementary schools involved.

"(f) ALLOCATIONS TO AREA VOCATIONAL-TECHNICAL EDUCATION SCHOOLS AND EDUCATIONAL SERVICE AGENCIES.—

"(1) IN GENERAL.—Each State shall distribute funds available for secondary school vocational-technical education programs to the appropriate area vocational-technical education school or educational service agency in any case in which the area vocational-technical education school or educational service agency and the local educational agency concerned—

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

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

"(2) ALLOCATION BASIS.—If an area vocational-technical education school or educational service agency meets the requirements of paragraph (1), then the

amount that would otherwise be distributed to the local educational agency shall be allocated to the area vocational-technical education school, the educational service agency, and the local educational agency based on each school's or entity's relative share of students who are attending vocational-technical education programs (based, if practicable, on the average enrollment for the prior 3 years).

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

"(g) CONSORTIUM REQUIREMENTS.—

"(1) ALLIANCE.—Any local educational agency receiving an allocation that is not sufficient to conduct a program which meets the requirements of section 225 is encouraged to—

"(A) form a consortium or enter into a cooperative agreement with an area vocational-technical education school or educational service agency offering programs that meet the requirements of section 225;

"(B) transfer such allocation to the area vocational-technical education school or educational service agency; and

"(C) be of sufficient size, scope, and quality as to be effective.

"(2) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements of this paragraph shall be used only for purposes and programs that are mutually beneficial to all members of the consortium and can be used only for programs authorized under this Act. Such funds may not be reallocated to individual members of the consortium for purposes or programs benefiting only one member of the consortium.

"(h) DATA.—The Secretary shall collect information from States regarding the specific dollar allocations made available by the State for vocational-technical education programs under subsections (a), (b), (c), and (d) and how these allocations are distributed to local educational agencies, area vocational-technical education schools, educational services agencies, and eligible institutions within the State in accordance with this section.

"SEC. 222. DISTRIBUTION OF FUNDS FOR POSTSECONDARY AND ADULT VOCATIONAL-TECHNICAL EDUCATION PROGRAMS.

"(a) ALLOCATION.—

"(1) IN GENERAL.—Except as provided in subsections (b) and (c) and section 223, each State shall distribute funds available in any fiscal year for postsecondary and adult vocational-technical education programs to eligible institutions or consortia of eligible institutions within the State.

"(2) FORMULA.—Each eligible institution or consortium of eligible institutions shall receive an amount that bears the same relationship to the amount of funds available under such section as the number of individuals who are Pell Grant recipients or recipients of assistance from the Bureau of Indian Affairs and are enrolled in programs meeting the requirements of section 225 offered by such institution or consortium in the preceding fiscal year bears to the number of such recipients enrolled in such programs within the State for such year.

"(3) CONSORTIUM REQUIREMENTS.—

"(A) IN GENERAL.—In order for a consortium of eligible institutions described in paragraph (2) to receive assistance pursuant to such paragraph, such consortium shall operate joint projects that—

"(i) provide services to all postsecondary institutions participating in the consortium; and

"(ii) are of sufficient size, scope, and quality as to be effective.

"(B) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements of this section shall be used only for purposes and programs that are mutually beneficial to all members of the consortium and can be used only for programs authorized under this Act. Such funds may not be reallocated to individual members of the consortium for purposes or programs benefiting only one member of the consortium.

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

"(1) demonstrates that the formula described in subsection (a) does not result in a distribution of funds to the institutions or consortia within the State that

have the highest numbers of economically disadvantaged individuals and that an alternative formula would result in such a distribution; and

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

"(c) MINIMUM GRANT AMOUNT.—

"(1) IN GENERAL.—No funds provided to any institution or consortium under this section shall be for an amount that is less than $20,000.

"(2) REDISTRIBUTION.—Any amounts that are not distributed by reason of paragraph (1) shall be redistributed to eligible institutions or consortia of eligible institutions in accordance with the provisions of this section.

"(d) DEFINITIONS.—For the purposes of this section—

"(1) the term 'eligible institution' means an institution of higher education as such term is defined in section 1201(a) of the Higher Education Act of 1965, a local educational agency serving adults, or an area vocational education school serving adults that offers or will offer a program that meets the requirements of section 225 and seeks to receive assistance under this part; and

"(2) the term 'Pell Grant' means a recipient of financial aid under subpart 1 of part A of title IV of the Higher Education Act of 1965.

"SEC. 223. SPECIAL RULES FOR VOCATIONAL-TECHNICAL EDUCATION.

"(a) SPECIAL RULE FOR MINIMAL ALLOCATION.—

"(1) GENERAL AUTHORITY.—Notwithstanding the provisions of sections 221 and 222 and in order to make a more equitable distribution of funds for programs serving the areas of greatest economic need, for any program year for which a minimal amount is made available by a State for distribution under section 221 or 222, such State may distribute such minimal amount for such year—

"(A) on a competitive basis; or

"(B) through any alternative method determined by the State.

"(2) MINIMAL AMOUNT.—For purposes of this section, the term 'minimal amount' means not more than 15 percent of the total amount made available for distribution under this part.

"(b) REDISTRIBUTION.—

"(1) IN GENERAL.—In any academic year that a local educational agency or eligible institution does not expend all of the amounts it is allocated for such year under section 221 or 222, such recipient shall return any unexpended amounts to the State to be reallocated under section 221 or 222, as appropriate.

"(2) REDISTRIBUTION OF AMOUNTS RETURNED LATE IN AN ACADEMIC YEAR.—In any academic year in which amounts are returned to the State under section 221 or 222 and the State is unable to reallocate such amounts according to such sections in time for such amounts to be expended in such academic year, the State shall retain such amounts for distribution in combination with amounts provided under this title for the following academic year.

"(c) CONSTRUCTION.—Nothing in section 221 or 222 shall be construed—

"(1) to prohibit a local educational agency (or a consortium thereof) that receives assistance under section 221, from working with an eligible recipient (or consortium thereof) that receives assistance under section 222, to carry out secondary school vocational-technical education programs in accordance with this title;

"(2) to prohibit an eligible recipient (or consortium thereof) that receives assistance under section 222, from working with a local educational agency (or consortium thereof) that receives assistance under section 221, to carry out postsecondary and adult vocational-technical education programs in accordance with this title; or

"(3) to require a charter school that is a local educational agency to jointly establish its eligibility unless the charter school is explicitly permitted to do so under the State's charter school statute.

"(d) CONSISTENT APPLICATION.—For purposes of this section, the State board shall provide funds to charter schools that offer vocational-technical education programs that are public schools of the local educational agency in the same manner as it provides those funds to other schools of the local educational agency. Such program within a charter school shall be of sufficient size, scope, and quality as to be effective.

"SEC. 224. LOCAL APPLICATION FOR VOCATIONAL-TECHNICAL EDUCATION PROGRAMS.

"(a) APPLICATION REQUIRED.—Any eligible recipient desiring financial assistance under this part shall, in accordance with requirements established by the State board, submit an application to the State board. Such application shall cover the same period of time as the period of time applicable to the State application submitted under section 112.

"(b) CONTENTS.—The State board shall determine requirements for local applications, except that each application shall—

"(1) describe how the vocational-technical education programs required under section 225(b) will be carried out with funds received under this part;

"(2) describe how students participating in vocational-technical education programs carried out with funds under this Act will reach the State benchmarks as established under section 114;

"(3) describe how the eligible recipient will—

"(A) improve the academic and technical skills of students participating in vocational-technical education programs by strengthening the academic component of such programs through the integration of academics with vocational-technical education programs through a coherent sequence of courses to ensure learning in the core academic subjects; and

"(B) ensure that students who participate in such vocational-technical education programs are taught to the same challenging academic proficiencies as are provided for all other students;

"(4) describe how parents, students, teachers, business and representatives of employees are involved in the development and implementation of vocational-technical education programs assisted under this Act; and

"(5) provide assurances that the eligible recipient will provide a vocational-technical education program that is of such size, scope, and quality as to bring about improvement in the quality of vocational-technical education programs.

"SEC. 225. LOCAL USES OF FUNDS.

"(a) GENERAL AUTHORITY.—Each eligible recipient that receives a grant under this part shall use such funds to improve vocational-technical education programs.

"(b) REQUIREMENTS FOR USES OF FUNDS.—Funds made available under this part shall be used to provide vocational-technical education programs that—

"(1) strengthen the academic and technical skills of students participating in vocational-technical education programs by strengthening the academic component of such programs through the integration of academics with vocational-technical education programs through a coherent sequence of courses to ensure learning in the core academic subjects;

"(2) develop, improve, or expand the use of technology in vocational-technical education which may include:

"(A) training of vocational-technical education personnel to use State-of-the art technology, which may include distance learning;

"(B) providing vocational-technical education students with the academic and technical skills that lead to entry into the high technology and telecommunications field; or

"(C) encouraging schools to work with high tech industries to offer voluntary internships and mentoring programs;

"(3) provide professional development programs, including—

"(A) inservice training in state-of-the-art vocational-technical education programs and techniques; and

"(B) support of education programs for teachers of vocational-technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to vocational education students, to ensure that such teachers stay current with the needs, expectations, and methods of industry;

"(4) support vocational-technical education programs that improve the academic and technical skills of students participating in vocational-technical education programs by strengthening the academic component of such vocational-technical education programs through the integration of academics with vocational-technical education to ensure learning in the core academic subjects; and

"(5) provide an assessment of the vocational-technical education programs carried out with funds under this Act, including an assessment of how the needs of special populations are being met, and how such programs will ensure that the benchmarks established under section 114 are being met.

"(c) PERMISSIBLE ACTIVITIES.—The vocational-technical education programs described in subsection (b) may be used for—

"(1) establishing agreements between secondary and postsecondary vocational-technical education programs in order to provide postsecondary education and training opportunities for students participating in such vocational-technical programs, such as tech-prep programs;

"(2) involving parents, business, and representatives of employees in the design and implementation of vocational-technical education programs authorized under this Act;

"(3) providing career guidance and counseling;

"(4) providing work related experience, such as internships, cooperative education, school-based enterprises, entrepreneurship, and job shadowing that are related to vocational-technical education programs;

"(5) programs for single parents, displaced homemakers, and single pregnant women;

"(6) local education and business partnerships;

"(7) vocational student organizations;

"(8) mentoring and support services;

"(9) leasing, purchasing, or upgrading of equipment; and

"(10) establishing effective programs and procedures to enable vocational-technical education program participants and their parents to participate directly in decisions that influence the programs, including providing information and assistance for informed effective participation.

"(d) ADMINISTRATIVE COSTS.—Each eligible recipient receiving funds under this part shall not use more than 2 percent of the funds for administrative costs associated with the administration of the grant.".

SEC. 203. REPEAL OF PART C.

Part C of title II is repealed.

TITLE III—RESEARCH AND DEVELOPMENT

SEC. 301. EVALUATION; RESEARCH, DEMONSTRATIONS AND DISSEMINATION.

(a) HEADING.—The heading for title III is amended to read as follows:

"TITLE III—RESEARCH AND DEVELOPMENT".

(b) PART A.—Part A of title III is amended to read as follows:

"PART A—RESEARCH AND DEVELOPMENT

"SEC. 301. EVALUATION; RESEARCH; DEMONSTRATIONS; AND DISSEMINATION.

"(a) SINGLE PLAN.—

"(1) IN GENERAL.—The Secretary shall develop a single plan for evaluation and assessment, research, demonstrations, and dissemination with regard to the vocational-technical education programs assisted under this Act.

"(2) PLAN.—Such plan shall—

"(A) identify the vocational-technical education programs the Secretary will carry out under this section;

"(B) describe how the Secretary will evaluate such vocational-technical education programs in accordance with subsection (b); and

"(C) include such other information as the Secretary determines to be appropriate.

"(b) EVALUATION AND ASSESSMENT.—

"(1) IN GENERAL.—From amounts made available under subsection (g), the Secretary shall provide for the conduct of an independent evaluation and assessment of vocational-technical education programs under this Act through studies and analyses conducted independently through grants and contracts awarded on a competitive basis.

"(2) CONTENTS.—Such evaluation and assessment of vocational-technical education programs shall include descriptions of—

"(A) the extent to which State, local, and tribal entities have developed, implemented, or improved State and local vocational-technical education programs;

"(B) the degree to which the expenditures at the Federal, State, local, and tribal levels address improvement in vocational-technical education programs;

"(C) the extent to which vocational-technical education programs succeed in preparing individuals participating in such programs for entry into post-secondary education, further learning, or high skill, high wage careers; and

"(D) the effect of State benchmarks, performance measures, and other measures of accountability on the delivery of vocational-technical education programs.

"(c) INFORMATION COLLECTION AND REPORT.—

"(1) IN GENERAL.—The Secretary may collect and disseminate information from States regarding State efforts to meet State benchmarks described in section 114.

"(2) REPORT.—The Secretary shall gather any information collected pursuant to paragraph (1) and submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

"(d) RESEARCH.—

"(1) IN GENERAL.—The Secretary shall award grants, on a competitive basis, to an institution of higher education, a public or private organization or agency, or a consortium of such institutions, organizations, or agencies to establish a national research center or centers—

"(A) to carry out research for the purpose of developing, improving, and identifying the most successful methods for successfully addressing the education, employment, and training needs of participants in vocational-technical education programs;

"(B) to carry out research to increase the effectiveness and improve the implementation of vocational-technical education programs, including conducting research and development and studies providing longitudinal information or formative evaluation with respect to vocational-technical education programs;

"(C) to carry out such other programs as the Secretary determines to be appropriate to achieve the purposes of this Act.

"(2) SUMMARY.—The Secretary shall provide an annual report summarizing the evaluations and assessments described in subsection (b), and the research conducted pursuant to this subsection, and the findings of such evaluations and assessments, and research, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

"(e) DEMONSTRATIONS AND DISSEMINATION.—

"(1) DEMONSTRATION PROGRAM.—The Secretary is authorized to carry out demonstration vocational-technical education programs, to replicate model vocational-technical education programs, to disseminate best practices information, and to provide technical assistance upon request of a State, for the purposes of developing, improving, and identifying the most successful methods and techniques for providing vocational-technical education programs assisted under this Act.

"(2) DEMONSTRATION PARTNERSHIP.—

"(A) IN GENERAL.—The Secretary shall carry out a demonstration partnership project involving a 4-year, accredited postsecondary institution, in cooperation with local public education organizations, volunteer groups, and private sector business participants to provide program support, and facilities for education, training, tutoring, counseling, employment preparation, specific skills training in emerging and established professions, retraining of military medical personnel, retraining of individuals displaced by corporate or military restructuring, migrant workers, and other individuals who otherwise would not have access to such services, through multi-site, multi-State distance learning technologies.

"(B) PROGRAM.—Such program may be carried out directly or through grants, contracts, cooperative agreements, or through the national center or centers.

"(f) DEFINITION.—As used in this section, the term 'institution of higher education' has the meaning given the term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal year 1998 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this part.".

SEC. 302. TECH-PREP EDUCATION.

Part B of title III is amended to read as follows:

"PART C—TECH-PREP EDUCATION

"SEC. 321. TECH-PREP EDUCATION.

"(a) PROGRAM AUTHORIZED.—The State board, in accordance with the provisions of this part, shall award grants to consortia on a competitive basis or on the basis of a formula determined by the State board, for tech-prep education programs.

"(b) GENERAL AUTHORITY.—Each grant recipient shall use amounts provided under the grant to develop and operate a 4-year tech-prep education program.

"(c) CONTENTS OF PROGRAM.—Any such program shall—

"(1) be carried out under an articulation agreement between the participants in the consortium;

"(2) consist of the 2 or 4 years of secondary school preceding graduation and 2 years of higher education, or an apprenticeship program of at least 2 years following secondary instruction, with a common core of required proficiency in mathematics, science, communications, and technologies designed to lead to an associate degree or postsecondary certificate in a specific career field;

"(3) include the development of tech-prep education program components appropriate to the needs of the consortium participants;

"(4) include in-service training for teachers that—

"(A) is designed to train vocational-technical teachers to effectively implement tech-prep education programs;

"(B) provides for joint training for teachers in the tech-prep consortium; and

"(C) may provide such training in weekend, evening, and summer sessions, institutes, or workshops;

"(5) include training programs for counselors designed to enable counselors to more effectively—

"(A) provide information to students regarding tech-prep education programs;

"(B) support student progress in completing such programs; and

"(C) provide information on related employment opportunities;

"(6) provide equal access to the full range of technical preparation programs to individuals who are members of special populations, including the development of tech-prep education program services appropriate to the needs of such individuals; and

"(7) provide for preparatory services that assist participants in such programs.

"(d) ADDITIONAL AUTHORIZED ACTIVITIES.—Each such program may—

"(1) provide for the acquisition of tech-prep education program equipment; and

"(2) acquire technical assistance from State or local entities that have successfully designed, established and operated tech-prep programs.

"SEC. 322. APPLICATIONS.

"(a) IN GENERAL.—Each consortium that desires to receive a grant under this part shall submit an application to the State board, as appropriate, at such time and in such manner as the State board shall prescribe.

"(b) PLAN.—Each application submitted under this section shall contain a 5-year plan for the development and implementation of programs under this part.

"(c) APPROVAL.—The State board shall approve applications based on their potential to create an effective tech-prep education program as provided for in this section.

"(d) SPECIAL CONSIDERATION.—The State board, as appropriate, shall give special consideration to applications which—

"(1) provide for effective employment placement activities or transfer of students to 4-year baccalaureate degree programs;

"(2) are developed in consultation with business, industry, institutions of higher education, and representatives of employees;

"(3) address effectively the issues of dropout prevention and reentry and the needs of special populations.

"SEC. 323. REPORT.

"Each State that receives a grant under this part shall annually prepare and submit to the Secretary a report on the effectiveness of their Tech-Prep programs, including how competitive grants were awarded within the State.

"SEC. 324. ALLOTMENT.

"The Secretary shall allot funds under this part in each fiscal year in the same manner as funds are allotted under section 101(a)(2).

"SEC. 325. AUTHORIZATION.

"(a) IN GENERAL.—From amounts made available under section 3(a), 10 percent shall be used to carry out this part for fiscal year 1998 and for each of the 4 succeeding fiscal years.

"(b) MINIMUM AMOUNT.—No State shall receive a grant of less than $200,000 under this part in any fiscal year.".

SEC. 303. VOCATIONAL-TECHNICAL EDUCATION AND OCCUPATIONAL INFORMATION DATA SYSTEMS.

Part C of title IV is amended—

(1) by striking the part heading and inserting the following:

"PART B—VOCATIONAL-TECHNICAL EDUCATION INFORMATION";

(2) by redesignating sections 421 through 424 as sections 311 through 314, respectively.

(3) by amending subsection (e) of section 312, as redesignated under paragraph (2), to read as follows:

"(e) There are authorized to be appropriated for each of fiscal years 1998 through 2002 such sums as may be necessary to carry out this part.";

(4) in section 313(a)(1), as redesignated in paragraph (2), by striking "421" and inserting "311"; and

(5) by adding at the end of such part the following new section:

"SEC. 315. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated for this part such sums as may be necessary for fiscal year 1998 and such sums as may be necessary for each of the 4 succeeding fiscal years.".

SEC. 304. REPEALS.

(a) TITLE III.—Part C of title III of the Act, as the Act was in effect on the day before the date of the enactment of this Act, is repealed.

(b) TITLE IV.—The heading for title IV and parts A, B, E, and F of such title of the Act are repealed.

TITLE IV—GENERAL PROVISIONS

SEC. 401. GENERAL PROVISIONS.

Title V of the Act is amended to read as follows:

"TITLE IV—GENERAL PROVISIONS

"PART A—FEDERAL ADMINISTRATIVE PROVISIONS

"SEC. 401. PAYMENTS.

"The Secretary shall pay from its allotment under section 101 to each State for any fiscal year for which the State has a State application submitted in accordance with section 113 (including any amendment to such application) the Federal share of the costs of carrying out the State application.

"SEC. 402. FISCAL REQUIREMENTS.

"(a) SUPPLEMENT NOT SUPPLANT.—Funds received under this Act shall be used to supplement, not supplant, the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for vocational-technical education programs.

"(b) MAINTENANCE OF EFFORT.—

"(1) DETERMINATION.—

"(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no payments shall be made under this title for any program year to a State for vocational-technical education programs unless the Secretary of Edu-

cation determines that the fiscal effort per student or the aggregate expenditures of such State for vocational-technical programs for the fiscal year preceding the fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for vocational-technical education programs, for the second program year preceding the fiscal year for which the determination is made.

"(B) COMPUTATION.—In computing the fiscal effort or aggregate expenditures pursuant to subparagraph (A), the Secretary of Education shall exclude capital expenditures, special one-time project costs, similar windfalls, and the cost of pilot programs.

"(C) DECREASE IN FEDERAL SUPPORT.—If the amount made available for vocational-technical education programs under this Act for a fiscal year is less than the amount made available for vocational-technical education programs under this Act for the preceding fiscal year, then the fiscal effort per student or the aggregate expenditures of a State required by subparagraph (B) for such preceding fiscal year shall be decreased by the same percentage as the percentage decrease in the amount so made available.

"(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) (with respect to not more than 5 percent of expenditures required for the preceding fiscal year by any State) for 1 program year only, after making a determination that such waiver would be equitable due to exceptional or uncontrollable circumstances affecting the ability of the State to meet such requirements, such as a natural disaster or an unforeseen and precipitous decline in financial resources. No level of funding permitted under such a waiver may be used as the basis for computing the fiscal effort or aggregate expenditures required under this paragraph for years subsequent to the year covered by such waiver. The fiscal effort or aggregate expenditures for the subsequent years shall be computed on the basis of the level of funding that would, but for such waiver, have been required.

"SEC. 403. AUTHORITY TO MAKE PAYMENTS.

"Any authority to make payments or to enter into contracts under this Act shall be available only to such extent or in such amounts as are provided in advance appropriation Acts.

"SEC. 404. NATIONAL AND STATE FUNDING.

"Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to bar private, religious, or home schools from participation in programs or services under the Act.

"SEC. 405. FREEDOM TO CHOOSE.

"None of the funds made available under this Act shall be used to—

"(1) require any individual to choose or pursue a specific career path or major;

"(2) compel any individual to enter into a specific course of study which requires as a condition or completion, attainment of federally-funded or endorsed industry recognized skills or standards; or

"(3) require any individuals to meet or obtain federally-funded or endorsed industry recognized skills, certificates, or standards.

"SEC. 406. LIMITATION FOR CERTAIN STUDENTS.

"None of the funds received under this Act may be used to provide vocational-technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used by such students.

"SEC. 407. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS.

"Nothing in this Act shall be construed to be inconsistent with applicable Federal laws guaranteeing civil rights.

"SEC. 408. AUTHORIZATION OF SECRETARY.

"For the purposes of increasing and expanding the use of technology in vocational-technical education instruction, including the training of vocational-technical education personnel as provided in title II, the Secretary is authorized to receive funds collected by the Federal Government from fees for the use of property, rights-of-way, and easements under the control of Federal departments and agencies for the placement of telecommunications services that are dependent, in whole or in part, upon the utilization of general spectrum rights for the transmission or reception of such services.

"PART B—STATE ADMINISTRATIVE PROVISIONS

"SEC. 411. JOINT FUNDING.

"(a) GENERAL AUTHORITY.—Funds made available to States under this Act may be used to provide additional funds under an applicable program if—

"(1) such program otherwise meets the requirements of this Act and the requirements of the applicable program;

"(2) such program serves the same individuals that are served under this Act;

"(3) such program provides services in a coordinated manner with services provided under this Act; and

"(4) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

"(b) APPLICABLE PROGRAM.—For the purposes of this section, the term 'applicable program' means any program under any of the following provisions of law:

"(1) Section 123, title II, and title III of the Job Training Partnership Act.

"(2) The Wagner-Peyser Act.

"(c) USE OF FUNDS AS MATCHING FUNDS.—For the purposes of this section, the term 'additional funds' does not include the use of funds as matching funds.

"SEC. 412. PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.

"No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one State to another State if such relocation would result in a reduction in the number of jobs available in the State where the business enterprise is located before such incentives or inducements are offered.

"SEC. 413. STATE ADMINISTRATIVE COSTS.

"For each fiscal year for which a State receives assistance under this Act, the State shall provide from non-Federal sources for costs the State incurs for administration of programs under this Act an amount that is not less than the amount provided by the State from non-Federal sources for such costs for the preceding fiscal year.

"SEC. 414. LIMITATION ON FEDERAL REGULATIONS.

"The Secretary may issue regulations under this Act only to the extent necessary to administer and ensure compliance with the specific requirements of this Act.

"SEC. 415. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.

"(a) ATTENDANCE COSTS NOT TREATED AS INCOME OR RESOURCES.—The portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection (b) shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.

"(b) ATTENDANCE COSTS.—The attendance costs described in this subsection are—

"(1) tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and

"(2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

"(c) COSTS OF VOCATIONAL-TECHNICAL EDUCATION SERVICES.—Funds made available under title II may be used to pay for the costs of vocational-technical education services required in an individualized education plan developed pursuant to section 614(d) of the Individuals with Disabilities Education Act and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to vocational-technical education.

"PART C—DEFINITIONS

"SEC. 421. DEFINITIONS.

"Except as otherwise specified in this Act, as used in this Act:

"(1) ADMINISTRATION.—The term 'administration' means programs of a State necessary for the proper and efficient performance of its duties under this Act, including supervision, but does not include curriculum development programs, personnel development, or research programs.

"(2) ALL ASPECTS OF THE INDUSTRY.—The term 'all aspects of the industry' means strong experience in, and comprehensive understanding of, the industry that individuals are preparing to enter.

"(3) AREA VOCATIONAL-TECHNICAL EDUCATION SCHOOL.—The term 'area vocational-technical education school' means—

"(A) a specialized secondary school used exclusively or principally for the provision of vocational-technical education to individuals who are available for study in preparation for entering the labor market;

"(B) the department of a secondary school exclusively or principally used for providing vocational-technical education in not fewer than five different occupational fields to individuals who are available for study in preparation for entering the labor market;

"(C) a technical institute or vocational-technical education school used exclusively or principally for the provision of vocational-technical education to individuals who have completed or left secondary school and who are available for study in preparation for entering the labor market, if the institute or school admits as regular students both individuals who have completed secondary school and individuals who have left secondary school; or

"(D) the department or division of a junior college, or community college, that operates under the policies of the State board and that provides vocational-technical education in not fewer than five different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if the department or division admits as regular students both individuals who have completed secondary school and individuals who have left secondary school.

"(4) COOPERATIVE EDUCATION.—The term 'cooperative education' means a method of instruction of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required academic courses and related instruction, by alternation of study in school with a job in any occupational field, which alternation shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual, and may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

"(5) DISPLACED HOMEMAKER.—The term 'displaced homemaker' means an individual who—

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

"(B) is a parent whose youngest dependent child will become ineligible to receive assistance under title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 not later than 2 years after the date of which the parent applies for assistance under this title.

"(6) EDUCATIONAL SERVICE AGENCY.—The term 'educational service agency' means a regional public multiservice agency authorized by State statute to develop and manage a service or program and provide the service or program to a local educational agency.

"(7) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a local educational agency, an area vocational-technical education school, an educational service agency, an institution of higher education (as such term is defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))), and a consortium of such entities.

"(8) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

"(9) OUTLYING AREA.—The term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

"(10) REPRESENTATIVES OF EMPLOYEES.—The term 'representatives of employees' means—

"(A) individuals who have been elected by organizations, associations, or a network of similar institutions to represent the economic interests of employees at a significant segment of workplaces; or

"(B) individuals from organizations, associations, or a network of similar institutions, with expertise to represent, or experience representing, the interests of employees with respect to vocational-technical education.

"(11) SECONDARY SCHOOL.—The term 'secondary school' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

"(12) SPECIAL POPULATIONS.—The term 'special populations' means individuals with disabilities, economically disadvantaged individuals, individuals of limited English proficiency, and individuals participating in nontraditional training and employment.

"(13) SECRETARY.—The term 'Secretary' means the Secretary of Education.

"(14) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(15) TECH-PREP PROGRAM.—The term 'tech-prep program' means a program of study that—

"(A) combines at least 2 years of secondary education (as determined under State law) and 2 years of postsecondary education in a nonduplicative sequential course of study;

"(B) strengthens the applied academic component of vocational-technical education through the integration of academic and vocational-technical instruction;

"(C) provides technical preparation in an area such as engineering technology, applied science, a mechanical, industrial, or practical art or trade, agriculture, a health occupation, business, or applied economics;

"(D) builds student competence in mathematics, science, and communications through applied academics in a coherent sequence of courses; and

"(E) leads to an associate degree or a certificate in a specific career field and to high skill, high wage employment or further education.

"(16) VOCATIONAL-TECHNICAL EDUCATION.—The term 'vocational-technical education' means organized educational programs that—

"(A) offer a sequence of courses that provide individuals with the academic knowledge and skills the individuals need to prepare for further education and careers in current or emerging employment sectors; and

"(B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, and occupation-specific skills, of an individual.

"(17) VOCATIONAL STUDENT ORGANIZATION.—The term 'vocational student organization' means an organization, for individuals enrolled in programs of vocational-technical education programs, that engages in programs as an integral part of the instructional component of such programs, which organization may have State and national units.".

SEC. 402. REPEAL OF SMITH-HUGHES VOCATIONAL EDUCATION ACT.

The Act of February 23, 1917 (39 Stat. 929; 20 U.S.C. 11) (commonly known as the "Smith-Hughes Vocational Education Act") is repealed.

SEC. 403. EFFECTIVE DATE.

Except as otherwise provided, the repeals and amendments made by this Act shall take effect on the date of the enactment of the Carl D. Perkins Vocational-Technical Education Act Amendments of 1997.

PURPOSE

The purpose of this Act is to strengthen the academics of vocational-technical education students, broaden the opportunities of vocational-technical education students and send more dollars to the classroom for vocational-technical education programs.

COMMITTEE ACTION

The Subcommittee on Early Childhood, Youth and Families held three hearings on the Carl D. Perkins Vocational and Applied Technology Education Act: May 20, May 22, and June 5, 1997.

The May 20, 1997 hearing was held at Thomas Jefferson High School for Science and Technology in Alexandria, Virginia. The Subcommittee received testimony from Geoffrey Jones, Principal, Thomas Jefferson High School for Science and Technology, Alexan-

dria, Virginia; David Munger, a parent of a Thomas Jefferson High School for Science and Technology student, Fairfax, Virginia; Bernadette Cogswell, a senior at Thomas Jefferson High School for Science and Technology, Fairfax, Virginia; and Nancy Opsut, a teacher at Wakefield High School in Arlington, Virginia. The Subcommittee also received testimony from Ray Pelletier, Executive Director, Northern Virginia Technology Council, Herndon, Virginia; Mike Daniels, Sector Vice President, Science Applications International Corporation (SAIC), McLean, Virginia; Mychele Brickner, Member at Large, Fairfax County School Board, Fairfax, Virginia; and Mark Emery, Vice Chair, Fairfax County School Board, Fairfax, Virginia.

The May 22, 1997 hearing in Washington, D.C. focused on vocational-technical education for the 21st Century. The Subcommittee received testimony from Paul Cole, American Federation of Teachers, New York, New York; Gary Hoachlander, President, MPR Associates, Berkley, California; James E. Bottoms, Vice President for Education and Work, Southern Regional Education Board, Atlanta, Georgia. The Subcommittee also received testimony from Jane Karas, Director for Workforce Development, Montana University System, Helena, Montana; Orlando George, Jr., President, Delaware Technical and Community College, Dover, Delaware; and William Pearson, Associate Superintendent, St. Louis Public School System, St. Louis, Missouri. Testimony also was received from John Chocholak, a teacher at Ukiah High School, Ukiah, California; John Polto, Vocational Administrative Director, Dauphin County Technical School, Harrisburg, Pennsylvania; Chad Uzarski, a student at York County Area Vocational-Technical School, York, Pennsylvania; Barney Knorr, Director, Clarion County Career Center, Shippenville, Pennsylvania; and Trusse Norris, Administrative Coordinator, Program Planning and Administrative Services, Los Angeles Unified School District, Los Angeles, California.

The June 5, 1997, hearing in Washington, D.C., continued the review of federal vocational-technical education programs. The Subcommittee received testimony from the Honorable Patricia McNeil, Assistant Secretary, Office of Vocational and Adult Education, U.S. Department of Education, Washington, DC. The Subcommittee also received testimony from Neils Brooks, Vice President, National Association of State Directors of Vocational Technical Education Consortium and Virginia State Director of the Office of Vocational and Adult Education, Richmond, Virginia; Carol D'Amico, Senior Fellow, Hudson Institute, Indianapolis, Indiana; Tom Schultz presenting the views of the American Vocational Association, Director of Auburn Career Center, Concord Township, Ohio; Daisy Stewart, President of the American Vocational Association, Blacksburg, Virginia; Robert Morrison, Senior Education Advisor, Family Research Council, Washington, DC; and Robert Bartman, Commissioner of Education, Missouri Department of Elementary and Secondary Education, Jefferson City, Missouri.

Introduction of Carl D. Perkins Vocational-Technical Education Act Amendments of 1997

On June 10, 1997, Representative Frank Riggs (R–CA) introduced H.R. 1853, the Carl D. Perkins Vocational-Technical Education Act Amendments of 1997.

Legislative action

On June 12, 1997, the Subcommittee on Early Childhood, Youth and Families favorably reported the bill with amendments to the full Committee on Education and the Workforce by a voice vote.

On June 25, 1997, the Committee on Education and the Workforce assembled to consider H.R. 1853, the Carl D. Perkins Vocational-Technical Education Act Amendments of 1997. H.R. 1853, as amended, was favorably reported by the Education and the Workforce Committee by a vote of 20–18.

SUMMARY

H.R. 1853, the Carl D. Perkins Vocational-Technical Act Amendments of 1997, amends the Carl D. Perkins Vocational and Applied Technology Education Act. The legislation authorizes the program at $1.3 billion for fiscal year 1998 and such sums through FY 2002. H.R. 1853 reforms the existing vocational-technical education statute and eliminates several separate categorical programs. The bill is comprised of five titles.

TITLE I—VOCATIONAL-TECHNICAL EDUCATION ASSISTANCE TO THE STATES

Title I amends Title I of the current Act and outlines funding to the States for vocational-technical education. The federal to State allotment is changed to more accurately reflect the population that is being served by the programs. State set asides for sex equity programs and programs for single parents, displaced homemakers and single pregnant women are eliminated as is the 1% set aside for criminal offenders. The limit on State administrative costs is lowered.

Part B of Title I streamlines the current law detailing the State organization and planning responsibilities. Provisions for a State application and approval are detailed. The State benchmarks required under the Act for vocational-technical education programs are outlined. The requirement for a State Council on Vocational Education is repealed.

TITLE II—BASIC STATE GRANTS FOR VOCATIONAL-TECHNICAL EDUCATION

Title II amends the existing Title II of the Act and describes the basic State grant program authorized under the Perkins Act. Uses of funds for State and local vocational-technical education programs are described in this title as well as the formula to distribute funds to the local level. Part C—Secondary, Postsecondary, and Adult Vocational Education Programs of the original Act is modified and moved to Part B and replaces the current Part B—Other State-Administered Programs. Part C of Title II is repealed.

TITLE III—RESEARCH AND DEVELOPMENT

Title III amends Title III of the Act by eliminating all of the special programs currently authorized under the title and replacing them with programs for research and development—formally contained in Title IV of the Act. Part A of Title III has three components: evaluation and assessment, research, and demonstrations and dissemination. Part C of Title III authorizes the tech-prep program. Title III repeals Parts B, D, E and F of title IV of the Act and authorizes funding for Part C of Title IV.

TITLE IV—GENERAL PROVISIONS

Title IV amends Title V—General Provisions of the Act. Part A contains fiscal provisions concerning maintenance of effort and supplement not supplant. Provisos to protect homeschoolers, protect the freedom of individuals to participate in vocational-technical education programs and civil rights are also outlined. A new section allowing the Secretary of Education to receive funds from cell tower fees and use these dollars for vocational-technical education is also included.

Part B outlines State administrative provisions including the prohibition on the use of funds to induce businesses to relocate across State lines, limitation on the Secretary regarding the issuance of regulations and the effective date for the legislation. The Smith-Hughes Vocational Education Act is also repealed.

Part C contains definitions for the Act.

COMMITTEE VIEWS

Approximately seventy-five percent of our nation's youth do not receive a 4-year college degree. Our youth should receive a high quality education whether they are bound for college, the military, further training or directly into the workforce. Today's vocational-technical education students need a quality education for today's world. These students need strong academics and relevant skills in order to thrive in today's economy.

During our review of the Carl D. Perkins Vocational and Applied Technology Act, the Committee tried to determine what was working well and what was not. The Committee bill reforms are built upon successful State and local initiatives so that vocational-technical education students receive a high quality education. Several innovative and high quality programs were found to be already in place in vocational-technical education.

Three themes are echoed throughout the legislation: strengthening academics, broadening opportunities for vocational-technical education students and sending more money down to the local level. A strong academic foundation is critical for the success of students. Strengthening the academic component of vocational-technical education was a theme that resonated throughout the Committee's hearings. During the June 5, 1997 hearing, Mr. Robert G. Morrison, Senior Education Advisor at the Family Research Council stated "we want to put an end to the stigma that has sometimes been attached to vocational education. This can be done, we believe, by strengthening the academic component of vocational education programs."

The Subcommittee on Early Childhood, Youth and Families held a field hearing at Thomas Jefferson High School for Science and Technology in Fairfax, Virginia on May 20, 1997. For 6 of the last 7 years, Thomas Jefferson has had the highest number of national merit semifinalists in the country. The school offers a rigorous academic program as well as provides students with "unique learning experiences in technological environments". The school is a vocational school—but not what people traditionally think of when you mention vocational-technical education. Thomas Jefferson is a public school created through partnerships between business and industry and the governing bodies of the Commonwealth of Virginia and Northern Virginia.

Mr. Geoffrey Jones, principal of Thomas Jefferson, stated during the hearing that the school has "developed partnerships that optimize private and public sector funding in support of vocational education. The mission of the school focuses on preparing students for 21st century occupations and careers." Dr. Neils Brooks, Virginia State Director of Vocational and Adult Education, who testified at the June 5 hearing mentioned the work of Thomas Jefferson High School. "We in Virginia hold Thomas Jefferson as a model because we believe vocational education students can and should be held to the same high standards we have for our college bound students. The federal legislation is an important key to assuring that Virginia can continue to move in this direction."

A second theme that resonates throughout the legislation is broadening opportunities for students. Several years ago students who wanted to could go directly into the workforce. In 1950, 60 percent of all jobs in the nation were unskilled. By 1990, this figure was 35 percent. By the year 2000, it is projected to drop to 15%.

We heard from students who had benefited from vocational-technical education but were choosing different roads. The Subcommittee on Early Childhood, Youth and Families heard from Chad Uzarski who testified at the May 22 hearing about the ISO 9002 registration certificate for the precision machine shop program at York Area Vocational-Technical School. Students are required to maintain a 2.0 grade point average and the program has increased the involvement of parents who are kept abreast of the student's achievements and are called in when the student experiences academic difficulty. York AVTS sought out the registration to attract more students to its machinist program in an attempt to help fill a machinist shortage in the area. The starting salary for a machinist in York is about $28,000 per year. The starting salary for a teacher—after 4 years of college—is $26,000 per year.

During the May 20 hearing at Thomas Jefferson High School, we heard from Bernadette Cogswell a senior at the school. She stated that the foundation she received from Thomas Jefferson would serve her for life. She described her mentorship with TRW in which her project was the installation and modification of computer programs used to evaluate submarine sonar. She stated: "Four years ago, I never would have had the background, skills, knowledge, or confidence to success in my mentorship. Thomas Jefferson High School for Science and Technology provided me with those four essential elements to succeed in the private sector." Ms. Cogswell is bound for the Air Force Academy this fall. She has chosen a road

leading to a 4-year college degree and Mr. Uzarski has chosen a road into the workforce.

As Mr. Robert Morrison from the Family Research Council stated at the June 5 hearing:

> Parents know that their children's future depends on their education. But as one family differs from another and one student from another, so their educational goals will differ. Some will pursue education for education's sake; some for spiritual enrichment; some for economic reasons, some to qualify for specific jobs...Students, counseled by their parents, should have the freedom to pursue the educational path that suits their goals and their abilities.

The third theme found in this legislation is sending more money to the local level. H.R. 1853 would send 90 percent of the funds to the local level. If we are going to see true change in vocational-technical education, it is going to come from the local level—from teachers who are in the classroom making a difference.

Under current law, only 75 percent of the dollars actually flow to local districts. The extra 15 percent that H.R. 1853 proposes to send to the local level would mean close to $15,000 extra dollars for Eau Claire, Wisconsin and over $460,000 for Dade County Florida.

The 1994 National Assessment of Vocational Education stated that "Perkins basic grant funds are associated with greater reform efforts at the local level." By sending 90 percent of the funds to the local level, the Committee hopes that this legislation will inspire reform efforts at the local level.

TITLE I—VOCATIONAL-TECHNICAL EDUCATION ASSISTANCE TO THE STATES

Title I of the bill amends Title I of the Carl D. Perkins Vocational and Applied Technology Education Act.

Federal to State formula

The legislation proposes to change the way funds are distributed from the federal level to the States. Under current law, individuals up to the age of 65 are counted for purposes of distributing funds. The Committee has altered the funding formula to target the funds received under this Act to more directly reflect the population being served by this legislation. The new formula proposes to send federal dollars to the States based 50% on the population aged 15-19 and 50% on the population aged 20-24 with a per capita income weight. Dr. Pearson, Associate Superintendent of the St. Louis, Missouri School system, concurred with this philosophy when he stated that "(t)he target population for the Perkins Act, should be structured to where the need is found—that is, youth and young adults up to aged twenty-four."

Within State allotment

The legislation significantly alters the amount of dollars being sent to the local level. Under current Perkins law, only 75 percent of federal dollars currently are required to flow to the local level. H.R. 1853 would require 90 percent of the dollars go to the local

level. If we are going to see true change in vocational-technical education, it is not going to come from the federal level and it is not going to come from the State level. It is going to come from the local level—from teachers who are in the classroom making a difference. An extra 10-15% at the local level helps a school buy a $35,000 piece of machinery they need to stay current with industry. It helps provide training for teachers to operate these new machines and stay current with the needs of their profession.

The legislation would also allow a State to retain up to 8 percent of their allocation at the State level for State activities and up to 2 percent for administrative purposes.

Mr. Pearson argued for "the need to place maximum funding at the local levels so that it can, in truth, be targeted at the classroom level". He furthered stated that at least 95% of the funds should be sent to the local level. Clearly, we need to start at the local level in our efforts to reform vocational-technical education and that is where we should put the majority of our federal dollars.

Rural Reserve

The Carl. D. Perkins Vocational-Technical Education Act Amendments of 1997 allow States to reserve 10% of the funds flowing to the local level to target poor, rural areas. This provision provides States with needed discretion in the equitable distribution of funds throughout the State. The 1994 National Assessment of Vocational Education Final Report to Congress found "evidence of greater concentration of funds in urban areas under the new (1990) legislation". According to the report, the 50 largest cities received 20.2 percent of the basic State grant funds in the first year of the 1990 Act. Under the 1984 legislation, they received 17.6 percent. By allowing States the option to target funds to rural areas, the Committee is trying to remedy a problem inherent in any federally prescribed formula—rural areas do not receive their fair share.

The rural areas of America pose some of the most perplexing problems to Congress. The endearing qualities—wide open spaces and small populations—are what cause unique educational challenges. It is hard to imagine that the breathtaking beauty of the Shenandoah Valley with its rolling hills and panoramic vistas could be a problem. But within areas of the Shenandoah Valley are places with high unemployment, high dropout rates and high illiteracy rates.

The Committee recognizes that urban areas have unique and complex problems also. The 1990 Perkins Act targeted funds to these areas and under H.R. 1853, they would still receive a substantial increase from current law. Los Angeles, California would receive a 10.4% increase under H.R. 1853, New York City a 9.4% increase and Dade County, Florida a 13.3% increase. What H.R. 1853 does is to allow States—if they chose—the option of targeting funds to rural areas in the State such as McCormick County, South Carolina.

Fifty thousand dollars might not be considered a lot of money for Chicago, Illinois who received approximately $7,584,600 last year. However, to Momence, Illinois it could provide a new distance learning program to teach computer programming. This provision does not guarantee funds will be used to help these areas, but it

does guarantee that States have more flexibility in meeting the needs of these communities.

State administration

H.R. 1853 eliminates the requirement in current law for States to assign one individual to work full time to administer programs for single parents, displaced homemakers and sex equity. States should have the flexibility to administer programs in a manner that best fits their needs and not have the decision to hire individuals mandated by the Federal government. Similarly, the legislation repeals requirements in current law that States designate individuals to review plans to ensure that the needs of the disabled, economically disadvantaged, and students of limited English proficiency are being met. The decision of who should review an application for Federal funds is one that should be decided by the State.

The legislation lowers the amount of funds a State may retain for administrative costs from five to two percent. Federal dollars should be used for programs to serve individuals and not to sustain bureaucracies. An October 1994 General Accounting Office (GAO) Report to Congress entitled "Education Finance, Extent of Federal Funding in State Education Agencies" found that State Education Agencies (SEAs) reserved a greater share of Federal dollars as compared to State funds for State-level operations even though Federal dollars comprised less than 10% of total funding. "Total State funding received by the SEAs ($113.8 billion) far exceeded total Federal funding received ($17.5 billion)" according to the GAO. The GAO also found that the Federal share of States' operating funds varied from State to State—from 6% in one State to 77% in another. The federally funded staff also varied widely from 10% to 81% across States. The Committee is alarmed at the high percentage of funds held by some States to operate programs and bureaucracies. It is the hope of this Committee that this practice will end and more money will reach the classroom.

State application

The legislation significantly alters the existing Perkins statute by streamlining and eliminating many of the requirements in current law regarding the State application. A State is required to submit the application for Perkins funds to the Secretary of Education. The application is deemed approved unless the Secretary notifies the State in writing within 90 days that the application is in serious violation of the Act. Prior to submission of the application to the Secretary, the State board is charged with conducting public hearings in the State to afford all segments of the public an opportunity to present their views and make recommendations. A summary of these recommendations and the State board's response shall be included with the State's application for funds. Furthermore, in developing the State application, the State board should consult with the State entity responsible for postsecondary vocational-technical education regarding the postsecondary portion of the State application and the entity responsible for secondary vocational-technical education regarding the secondary portion of the application. The Committee is aware that a majority of States give control of vocational-technical education dollars to the State edu-

cational agency which is primarily responsible for elementary and secondary education. The Committee believes the State agency responsible for the supervision of community colleges and technical institutes should have an active and substantive role in the development of the State application.

Accountability

The Committee believes accountability for federal dollars is absolutely critical. The Committee does not believe; however, it is the role of the federal government to mandate federal "one size fits all" benchmarks for States. H.R. 1853 requires States to establish rigorous and quantifiable State benchmarks to measure the progress of the State. These State measures at a minimum should include attainment of challenging State academic proficiencies; attainment of secondary school diplomas; and placement in, retention in, and completion of, postsecondary education or advanced training, or placement and retention in military service or employment. States are required to annually submit a report to the Secretary on how they are performing on their State benchmarks. The Secretary is required to make this information available to the general public. Local recipients of funds are required to make available to the general public information on how they are performing in regard to the State benchmarks.

If a State or local entity fails to meet their State established benchmarks, then the State or local entity will be required to develop a program improvement plan to help them reach these goals. Only after a State has failed to develop an improvement plan or failed to demonstrate improvement in meeting the State benchmarks may the Secretary withhold a portion of a States federal allotment. The Committee would like to clarify that the only measures that States are being held to are ones developed by the State. Under no circumstances should the Secretary of Education impose any type of federal benchmarks or suggest to a State to use model benchmarks established by the federal government. The only measures under this Act are State developed benchmarks.

TITLE II—BASIC STATE GRANTS FOR VOCATIONAL-TECHNICAL EDUCATION

The basic State grant is the heart of the Perkins legislation. It provides funding to State and localities to improve their vocational-technical education programs. The Subcommittee heard from numerous individuals during the course of congressional hearings about the need to develop and improve the use of technology in vocational-technical education programs. As such, H.R. 1853 would require State and local recipients to use some of their federal dollars to develop, improve or expand the use of technology in vocational-technical education including the training of personnel in the use of this technology. The bill encourages the utilization of technology to upgrade vocational-technical education, ensuring it will keep pace with technological advances. Mr. Michael A. Daniels, Sector Vice President for Science Applications International Corporation, testified that a strong vocational-technical education program is critical to the needs of the information technology industry. He noted that a survey done by the Northern Virginia Technology

Council of its 600 member firms found that the number one issue for them was the issue of a qualified workforce. The Subcommittee heard at the May 20 Thomas Jefferson hearing that 18,000 jobs are currently unfilled in Northern Virginia because individuals do not have the skills to fill them. The average salary for these jobs is over $45,000. Mr. Ray Pelletier, Executive Director of the Northern Virginia Technology Council, noted at the May 20 hearing that member companies of the Northern Virginia Technology Council "estimate that less than forty percent of applicants for technology positions have the skills our companies are seeking." He noted also that "400 technology companies in Northern Virginia expect that their greatest employment demand will be for workers with training beyond high school, but less than a bachelor's degree."

A strong academic foundation is the root of a qualified workforce—whether you are an auto mechanic or a pediatrician. H.R. 1853 requires vocational-technical education programs to strengthen their academics through the integration of academic and vocational-technical education courses. Some vocational-technical education students may learn Pythagorean's theorem through a book while other vocational-technical education students may learn it while building a house. Vocational-technical students learn in different ways, but the most important thing is that they learn and retain the concept.

Within State funding formula

H.R. 1853 modifies the formula for distributing funds to secondary programs at the local level. Under current law, the funds are distributed 70% based on the Title I formula, 20% on the number of children with disabilities who have individualized education programs under section 614(d) of the Individuals with Disabilities Education Act and 10% on the number of students and adults enrolled in vocational-technical education programs under the jurisdiction of the local educational agency. Rather than basing the Perkins formula on other federal formulas, the Committee believes strongly that the Perkins Act should have a formula based on pure variables such as poverty and population.

The within State secondary funding formula in the legislation distributes funds based 50% on the proportion of population aged 15–19 and 50% on the proportion of population aged 15–19 living in poverty. The intent of the change is to focus federal dollars on the population the legislation is trying to serve. Under the current within State secondary formula, 70% of the funds are distributed by a formula which predominantly serves elementary school children. This is not an elementary school program but an optional course of study for secondary school students. A formula should be based on the number of secondary school students and not elementary students.

H.R. 1853 authorizes funding for secondary and postsecondary vocational-technical education programs. Vocational-technical education is an optional course of study which many students elect to pursue. It is not a poverty program. The Committee wants to authorize a program for students who are interested in vocational-technical education and not just low-income students. By having a within State formula heavily weighted to poverty, you are stig-

matizing the program as a poverty program—unwillingly or not. The National Assessment of Vocational Education recognized this point and noted "that factors other than the students' best interests will become more prominent in placement decisions."

The secondary within State formula proposed in H.R. 1853 also is more consistent with the federal to State formula which is primarily based on population ages 15 through 24 and has a per capita weight. Examples of how several large cities do under H.R. 1853 as compared to current law as well as a cross-section of schools districts are outlined in the tables below.

TABLE 1.—FUNDING OF LARGE CITIES UNDER CURRENT LAW AND H.R. 1853

	Current law formula	House bill—H.R. 1853	Percentage change from current law
New York City	$14,426,900	$15,780,800	+9.4
Boston	1,488,700	1,544,700	+3.8
Chicago	7,584,600	7,998,100	+5.5
Los Angeles	6,104,900	6,738,800	+10.4
St. Louis	1,456,700	1,507,400	+3.5
Memphis	2,595,700	2,825,100	+8.8
Dade County	3,522,800	3,989,700	+13.3
Buffalo	782,500	827,500	+5.8
Dallas	1,608,000	1,840,400	+14.5
St. Louis, MO	1,456,700	1,507,400	+3.5
Richmond, CA	225,200	265,800	+18
Flint, MI	527,400	541,100	+2.6
Los Angeles, CA	6,104,900	6,738,800	+10.4
New York, NY	14,426,900	15,780,800	+9.4
Newark, NJ	1,365,400	1,349,000	−1.2
Honolulu, HI	1,219,500	1,493,800	+22.5
Woodbury, NJ	24,500	27,100	+10.6
South Bend, IN	331,200	380,700	+15
Newport News, VA	594,600	650,600	+9.4
Santa Rosa, CA	36,600	50,900	+39.1
Philadelphia, PA	4,637,400	4,908,100	+5.8
McAllen, TX	303,900	326,400	+7.4
Hempstead, NY	57,700	68,300	+18.4
Lynn, MA	241,200	255,300	+5.9
Eau Claire, WI	86,100	100,800	+17.1
Garden Grove, CA	234,200	290,400	+24
Memphis, TN	2,595,700	2,825,100	+8.8
Lakewood, OH	103,400	132,000	+27.7

The legislation retains much of current law in distributing funds to the postsecondary level and continues the policy of allowing States to decide how to divide their federal allotment between secondary and postsecondary vocational-technical education programs. H.R. 1853 retains current law language which allows States to develop their own postsecondary formula if they can demonstrate that an alternative formula results in a distribution of funds to institutions within the State that have the highest numbers of economically disadvantaged individuals. The Committee believes there are approximately 14 States to date who have developed their own formula. The Committee has added a new provision that would allow States to develop an alternative formula for the distribution of funds to secondary schools based on areas of greatest economic need. The Committee recognizes that States are in a better position to evaluate the needs of their local jurisdictions and therefore al-

lows States to develop an alternative secondary formula that would better target those areas of the State most in need.

In trying to make the formula more equitable, H.R. 1853 lowers the minimum grant amount to $7,500 for local educational agencies and $20,000 for postsecondary institutions. The intent of this change is to allow more rural and smaller communities to receive funds. The 1990 Act instituted an arbitrary level of $15,000 for local educational agencies and $50,000 for postsecondary institutions. This provision had the effect of eliminating many smaller communities and Indian tribes from receiving funds. The Committee received numerous comments from individuals who supported lowering this threshold. The Committee believes that $7,500 is a large enough sum to have a significant impact on local programs and will make improvements to vocational-technical education programs.

H.R. 1853 modifies the existing waiver language pertaining to minimum grant awards in current law. The legislation would require States to approve an application for a waiver in the case of a local educational agency located in a rural, sparsely populated area or for a public charter school operating secondary vocational-technical education programs. It is the understanding of the Committee that areas within a 50 mile radius of another school are not considered to be rural. It is unrealistic to expect schools 99 miles apart to form consortia for the purposes of providing vocational-technical education. The Committee strongly recommends that this policy be reviewed and find a distance that does not require a student to spend many hours per day on a bus.

The Committee has received testimony that many charter schools do not receive their fair share of federal funds. H.R. 1853 ensures that secondary charter schools providing vocational-technical education programs will be funded if they are eligible to receive Perkins funds under this waiver.

The legislation retains language from the existing statute which permits local educational agencies to form consortia for the purpose of offering vocational-technical education programs. By lowering the minimum grant amount to local educational agencies, the Committee does not want to discourage consortium that are currently operating effective programs. The Committee wants to clarify that consortia are an optional arrangement by local educational agencies and are still bound by the policies of the local school boards under which they operate.

The Committee is concerned that the Department of Education could not report to Congress on how States were distributing funds to local areas. H.R. 1853 requires the Secretary of Education to collect information from the States to report to Congress on how funds under this Act are being allotted to local eligible recipients. This information will help in future reviews of this Act to analyze whether these funds are being equitably distributed.

Postsecondary vocational-technical education

Seventy-five percent of our youth do not receive a 4-year college degree. While the opportunity for college should be open to everyone, the Federal government should not discourage students who choose not to pursue that option if they choose to enter a voca-

tional-technical education program. The Committee heard from witnesses that while postsecondary education was becoming more important, a 4-year college degree is not necessarily needed. Dr. Carol D'Amico from the Hudson Institute noted at the June 5 hearing:

> Americans are infatuated with the college degree and believe it is the ticket to a financially successful middle-class life. Yet while in the past decade college degree holders have realized wage gains beyond those without degrees, not all college degrees assure financial success or rewarding careers. Many well paying jobs of the future, while requiring post high school education, do not require a four-year bachelor's degree.

Community colleges are critical providers of postsecondary vocational-technical education. These institutions provide education and training for high skill, high wage jobs that are necessary to help America remain competitive in the world today. Community colleges have campuses within a sixty minute drive for ninety percent of the population. As such, they are in the unique position of providing education to recent high school graduates as well as to older, non-traditional students who are coming back to retrain for a new job.

As we enter the next century, community colleges will play an even more important role in vocational-technical education. As Dr. D'Amico stated, "workers will need a strong grounding in the 'new basics' mentioned before—reading, writing, math, reasoning, and computing. Those who will thrive in the future will need not only a strong background in these so-called basics but also a flexible and creative approach toward their own career development."

Special populations

H.R. 1853 makes significant changes to the existing statute with regard to special populations. The statutory requirement mandating States to assign one individual to work full time to administer programs for single parents, displaced homemakers and sex equity is repealed. The 10.5% set aside for single parents, displaced homemakers, single pregnant women and sex equity programs is repealed. The Committee believes that the best way to serve these individuals is to raise the quality of vocational-technical education programs for all participants in vocational-technical education. This belief was reiterated in hearings on the Act. Mr. Paul Cole, Vice President of the American Federation of Teachers, stated at the May 22, 1997 hearing that "(f)ederal legislation should eliminate set-asides at state and local levels. For instance, funding formulas for special populations are harmful when they provide an incentive for schools to retain students in these categories because funding depends on it."

The 1994 National Assessment of Vocational Education Final Report to Congress on the 1990 Act also found evidence that the policies pursued in the 1990 legislation in the treatment of special populations were detrimental to vocational-technical education. The study found evidence that vocational-technical education programs had become a "dumping ground" for special population students because of the 1990 Act. It found evidence of stigmatization of voca-

tional-technical education classes where large numbers of special population students are concentrated in vocational-technical education programs and a "tipping point" at which other students avoid vocational-technical education programs.

> Special population students are an increasing proportion of all vocational students, and higher achieving students are a decreasing proportion. The Perkins emphasis on recruiting special population students to vocational education may be among the factors contributing to this tendency.

While H.R. 1853 eliminates set asides, it does not forget special populations. Rather than mandating services, States are asked to report on how these students are performing. The legislation also gives States and local recipients the discretion to continue to fund programs for certain special populations such as displaced homemakers. Provisions for special populations are made in the State application, accountability, State activities and local activities sections of the bill.

TITLE III—RESEARCH AND DEVELOPMENT

Title III of H.R. 1853 repeals the existing Title III—Special Programs of the Perkins Act. Title IV—National Programs of the current Act is moved to Title III with substantial revisions. Parts B, D, E and F of Title IV are repealed.

Part A is amended to provide for a separate authorization for national programs. The Committee intends that this funding be appropriated separately from the basic State grant and that no funds from the basic State grant should be used for national programs. Activities authorized include an independent evaluation and assessment of programs funded under this Act, research and demonstrations. The bill also allows the Secretary to collect information from States on how they are performing on their State benchmarks and to make this information available to other States.

Part C of Title III is amended to provide for an authorization and moved to Part B. The new Part C provides for a separate authorization for the tech-prep program currently authorized under Title III. Ten percent of the total amount available for basic State grants is used for funding tech-prep programs. The Committee heard from a number of witnesses who voiced their strong support for this program. Mr. Tom Schultz speaking on behalf of the American Vocational Association noted that Tech Prep had helped students successfully make the transition from high school to postsecondary programs. He noted, "students see the need for and the way to higher levels of education. Further, in order to prepare students for postsecondary education, secondary programs are becoming increasingly rigorous."

TITLE IV—GENERAL PROVISIONS

Title IV amends Title V—General Provisions of the Act. Part A contains fiscal provisions concerning maintenance of effort and the requirement that States supplement not supplant Federal vocational-technical education funds. Provisos to protect homeschoolers,

protect the freedom of individuals to participate in vocational-technical education programs and civil rights are also outlined.

Recognizing the importance of funding for education technology and the increasing role it plays in vocational-technical education, a new section was added to the General Provisions. The Committee held discussions with the House Committee on Commerce to find new ways to generate funds for education technology. This new section would allow the Secretary of Education to receive funds generated from cell tower fees and use them for vocational-technical education should those funds be directed by the Commerce Committee toward this Act.

Part B outlines State administrative provisions including the prohibition on the use of funds to induce businesses to relocate across State lines if it results in job loss. Part B also limits the Secretary on the issuance of regulations and establishes the effective date for the legislation. The Smith-Hughes Vocational Education Act is also repealed.

Repeal of the Smith Hughes Act was included in the House Budget Resolution and was also part of the budget agreement between the Clinton Administration and the Congress. Repeal of the Smith-Hughes Act was also proposed by the Clinton Administration in their 1998 Budget. It does not make sense to continue a separate, duplicative program for $7.1 million when these funds are added into the Vocational Education Basic State Grant Program and have been for several years.

Part C contains definitions for the Act.

The Committee also adopted an amendment by Mr. Schaffer which prohibits Perkins funds to be used for vocational technical education programs prior to the seventh grade. This amendment will ensure that younger children will not be forced to participate in career tracking programs. However, the Schaffer allows local schools to use equipment, such as computers purchased with Perkins dollars for purposes other than vocational technical education.

SECTION-BY-SECTION ANALYSIS

H.R. 1853, the "Carl D. Perkins Vocational-Technical Education Act Amendments of 1997" as reported by the Committee on Education and the Workforce on June 25, 1997.

Section 1 contains the short title of the bill.

Section 2 cites references to the Carl D. Perkins Vocational and Applied Technology Education Act.

Section 3 repeals the table of contents.

Section 4 amends Section 2 of the Carl D. Perkins Vocational and Applied Technology Education Act to modify the purpose.

Section 5 amends Section 3 of the Act to provide $1.3 billion authorization of appropriations for programs under this Act for FY 1998 and such sums through FY 2002.

TITLE I—VOCATIONAL-TECHNICAL EDUCATION ASSISTANCE TO THE STATES

Section 101 amends Section 101 of the Act by providing for the allotment of funds under the basic State grant program, including amounts reserved by the Secretary of Education for Indian and Na-

tive Hawaiian programs (1.5%) and for the territories (0.2%). The federal to State formula is outlined.

Section 101A amends Section 101A of the Act and outlines requirements for the allotment of funds to the territories.

Section 102 amends Section 102 of the Act and provides for the allocation of funds within a State. Not less than 90% of a State's allotment must be allocated to the local level, not more than 8% for State activities and not more than 2% for State administrative costs. A State may reserve up to 10% of its allotment (from amounts allocated to local areas) for grants to rural areas. A State may also reserve up to 5% of its allotment (from amounts allocated to local areas) to make incentive awards to local eligible recipients.

Section 103 amends Section 103 of the Act to provide grants for Native Americans and Native Hawaiians.

Section 104 establishes a new section which maintains a $4 million authorization for tribally controlled postsecondary vocational-technical institutions.

Part B—State Organization and Planning Responsibilities

Section 111 amends Section 111 of the Act which outlines the State administrative requirements of the Act.

Section 112 repeals Section 112 of the Act requiring a State Council on vocational education.

Section 113 amends Section 113 of the Act and redesignates it as Section 112. The section outlines State application requirements for the Act.

Section 114 amends Section 114 of the Act and redesignates it as Section 113. Provision requires States to submit an application to the Secretary to receive funds under this Act. The application shall be approved by the Secretary unless a written determination is made within 90 days that the plan is in violation of the Act.

Section 115 outlines a new Section 114 to require States to develop State benchmarks to measure the progress of individuals in vocational-technical education programs. States and local eligible recipients that fail to meet their State established benchmarks must submit a program improvement plan for the succeeding program year. The Secretary may impose sanctions on States who fail to meet their State benchmarks. States must report to the Secretary on how they are performing on their State benchmarks. The Secretary shall make this information available to the general public.

Section 116 repeals Sections 115, 116, 117 and 118 of the Act.

TITLE II—BASIC STATE GRANTS FOR VOCATIONAL-TECHNICAL EDUCATION

Section 201 amends Section 201 of the Act which outlines the uses of funds at the State level.

Section 202 amends part B of Title II to read as follows:

"Part B—Secondary, Postsecondary and Adult Vocational-Technical Education Programs

"Section 221 outlines the distribution of funds to secondary school programs by a formula based 50% on the population aged

15–19 and 50% on the population aged 15–19 living in poverty. The provision includes a holdharmless for the first year, allows for a waiver to develop an alternative formula, establishes a minimum grant amount of $7,500 and requires waivers to rural and charter schools. Provisions are made for distribution of funds to area vocational-technical schools and consortia. The Secretary is required to collect data on how States are distributing funds to local educational agencies.

"Section 222 outlines the distribution of funds to postsecondary schools by a formula based on the number of Pell Grant recipients in the State. Provisions are made for an alternative formula, consortia and a minimum grant amount of $20,000.

"Section 223 provides rules for allocation of minimal amounts, redistribution of funds returned late in an academic year, secondary-postsecondary consortia and charter schools.

"Section 224 outlines the local application.

"Section 225 describes uses of funds at the local level. A 2% limit is levied on the administrative costs associated with the administration of the grant.

Section 203 repeals Part C of Title II of the Act.

TITLE III—RESEARCH AND DEVELOPMENT

Section 301 amends Title III of the Act to read as follows:

"Part A—Research and Development

"Section 301 provides for evaluation and assessment, research, demonstrations and dissemination of information regarding vocational-technical education programs funded under this Act.

Section 302 amends Part B of Title III of the Act to read as follows:

"Part C—Tech-Prep Education

"Section 321 authorizes the tech-prep education program.

"Section 322 describes the application to receive tech-prep education funds.

"Section 323 requires States that receive tech prep funds to report to the Secretary on the effectiveness of their tech-prep programs.

"Section 324 states that funds shall be allotted to States in the same manner as funds under the basic State grant program.

"Section 325 authorizes ten percent of the total amount authorized under this Act for tech-prep education programs.

Section 303 amends Part C of Title IV of the Act to redesignate Sections 421 through 424 as Sections 311 through 314, and 303 by adding Section 315 providing for an authorization for Part B.

Section 304 repeals Part C of Title III of the Act, and Parts A, B, E, and F of Title IV of the Act.

TITLE IV—GENERAL PROVISIONS

Section 401 amends Title V of the Act to read as follows:

"Title IV—General Provisions

"Part A—Federal Administrative Provisions

"Section 401 requires the Secretary to pay States the federal share of costs for carrying out the State plan..

"Section 402 provides for supplement not supplant and maintenance of effort fiscal requirements.

"Section 403 maintains language from the Act which limits the authority for payments to the amounts provided under appropriations.

"Section 404 protects the rights of private, religious and home school educated students.

"Section 405 protects the rights of individuals to chose to participate in vocational-technical education programs authorized under this Act.

"Section 406 maintains language from the Act which guarantees that federal civil rights laws will be followed under this Act.

"Section 407 allows the Secretary of Education to receive funds from the collection of cell tower fees to expand the use of technology in vocational-technical education.

"Part B—State Administrative Provisions

"Section 411 maintains language from the Act which allows States to use funds provided under this Act to provide additional funds under an applicable program if the program meets the purposes of this Act.

"Section 412 maintains language prohibiting States from using federal dollars to induce out-of-state relocation of business.

"Section 413 maintains a provision from the Act regarding State administrative costs.

"Section 414 limits the Secretary's authority to issue regulations under this Act.

"Section 415 maintains language from the Act which addresses the treatment of assistance under this Act in regard to student financial assistance and attendance costs.

"Part C—Definitions

"Section 421 outlines definitions used under this Act.

Section 402 repeals the Smith-Hughes Act.

Section 403 establishes the effective date as the date of enactment.

EXPLANATION OF AMENDMENT

The Amendment in the Nature of a Substitute is explained in this report.

OVERSIGHT FINDINGS OF THE COMMITTEE

In compliance with clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the body of this report.

GOVERNMENT REFORM AND OVERSIGHT

With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations form the Committee on Government Reform and Oversight on the subject of H.R. 1853.

COMMITTEE ESTIMATE

Clause 7 of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 1853. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

CONSTITUTIONAL AUTHORITY

The Carl D. Perkins Vocational and Applied Technology Education Act and the amendments made thereto by H.R. 1853, are Constitutional under the spending clause of the constitution, Article I section 8, clause 1.

APPLICATION OF LAW TO LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch. This bill provides funds to States for programs and services to eligible recipients; the bill does not prohibit legislative branch employees from otherwise being eligible for such services.

UNFUNDED MANDATE STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act requires a statement of whether the provisions of the reported bill include unfunded mandates. The Committee received a letter regarding unfunded mandates from the Director of the Congressional Budget Office and as such the Committee agrees that the bill does not contain any unfunded mandates. See infra.

BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 2(l)(3)(B) of rule XI of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause 2(l)(3)(C) of rule XI of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1853 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 10, 1997.

Hon. WILLIAM F. GOODLING,
Chairman, Committee on Education and the Workforce,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1853, the Carl D. Perkins Vocational-Technical Education Act Amendments of 1997.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Justin Latus.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 1853—Carl D. Perkins Vocational-Technical Education Act Amendments of 1997

Summary: H.R. 1853 would amend the Carl D. Perkins Vocational Education Act by reauthorizing federal spending for vocational education grants. The bill would authorize appropriations of $1.3 billion for these purposes in fiscal year 1998; the actual 1997 appropriations for these programs were $1.1 billion. Authorizations of appropriations would total $7.2 billion over the 1998–2002 period with adjustments for inflation, or $6.8 billion over the same period without these adjustments. In addition, H.R. 1853 would repeal the Smith-Hughes Act, resulting in savings in direct spending of $30 million in outlays over the 1998–2002 period.

The bill would alter the formula used to distribute funds to states and would also allow more money to go directly to localities. it would also eliminate several set-asides that are authorized under current law.

H.R. 1853 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA), and CBO estimates that its enactment would not impose any costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1853 is shown in the following three tables. The costs of this legislation fall within budget function 500 (Education, Training, Employment, and Social Services).

ESTIMATED BUDGETARY IMPACT OF H.R. 1853, WITH ADJUSTMENTS FOR INFLATION

[By fiscal year, in millions of dollars]

	1997	1998	1999	2000	2001	2002
SPENDING SUBJECT TO APPROPRIATION						
Authorization of Appropriations Under Current Law:						
Budget Authority	1,132	0	0	0	0	0
Estimated Outlays	1,093	986	225	23	0	0
Proposed Changes:						
Sec. 5, Grants to States for Vocational-Technical Education:						
Estimated Authorization Level	0	1,300	1,336	1,371	1,408	1,446
Estimated Outlays	0	156	1,044	1,307	1,368	1,404
Sec. 104, Tribally-Controlled Postsecondary Vocational Institutions:						
Estimated Authorization Level	0	4	4	4	4	4

ESTIMATED BUDGETARY IMPACT OF H.R. 1853, WITH ADJUSTMENTS FOR INFLATION—Continued

[By fiscal year, in millions of dollars]

	1997	1998	1999	2000	2001	2002
Estimated Outlays	0	0	3	4	4	4
Sec. 301, Research and Development:						
Estimated Authorization Level	0	15	15	16	16	17
Estimated Outlays	0	2	12	15	16	16
Sec. 304, Vocational-Technical Education Instruction:						
Estimated Authorization Level	0	5	5	5	5	6
Estimated Outlays	0	1	4	5	5	5
Sec. 401, Vocational-Technical Education Instruction:						
Estimated Authorization Level	0	20	30	40	40	50
Estimated Outlays	0	2	17	29	38	41
Total Proposed Changes:						
Estimated Authorization Level	0	1,344	1,390	1,436	1,474	1,523
Estimated Outlays	0	161	1,081	1,360	1,431	1,471
Total Authorizations of Appropriations under H.R. 1853:						
Budget Authority/Estimated Authorization Level	1,132	1,344	1,390	1,436	1,474	1,523
Estimated Outlays	1,093	1,148	1,306	1,382	1,431	1,471

Notes.—The 1997 levels are the amounts appropriated. Components may not sum to totals due to rounding.

ESTIMATED BUDGETARY IMPACT OF H.R. 1853, WITHOUT ADJUSTMENTS FOR INFLATION

[By fiscal year, in millions of dollars]

	1997	1998	1999	2000	2001	2002
SPENDING SUBJECT TO APPROPRIATION						
Authorization of Appropriations Under Current Law:						
Budget Authority	1,132	0	0	0	0	0
Estimated Outlays	1,093	986	225	23	0	0
Proposed Changes:						
Sec. 5, Grants to States for Vocational-Technical Education:						
Estimated Authorization Level	0	1,300	1,300	1,300	1,300	1,300
Estimated Outlays	0	156	1,040	1,274	1,300	1,300
Sec. 104, Tribally-Controlled Postsecondary Vocational Institutions:						
Estimated Authorization Level	0	4	4	4	4	4
Estimated Outlays	0	0	3	4	4	4
Sec. 301, Research and Development:						
Estimated Authorization Level	0	15	15	15	15	15
Estimated Outlays	0	2	12	15	15	15
Sec. 304, Vocational-Technical Education Instruction:						
Estimated Authorization Level	0	5	5	5	5	5
Estimated Outlays	0	1	4	5	5	5
Sec. 401, Vocational-Technical Education Instruction:						
Estimated Authorization Level	0	20	30	40	40	50
Estimated Outlays	0	2	17	29	38	41
Total Proposed Changes:						
Estimated Authorization Level	0	1,344	1,354	1,364	1,364	1,374
Estimated Outlays	0	161	1,076	1,326	1,362	1,365
Total Authorizations of Appropriations under H.R. 1853:						
Budget Authority/Estimated Authorization Level	1,132	1,344	1,354	1,364	1,364	1,374
Estimated Outlays	1,093	1,148	1,302	1,349	1,362	1,365

Notes.—The 1997 levels are the amount appropriated. Components may not sum to totals due to rounding.

ESTIMATED BUDGETARY IMPACT OF H.R. 1853: DIRECT SPENDING

[By fiscal year, in millions of dollars]

	1997	1998	1999	2000	2001	2002
Direct Spending Under Current Law:						
Estimated Budget Authority	7	7	7	7	7	7
Estimated Outlays	7	7	7	7	7	7
Proposed Changes:						
Estimated Budget Authority	.....	−7	−7	−7	−7	−7
Estimated Outlays	.....	−1	−7	−7	−7	−7
Direct Spending Under H.R. 1853:						
Estimated Budget Authority	7	0	0	0	0	0
Estimated Outlays	7	6	0	0	0	0

Basis of estimate: The spending that would occur under H.R. 1853 would be subject to the availability of appropriated funds. Estimated outlays are based on the historical spending of programs authorized by the Carl D. Perkins Vocational Education Act. The amendments made by this bill would be effective on the date of enactment, which CBO assumes would be October 1, 1997.

Authorizations of appropriations

Section 5 would authorize appropriations for grants to states for vocational-technical education. Under current law, the authorization of appropriations for these grants only extends through fiscal year 1997. The bill would authorize $1.3 billion for fiscal year 1998 for this assistance and such sums as necessary for fiscal years 1999 through 2002. The increase in authorizations would total $6.9 billion with adjustments for inflation, and $6.5 billion without adjustments for inflation, over the 1998–2002 period.

Section 104 of H.R. 1853 would authorize appropriations for tribally-controlled postsecondary vocational institutions. This section would authorize $4 million in spending for 1998, and a total of $21 million over the 1998–2002 period with adjustments for inflation.

Section 301 of the bill would authorize such sums as may be necessary for fiscal years 1998–2002 for research and development of vocational education programs. Activities authorized for the Secretary of Education include evaluations, assessments of vocational education programs (i.e., determining whether they are effective in preparing individuals for postsecondary education or high-skill, high-wage careers), research on ways to improve programs, demonstrations, and dissemination of information on best practices. These types of activities are currently authorized under the Carl D. Perkins Vocational Education Act. Therefore, fiscal year 1997 appropriations for these activities were used as a benchmark for estimating authorizations of appropriations under this bill. CBO estimates that this section would authorize appropriations of $15 million in fiscal year 1998 and $79 million over the 1998–2002 period with adjustments for inflation.

Section 304 of H.R. 1853 would reauthorize spending on vocational-technical education and occupational information data systems. Authorizations of appropriations for these systems have expired. The bill authorizes such sums as may be necessary for fiscal years 1998–2002 for this program. Authorizations of appropriations are estimated to be $5 million in 1998 and $26 million over the five-year period with adjustments for inflation.

Section 401 of the bill would authorize the Secretary to receive—for the purposes of expanding the use of technology in vocational-technical instruction—fees collected by the federal government from private entities that use federal property for telecommunications services. The spending of these fees would be subject to appropriation. CBO estimates that over the 1998–2002 period about $180 million in fees collected would be available for appropriation under this section.

H.R. 1853 would repeal Sections 112, 115, 116, 117, and 118, Part C of Title II, and parts B, D, E, and F of Title IV of the Carl D. Perkins Vocational Education Act. These sections include state councils on vocational education, requirements on states for program evaluations, and bilingual vocational education. Since these sections do not include any authorizations of appropriations for fiscal years 1998 or beyond, CBO shows no budgetary impact from their repeal.

Direct spending

Section 402 of H.R. 1853 would repeal the Smith-Hughes Vocational Education Act. The Smith-Hughes Act provides mandatory funding for vocational education of about $7 million a year. Repealing this act would yield savings in direct spending of $1 million in outlays in 1998 and $30 million over the 1998–2002 period.

Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending and receipts through 1998. CBO estimates that enacting H.R. 1853 would decrease direct spending in fiscal year 1998 by $1 million.

Estimated impact on State, local, and tribal governments: H.R. 1853 contains no intergovernmental mandates as defined in UMRA, and CBO estimates that its enactment would not impose any costs on state, local, or tribal governments. The bill would restructure the federal program that provides grants to state, local, and tribal governments for vocational and applied technology education.

Estimated impact on the private sector: The bill contains no private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995.

Estimate prepared by: Federal Cost: Justin Latus and Christina Hawley Sadoi; Impact on State, Local, and Tribal Governments: Marc Nicole; and Impact on the Private Sector: Kathryn Rarick.

Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

COMMITTEE ON EDUCATION AND THE WORKFORCE

ROLL CALL 1 **BILL** H.R. 1853 **DATE** June 25, 1997
AMENDMENT NUMBER 5 **DEFEATED** 17 - 22
SPONSOR/AMENDMENT Mrs. Mink (Woolsey, Sanchez) / amendment mandating funding for displaced homemakers, single pregnant woman, and sex equity programs

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. GOODLING, Chairman		X		
Mr. PETRI, Vice Chairman		X		
Mrs. ROUKEMA		X		
Mr. FAWELL		X		
Mr. BALLENGER		X		
Mr. BARRETT		X		
Mr. HOEKSTRA		X		
Mr. McKEON		X		
Mr. CASTLE				X
Mr. JOHNSON				X
Mr. TALENT		X		
Mr. GREENWOOD		X		
Mr. KNOLLENBERG		X		
Mr. RIGGS		X		
Mr. GRAHAM		X		
Mr. SOUDER		X		
Mr. McINTOSH		X		
Mr. NORWOOD		X		
Mr. PAUL		X		
Mr. SCHAFFER		X		
Mr. PETERSON		X		
Mr. UPTON		X		
Mr. DEAL		X		
Mr. HILLEARY		X		
Mr. SCARBOROUGH				X
Mr. CLAY	X			
Mr. MILLER				X
Mr. KILDEE	X			
Mr. MARTINEZ	X			
Mr. OWENS	X			
Mr. PAYNE	X			
Mrs. MINK	X			
Mr. ANDREWS				X
Mr. ROEMER	X			
Mr. SCOTT	X			
Ms. WOOLSEY	X			
Mr. ROMERO-BARCELO				X
Mr. FATTAH	X			
Mr. HINOJOSA	X			
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KIND	X			
Ms. SANCHEZ	X			
Mr. FORD	X			
Mr. KUCINICH	X			
TOTALS	17	22		6

COMMITTEE ON EDUCATION AND THE WORKFORCE

ROLL CALL 2 **BILL** H.R. 1853 **DATE** June 25, 1997
AMENDMENT NUMBER 6 **DEFEATED** 16 - 20
SPONSOR/AMENDMENT Mr. Payne / amendment to strike the rural reserve of up to 10 % of the State allotment

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. GOODLING, Chairman		X		
Mr. PETRI, Vice Chairman		X		
Mrs. ROUKEMA				X
Mr. FAWELL		X		
Mr. BALLENGER		X		
Mr. BARRETT		X		
Mr. HOEKSTRA		X		
Mr. McKEON		X		
Mr. CASTLE				X
Mr. JOHNSON		X		
Mr. TALENT		X		
Mr. GREENWOOD		X		
Mr. KNOLLENBERG				X
Mr. RIGGS		X		
Mr. GRAHAM		X		
Mr. SOUDER		X		
Mr. McINTOSH		X		
Mr. NORWOOD		X		
Mr. PAUL				X
Mr. SCHAFFER		X		
Mr. PETERSON		X		
Mr. UPTON		X		
Mr. DEAL		X		
Mr. HILLEARY		X		
Mr. SCARBOROUGH				X
Mr. CLAY	X			
Mr. MILLER				X
Mr. KILDEE	X			
Mr. MARTINEZ	X			
Mr. OWENS	X			
Mr. PAYNE	X			
Mrs. MINK	X			
Mr. ANDREWS				X
Mr. ROEMER	X			
Mr. SCOTT	X			
Ms. WOOLSEY	X			
Mr. ROMERO-BARCELO				X
Mr. FATTAH	X			
Mr. HINOJOSA				X
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KIND	X			
Ms. SANCHEZ	X			
Mr. FORD	X			
Mr. KUCINICH	X			
TOTALS	16	20		9

COMMITTEE ON EDUCATION AND THE WORKFORCE

ROLL CALL 3 **BILL** H.R. 1853 **DATE** June 25, 1997
AMENDMENT NUMBER 7 **DEFEATED** 15 - 19
SPONSOR/AMENDMENT Mrs. Mink / amendment mandating a Vocational Education Equity Coordinator

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. GOODLING, Chairman		X		
Mr. PETRI, Vice Chairman		X		
Mrs. ROUKEMA				X
Mr. FAWELL		X		
Mr. BALLENGER		X		
Mr. BARRETT		X		
Mr. HOEKSTRA		X		
Mr. McKEON		X		
Mr. CASTLE				X
Mr. JOHNSON		X		
Mr. TALENT		X		
Mr. GREENWOOD				X
Mr. KNOLLENBERG		X		
Mr. RIGGS		X		
Mr. GRAHAM		X		
Mr. SOUDER				X
Mr. McINTOSH		X		
Mr. NORWOOD				X
Mr. PAUL		X		
Mr. SCHAFFER		X		
Mr. PETERSON		X		
Mr. UPTON		X		
Mr. DEAL		X		
Mr. HILLEARY		X		
Mr. SCARBOROUGH				X
Mr. CLAY				X
Mr. MILLER				X
Mr. KILDEE	X			
Mr. MARTINEZ	X			
Mr. OWENS	X			
Mr. PAYNE	X			
Mrs. MINK	X			
Mr. ANDREWS	X			
Mr. ROEMER	X			
Mr. SCOTT	X			
Ms. WOOLSEY	X			
Mr. ROMERO-BARCELO				X
Mr. FATTAH				X
Mr. HINOJOSA	X			
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KIND	X			
Ms. SANCHEZ	X			
Mr. FORD				X
Mr. KUCINICH	X			
TOTALS	15	19		11

COMMITTEE ON EDUCATION AND THE WORKFORCE

ROLL CALL 4 **BILL** H.R. 1853 **DATE** June 25, 1997
AMENDMENT NUMBER 8 **DEFEATED** 16 - 22
SPONSOR/AMENDMENT Mr. Martinez / amendment to maintain current law on the secondary school substate formula

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. GOODLING, Chairman		X		
Mr. PETRI, Vice Chairman		X		
Mrs. ROUKEMA		X		
Mr. FAWELL		X		
Mr. BALLENGER		X		
Mr. BARRETT		X		
Mr. HOEKSTRA		X		
Mr. McKEON		X		
Mr. CASTLE		X		
Mr. JOHNSON		X		
Mr. TALENT		X		
Mr. GREENWOOD				X
Mr. KNOLLENBERG				X
Mr. RIGGS		X		
Mr. GRAHAM		X		
Mr. SOUDER		X		
Mr. McINTOSH		X		
Mr. NORWOOD				X
Mr. PAUL		X		
Mr. SCHAFFER		X		
Mr. PETERSON		X		
Mr. UPTON		X		
Mr. DEAL		X		
Mr. HILLEARY		X		
Mr. SCARBOROUGH				X
Mr. CLAY	X			
Mr. MILLER				X
Mr. KILDEE	X			
Mr. MARTINEZ	X			
Mr. OWENS	X			
Mr. PAYNE	X			
Mrs. MINK	X			
Mr. ANDREWS	X			
Mr. ROEMER	X			
Mr. SCOTT	X			
Ms. WOOLSEY		X		
Mr. ROMERO-BARCELO	X			
Mr. FATTAH	X			
Mr. HINOJOSA	X			
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KIND	X			
Ms. SANCHEZ				X
Mr. FORD				X
Mr. KUCINICH	X			
TOTALS	16	22		7

COMMITTEE ON EDUCATION AND THE WORKFORCE

ROLL CALL 5 **BILL** H.R. 1853 **DATE** June 25, 1997
AMENDMENT NUMBER 9 **DEFEATED** 18 - 19
SPONSOR/AMENDMENT Mr. Martinez / amendment in the nature of a substitute

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. GOODLING, Chairman		X		
Mr. PETRI, Vice Chairman		X		
Mrs. ROUKEMA		X		
Mr. FAWELL		X		
Mr. BALLENGER		X		
Mr. BARRETT				X
Mr. HOEKSTRA		X		
Mr. McKEON		X		
Mr. CASTLE		X		
Mr. JOHNSON		X		
Mr. TALENT		X		
Mr. GREENWOOD				X
Mr. KNOLLENBERG				X
Mr. RIGGS		X		
Mr. GRAHAM		X		
Mr. SOUDER		X		
Mr. McINTOSH		X		
Mr. NORWOOD				X
Mr. PAUL		X		
Mr. SCHAFFER		X		
Mr. PETERSON		X		
Mr. UPTON				X
Mr. DEAL		X		
Mr. HILLEARY		X		
Mr. SCARBOROUGH				X
Mr. CLAY	X			
Mr. MILLER				X
Mr. KILDEE	X			
Mr. MARTINEZ	X			
Mr. OWENS	X			
Mr. PAYNE	X			
Mrs. MINK	X			
Mr. ANDREWS	X			
Mr. ROEMER	X			
Mr. SCOTT	X			
Ms. WOOLSEY	X			
Mr. ROMERO-BARCELO	X			
Mr. FATTAH	X			
Mr. HINOJOSA	X			
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KIND	X			
Ms. SANCHEZ	X			
Mr. FORD				X
Mr. KUCINICH	X			
TOTALS	18	19		8

COMMITTEE ON EDUCATION AND THE WORKFORCE

ROLL CALL 6 **BILL** H.R. 1853 **DATE** June 25, 1997

Passed 20 - 18

SPONSOR/AMENDMENT Mr. Petri / motion to report the bill to the House with amendments and with the recommendation that the amendment be agreed to and that the bill as amended do pass

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. GOODLING, Chairman	X			
Mr. PETRI, Vice Chairman	X			
Mrs. ROUKEMA	X			
Mr. FAWELL	X			
Mr. BALLENGER	X			
Mr. BARRETT	X			
Mr. HOEKSTRA	X			
Mr. McKEON	X			
Mr. CASTLE	X			
Mr. JOHNSON	X			
Mr. TALENT	X			
Mr. GREENWOOD				X
Mr. KNOLLENBERG				X
Mr. RIGGS	X			
Mr. GRAHAM	X			
Mr. SOUDER	X			
Mr. McINTOSH	X			
Mr. NORWOOD				X
Mr. PAUL	X			
Mr. SCHAFFER	X			
Mr. PETERSON	X			
Mr. UPTON				X
Mr. DEAL	X			
Mr. HILLEARY	X			
Mr. SCARBOROUGH				X
Mr. CLAY		X		
Mr. MILLER				X
Mr. KILDEE		X		
Mr. MARTINEZ		X		
Mr. OWENS		X		
Mr. PAYNE		X		
Mrs. MINK		X		
Mr. ANDREWS		X		
Mr. ROEMER		X		
Mr. SCOTT				X
Ms. WOOLSEY		X		
Mr. ROMERO-BARCELO		X		
Mr. FATTAH		X		
Mr. HINOJOSA		X		
Mrs. McCARTHY		X		
Mr. TIERNEY		X		
Mr. KIND		X		
Ms. SANCHEZ		X		
Mr. FORD		X		
Mr. KUCINICH		X		
TOTALS	20	18		7

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

* * * * * * *

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

[(a) SHORT TITLE.—]This Act may be cited as the "Carl D. Perkins [Vocational and Applied Technology] *Vocational-Technical* Education Act".

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

[TABLE OF CONTENTS

[Sec. 1. Short title; table of contents.
[Sec. 2. Statement of purpose.
[Sec. 3. Authorization of appropriations.

[TITLE I—VOCATIONAL EDUCATION ASSISTANCE TO THE STATES

[PART A—ALLOTMENT AND ALLOCATION

[Sec. 101. Allotment.
[Sec. 101A. The territories.
[Sec. 102. Within State allocation.
[Sec. 103. Indian and Hawaiian natives programs.

[PART B—STATE ORGANIZATIONAL AND PLANNING RESPONSIBILITIES

[Sec. 111. State administration.
[Sec. 112. State council on vocational education.
[Sec. 113. State plan.
[Sec. 114. State plan approval.
[Sec. 115. State and local standards and measures.
[Sec. 116. State assessment and evaluation.
[Sec. 117. Program evaluation and improvement.
[Sec. 118. Criteria for services and activities for individuals who are members of special populations.

[TITLE II—BASIC STATE GRANTS FOR VOCATIONAL EDUCATION

[PART A—STATE PROGRAMS

[Sec. 201. State programs and State leadership.

[PART B—OTHER STATE-ADMINISTERED PROGRAMS

[Subpart 1—Programs to Provide Single Parents, Displaced Homemakers, and Single Pregnant Women With Marketable Skills and to Promote the Elimination of Sex Bias

[Sec. 221. Programs for single parents, displaced homemakers, and single pregnant women.
[Sec. 222. Sex equity programs.
[Sec. 223. Competitive award of amounts; evaluation of programs.

[Subpart 2—Corrections Education

[Sec. 225. Programs for criminal offenders.

[PART C—SECONDARY, POSTSECONDARY, AND ADULT VOCATIONAL EDUCATION PROGRAMS

[Subpart 1—Within State Allocation

[Sec. 231. Distribution of funds to secondary school programs.
[Sec. 232. Distribution of funds to postsecondary and adult programs.
[Sec. 233. Special rule for minimal allocation.
[Sec. 234. Reallocation.

[Subpart 2—Uses of Funds

[Sec. 235. Uses of funds.

[Subpart 3—Local Application

[Sec. 240. Local application.

[TITLE III—SPECIAL PROGRAMS

[PART A—STATE ASSISTANCE FOR VOCATIONAL EDUCATION SUPPORT PROGRAMS BY COMMUNITY-BASED ORGANIZATIONS

[Sec. 301. Applications.
[Sec. 302. Uses of funds.

[PART B—CONSUMER AND HOMEMAKING EDUCATION

[Sec. 311. Consumer and homemaking education grants.
[Sec. 312. Use of funds from consumer and homemaking education grants.
[Sec. 313. Information dissemination and leadership.

[PART C—COMPREHENSIVE CAREER GUIDANCE AND COUNSELING PROGRAMS

[Sec. 321. Grants for career guidance and counseling.
[Sec. 322. Use of funds from career guidance and counseling grants.
[Sec. 323. Information dissemination and leadership.

[PART D—BUSINESS-LABOR-EDUCATION PARTNERSHIP FOR TRAINING

[Sec. 331. Findings and purpose.
[Sec. 332. Authorization of grants.
[Sec. 333. Use of funds.

[PART E—TECH-PREP EDUCATION

[Sec. 341. Short title.
[Sec. 342. Findings and purpose.
[Sec. 343. Program authorized.
[Sec. 344. Tech-prep education programs.
[Sec. 345. Applications.
[Sec. 346. Reports.
[Sec. 347. Definitions.

[PART F—SUPPLEMENTARY STATE GRANTS FOR FACILITIES AND EQUIPMENT AND OTHER PROGRAM IMPROVEMENT ACTIVITIES

[Sec. 351. Statement of purpose.
[Sec. 352. Allotment to States.
[Sec. 353. Allocation to local educational agencies.
[Sec. 354. Uses of funds.
[Sec. 355. State applications.
[Sec. 356. Local applications.

[PART G—COMMUNITY EDUCATION EMPLOYMENT CENTERS AND VOCATIONAL EDUCATION LIGHTHOUSE SCHOOLS

[Subpart 1—Community Education Employment Centers

[Sec. 361. Short title.
[Sec. 362. Purpose.
[Sec. 363. Program authorized.
[Sec. 364. Program requirements.
[Sec. 365. Support services requirements.
[Sec. 366. Parental and community participation.
[Sec. 367. Professional staff.

[Sec. 368. Eligibility.
[Sec. 369. Application.
[Sec. 370. Evaluation and report.
[Sec. 371. Definitions.

[Subpart 2—Vocational Education Lighthouse Schools

[Sec. 375. Vocational education lighthouse schools.

[PART H—TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL INSTITUTIONS

[Sec. 381. Short title.
[Sec. 382. Purpose.
[Sec. 383. Grants authorized.
[Sec. 384. Eligible grant recipients.
[Sec. 385. Grants to tribally controlled postsecondary vocational institutions.
[Sec. 386. Amounts of grants.
[Sec. 387. Effect on other programs.
[Sec. 388. Grant adjustments.
[Sec. 389. Report on facilities and facilities improvement.
[Sec. 390. Definitions.

[TITLE IV—NATIONAL PROGRAMS

[PART A—RESEARCH AND DEVELOPMENT

[Sec. 401. Research objectives.
[Sec. 402. Research activities.
[Sec. 403. National assessment of vocational education programs.
[Sec. 404. National Center or Centers for Research in Vocational Education.

[PART B—DEMONSTRATION PROGRAMS

[Sec. 411. Programs authorized.
[Sec. 412. Materials development in telecommunications.
[Sec. 413. Demonstration centers for the training of dislocated workers.
[Sec. 414. Professional development.
[Sec. 415. Blue ribbon vocational education programs.
[Sec. 416. Development of business and education standards.
[Sec. 417. Educational programs for Federal correctional institutions.
[Sec. 418. Dropout prevention.
[Sec. 419. Model programs of regional training for skilled trades.
[Sec. 420. Demonstration projects for the integration of vocational and academic learning.
[Sec. 420A. Cooperative Demonstration Programs.

[PART C—VOCATIONAL EDUCATION AND OCCUPATIONAL INFORMATION DATA SYSTEMS

[Sec. 421. Data systems authorized.
[Sec. 422. National Occupational Information Coordinating Committee.
[Sec. 423. Information base for vocational education data system.
[Sec. 424. Miscellaneous provisions.

[PART E—BILINGUAL VOCATIONAL TRAINING

[Sec. 441. Program authorized.

[PART F—GENERAL PROVISIONS

[Sec. 451. Distribution of assistance.

[TITLE V—GENERAL PROVISIONS

[PART A—FEDERAL ADMINISTRATIVE PROVISIONS

[Sec. 501. Payments.
[Sec. 502. Maintenance of effort.
[Sec. 503. Authority to make payments.
[Sec. 504. Regional meetings and negotiated rulemaking.
[Sec. 505. Requirements relating to reports, plans, and regulations.
[Sec. 506. Federal laws guaranteeing civil rights.

[Sec. 507. Student assistance and other Federal programs.
[Sec. 508. Federal monitoring.

[PART B—STATE ADMINISTRATIVE PROVISIONS

[Sec. 511. Joint funding.
[Sec. 512. Review of regulations.
[Sec. 513. Identification of State-imposed requirements.
[Sec. 514. Prohibition on use of funds to induce out-of-State relocation of businesses.
[Sec. 515. State administrative costs.
[Sec. 516. Additional administrative requirements.

[PART C—DEFINITIONS

[Sec. 521. Definitions.

[SEC. 2. STATEMENT OF PURPOSE.

[It is the purpose of this Act to make the United States more competitive in the world economy by developing more fully the academic and occupational skills of all segments of the population. This purpose will principally be achieved through concentrating resources on improving educational programs leading to academic and occupational skill competencies needed to work in a technologically advanced society.]

SEC. 2. PURPOSE.

It is the purpose of this Act to develop more fully the academic, occupational, and technical skills of individuals participating in vocational-technical education programs. This purpose will be achieved through concentrating resources on improving vocational-technical education programs leading to academic and technical skill competencies needed to work in a technologically advanced society.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated [$1,600,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, and 1995 to carry out the provisions of titles I, II, III, and IV of this Act.] *$1,300,000,000, for fiscal year 1998 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out the provisions of titles I and II.*

[(b) TITLE I.—(1) Of the amounts remaining from amounts made available under subsection (a) after providing amounts for the programs described in paragraph (2) and subsections (d) and (f)—

[(A) 1.5 percent shall be available to carry out the provisions of section 103, relating to Indian and Hawaiian natives programs; and

[(B) .2 percent shall be available to carry out the provisions of section 101A, relating to the territories.

[(2) Of the amounts made available in the fiscal year 1991 under subsection (a), not more than $9,000,000 shall be available to carry out the provisions of section 112, relating to State councils on vocational education.

[(c) BASIC PROGRAMS.—Of the amounts remaining from amounts made available under subsection (a) after providing amounts for the programs described in subsections (b)(2), (d), and (f), 95.8 percent shall be available to carry out the provisions of title II, relating to basic programs.

[(d) SPECIAL PROGRAMS.—(1) Subject to paragraph (2), of the amounts made available under subsection (a) for the fiscal year 1991—

[(A) not more than $15,000,000 shall be available to carry out the provisions of part A of title III, relating to State assistance for vocational education support programs by community-based organizations;

[(B) not more than $38,500,000 shall be available to carry out the provisions of part B of title III, relating to consumer and homemaking education;

[(C) not more than $20,000,000 shall be available to carry out the provisions of part C of title III, relating to comprehensive career guidance and counseling programs;

[(D) not more than $10,000,000 shall be available to carry out the provisions of part D of title III, relating to business-labor-education partnerships;

[(E) not more than $125,000,000 shall be available to carry out the provisions of part E of title III, relating to tech-prep education;

[(F) not more than $100,000,000 shall be available to carry out the provisions of part F of title III, relating to supplementary State grants for facilities and equipment and other program improvement activities;

[(G) not more than $10,000,000 shall be available to carry out the provisions of part G of title III, of which—

[(i) an amount equal to 75 percent of the amounts made available to carry out such part shall be available to carry out the provisions of subpart 1 of such part, relating to community education employment centers; and

[(ii) an amount equal to 25 percent of the amounts made available to carry out such part shall be available to carry out the provisions of subpart 2 of such part, relating to vocational education lighthouse schools; and

[(H) not more than $4,000,000 shall be available to carry out the provisions of part H of title III, relating to tribally controlled postsecondary vocational institutions.

[(2) Notwithstanding the provisions of paragraph (1), amounts shall be available to carry out the provisions of part C, D, or G of title III in any fiscal year only to the extent that the amount available for such fiscal year to carry out the provisions of title II exceeds $1,000,000,000.

[(e) NATIONAL PROGRAMS.—For each fiscal year, of the amounts remaining from amounts available pursuant to subsection (a) after providing amounts for the programs described in subsections (b)(2), (d), and (f), 2.5 percent of such remainder shall be available to carry out the provisions of title IV (other than parts D and E), relating to national programs.

[(f) OTHER NATIONAL PROGRAMS.—(1) Of amounts made available under subsection (a) for the fiscal year 1991, not more than $350,000 shall be available to carry out the provisions of part D of title IV, relating to the National Council on Vocational Education.

[(2) Of amounts made available under subsection (a) for the fiscal year 1991, not more than $10,000,000 shall be available to

carry out the provisions of part E of title IV, relating to bilingual vocational training programs.]

(b) TITLE I.—Of the amounts made available under subsection (a)—

(1) 1.5 percent shall be reserved to carry out section 103, relating to Indian and Native Hawaiians programs; and

(2) 0.2 percent shall be reserved to carry out section 101A, relating to the territories.

[TITLE I—VOCATIONAL EDUCATION ASSISTANCE TO THE STATES

[PART A—ALLOTMENT AND ALLOCATION

[ALLOTMENT

[SEC. 101. (a)(1) In each fiscal year, of the amounts remaining from amounts made available under section 3(a) after providing amounts for the programs described in subsections (b)(2), (d), and (f) of section 3, the Secretary shall reserve—

[(A) 2.5 percent for the activities described in title IV (other than parts D and E);

[(B) 1.5 percent for the purpose of carrying out section 103, of which—

[(i) 1.25 percent shall be for the purpose of carrying out section 103(b); and

[(ii) .25 percent shall be for the purpose of carrying out section 103(c); and

[(C) .2 percent for the purpose of carrying out section 101A.

[(2) Subject to the provisions of paragraph (3), from the remainder of the sums appropriated pursuant to sections 3(a) and 3(b), the Secretary shall allot to each State for each fiscal year—

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

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

[(C) an amount which bears the same ratio to 15 percent of the sums being allotted as the product of the population aged twenty-five to sixty-five, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States; and

[(D) an amount which bears the same ratio to 15 percent of the sums being allotted as the amounts allotted to the State under clauses (A), (B), and (C) for such years bears to the sum of the amounts allotted to all the States under clauses (A), (B), and (C) for such year.]

TITLE I—VOCATIONAL-TECHNICAL EDUCATION ASSISTANCE TO THE STATES

PART A—ALLOTMENT AND ALLOCATION

SEC. 101. ALLOTMENT.

(a) SPECIFIC POPULATIONS.—

(1) IN GENERAL.—In each fiscal year, from amounts made available under section 3(a), the Secretary shall reserve—

(A) 1.5 percent to carry out section 103, of which—

(i) 1.25 percent shall be available to carry out section 103(c); and

(ii) 0.25 percent shall be available to carry out section 103(i); and

(B) 0.2 percent for the purpose of carrying out section 101A.

(2) REMAINDER OF FUNDS.—From the remainder of the sums appropriated pursuant to section 3, the Secretary shall allot to each State for each fiscal year—

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

(B) an amount which bears the same ratio to 50 percent of the sums being allotted as the product of the population aged 20 to 24, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States.

(3)[(A)(i) Notwithstanding any other provision of law and subject to clause (ii), for any fiscal year for programs authorized by title II or part B of title III of this Act, no State shall receive less than the payments made to the State for each such program for fiscal year 1985 under Public Laws 98–619 and 99–88. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States, but no such amount shall be reduced to an amount which is less than the amount a State received under the Act for each such program for fiscal year 1985.

[(ii) If for any fiscal year the amount appropriated for programs authorized by title II or part B of title III and available for allotment under this section is insufficient to satisfy the provisions of clause (i), the payments to all States for each such program shall be ratably reduced as necessary.]

[(B)(i) Notwithstanding any other provision of law and subject to subparagraphs (A), (C), and (D) and clause (ii), for any fiscal year for which the amounts appropriated for programs authorized by title II or part A, B, C, D, or E of title III (and available for allotment under this section) exceed the amounts so available for fiscal year 1985, no State shall receive less than one-half of one percent of the amount available for each such program for that fiscal year

under this subsection. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.] *(A)(i) Notwithstanding any other provision of law and subject to subparagraph (B) and clause (ii), no State shall receive less than ½ of 1 percent of the amount available for each such program for each fiscal year under this subsection.*

(ii) Due to the application of the provisions of clause (i), for any fiscal year, no State shall receive more than 150 percent of the payments made to the State for each program authorized by title II, [or part A, B, C, D, or E of title III] for the preceding fiscal year.

[(C) In the case of the Virgin Islands, the minimum allotment for all programs under this Act shall not be less than $200,000.]

[(D)] *(B)*(i) Subject to clause (iii), no State shall, by reason of subparagraph (B), be allotted more than the lesser of—

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

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

(ii) The amount calculated under this clause shall be determined by multiplying—

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

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

(iii) Notwithstanding the provisions of clauses (i) and (ii), no State shall be allotted an amount under this section in any fiscal year that is less than the amount such State is allotted in the fiscal year 1991.

* * * * * * *

[(c)(1) The allotment ratio for any State shall be 1.00 less the product of—

[(A) 0.50; and

[(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico and the Virgin Islands), except that (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40 and (ii) the allotment ratio for Puerto Rico and the Virgin Islands shall be 0.60.

[(2) 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 three most recent consecutive fiscal years for which satisfactory data are available.

[(3) 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) For the purposes of this section, population shall be determined by the Secretary on the basis of the latest estimates available to the Department.]

(c) ALLOTMENT RATIO.—

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

(A) 0.50; and

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

(i) the allotment ratio in no case shall be more than 0.55 or less than 0.40; and

(ii) the allotment ratio for Puerto Rico and the Virgin Islands shall be 0.55.

(2) ALLOTMENT RATIOS.—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.—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.

* * * * * * *

SEC. 101A. THE TERRITORIES.

(a) * * *

* * * * * * *

(d) RESTRICTION.—Notwithstanding any other provision of law, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall not receive any funds under this part for any fiscal year that begins after September 30, 2001.

SEC. 102. WITHIN STATE ALLOCATION.

(a) PROGRAMS OTHER THAN STATE GRANTS.—From the allotment made to each State from funds appropriated under section 3(a) for each fiscal year—

(1) an amount equal to [at least 75 percent of the allotment shall be available only for basic programs under part C of title II;] *an amount equal to not less than 90 percent of the allotment shall be available for basic programs under part B of title II;*

[(2) an amount equal to 10.5 percent of the allotment shall be available only for the program for single parents, displaced homemakers, and single pregnant women described in section 221 and the sex equity program described in section 222, of which—

[(A) not less than 7 percent of such allotment shall be reserved for the program for single parents, displaced homemakers, and single pregnant women; and

[(B) not less than 3 percent of such allotment shall be reserved for the sex equity program;]

[(3)] *(2)* an amount equal to not more than [8.5] *8* percent of the allotment shall be available only for State programs and activities described in section 201; and

[(4)] *(3)* the State may use for administration of the State plan an amount that does not exceed [5] *2* percent of the allotment or $250,000, whichever is greater, [of which—

[(A) not less than $60,000 shall be available only for purposes of carrying out the provisions of section 111(b)(1); and

[(B) remaining amounts may be used for the costs of—

[(i) developing the State plan;

[(ii) reviewing local applications;

[(iii) monitoring and evaluating program effectiveness;

[(iv) providing technical assistance; and

[(v) assuring compliance with all applicable Federal laws, including required services and activities for individuals who are members of special populations; and]

which may be used for the costs of—

(A) developing the State application;

(B) reviewing local applications;

(C) monitoring and evaluating program effectiveness; and

(D) assuring compliance with all applicable Federal laws.

[(5) an amount equal to 1 percent of the allotment shall be available only for programs for criminal offenders under section 225.]

(b) MATCHING REQUIREMENT.—Each State receiving financial assistance under this Act shall match, from non-Federal sources and on a dollar-for-dollar basis, the funds reserved pursuant to subsection (a)[(4)]*(3)*.

[(c) HOLD HARMLESS PROVISION.—(1) Except as provided in paragraph (3) and notwithstanding the provisions of subsection (a), each State shall reserve for the program for single parents, displaced homemakers, and single pregnant women under section 221, and the sex equity program under section 222, respectively, an amount that is not less than the amount such State reserved for each such program in the fiscal year 1990.

[(2) Except as provided in paragraph (3) and notwithstanding the provisions of subsection (a), each State shall reserve for the program for criminal offenders under section 225, an amount that is not less than the amount such State expended under this Act for such program for the fiscal year 1990.

[(3) In any year in which a State receives an amount for purposes of carrying out programs under title II that is less than the amount such State received for such purposes in the fiscal year 1990, such State shall ratably reduce the amounts reserved under paragraph (1).]

(c) RURAL RESERVE.—A State may reserve not more than 10 percent of the allotment made under section 102(a)(1) to use for grants to rural areas.

(d) INCENTIVE AWARDS.—A State may reserve not more than 5 percent of the allotment made under section 102(a)(1) to make awards—

(1) to a local eligible recipient that meets or exceeds the State benchmarks described in section 114;

(2) to a local eligible recipient that meets or exceeds the average State graduation rate; or

(3) to assist a local eligible recipient that has significantly failed to meet the State benchmarks described in section 114, or has a graduation rate that is significantly below the average State graduation rate.

[INDIAN AND HAWAIIAN NATIVES PROGRAMS

[SEC. 103. (a)(1) For the purpose of this section—

[(1)(A) From the funds reserved pursuant to section 101(a)(1)(B)(i), the Secretary is directed—

[(i) upon the request of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934; or

[(ii) upon an application received from a Bureau funded school (as such term is defined in section 1139(3) of the Education Amendments of 1978) offering secondary programs filed at such time and under such conditions as the Secretary may prescribe,

to make grants to or enter into contracts with any tribal organization of any such Indian tribe or to make a grant to such Bureau funded school, as appropriate, to plan, conduct, and administer programs or portions of programs authorized by and consistent with the purposes of this Act, except that—

[(I) such grants or contracts with any tribal organization shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934, which are relevant to the programs administered under this sentence; and

[(II) such grants to Bureau funded schools shall not be subject to the requirements of the Indian Self-Determination Act or the Act of April 16, 1934.

[(B)(i) Any tribal organization or school eligible to receive assistance under this paragraph may apply individually or as part of a consortium with another such tribal organization or school.

[(ii) In the case of a Bureau funded school, the minimum amount of a grant made under this section shall be $35,000.

[(C) The Secretary may not place upon grants made or contracts entered into under this paragraph any restrictions relating to programs or outcomes other than restrictions which apply to grants made to or contracts entered into with States under section 101. The Secretary, in making grants under this paragraph, shall give special consideration to—

[(i) grants which involve, coordinate with, or encourage tribal economic development plans; and

[(ii) applications from tribally controlled community colleges which—

[(I) are accredited or are candidates for accreditation by a nationally recognized accreditation organization as an institution of postsecondary vocational education; or

[(II) operate vocational education programs that are accredited or are candidates for accreditation by a nationally recognized accreditation organization and issue certificates for completion of vocational education programs.

[(2) From the funds reserved pursuant to section 101(a)(1)(B), the Secretary shall enter into contracts for Indian and Hawaiian native programs in accordance with the provisions of this section.

[(b)(1)(A) From the funds reserved pursuant to section 101(a)(1)(B)(i), the Secretary is directed—

[(i) upon the request of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934; or

[(ii) upon an application received from a Bureau funded school (as such term is defined in section 1139(3) of the Education Amendments of 1978) offering secondary programs filed at such time and under such conditions as the Secretary may prescribe,

to make grants to or enter into contracts with any tribal organization of any such Indian tribe or to make a grant to such Bureau funded school, as appropriate, to plan, conduct, and administer programs or portions of programs authorized by and consistent with the purposes of this Act, except that—

[(I) such grants or contracts with any tribal organization shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934, which are relevant to the programs administered under this sentence; and

[(II) such grants to Bureau funded schools shall not be subject to the requirements of the Indian Self-Determination Act or the Act of April 16, 1934.

[(B)(i) Any tribal organization or school eligible to receive assistance under this paragraph may apply individually or as part of a consortium with another such tribal organization or school.

[(ii) In the case of a Bureau funded school, the minimum amount of a grant made under this section shall be $35,000.

[(C) The Secretary may not place upon grants made or contracts entered into under this paragraph any restrictions relating to programs or outcomes other than restrictions which apply to grants made to or contracts entered into with States under section 101. The Secretary, in making grants under this paragraph, shall give special consideration to—

[(i) grants which involve, coordinate with, or encourage tribal economic development plans; and

[(ii) applications from tribally controlled community colleges which—

[(I) are accredited or are candidates for accreditation by a nationally recognized accreditation organization as an institution of postsecondary vocational education; or

[(II) operate vocational education programs that are accredited or are candidates for accreditation by a nationally recognized accreditation organization and issue certificates for completion of vocational education programs.

[(D)(i) Funds received pursuant to grants and contracts described in subparagraph (A) may be used to provide stipends to students who are enrolled in vocational education programs and who have acute economic needs which cannot be met through work-study programs.

[(ii) Stipends described in clause (i) shall not exceed reasonable amounts as prescribed by the Secretary.

[(2) The Bureau of Indian Affairs shall expend an amount equal to the amount made available under this subsection, relating to programs for Indians, to pay a part of the costs of programs funded under this subsection. During each fiscal year the Bureau of Indian Affairs shall expend no less than the amount expended during the prior fiscal year on vocational education programs, services, and activities administered either directly by, or under contract with, the Bureau of Indian Affairs. The Secretary and the Assistant Secretary of the Interior for Indian Affairs shall jointly prepare a plan for the expenditure of funds made available and for the evaluation of programs assisted under this subsection. Upon the completion of a joint plan for the expenditure of these funds and the evaluation of the programs, the Secretary shall assume responsibility for the administration of the program, with the assistance and consultation of the Bureau of Indian Affairs.

[(3) Programs funded under this subsection shall be in addition to such other programs, services, and activities as are made available to eligible Indians under other provisions of this Act.

[(4) For the purposes of this Act, the Bureau of Indian Affairs shall be deemed to be a State board; and all the provisions of this Act shall be applicable to the Bureau as if it were a State board.

[(c) From the funds reserved pursuant to section 101(a)(1)(B)(ii), the Secretary is directed, to enter into contracts with organizations primarily serving and representing Hawaiian natives which are recognized by the Governor of the State of Hawaii to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the provisions of this section for the benefit of Hawaiian natives.]

SEC. 103. NATIVE AMERICAN PROGRAM.

(a) INDIAN POLICY.—All programs assisted under this section shall be administered in a manner consistent with the principles of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and the government-to-government relationship between the Federal Government and Indian tribal governments.

(b) DEFINITIONS.—As used in this section:

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

(2) BUREAU FUNDED.—The term "Bureau funded school" means—

(A) a Bureau school;

(B) a contract school; or

(C) a school for which assistance is provided under the Tribally Controlled Schools Act of 1988.

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

(4) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(5) NATIVE HAWAIIAN AND NATIVE HAWAIIAN ORGANIZATION.—The terms "Native Hawaiian" and "Native Hawaiian organization" have the meanings given such terms in paragraphs (1) and (3), respectively, of section 9212 of the Native Hawaiian Education Act (20 U.S.C. 7912).

(6) TRIBALLY CONTROLLED COMMUNITY COLLEGE.—The term "tribally controlled community college" has the meaning given such term in section 2(a)(4) of the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1801(a)(4)).

(7) TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL INSTITUTION.—The term "tribally controlled postsecondary vocational institution" means an institution of higher education that—

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

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

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

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

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

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

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

(c) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—From amounts reserved under section 101(a)(1)(A)(i), the Secretary shall make grants to Indian tribes, tribal organizations and Alaska Native entities to carry out the authorized programs described in subsection (d), except that such terms shall not include secondary school programs in Bureau funded schools.

(2) SPECIAL AUTHORITY RELATING TO SECONDARY SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN AFFAIRS.—An Indian tribe, a tribal organization, or an Alaska Native entity, that receives funds through a grant made or contract en-

tered into under paragraph (1) may use the funds to provide assistance to a secondary school operated or supported by the Bureau of Indian Affairs to enable such school to carry out vocational-technical education programs.

(d) AUTHORIZED PROGRAMS.—Funds made available under this section shall be used to carry out vocational-technical education programs consistent with the purposes of this Act.

(e) GRANT APPLICATION.—In order to receive a grant under this section an entity described in subsection (c) shall submit an application to the Secretary and shall include an assurance that such entity shall comply with the requirements of this Act.

(f) SPECIAL CONSIDERATION.—The Secretary, in making grants under subsection (c), shall give special consideration to—

(1) grants which involve, coordinate with, or encourage tribal economic development plans; and

(2) applications from tribally controlled community colleges which—

(A) are accredited or are candidates for accreditation by a nationally recognized accreditation organization as an institution of postsecondary vocational-technical education; or

(B) operate vocational-technical education programs that are accredited or are candidates for accreditation by a nationally recognized accreditation organization and issue certificates for completion of vocational-technical education programs.

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

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

(1) to limit the eligibility of any entity described in subsection (c) to participate in any activity offered by a State or local entity under this title; or

(2) to preclude or discourage any agreement, between any entity described in subsection (c) and any State or local entity, to facilitate the provision of services by such entity or to the population served by such entity.

(i) NATIVE HAWAIIAN PROGRAMS.—From the funds reserved pursuant to section 101(a)(1)(A)(ii), the Secretary is directed to enter into contracts with organizations primarily serving and representing Native Hawaiian Programs which are recognized by the Governor of the State of Hawaii to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the provisions of this section for the benefit of Native Hawaiian Programs.

SEC. 104. TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL-TECHNICAL EDUCATION PROGRAMS

(a) GRANTS AUTHORIZED.—The Secretary shall, subject to the availability of appropriations, make grants pursuant to this section to tribally controlled postsecondary vocational-technical institutions to provide basic support for the education and training of Indian students.

(b) USE OF GRANTS.—Amounts made available pursuant to this section shall be used for vocational-technical education programs.

(c) ELIGIBLE GRANT RECIPIENTS.—To be eligible for assistance under this section a tribally controlled postsecondary vocational-technical institution shall—

(1) be governed by a board of directors or trustees, a majority of whom are Indians;

(2) have been in operation for at least 3 years;

(3) hold accreditation with or be a candidate for accreditation by a nationally recognized accrediting authority for postsecondary vocational-technical education; and

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

(d) APPLICATIONS.—Any tribally controlled postsecondary vocational-technical institution that desires to receive a grant under this section shall submit an application to the Secretary in such manner and form as the Secretary may require.

(e) OTHER PROGRAMS.—

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

(2) PROHIBITION ON ALLOCATION OF GRANT AMOUNT.—The amount of any grant for which tribally controlled postsecondary vocational-technical institutions are eligible under this subpart shall not be altered because of funds allocated to any such institution from funds appropriated under the Act of November 2, 1921.

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

(f) DEFINITIONS.—For the purposes of this section:

(1) INDIAN.—The terms "Indian" and "Indian tribe" have the meanings given such terms in section 2 of the Tribally Controlled Community College Assistance Act of 1978.

(2) TRIBALLY CONTROLLED POSTSECONDARY VOCATIONAL-TECHNICAL INSTITUTION.—The term "tribally controlled postsecondary vocational-technical institution" means an institution of higher education which is formally controlled, or has been formally sanctioned or chartered by the governing body of an Indian tribe or tribes which offers technical degrees or certificate granting programs.

(3) INDIAN STUDENT COUNT.—The term "Indian student count" means a number equal to the total number of Indian

students enrolled in each tribally controlled vocational-technical institution, determined as follows:

(A) REGISTRATIONS.—The registrations of Indian students as in effect on October 1 of each year.

(B) SUMMER TERM.—Credits or clock hours toward a certificate earned in classes offered during a summer term shall be counted toward the computation of the Indian student count in the succeeding fall term.

(C) ADMISSION CRITERIA.—Credits or clock hours toward a certificate earned in classes during a summer term shall be counted toward the computation of the Indian student count if the institution at which the student is in attendance has established criteria for the admission of such student on the basis of the student's ability to benefit from the education or training offered. The institution shall be presumed to have established such criteria if the admission procedures for such studies include counseling or testing that measures the student's aptitude to successfully complete the course in which the student has enrolled. No credit earned by such student for purposes of obtaining a high school degree or its equivalent shall be counted toward the computation of the Indian student count.

(D) DETERMINATION OF HOURS.—Indian students earning credits in any continuing education program of a tribally controlled vocational-technical institution shall be included in determining the sum of all credit or clock hours.

(E) CONTINUING EDUCATION.—Credits or clock hours earned in a continuing education program shall be converted to the basis that is in accordance with the institution's system for providing credit for participation in such programs.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated not more than $4,000,000 for fiscal year 1998 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out the provisions of this section.

PART B—STATE ORGANIZATIONAL AND PLANNING RESPONSIBILITIES

STATE ADMINISTRATION

SEC. 111. (a)(1) Any State desiring to participate in the vocational education program authorized by this Act shall, consistent with State law, designate or establish a State board of vocational education which shall be the sole State agency responsible for the administration or the supervision of the State vocational education program. The responsibilities of the State board shall include—

(A) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this Act [pursuant to section 113(b)(8), section 116, and section 117]; and

(B) [the development, in consultation with the State council on vocational education, and the submission to the Secretary, of the State plan required by section 113 and by section 114;

[(C) consultation with the State council established pursuant to section 112, and other appropriate agencies, groups, and in-

dividuals, including business, industry, and labor, involved in the planning, administration, evaluation, and coordination of programs funded under this Act;] *consultation with the Governor and appropriate agencies, groups, and individuals, including business, industry and representatives of employees involved in the planning, administration, evaluation, and coordination of programs funded under this Act;*

* * * * * * *

[(b)(1) Any State desiring to participate in the programs authorized by this Act shall assign one individual within the appropriate agency established or designated by the State board under the last sentence of subsection (a)(1) to administer vocational education programs within the State, to work full time to assist the State board to fulfill the purposes of this Act by—

[(A) administering the program of vocational education for single parents and homemakers described in section 221 and the sex equity program described in section 222;

[(B) gathering, analyzing, and disseminating data on the adequacy and effectiveness of vocational education programs in the State in meeting the education and employment needs of women (including preparation for employment in technical occupations, new and emerging occupational fields, and occupations regarded as nontraditional for women), and on the status of men and women students and employees in such programs;

[(C) reviewing and commenting upon, and making recommendations concerning, the plans of local educational agencies, area vocational education schools, intermediate educational agencies, and postsecondary educational institutions to ensure that the needs of women and men for training in nontraditional jobs are met;

[(D) reviewing vocational education programs (including career guidance and counseling) for sex stereotyping and sex bias, with particular attention to practices which tend to inhibit the entry of women in high technology occupations, and submitting (i) recommendations for inclusion in the State plan of programs and policies to overcome sex bias and sex stereotyping in such programs, and (ii) an assessment of the State's progress in meeting the purposes of this Act with regard to overcoming sex discrimination and sex stereotyping;

[(E) reviewing proposed actions on grants, contracts, and the policies of the State board to ensure that the needs of women are addressed in the administration of this Act;

[(F) developing recommendations for programs of information and outreach to women concerning vocational education and employment opportunities for women (including opportunities for careers as technicians and skilled workers in technical fields and new and emerging occupational fields);

[(G) providing technical assistance and advice to local educational agencies, postsecondary institutions, and other interested parties in the State, in expanding vocational opportunities for women; and

[(H) assisting administrators, instructors, and counselors in implementing programs and activities to increase access for women (including displaced homemakers and single heads of

households) to vocational education and to increase male and female students' enrollment in nontraditional programs.

[(I) developing an annual plan for the use of all funds available for such programs;

[(J) managing the distribution of funds pursuant to section 223;

[(K) monitoring the use of funds distributed to recipients under such programs; and

[(L) evaluating the effectiveness of programs and activities supported by such funds.

[(2) For the purpose of this subsection, the term "State" means any one of the fifty States and the District of Columbia.

[(3) Each State shall from funds allocated under section 102(a)(4)(A) expend not less than $60,000 in each fiscal year to carry out the provisions of this subsection.

[(c) REVIEW OF PLANS WITH RESPECT TO STUDENTS WITH HANDICAPS.—(1) Any State desiring to participate in the programs authorized by this Act shall designate or assign the head of the State office responsible for administering part B of the Individuals with Disabilities Education Act to review the implementation of the provisions of this Act as such provisions relate to students with handicaps by reviewing all or a representative sample of plans of eligible recipients to—

[(A) assure that individuals with handicaps are receiving vocational educational services;

[(B) assure that the plans of the eligible recipient provide assurances of compliance with the provisions of section 504 of the Rehabilitation Act of 1973 and the Education of Handicapped Act regarding equal access to programs; and

[(C) assure that the eligible recipients have—

[(i) identified the number of students with handicaps enrolled in vocational programs operated by the eligible recipient;

[(ii) assessed the vocational needs of the students identified pursuant to clause (i); and

[(iii) developed an adequate plan to provide supplementary services sufficient to meet the needs of such students.

[(2) For purposes of this subsection and subsections (d) and (e), the term "State" means any 1 of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

[(d) NEEDS OF ECONOMICALLY DISADVANTAGED STUDENTS.—Any State desiring to participate in the programs authorized by this Act shall assign the head of the State office or other appropriate individual responsible for coordinating services under title I of the Elementary and Secondary Education Act of 1965 to review all or a representative sample of plans of the eligible recipients to ensure that the number of economically disadvantaged students have been identified, and that the needs of such students are being met as outlined by such plans.

[(e) NEEDS OF STUDENTS OF LIMITED ENGLISH PROFICIENCY.—Any State desiring to participate in the programs authorized by this Act shall designate or assign the head of the State office or other appropriate individual responsible for administering pro-

grams for students of limited English proficiency to review all or a representative sample of the plans of the eligible recipients to ensure the numbers of students of limited English proficiency have been identified and that the needs of such students for participation in vocational education programs are being met as outlined by such plans.

[(f) The State board shall make available to each private industry council established under section 102 of the Job Training Partnership Act within the State a listing of all programs assisted under this Act.

[(g) Each State board, in consultation with the State council, shall establish a limited number of technical committees to advise the council and the board on the development of model curricula to address State labor market needs. Technical committees shall develop an inventory of skills that may be used by the State board to define state-of-the-art model curricula. Such inventory will provide the type and level of knowledge and skills needed for entry, retention, and advancement in occupational areas taught in the State. The State board shall establish procedures for membership, operation, and duration of such committees consistent with the purposes of this Act. The membership shall be representatives of (1) employers from any relevant industry or occupation for which the committee is established; (2) trade or professional organizations representing any relevant occupations; and (3) organized labor, where appropriate.]

(b) LIST OF PROGRAMS ASSISTED.—The State board shall make available to each Private Industry Council established under section 102 of the Job Training Partnership Act within the State a listing of all programs assisted under this Act.

[STATE COUNCIL ON VOCATIONAL EDUCATION

[SEC. 112. (a) Each State which desires to participate in vocational education programs authorized by this Act for any fiscal year shall establish a State council, which shall be appointed by the Governor or, in the case of States in which the members of the State board of education are elected (including election by the State legislature), by such board. Each State council shall be composed of 13 individuals, and shall be broadly representative of citizens and groups within the State having an interest in vocational education. Each State council shall consist of—

[(1) seven individuals who are representative of the private sector in the State who shall constitute a majority of the membership—

[(A) five of whom shall be representative of business, industry, trade organizations, and agriculture including—

[(i) one member who is representative of small business concerns; and

[(ii) one member who is a private sector member of the State job training coordinating council (established pursuant to section 122 of the Job Training Partnership Act), and

[(B) two of whom shall be representatives of labor organizations;

[(2) six individuals who are representative of secondary and postsecondary vocational institutions (equitably distributed among such institutions), career guidance and counseling organizations within the State, individuals who have special knowledge and qualifications with respect to the special educational and career development needs of special populations (including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities) and of whom one member shall be representative of special education and may include members of vocational student organizations and school board members.

In selecting individuals under subsection (a) to serve on the State council, due consideration shall be given to the appointment of individuals who serve on a private industry council under the Job Training Partnership Act, or on State councils established under other related Federal Acts. No employee of the State board shall serve on the State council.

[(b) The State shall certify to the Secretary the establishment and membership of the State council by the beginning of each State plan period described in section 113(a)(1).

[(c) Each State council shall meet as soon as practical after certification has been accepted by the Secretary and shall select from among its membership a chairperson who shall be representative of the private sector. The time, place, and manner of meeting, as well as council operating procedures and staffing, shall be as provided by the rules of the State council, except that such rules must provide for not less than one public meeting each year at which the public is given an opportunity to express views concerning the vocational education program of the State.

[(d) During each State plan period described in section 113(a)(1), each State council shall—

[(1) meet with the State board or its representatives to advise on the development of the subsequent State plan;

[(2) make recommendations to the State board and make reports to the Governor, the business community, and general public of the State, concerning—

[(A) the State plan;

[(B) policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped); and

[(C) initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;

[(3) analyze and report on the distribution of spending for vocational education in the State and on the availability of vocational education activities and services within the State;

[(4) furnish consultation to the State board on the establishment of evaluation criteria for vocational education programs within the State;

[(5) submit recommendations to the State board on the conduct of vocational education programs conducted in the State which emphasize the use of business concerns and labor organizations;

[(6) assess the distribution of financial assistance furnished under this Act, particularly with the analysis of the distribution of financial assistance between secondary vocational education programs and postsecondary vocational education programs;

[(7) recommend procedures to the State board to ensure and enhance the participation of the public in the provision of vocational education at the local level within the State, particularly the participation of local employers and local labor organizations;

[(8) report to the State board on the extent to which individuals who are members of special populations are provided with equal access to quality vocational education programs;

[(9) analyze and review corrections education programs; and

[(10)(A) evaluate at least once every 2 years—

[(i) the extent to which vocational education, employment, and training programs in the State represent a consistent, integrated, and coordinated approach to meeting the economic needs of the State;

[(ii) the vocational education program delivery system assisted under this Act, and the job training program delivery system assisted under the Job Training Partnership Act, in terms of such delivery systems' adequacy and effectiveness in achieving the purposes of each of the 2 Acts; and

[(iii) make recommendations to the State board on the adequacy and effectiveness of the coordination that takes place between vocational education and the Job Training Partnership Act;

[(B) comment on the adequacy or inadequacy of State action in implementing the State plan;

[(C) make recommendations to the State board on ways to create greater incentives for joint planning and collaboration between the vocational education system and the job training system at the State and local levels; and

[(D) advise the Governor, the State board, the State job training coordinating council, the Secretary, and the Secretary of Labor regarding such evaluation, findings, and recommendations.

[(e) Each State council is authorized to obtain the services of such professional, technical, and clerical, personnel as may be necessary to enable it to carry out its functions under this Act and to contract for such services as may be necessary to enable the Council to carry out its evaluation functions, independent of programmatic and administrative control by other State boards, agencies, and individuals. Each State Council may submit a statement to the Secretary reviewing and commenting upon the State plan. Such statement shall be sent to the Secretary with the State plan.

[(f)(1)(A) Except as provided in subparagraph (B), from the sums appropriated pursuant to section 3(c), the Secretary shall first make grants of $150,000 to each State council. From the remainder of such sums the Secretary shall allot to each State council an amount in accordance with the method of allotment set forth in section 101(a)(2) of this Act, provided that—

[(i) no State council shall receive more than $250,000 for each fiscal year;

[(ii) no State council shall receive less than $150,000 for each fiscal year; and

[(iii) no State council shall receive less than such State council was allotted in the fiscal year 1990;

[(B) From the sums appropriated pursuant to section 3(c) for each fiscal year, the Secretary shall make grants of—

[(i) $60,000 to each of the State councils of the Virgin Islands and Guam; and

[(ii) $25,000 to each of the State councils of American Samoa, Palau (until the Compact of Free Association with Palau takes effect pursuant to section 101(a) of Public Law 99–658), and the Commonwealth of the Northern Mariana Islands.

[(2) The expenditure of the funds paid pursuant to this subsection is to be determined solely by the State council for carrying out its functions under this Act, and may not be diverted or reprogramed for any other purpose by any State board, agency, or individual. Each State council shall designate an appropriate State agency or other public agency, eligible to receive funds under this Act, to act as its fiscal agent for purposes of disbursement, accounting, and auditing.]

SEC. [113.] *112.* STATE [PLAN] *APPLICATION.*

(a) IN GENERAL.—(1)[(A)] Any State desiring to receive funds from its allotment for any fiscal year shall submit to the Secretary [a State plan for a 3-year period, in the case of the initial plan, and a 2-year period thereafter, together with such annual revisions as the State board determines to be necessary.] *an application in such manner and accompanied by such information as the Secretary may require but which, at a minimum, shall be for a 5-year period.*

[(B) The planning periods required by subparagraph (A) shall be coterminous with the planning program periods required under section 104(a) of the Job Training Partnership Act.

[(2)(A) In formulating the State plan (and amendments thereto), the State board shall meet with and utilize the State council established pursuant to section 112.

[(B) The State board shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the State board's response shall be included with the State plan.

[(3) In developing the State plan, the State shall conduct an assessment according to section 116. Such assessment shall include analysis of—

[(A) the relative academic, occupational, training, and retraining needs of secondary, adult, and postsecondary students; and

[(B) the capability of vocational education programs to provide vocational education students, to the extent practicable, with—

[(i) strong experience in and understanding of all aspects of the industry the students are preparing to enter

(including planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, and health, safety, and environmental issues); and

[(ii) strong development and use of problem-solving skills and basic and advanced academic skills (including skills in the areas of mathematics, reading, writing, science, and social studies) in a technological setting.]

(2) The State board shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups an opportunity to present their views and make recommendations regarding the State application. A summary of such recommendations and the State board's response shall be included with the State application.

[(b) CONTENTS.—Each State plan shall—

[(1) describe the procedures and the results of each of the assessments required by section 116(a), including the needs identified by such assessments;

[(2) describe how uses of funds reflect the needs described in paragraph (1);

[(3) provide assurances that, and where necessary a description of the manner in which, eligible recipients will comply with the requirements of titles I and II, including—

[(A) a description of the manner in which the State will comply with the criteria required for programs for individuals who are members of special populations and a description of the responsiveness of such programs to the special needs of such students;

[(B) assurances that the State board will develop measurable goals and accountability measures for meeting the needs of individuals who are members of special populations;

[(C) assurances that the State board will conduct adequate monitoring of programs conducted by eligible recipients to ensure that programs within the State are meeting the goals described in subparagraph (B); and

[(D) assurances that, to the extent consistent with the number and location of individuals who are members of special populations who are enrolled in private secondary schools, provision is made for the participation of such individuals in the vocational education programs assisted under section 231;

[(4) describe the estimated distribution of funds to corrections educational agencies as prescribed by section 225, the estimated distribution of funds to local educational agencies, area vocational education schools, or intermediate educational agencies as prescribed by section 231, and the planned estimated distribution of funds to eligible institutions as prescribed by section 232;

[(5) provide assurances that the State will comply with the provisions of section 102, including assurances that the State will distribute not less than 75 percent of the funds made available for title II to eligible recipients pursuant to such title;

[(6) describe the criteria the State board will use—

[(A) in approving applications of eligible recipients; and

[(B) for spending the amounts reserved for the State under paragraphs (2) through (5) of section 102(a);

[(7) describe how funds expended for occupationally specific training will be used for occupations in which job openings are projected or available, based on a labor market analysis;

[(8) provide assurances that the State will develop and implement a system of standards for performance and measures of performance for vocational education programs at the State level that meets the requirements of section 115;

[(9) describe, in each State plan submitted after the fiscal year 1991, the progress the State has made in achieving the goals described in previous State plans;

[(10) provide such methods of administration as are necessary for the prompt and efficient administration of programs under this Act;

[(11) provide assurances that, in the use of funds available for single parents, displaced homemakers, and single pregnant women under section 221, the State will emphasize assisting individuals with the greatest financial need, and that the State will give special consideration to displaced homemakers who because of divorce, separation, or the death or disability of a spouse must prepare for paid employment;

[(12) provide assurances that the State will furnish relevant training and vocational education activities to men and women who desire to enter occupations that are not traditionally associated with their sex;

[(13) describe how the State is implementing performance evaluations with eligible recipients as prescribed in section 117;

[(14) describe the methods proposed for the joint planning and coordination of programs carried out under this Act with programs conducted under the Job Training Partnership Act, the Adult Education Act, title I of the Elementary and Secondary Education Act of 1965, the Individuals with Disabilities Education Act, and the Rehabilitation Act of 1973, and with apprenticeship programs;

[(15) provide assurances that programs of personnel development and curriculum development shall be funded to further the goals identified in the State plan;

[(16) provide assurances that the vocational education needs of identifiable segments of the population in the State that have the highest rates of unemployment have been thoroughly assessed, and that such needs are reflected in and addressed by the State plan;

[(17) provide assurances that the State board will cooperate with the State council in carrying out the Board's duties under this part;

[(18) provide assurances that none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization rep-

resenting the interests of the purchasing entity or its employees or any affiliate of such an organization;

[(19) provide assurances that State and local funds will be used in the schools of each local educational agency that are receiving funds under this Act to provide services which, taken as a whole, are at least comparable to services being provided in schools in such agency which are not receiving such funds;

[(20)(A) provide assurances that the State will provide leadership, supervision, and resources for comprehensive career guidance, vocational counseling, and placement programs;

[(B) as a component of the assurances described in subparagraph (A), annually assess and report on the degree to which expenditures aggregated within the State for career guidance and vocational counseling from allotments under title II are not less than such expenditures for such guidance and counseling within the State in the fiscal year 1988;

[(21) provide assurances that the State will provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to eligible recipients under this Act);

[(22) provide procedures by which an area vocational education school, intermediate educational agency, or local educational agency may appeal decisions adverse to its interests with respect to programs assisted under this Act; and

[(23) describe how the State will comply with the provisions of section 118.

[(c) AMENDMENTS TO STATE PLAN.—When changes in program conditions, labor market conditions, funding, or other factors require substantial amendment to an approved State plan, the State board, in consultation with the State council, shall submit amendments to such State plan to the Secretary. Any such amendments shall be subject to review by the State job training coordinating council and the State council.]

(b) CONTENTS.—Each State application shall—

(1) describe the vocational-technical education programs that will be carried out with funds received by the State under this Act, including a description of—

(A) the secondary and postsecondary vocational-technical education programs to be carried out at the State level pursuant to section 201, including programs that will be carried out by the State to develop, improve, and expand access to quality, state-of-the-art technology in vocational-technical education programs;

(B) the criteria that will be used by the State in approving applications of eligible recipients of funds under this Act; and

(C) how such programs will prepare vocational-technical education students for opportunities in postsecondary education or entry into high skill, high wage jobs;

(2) describe how the State will actively involve parents, teachers, local businesses (including small- and medium-sized businesses) and representatives of employees in the planning, devel-

opment, and implementation of such vocational-technical education programs;

(3) describe how funds received by the State through the allotment made under section 102 will be allocated among secondary school vocational-technical education, or postsecondary and adult vocational-technical education, or both, including the rationale for such allotment;

(4) describe how the State will—

(A) improve the academic and technical skills of students participating in vocational-technical education programs which includes strengthening the academic component of vocational-technical education programs through the integration of academics with vocational-technical education to ensure learning in the core academic subjects and provide students with strong experience and understanding of all aspects of the industry; and

(B) ensure that students who participate in such vocational-technical education programs are taught to the same challenging academic proficiencies as are provided for all other students;

(5) describe how the State will annually evaluate the effectiveness of such vocational-technical education programs and describe how the State is coordinating such programs to ensure nonduplication with other existing Federal programs;

(6) identify the benchmarks that the State will use to measure the progress of the State, including a description of how such benchmarks will ensure continuous improvement for vocational-technical students in meeting such benchmarks;

(7) describe how the State will—

(A) provide vocational-technical education programs that lead to high skill, high wage careers for members of special populations, displaced homemakers, single parents, and single pregnant women; and

(B) ensure that members of special populations meet State benchmarks established under section 114 and are prepared for postsecondary education, further learning, and high skill, high wage careers;

(8) provide a financial audit of funds received under this Act; and

(9) provide assurances that none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.

(c) AMENDMENTS.—The State board may submit amendments to the State application, as necessary, during the 5-year period. Such amendments shall be submitted in accordance with section 113(c).

SEC. [114. STATE PLAN APPROVAL.] *113. SUBMISSION OF STATE APPLICATION.*

[(a) IN GENERAL.—The State board shall develop the portion of each State plan relating to the amount and uses of any funds proposed to be reserved for adult education, postsecondary education, tech-prep education, and secondary education after consultation

with the State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary vocational education, and the State agency responsible for secondary education. The State board shall, in developing such plan, take into consideration the relative training and retraining needs of secondary, adult, and postsecondary students, and shall include the State's rationale for distribution of funds. If a State agency finds that a portion of the final State plan is objectionable, such agency shall file such objections with the State board. The State board shall respond to any objections of such agency in submitting such plan to the Secretary. The Secretary shall consider such comments in reviewing the State plan.

[(b) TIME FOR SUBMISSION; APPROVAL.—Each State plan shall be submitted to the Secretary by May 1 preceding the beginning of the first fiscal year for which such plan is to be in effect. The Secretary shall approve each plan before the expiration of the 60-day period beginning on the date the plan is submitted, if the plan meets the requirements of section 113 and is of sufficient quality to meet the objectives of this Act (including the objective of developing and implementing program evaluations and improvements), and shall subsequently take appropriate actions to monitor the State's compliance with the provisions of its plan and the requirements of this Act on a regular basis. The Secretary shall not finally disapprove a State plan except after giving reasonable notice and an opportunity for a hearing to the State board.**]**

(a) APPLICATION.—Each State application shall be submitted to the Secretary by not later than May 1 preceding the beginning of the first fiscal year for which a State application is to be in effect.

(b) CONSULTATION.—The State board shall develop the portion of each State application relating to the amount and uses of any funds proposed to be reserved for adult vocational-technical education, postsecondary vocational-technical education, tech-prep education, and secondary vocational-technical education after consultation with the State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary vocational-technical education, and the State agency responsible for secondary education. If a State agency finds that a portion of the final State application is objectionable, such agency shall file such objections with the State board. The State board shall respond to any objections of such agency in submitting such application to the Secretary.

(c) APPLICATION SUBMISSION.—A State application submitted to the Secretary under this section shall be approved by the Secretary unless the Secretary makes a written determination, within 90 days after receiving the application, that the application is in violation of the provisions of this Act.

SEC. 114. ACCOUNTABILITY.

(a) BENCHMARKS.—To be eligible to receive an allotment under section 102, a State shall develop and identify in the State application submitted under section 113 proposed rigorous and quantifiable benchmarks to measure the statewide progress of the State, which shall include, at a minimum, measures, of—

(1) attainment of challenging State academic proficiencies;

(2) attainment of secondary school diplomas or general equivalency diplomas; and

(3) placement in, retention in, and completion of, postsecondary education or advanced training, or placement and retention in military service, or employment.

(b) PROGRAM IMPROVEMENT AND SANCTIONS.—

(1) STATE PROGRAM IMPROVEMENT PLAN.—If a State fails to meet its State benchmarks as described in the report submitted under subsection (c), the State shall develop and implement a program improvement plan in consultation with appropriate agencies, individuals, and organizations for the first program year succeeding the program year in which the State failed to meet its benchmarks in order to avoid a sanction as provided under paragraph (3).

(2) LOCAL IMPROVEMENT PLAN.—If an eligible recipient fails to meet its State benchmarks, the eligible recipient shall develop a program improvement plan with appropriate agencies, individuals, and organizations for the succeeding program year.

(3) SANCTIONS.—

(A) IN GENERAL.—If a State fails to meet the State benchmarks required under subsection (a), and has not implemented an improvement plan as described in paragraph (1), has not demonstrated improvement in meeting its benchmarks, or has failed to meet its benchmarks for 2 or more consecutive years, the Secretary may, after notice and opportunity for a hearing, or withhold from the State all, or a portion of, the State's allotment under this Act. The Secretary may waive the sanction due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.

(B) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The amount of funds retained by the Secretary as a result of a reduction in an allotment made under subparagraph (A) shall be redistributed to other States in accordance with section 101.

(c) REPORT.—

(1) IN GENERAL.—

(A) INFORMATION.—Each State that receives an allotment under section 102 shall annually prepare and submit to the Secretary a report on how the State is performing on State benchmarks that relate to vocational-technical education programs. In preparing the report, the State may include information on such additional vocational-technical education benchmarks as the State may establish.

(B) SPECIAL POPULATIONS.—The report submitted by the State in accordance with subparagraph (A) shall include a description of how special populations, displaced homemakers, single parents, and single pregnant women participating in vocational-technical education programs have met the vocational-technical education benchmarks established by the State.

(2) INFORMATION DISSEMINATION.—The Secretary shall make the information contained in such reports available to the gen-

eral public through publication and other appropriate methods which may include electronic communication.

(3) BENCHMARK PERFORMANCE.—Each local recipient shall make available to the general public information regarding how the local recipient is performing in regard to the State benchmarks.

[SEC. 115. STATE AND LOCAL STANDARDS AND MEASURES.

[(a) GENERAL AUTHORITY.—Each State board receiving funds under this Act shall develop and implement a statewide system of core standards and measures of performance for secondary and postsecondary vocational education programs. Each State board receiving funds under this Act, before the expiration of the 30-day period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, shall appoint the State Committee of Practitioners (in this section referred to as the "Committee") as prescribed by section 512(a) after consulting with local school officials representing eligible recipients, and representatives of organized labor, business, superintendents, community-based organizations, private industry councils established under section 102(a) of the Job Training Partnership Act, State councils, parents, special populations, correctional institutions, the administrator appointed under section 111(b)(1), the State administrator of programs assisted under part B of the Individuals with Disabilities Education Act, the State administrator of programs assisted under title I of the Elementary and Secondary Education Act of 1965, the State administrator of programs for students of limited English proficiency, and guidance counselors. Such system shall be developed and implemented before the end of the 2-year period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 and shall apply to all programs assisted under this Act. Eligible recipients may make local modifications to such system based on economic, geographic, or demographic factors, or the characteristics of the population to be served. Such modifications shall conform to the assessment criteria contained in the State plan. The State board shall convene the Committee on a regular basis to review, comment on, and propose revisions to a draft State proposal, which the State board shall develop, for a system of core standards and measures of performance for vocational programs.

[(b) REQUIREMENTS.—Each system developed under subsection (a) shall include—

[(1) measures of learning and competency gains, including student progress in the achievement of basic and more advanced academic skills;

[(2) 1 or more measures of performance, which shall include only—

[(A) competency attainment;

[(B) job or work skill attainment or enhancement including student progress in achieving occupational skills necessary to obtain employment in the field for which the student has been prepared, including occupational skills in the industry the student is preparing to enter;

[(C) retention in school or completion of secondary school or its equivalent; and

[(D) placement into additional training or education, military service, or employment;

[(3) incentives or adjustments that are—

[(A) designed to encourage service to targeted groups or special populations; and

[(B) for each student, consistent with the student's individualized education program developed under section 614(a)(5) of the Individuals with Disabilities Education Act, where appropriate; and

[(4) procedures for using existing resources and methods developed in other programs receiving Federal assistance.

[(c) CONSISTENCY WITH OTHER PROGRAMS.—In developing the standards and measures included in a system developed under subsection (a), the State board shall take into consideration—

[(1) standards and measures developed under job opportunities and basic skills training programs established and operated under a plan approved by the Secretary of Health and Human Services that meets the requirements of section 402(a)(19) of the Social Security Act; and

[(2) standards prescribed by the Secretary of Labor under section 106 of the Job Training Partnership Act.

[(d) INFORMATION PROVIDED BY STATE BOARD.—(1) The Committee shall make recommendations to the State board with respect to modifying standards and measures to be used under this section, based on the information provided under paragraph (2).

[(2) To assist the Committee in formulating recommendations under paragraph (1), the State board shall provide to the Committee information concerning differing types of standards and measurement, including—

[(A) the advantages and disadvantages of each type of standard or measurement;

[(B) instances in which such standards and measures have been effective; and

[(C) instances in which such standards and measures have not been effective.

[(3) In the event that the State board does not accept the Committee's recommendations made as required by paragraph (1), the State board shall set forth in the State plan its reasons for not accepting such recommendations.

[(e) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to the States with respect to the development of systems under subsection (a). In providing such assistance, the Secretary shall utilize existing resources in other Federal agencies.

[(f) REPORT.—The Secretary shall submit a report to the appropriate committees of the Congress not later than the expiration of the 4-year period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990. Such report shall include—

[(1) a detailed description of the status of each State's system of standards and measures developed as required by this section;

[(2) an assessment of the validity, predictiveness, and reliability of such standards and measures, unbiased to special populations, in the areas of academic achievement, vocational skill competencies, employment outcomes, and postsecondary continuation and attainment; and

[(3) an evaluation of the comparability of State-developed performance standards across States to establish a core of common indicators.

[SEC. 116. STATE ASSESSMENT.

[(a) IN GENERAL.—Each State board receiving assistance under this Act shall conduct an assessment using measurable objective criteria developed by the State board to assess program quality. Such criteria shall be developed in consultation with representatives of the groups described in section 115(a) and shall use information gathered by the National Occupational Information Coordinating Committee and, if appropriate, other information. Each State board shall widely disseminate such criteria. State boards shall develop such criteria no later than the beginning of the 1991–1992 school year. Such criteria shall include such factors as—

[(1) integration of academic and vocational education;

[(2) sequential course of study leading to both academic and occupational competencies;

[(3) increased student work skill attainment and job placement;

[(4) increased linkages between secondary and postsecondary educational institutions;

[(5) instruction and experience, to the extent practicable, in all aspects of the industry the students are preparing to enter;

[(6) the ability of the eligible recipients to meet the needs of special populations with respect to vocational education;

[(7) raising the quality of vocational education programs in schools with high concentrations of poor and low-achieving students;

[(8) the relevance of programs to the workplace and to the occupations for which students are to be trained, and the extent to which such programs reflect a realistic assessment of current and future labor market needs, including needs in areas of emerging technologies;

[(9) the ability of the vocational curriculum, equipment, and instructional materials to meet the demands of the workforce;

[(10) basic and higher order current and future workplace competencies which will reflect the hiring needs of employers; and

[(11) other factors considered appropriate by the State board.

[(b) DEADLINE FOR ASSESSMENT.—Each State board shall complete the assessment required by subsection (a) before the expiration of the 6-month period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990.

[SEC. 117. PROGRAM EVALUATION AND IMPROVEMENT.

[(a) ANNUAL EVALUATION.—Each recipient of financial assistance under part C of title II shall annually evaluate the effectiveness of

the program conducted with assistance under this Act based on the standards and measures (or modifications thereto) developed as required by section 115. As part of each such evaluation, each such recipient shall—

[(1) review programs, with the full and informed participation of representatives of individuals who are members of special populations, to—

[(A) identify and adopt strategies to overcome any barriers which are resulting in lower rates of access to vocational education programs or success in such programs for individuals who are members of special populations; and

[(B) evaluate the progress of individuals who are members of special populations in vocational education programs assisted under this Act; and

[(2) evaluate the progress of vocational education programs assisted under this Act in providing vocational education students with strong experience in and understanding of all aspects of the industry the students are preparing to enter.

[(b) LOCAL PROGRAM IMPROVEMENT PLAN.—Beginning not less than 1 year after the implementation of the provisions of section 115, if any recipient described in subsection (a) determines that the recipient is not making substantial progress in meeting the standards and measures developed as required by section 115, such recipient shall develop a plan, in consultation with teachers, parents, and students concerned, for program improvement for the succeeding school year. Such plan shall describe how the recipient will identify and modify programs funded under part C of title II, including—

[(1) a description of vocational education and career development strategies designed to achieve progress in improving the effectiveness of the program conducted with assistance under this Act; and

[(2) if necessary, a description of strategies designed to improve supplementary services provided to individuals who are members of special populations.

[(c) STATE AND LOCAL JOINT PLAN.—If, after 1 year of implementation of the plan described in subsection (b), sufficient progress in meeting the standards and measures developed as required by section 115 has not been made, the State shall work jointly with the recipient and teachers, parents, and students concerned to develop a plan for program improvement. Each such plan shall contain—

[(1) a description of the technical assistance and program activities the State will provide to enhance the performance of the eligible recipient;

[(2) a reasonable timetable to improve the school performance under the plan;

[(3) a description of vocational education strategies designed to improve the performance of the program as measured by the evaluation; and

[(4) if necessary, a description of strategies designed to improve supplementary services provided to individuals who are members of special populations.

[(d) FURTHER ACTION.—The State shall, in conjunction with the eligible recipient, annually review and revise the joint plan devel-

oped under subsection (c) in order to improve performance and will continue to do so each consecutive year until the recipient sustains, for more than 1 year, fulfillment of the State and local standards and measures developed under section 115.

[SEC. 118. CRITERIA FOR SERVICES AND ACTIVITIES FOR INDIVIDUALS WHO ARE MEMBERS OF SPECIAL POPULATIONS.

[(a) ASSURANCES OF EQUAL ACCESS FOR MEMBERS OF SPECIAL POPULATIONS.—The State board, in its State plan, shall provide assurances that—

[(1) individuals who are members of special populations will be provided with equal access to recruitment, enrollment, and placement activities;

[(2) individuals who are members of special populations will be provided with equal access to the full range of vocational education programs available to individuals who are not members of special populations, including occupationally specific courses of study, cooperative education, apprenticeship programs, and, to the extent practicable, comprehensive career guidance and counseling services, and shall not be discriminated against on the basis of their status as members of special populations;

[(3)(A) vocational education programs and activities for individuals with handicaps will be provided in the least restrictive environment in accordance with section 612(5)(B) of the Individuals with Disabilities Education Act and will, whenever appropriate, be included as a component of the individualized education program developed under section 614(a)(5) of such Act;

[(B) students with handicaps who have individualized education programs developed under section 614(a)(5) of the Individuals with Disabilities Education Act shall, with respect to vocational education programs, be afforded the rights and protections guaranteed such students under sections 612, 614, and 615 of such Act;

[(C) students with handicaps who do not have individualized education programs developed under section 614(a)(5) of the Individuals with Disabilities Education Act or who are not eligible to have such a program shall, with respect to vocational education programs, be afforded the rights and protections guaranteed such students under section 504 of the Rehabilitation Act of 1973 and, for the purpose of this Act, such rights and protections shall include making vocational education programs readily accessible to eligible individuals with disabilities through the provision of services described in subsection (c)(3);

[(D) vocational education planning for individuals with handicaps will be coordinated between appropriate representatives of vocational education, special education, and State vocational rehabilitation agencies; and

[(E) the provision of vocational education to each student with handicaps will be monitored to determine if such education is consistent with the individualized education program developed for such student under section 614(a)(5) of the Individuals with Disabilities Education Act, in any case in which such a program exists;

[(4) the provision of vocational education will be monitored to ensure that disadvantaged students and students of limited English proficiency have access to such education in the most integrated setting possible; and

[(5)(A) the requirements of this Act relating to individuals who are members of special populations—

[(i) will be carried out under the general supervision of individuals in the appropriate State educational agency or State board who are responsible for students who are members of special populations; and

[(ii) will meet education standards of the State educational agency or State board; and

[(B) with respect to students with handicaps, the supervision carried out under subparagraph (A) shall be carried out consistent with and in conjunction with supervision by the State educational agency or State board carried out under section 612(6) of the Individuals with Disabilities Education Act.

[(b) PROVISION OF INFORMATION.—(1) Each local educational agency shall provide to students who are members of special populations and parents of such students at least 1 year before the students enter or are of an appropriate age for the grade level in which vocational education programs are first generally available in the State, but in no event later than the beginning of the ninth grade, information concerning—

[(A) the opportunities available in vocational education;

[(B) the requirements for eligibility for enrollment in such vocational education programs;

[(C) specific courses that are available;

[(D) special services that are available;

[(E) employment opportunities; and

[(F) placement.

[(2) Each eligible institution that receives assistance under title II shall provide the information described in paragraph (1) to each individual who requests information concerning or seeks admission to vocational education programs offered by the institution, and, when appropriate, assist in the preparation of applications relating to such admission.

[(3) The information provided under this subsection shall, to the extent practicable, be in a language and form that the parents and students understand.

[(c) ASSURANCES.—Each eligible recipient that receives assistance under title II shall provide assurances that such eligible recipient shall—

[(1) assist students who are members of special populations to enter vocational education programs, and, with respect to students with handicaps, assist in fulfilling the transitional service requirements of section 626 of the Individuals with Disabilities Education Act;

[(2) assess the special needs of students participating in programs receiving assistance under title II with respect to their successful completion of the vocational education program in the most integrated setting possible;

[(3) provide supplementary services to students who are members of special populations, including, with respect to individuals with handicaps—

[(A) curriculum modification;

[(B) equipment modification;

[(C) classroom modification;

[(D) supportive personnel; and

[(E) instructional aids and devices;

[(4) provide guidance, counseling, and career development activities conducted by professionally trained counselors and teachers who are associated with the provision of such special services; and

[(5) provide counseling and instructional services designed to facilitate the transition from school to post-school employment and career opportunities.

[(d) PARTICIPATORY PLANNING.—The State board shall—

[(1) establish effective procedures, including an expedited appeals procedure, by which parents, students, teachers, and area residents concerned will be able to directly participate in State and local decisions that influence the character of programs under this Act affecting their interests; and

[(2) provide technical assistance and design such procedures to ensure that such individuals are given access to the information needed to use such procedures.]

[TITLE II—BASIC STATE GRANTS FOR VOCATIONAL EDUCATION]

TITLE II—BASIC STATE GRANTS FOR VOCATIONAL-TECHNICAL EDUCATION

PART A—STATE PROGRAMS

SEC. 201. STATE PROGRAMS AND STATE LEADERSHIP.

(a) GENERAL AUTHORITY.—From amounts reserved under section 102(a)[(3)]*(2)*, each State shall conduct State programs and State leadership activities.

[(b) REQUIRED USES OF FUNDS.—The programs and activities described in subsection (a) shall include—

[(1) professional development activities for vocational teachers and academic teachers working with vocational education students, including corrections educators and counselors, and educators and counselors in community-based organizations, including inservice and preservice training of teachers in state-of-the-art programs and techniques, including integration of vocational and academic curricula, with particular emphasis on inservice and preservice training of minority teachers;

[(2) development, dissemination, and field testing of curricula, especially—

[(A) curricula that integrate vocational and academic methodologies; and

[(B) curricula that provide a coherent sequence of courses through which academic and occupational skills may be measured; and

[(3) assessment of programs conducted with assistance under this Act, including the development of—

[(A) performance standards and measures for such programs; and

[(B) program improvement and accountability with respect to such programs.

[(c) AUTHORIZED ACTIVITIES.—The programs and activities described in subsection (a) may include—

[(1) the promotion of partnerships among business, education (including educational agencies), industry, labor, community-based organizations, or governmental agencies;

[(2) the support for tech-prep education as described in section 344;

[(3) the support of vocational student organizations, especially with respect to efforts to increase minority participation in such organizations;

[(4) leadership and instructional programs in technology education; and

[(5) data collection.]

(b) REQUIRED USES OF FUNDS.—The programs described in subsection (a) shall include—

(1) an assessment of the vocational-technical education programs carried out with funds under this Act that includes an assessment of how the needs of special populations are being met and how such programs will ensure that the benchmarks established under section 114 are being met;

(2) developing, improving, or expanding the use of technology in vocational-technical education which may include:

(A) training of vocational-technical education personnel to use State-of-the art technology, which may include distance learning,

(B) providing vocational-technical education students with the academic and technical skills that lead to entry into the high technology and telecommunications field; or

(C) encouraging schools to work with high tech industries to offer voluntary internships and mentoring programs;

(3) professional development programs, including—

(A) inservice and preservice training in state-of-the-art vocational-technical education programs and techniques; and

(B) support of education programs for teachers of vocational-technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to vocational education students to ensure that such teachers stay current with the needs, expectations, and methods of industry; and

(4) support for vocational-technical education programs that improve the academic and technical skills of students participating in vocational-technical education programs by strengthening the academic component of such vocational-technical education programs through the integration of academics with vo-

cational-technical education to ensure learning in the core academic subjects.

(c) PERMISSIBLE USES OF FUNDS.—The programs under subsection (a) may include—

(1) technical support for eligible recipients;

(2) support for tech-prep programs;

(3) support for programs for single parents, displaced homemakers, single pregnant women, and individuals in nontraditional occupations that lead to high skill, high wage careers;

(4) support for cooperative education;

(5) support for vocational student organizations;

(6) support for public charter schools operating secondary vocational-technical education programs;

(7) support for vocational-technical education programs that offer experience in, and understanding of, all aspects of the industry for which students are preparing to enter;

(8) support for family and consumer sciences programs; and

(9) support for corrections vocational-technical education.

(d) RESTRICTION ON USES OF FUNDS.—A State that receives funds under section 102(a)(2) may not use any of such funds to pay administrative costs.

[PART B—OTHER STATE-ADMINISTERED PROGRAMS

[Subpart 1—Programs to Provide Single Parents, Displaced Homemakers, and Single Pregnant Women With Marketable Skills and to Promote the Elimination of Sex Bias

[SEC. 221. PROGRAMS FOR SINGLE PARENTS, DISPLACED HOMEMAKERS, AND SINGLE PREGNANT WOMEN.

[(a) GENERAL AUTHORITY.—Each State shall use the amount reserved under section 102(a)(2)(A) only to—

[(1) provide, subsidize, reimburse, or pay for preparatory services, including instruction in basic academic and occupational skills, necessary educational materials, and career guidance and counseling services, in preparation for vocational education and training that will furnish single parents, displaced homemakers, and single pregnant women with marketable skills;

[(2) make grants to eligible recipients for expanding preparatory services and vocational education services when the expansion directly increases the eligible recipients' capacity for providing single parents, displaced homemakers, and single pregnant women with marketable skills;

[(3) make grants to community-based organizations for the provision of preparatory and vocational education services to single parents, displaced homemakers, and single pregnant women if the State determines that the community-based organization has demonstrated effectiveness in providing comparable or related services to single parents, displaced homemakers, and single pregnant women, taking into account the

demonstrated performance of such an organization in terms of cost, the quality of training, and the characteristics of the participants;

[(4) make preparatory services and vocational education and training more accessible to single parents, displaced homemakers, and single pregnant women by assisting such individuals with dependent care, transportation services, or special services and supplies, books, and materials, or by organizing and scheduling the programs so that such programs are more accessible; or

[(5) provide information to single parents, displaced homemakers, and single pregnant women to inform such individuals of vocational education programs, related support services, and career counseling.

[(b) SETTINGS.—The programs and services described in subsection (a) may be provided in postsecondary or secondary school settings, including area vocational education schools, that serve single parents, displaced homemakers, and single pregnant women.

[SEC. 222. SEX EQUITY PROGRAMS.

[(a) GENERAL AUTHORITY.—Except as provided in subsection (b), each State shall use the amount reserved under section 102(a)(2)(B) only for—

[(1) programs, services, comprehensive career guidance and counseling, and activities to eliminate sex bias and stereotyping in secondary and postsecondary vocational education;

[(2) preparatory services and vocational education programs, services, and activities for girls and women, aged 14 through 25, designed to enable the participants to support themselves and their families; and

[(3) support services for individuals participating in vocational education programs, services, and activities described in paragraphs (1) and (2), including dependent-care services and transportation.

[(b) WAIVER OF AGE LIMIT.—The administrator appointed under section 111(b)(1) may waive the requirement with respect to age limitations contained in subsection (a)(2) whenever the administrator determines that the waiver is essential to meet the objectives of this section.

[SEC. 223. COMPETITIVE AWARD OF AMOUNTS; EVALUATION OF PROGRAMS.

[The administrator appointed under section 111(b)(1)—

[(1) shall, on a competitive basis, allocate and distribute to eligible recipients or community-based organizations the amounts reserved under section 102(a)(2) for carrying out this subpart, ensuring that each grant made under this subpart is for a program that is of sufficient size, scope, and quality to be effective; and

[(2) shall develop procedures for the collection from eligible recipients, including community-based organizations, that receive funds under this subpart of data appropriate to the individuals served in order to permit evaluation of the effectiveness of such programs as required by section 111(b)(1)(L).

[Subpart 2—Corrections Education

[SEC. 225. PROGRAMS FOR CRIMINAL OFFENDERS.

[(a) DESIGNATION OF STATE CORRECTIONS EDUCATIONAL AGENCY.—(1) Each State board shall designate 1 or more State corrections agencies as State corrections educational agencies to administer vocational education programs assisted under this Act for juvenile and adult criminal offenders in correctional institutions in the State, including correctional institutions operated by local authorities.

[(2) Any corrections agency that desires to be designated under paragraph (1) shall submit to the State board a plan for the use of funds provided to such corrections agency from the amounts reserved by the State under section 102(a)(5).

[(b) DUTIES OF STATE CORRECTIONS EDUCATIONAL AGENCY.—In administering programs receiving funds under this section, each State corrections educational agency designated under subsection (a) shall, in carrying out a vocational education program for criminal offenders—

[(1) give special consideration to—

[(A) providing services to offenders who are completing their sentences and preparing for release; and

[(B) providing grants for the establishment of vocational education programs in correctional institutions that do not have such programs;

[(2) provide vocational education programs for women who are incarcerated;

[(3) improve equipment; and

[(4) in cooperation with eligible recipients, administer and coordinate vocational education services to offenders before and after their release.

[PART C—SECONDARY, POSTSECONDARY, AND ADULT VOCATIONAL EDUCATION PROGRAMS

[Subpart 1—Within-State Allocation

[SEC. 231. DISTRIBUTION OF FUNDS TO SECONDARY SCHOOL PROGRAMS.

[(a) GENERAL RULE.—Except as otherwise provided in this section and section 233, each State shall distribute funds available in any fiscal year for secondary school vocational education programs to local educational agencies within the State as follows:

[(1) From 70 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 70 percent as the amount such local educational agency was allocated under section 1124 or such section's predecessor authority of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the total amount received under such section by local educational agencies in the State in such year.

[(2) From 20 percent of such funds, each local educational agency shall be allocated an amount that bears the same rela-

tionship to such 20 percent as the number of students with handicaps who have individualized education programs under section 614(a)(5) of the Individuals with Disabilities Education Act served by such local educational agency in the preceding fiscal year bears to the total number of such students served by local educational agencies in the State in such year.

[(3) From 10 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 10 percent as the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of such local educational agency in the preceding fiscal year bears to the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of all local educational agencies in the State in such year.

[(b) MINIMUM GRANT AMOUNT.—(1) Except as provided in paragraph (2), no local educational agency shall be eligible for a grant under this part unless the amount allocated to such agency under subsection (a) is not less than $15,000. A local educational agency may enter into a consortium with other local educational agencies for purposes of meeting the minimum grant requirement of this paragraph.

[(2) The State may waive the application of paragraph (1) in any case in which the local educational agency—

[(A) is located in a rural, sparsely-populated area; and

[(B) demonstrates that the agency is unable to enter into a consortium for purposes of providing services under this part.

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

[(c) LIMITED JURISDICTION AGENCIES.—(1) In applying the provisions of subsection (a), no State board receiving assistance under this Act shall allocate funds to a local educational agency that serves only elementary schools, but shall distribute such funds to the local or regional educational agency which provides secondary school services to secondary school students in the same attendance area.

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

[(d) ALLOCATIONS TO AREA VOCATIONAL EDUCATION SCHOOLS AND INTERMEDIATE EDUCATIONAL AGENCIES.—(1) The State shall distribute funds available for secondary school vocational education programs to the appropriate area vocational education school or intermediate educational agency in any case in which—

[(A) the area vocational education school or intermediate educational agency and the local educational agency concerned—

[(i) have formed or will form a consortium for the purpose of receiving funds under this section; or

[(ii) have entered into or will enter into a cooperative arrangement for such purpose; and

[(B)(i) the area vocational education school or intermediate educational agency serves an approximately equal or greater proportion of students with handicaps and students who are economically disadvantaged than the proportion of such students attending the secondary schools under the jurisdiction of all of the local educational agencies sending students to the area vocational education school or the intermediate educational agency; or

[(ii) the area vocational education school, intermediate educational agency, or local educational agency demonstrates that it is unable to meet the criterion described in clause (i) due to the lack of interest by students described in clause (i) in attending vocational education programs in that area school or intermediate educational agency.

[(2) If an area vocational education school or intermediate educational agency meets the requirements of paragraph (1), then—

[(A) the amount that would otherwise be distributed to the local educational agency shall be allocated to the area vocational education school, the intermediate educational agency, and the local educational agency based on each school's or entity's relative share of students described in paragraph (1)(B)(i) who are attending vocational education programs that meet the requirements of section 235 (based, if practicable, on the average enrollment for the prior 3 years); or

[(B) such amount may be allocated on the basis of an agreement between the local educational agency and the area vocational education school or intermediate educational agency.

[(3)(A) For the purposes of this subsection, the State may determine the number of economically disadvantaged students attending vocational education programs on the basis of eligibility for any of the following:

[(i) Free or reduced-price meals under the National School Lunch Act.

[(ii) The State program funded under part A of title IV of the Social Security Act.

[(iii) Benefits under the Food Stamp Act of 1977.

[(iv) Services under title I of the Elementary and Secondary Education Act of 1965.

[(v) Other indices of economic status including estimates of such indices, if the State demonstrates to the satisfaction of the Secretary that such indices are more representative of such number.

[(B) If a State elects to use more than 1 factor described in subparagraph (A) for purposes of making the determination described in such subparagraph, the State shall ensure that the data used is not duplicative.

[(4) The State board shall establish an appeals procedure for resolution of any dispute arising between a local educational agency and an area vocational education school or an intermediate educational agency with respect to the allocation procedures described in this section, including the decision of a local educational agency to leave a consortium.

[(5) Notwithstanding the provisions of paragraphs (1), (2), (3), and (4) any local educational agency receiving an allocation which

is not sufficient to conduct a program which meets the requirements of section 235(c) is encouraged to—

[(A) form a consortium or enter into a cooperative agreement with an area vocational education school or intermediate educational agency offering programs that meet the requirements of section 235(c) and that are accessible to economically disadvantaged students and students with handicaps served by such local educational agency; and

[(B) transfer such allocation to the area vocational education school or intermediate educational agency.

[SEC. 232. DISTRIBUTION OF FUNDS TO POSTSECONDARY AND ADULT PROGRAMS.

[(a) GENERAL RULE.—(1) Except as provided in subsection (b) and section 233, each State shall distribute funds available in any fiscal year for postsecondary and adult vocational education programs to eligible institutions or consortia thereof within the State. Each such eligible institution or consortium shall receive an amount that bears the same relationship to the amount of funds available under such section as the number of Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in programs meeting the requirements of section 235 offered by such institution or consortium in the preceding fiscal year bears to the number of such recipients enrolled in such programs within the State in such year.

[(2) In order for a consortium of eligible institutions described in paragraph (1) to receive assistance pursuant to such paragraph such consortium shall operate joint projects that—

[(A) provide services to all postsecondary institutions participating in the consortium; and

[(B) are of sufficient size, scope and quality as to be effective.

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

[(1) demonstrates that the formula described in subsection (a) does not result in a distribution of funds to the institutions or consortia within the State that have the highest numbers of economically disadvantaged individuals and that an alternative formula would result in such a distribution; and

[(2) includes a proposal for an alternative formula that may include criteria relating to the number of individuals attending institutions or consortia within the State who—

[(A) receive need-based postsecondary financial aid provided from public funds;

[(B) are members of families participating in the State program funded under part A of title IV of the Social Security Act;

[(C) are enrolled in postsecondary educational institutions that—

[(i) are funded by the State;

[(ii) do not charge tuition; and

[(iii) serve only economically disadvantaged students;

[(D) are enrolled in programs serving economically disadvantaged adults;

[(E) are participants in programs assisted under the Job Training Partnership Act; or

[(F) are recipients of Pell Grants.

[(c) MINIMUM GRANT AMOUNT.—(1) No grant provided to any institution or consortium under this section shall be for an amount that is less than $50,000.

[(2) Any amounts which are not allocated by reason of paragraph (1) shall be redistributed to eligible institutions or consortia in accordance with the provisions of this section.

[(d) DEFINITION.—For the purposes of this section—

[(1) the term "eligible institution" means an institution of higher education, a local educational agency serving adults, or an area vocational education school serving adults that offers or will offer a program that meets the requirements of section 235 and seeks to receive assistance under this part;

[(2) the term "institution of higher education", notwithstanding section 427(b)(2) of the Higher Education Amendments of 1992, has the meaning given that term in section 435(b) of the Higher Education Act of 1965 as such section was in effect on July 22, 1992; and

[(3) the term "Pell Grant recipient" means a recipient of financial aid under subpart 1 of part A of title IV of the Higher Education Act of 1965.

[SEC. 233. SPECIAL RULE FOR MINIMAL ALLOCATION.

[(a) GENERAL AUTHORITY.—In any fiscal year in which a minimal amount is made available by a State for distribution under section 231 or section 232 such State may, notwithstanding the provisions of section 231 or section 232, as appropriate, in order to result in a more equitable distribution of funds for programs serving the highest numbers of economically disadvantaged individuals, distribute such minimal amount—

[(1) on a competitive basis; or

[(2) through any alternative method determined by the State.

[(b) MINIMAL AMOUNT.—For purposes of this section, the term "minimal amount" means not more than 15 percent of the total amount made available for distribution under this part.

[SEC. 234. REALLOCATION.

[(a) IN GENERAL.—In any academic year that a local educational agency or eligible institution does not expend all of the amounts it is allocated for such year under section 231 or section 232, such local educational agency or eligible institution shall return any unexpended amounts to the State to be reallocated under section 231 or section 232, as appropriate.

[(b) REALLOCATION OF AMOUNTS RETURNED LATE IN AN ACADEMIC YEAR.—In any academic year in which amounts are returned to the State under sections 231 or 232 and the State is unable to reallocate such amounts according to such sections in time for such amounts to be expended in such academic year, the State shall retain such amounts to be distributed in combination with amounts provided under this title for the following academic year.

[Subpart 2—Uses of Funds

[SEC. 235. USES OF FUNDS.

[(a) GENERAL AUTHORITY.—Each eligible recipient that receives a grant under this part shall use funds provided under such grant to improve vocational education programs, with the full participation of individuals who are members of special populations, at a limited number of sites or with respect to a limited number of program areas.

[(b) PRIORITY.—Each eligible recipient that receives a grant under this part shall give priority for assistance under this part to sites or programs that serve the highest concentrations of individuals who are members of special populations.

[(c) REQUIREMENTS FOR USES OF FUNDS.—(1) Funds made available under a grant under this part shall be used to provide vocational education in programs that—

[(A) are of such size, scope, and quality as to be effective;

[(B) integrate academic and vocational education in such programs through coherent sequences of courses so that students achieve both academic and occupational competencies; and

[(C) provide equitable participation in such programs for the special populations consistent with the assurances and requirements in section 118.

[(2) In carrying out the provisions of paragraph (1), grant funds may be used for activities such as—

[(A) upgrading of curriculum;

[(B) purchase of equipment, including instructional aids;

[(C) inservice training of both vocational instructors and academic instructors working with vocational education students for integrating academic and vocational education;

[(D) guidance and counseling;

[(E) remedial courses;

[(F) adaptation of equipment;

[(G) tech-prep education programs;

[(H) supplementary services designed to meet the needs of special populations;

[(I) a special populations coordinator paid in whole or in part from such funds who shall be a qualified counselor or teacher to ensure that individuals who are members of special populations are receiving adequate services and job skill training;

[(J) apprenticeship programs;

[(K) programs that are strongly tied to economic development efforts in the State;

[(L) programs which train adults and students for all aspects of the occupation, in which job openings are projected or available;

[(M) comprehensive mentor programs in institutions of higher education offering comprehensive programs in teacher preparation, which seek to fully use the skills and work experience of individuals currently or formerly employed in business and industry who are interested in becoming classroom instructors

and to meet the need of vocational educators who wish to upgrade their teaching competencies;

[(N) provision of education and training through arrangements with private vocational training institutions, private postsecondary educational institutions, employers, labor organizations, and joint labor-management apprenticeship programs whenever such institutions, employers, labor organizations, or programs can make a significant contribution to obtaining the objectives of the State plan and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions.

[(3) Equipment purchases pursuant to sections 231 and 232, when not being used to carry out the provisions of this Act, may be used for other instructional purposes if—

[(A) the acquisition of the equipment was reasonable and necessary for the purpose of conducting a properly designed project or activity under this title;

[(B) is used after regular school hours or on weekends; and

[(C) such other use is—

[(i) incidental to the use of that equipment under this title;

[(ii) does not interfere with the use of that equipment under this title; and

[(iii) does not add to the cost of using that equipment under this title.

[(4) Each eligible recipient receiving funds under this part shall use no more than 5 percent of such funds for administrative costs.

[Subpart 3—Local Application

[SEC. 240. LOCAL APPLICATION.

[Any eligible recipient desiring financial assistance under this part shall, according to requirements established by the State board, submit to the State board an application, covering the same period as the State plan, for the use of such assistance. The State board shall determine requirements for local applications, except that each such application shall—

[(1) contain a description of the vocational education programs to be funded, including—

[(A) the extent to which the program incorporates each of the elements described in section 235;

[(B) how the eligible recipient will use the funds available under this part and from other resources to improve the program with regard to each use of funds described in section 235;

[(2) contain a report on the number of individuals in each of the special populations;

[(3) contain a description of how the needs of individuals who are members of special populations will be assessed and a description of the planned use of funds to meet such needs;

[(4) describe how access to programs of good quality will be provided to students who are economically disadvantaged (including foster children), students with handicaps, and students

of limited English proficiency through affirmative outreach and recruitment efforts;

[(5) provide assurances that the programs funded under this part shall be carried out according to the criteria for programs for each special population;

[(6) describe the program evaluation standards the applicant will use to measure its progress;

[(7) describe methods to be used to coordinate vocational education services with relevant programs conducted under the Job Training Partnership Act, including cooperative arrangements established with private industry councils established under section 102(a) of such Act, in order to avoid duplication and to expand the range of and accessibility to vocational education services;

[(8) describe methods used to develop vocational educational programs in consultation with parents and students of special populations;

[(9) provide a description of coordination with community-based organizations;

[(10) consider the demonstrated occupational needs of the area in assisting programs funded by this Act;

[(11) provide a description of how the eligible recipient will provide a vocational education program that—

[(A) integrates academic and occupational disciplines so that students participating in the program are able to achieve both academic and occupational competence; and

[(B) offers coherent sequences of courses leading to a job skill;

[(12) provide assurances that the eligible recipient will provide a vocational education program that—

[(A) encourages students through counseling to pursue such coherent sequences of courses;

[(B) assists students who are economically disadvantaged, students of limited English proficiency, and students with handicaps to succeed through supportive services such as counseling, English-language instruction, child care, and special aids;

[(C) is of such size, scope, and quality as to bring about improvement in the quality of education offered by the school; and

[(D) seeks to cooperate with the sex equity program carried out under section 222;

[(13) provide an assurance that the eligible recipient will provide sufficient information to the State to enable the State to comply with the provisions of section 231(d); and

[(14) describe how the eligible recipient will monitor the provision of vocational education to individuals who are members of special populations.]

PART B—SECONDARY, POSTSECONDARY, AND ADULT VOCATIONAL-TECHNICAL EDUCATION PROGRAMS

Subpart 1—Within-State Allocation

SEC. 221. DISTRIBUTION OF FUNDS TO SECONDARY SCHOOL PROGRAMS.

(a) GENERAL RULE.—Except as otherwise provided in this section and section 223, each State shall distribute the funds received under this Act and available in fiscal year 1998 for secondary school vocational-technical education to local educational agencies within the State as follows:

(1) From 70 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 70 percent as the amount such local educational agency was allocated under section 1124 or such section's predecessor authority of the Elementary and Secondary Education Act of 1965 in the preceding fiscal year bears to the total amount received under such section by local educational agencies in the State in such year.

(2) From 20 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 20 percent as the number of students with disabilities who have individualized education programs under section 614(d) of the Individuals with Disabilities Education Act who are served by such local educational agency in the preceding fiscal year bears to the total number of such students served by local educational agencies in the State in such year.

(3) From 10 percent of such funds, each local educational agency shall be allocated an amount that bears the same relationship to such 10 percent as the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of such local educational agency in the preceding fiscal year bears to the number of students enrolled in schools and adults enrolled in training programs under the jurisdiction of all local educational agencies in the State in such year.

(b) ALLOCATION FOR SUBSEQUENT FISCAL YEARS.—In fiscal year 1999, and the succeeding 3 fiscal years, each State shall distribute the funds available in any such fiscal year for secondary school vocational-technical education programs to local educational agencies within the State as follows:

(1) POPULATION.—50 percent shall be allocated to such agencies in proportion to the number of individuals aged 15 to 19, inclusive, who reside in the school district served by such agency for the preceding fiscal year compared to the total number of such individuals who reside in the school districts served by all local educational agencies in the State for such preceding year.

(2) INCOME.—50 percent shall be allocated to such agencies in proportion to the number of individuals aged 15 through 19, inclusive, who reside in the school district served by such agency from families with incomes below the poverty line (as defined

by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the fiscal year for which the determination is made compared to the number of such individuals in all the local educational agencies in the State.

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

(1) demonstrates that the formula described in subsection (b) does not result in a distribution of funds to local educational agencies within the State that have the greatest economic need and that an alternative formula would result in such a distribution; and

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

(d) MINIMUM GRANT AMOUNT.—

(1) IN GENERAL.—Except as provided in paragraph (2), no local educational agency shall be eligible for a grant under this part unless the amount allocated to such agency under subsections (a) and (b) is not less than $7,500. A local educational agency may enter into a consortium with other local educational agencies for purposes of meeting the minimum allocation requirement of this paragraph.

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

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

(ii) is a public charter school operating secondary vocational-technical education programs; and

(B) demonstrates that the agency is unable to enter into a consortium for purposes of providing services under this part.

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

(e) LIMITED JURISDICTION AGENCIES.—

(1) IN GENERAL.—In applying the provisions of subsections (a), (b), (c), and (d), no State receiving assistance under this Act shall allocate funds to a local educational agency that serves only elementary schools, but shall distribute such funds to the local educational agency or regional educational agency that provides secondary school services to secondary school students in the same attendance area.

(2) SECONDARY SCHOOL JURISDICTION.—The amount to be allocated under paragraph (1) to a local educational agency that has jurisdiction only over secondary schools shall be determined based on the number of students that were enrolled in such secondary schools in the previous year from the elementary schools involved.

(f) ALLOCATIONS TO AREA VOCATIONAL-TECHNICAL EDUCATION SCHOOLS AND EDUCATIONAL SERVICE AGENCIES.—

(1) IN GENERAL.—Each State shall distribute funds available for secondary school vocational-technical education programs to the appropriate area vocational-technical education school or educational service agency in any case in which the area vocational-technical education school or educational service agency and the local educational agency concerned—

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

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

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

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

(g) CONSORTIUM REQUIREMENTS.—

(1) ALLIANCE.—Any local educational agency receiving an allocation that is not sufficient to conduct a program which meets the requirements of section 225 is encouraged to—

(A) form a consortium or enter into a cooperative agreement with an area vocational-technical education school or educational service agency offering programs that meet the requirements of section 225;

(B) transfer such allocation to the area vocational-technical education school or educational service agency; and

(C) be of sufficient size, scope, and quality as to be effective.

(2) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements of this paragraph shall be used only for purposes and programs that are mutually beneficial to all members of the consortium and can be used only for programs authorized under this Act. Such funds may not be reallocated to individual members of the consortium for purposes or programs benfiting only one member of the consortium.

(h) DATA.—The Secretary shall collect information from States regarding the specific dollar allocations made available by the State for vocational-technical education programs under subsections (a), (b), (c), and (d) and how these allocations are distributed to local educational agencies, area vocational-technical education schools, educational services agencies, and eligible institutions within the State in accordance with this section.

SEC. 222. DISTRIBUTION OF FUNDS FOR POSTSECONDARY AND ADULT VOCATIONAL-TECHNICAL EDUCATION PROGRAMS.

(a) ALLOCATION.—

(1) IN GENERAL.—Except as provided in subsections (b) and (c) and section 223, each State shall distribute funds available in any fiscal year for postsecondary and adult vocational-technical education programs to eligible institutions or consortia of eligible institutions within the State.

(2) FORMULA.—Each eligible institution or consortium of eligible institutions shall receive an amount that bears the same relationship to the amount of funds available under such section as the number of individuals who are Pell Grant recipients or recipients of assistance from the Bureau of Indian Affairs and are enrolled in programs meeting the requirements of section 225 offered by such institution or consortium in the preceding fiscal year bears to the number of such recipients enrolled in such programs within the State for such year.

(3) CONSORTIUM REQUIREMENTS.—

(A) IN GENERAL.—In order for a consortium of eligible institutions described in paragraph (2) to receive assistance pursuant to such paragraph, such consortium shall operate joint projects that—

(i) provide services to all postsecondary institutions participating in the consortium; and

(ii) are of sufficient size, scope, and quality as to be effective.

(B) FUNDS TO CONSORTIUM.—Funds allocated to a consortium formed to meet the requirements of this section shall be used only for purposes and programs that are mutually beneficial to all members of the consortium and can be used only for programs authorized under this Act. Such funds may not be reallocated to individual members of the consortium for purposes or programs benefiting only one member of the consortium.

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

(1) demonstrates that the formula described in subsection (a) does not result in a distribution of funds to the institutions or consortia within the State that have the highest numbers of economically disadvantaged individuals and that an alternative formula would result in such a distribution; and

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

(c) MINIMUM GRANT AMOUNT.—

(1) IN GENERAL.—No funds provided to any institution or consortium under this section shall be for an amount that is less than $20,000.

(2) REDISTRIBUTION.—Any amounts that are not distributed by reason of paragraph (1) shall be redistributed to eligible institutions or consortia of eligible institutions in accordance with the provisions of this section.

(d) DEFINITIONS.—For the purposes of this section—

(1) the term "eligible institution" means an institution of higher education as such term is defined in section 1201(a) of the Higher Education Act of 1965, a local educational agency serving adults, or an area vocational education school serving adults that offers or will offer a program that meets the requirements of section 225 and seeks to receive assistance under this part; and

(2) the term "Pell Grant" means a recipient of financial aid under subpart 1 of part A of title IV of the Higher Education Act of 1965.

SEC. 223. SPECIAL RULES FOR VOCATIONAL-TECHNICAL EDUCATION.

(a) SPECIAL RULE FOR MINIMAL ALLOCATION.—

(1) GENERAL AUTHORITY.—Notwithstanding the provisions of sections 221 and 222 and in order to make a more equitable distribution of funds for programs serving the areas of greatest economic need, for any program year for which a minimal amount is made available by a State for distribution under section 221 or 222, such State may distribute such minimal amount for such year—

(A) on a competitive basis; or

(B) through any alternative method determined by the State.

(2) MINIMAL AMOUNT.—For purposes of this section, the term "minimal amount" means not more than 15 percent of the total amount made available for distribution under this part.

(b) REDISTRIBUTION.—

(1) IN GENERAL.—In any academic year that a local educational agency or eligible institution does not expend all of the amounts it is allocated for such year under section 221 or 222, such recipient shall return any unexpended amounts to the State to be reallocated under section 221 or 222, as appropriate.

(2) REDISTRIBUTION OF AMOUNTS RETURNED LATE IN AN ACADEMIC YEAR.—In any academic year in which amounts are returned to the State under section 221 or 222 and the State is unable to reallocate such amounts according to such sections in time for such amounts to be expended in such academic year, the State shall retain such amounts for distribution in combination with amounts provided under this title for the following academic year.

(c) CONSTRUCTION.—Nothing in section 221 or 222 shall be construed—

(1) to prohibit a local educational agency (or a consortium thereof) that receives assistance under section 221, from working with an eligible recipient (or consortium thereof) that receives assistance under section 222, to carry out secondary school vocational-technical education programs in accordance with this title;

(2) to prohibit an eligible recipient (or consortium thereof) that receives assistance under section 222, from working with a local educational agency (or consortium thereof) that receives assistance under section 221, to carry out postsecondary and adult vocational-technical education programs in accordance with this title; or

(3) to require a charter school that is a local educational agency to jointly establish its eligibility unless the charter school is explicitly permitted to do so under the State's charter school statute.

(d) CONSISTENT APPLICATION.—For purposes of this section, the State board shall provide funds to charter schools that offer vocational-technical education programs that are public schools of the local educational agency in the same manner as it provides those funds to other schools of the local educational agency. Such program within a charter school shall be of sufficient size, scope, and quality as to be effective.

SEC. 224. LOCAL APPLICATION FOR VOCATIONAL-TECHNICAL EDUCATION PROGRAMS.

(a) APPLICATION REQUIRED.—Any eligible recipient desiring financial assistance under this part shall, in accordance with requirements established by the State board, submit an application to the State board. Such application shall cover the same period of time as the period of time applicable to the State application submitted under section 112.

(b) CONTENTS.—The State board shall determine requirements for local applications, except that each application shall—

(1) describe how the vocational-technical education programs required under section 225(b) will be carried out with funds received under this part;

(2) describe how students participating in vocational-technical education programs carried out with funds under this Act will reach the State benchmarks as established under section 114;

(3) describe how the eligible recipient will—

(A) improve the academic and technical skills of students participating in vocational-technical education programs by strengthening the academic component of such programs through the integration of academics with vocational-technical education programs through a coherent sequence of courses to ensure learning in the core academic subjects; and

(B) ensure that students who participate in such vocational-technical education programs are taught to the same challenging academic proficiencies as are provided for all other students;

(4) describe how parents, students, teachers, business and representatives of employees are involved in the development and implementation of vocational-technical education programs assisted under this Act; and

(5) provide assurances that the eligible recipient will provide a vocational-technical education program that is of such size, scope, and quality as to bring about improvement in the quality of vocational-technical education programs.

SEC. 225. LOCAL USES OF FUNDS.

(a) GENERAL AUTHORITY.—Each eligible recipient that receives a grant under this part shall use such funds to improve vocational-technical education programs.

(b) REQUIREMENTS FOR USES OF FUNDS.—Funds made available under this part shall be used to provide vocational-technical education programs that—

(1) strengthen the academic and technical skills of students participating in vocational-technical education programs by strengthening the academic component of such programs through the integration of academics with vocational-technical education programs through a coherent sequence of courses to ensure learning in the core academic subjects;

(2) develop, improve, or expand the use of technology in vocational-technical education which may include:

(A) training of vocational-technical education personnel to use State-of-the art technology, which may include distance learning;

(B) providing vocational-technical education students with the academic and technical skills that lead to entry into the high technology and telecommunications field; or

(C) encouraging schools to work with high tech industries to offer voluntary internships and mentoring programs;

(3) provide professional development programs, including—

(A) inservice training in state-of-the-art vocational-technical education programs and techniques; and

(B) support of education programs for teachers of vocational-technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to vocational education students, to ensure that such teachers stay current with the needs, expectations, and methods of industry;

(4) support for vocational-technical education programs that improve the academic and technical skills of students participating in vocational-technical education programs by strengthening the academic component of such vocational-technical education programs through the integration of academics with vocational-technical education to ensure learning in the core academic subjects; and

(5) provide an assessment of the vocational-technical education programs carried out with funds under this Act, including an assessment of how the needs of special populations are being met, and how such programs will ensure that the benchmarks established under section 114 are being met.

(c) PERMISSIBLE ACTIVITIES.—The vocational-technical education programs described in subsection (b) may be used for—

(1) establishing agreements between secondary and postsecondary vocational-technical education programs in order to provide postsecondary education and training opportunities for students participating in such vocational-technical programs, such as tech-prep programs;

(2) involving parents, business, and representatives of employees in the design and implementation of vocational-technical education programs authorized under this Act;

(3) providing career guidance and counseling;

(4) providing work related experience, such as internships, cooperative education, school-based enterprises, entrepreneurship,

and job shadowing that are related to vocational-technical education programs;

(5) programs for single parents, displaced homemakers, and single pregnant women;

(6) local education and business partnerships;

(7) vocational student organizations;

(8) mentoring and support services;

(9) leasing, purchasing, or upgrading of equipment; and

(10) establishing effective programs and procedures to enable vocational-technical education program participants and their parents to participate directly in decisions that influence the programs, including providing information and assistance for informed effective participation.

(d) ADMINISTRATIVE COSTS.—Each eligible recipient receiving funds under this part shall not use more than 2 percent of the funds for administrative costs associated with the administration of the grant.

[TITLE III—SPECIAL PROGRAMS

[PART A—STATE ASSISTANCE FOR VOCATIONAL EDUCATION SUPPORT PROGRAMS BY COMMUNITY-BASED ORGANIZATIONS

[APPLICATIONS

[SEC. 301. (a) Each community-based organization which desires to receive assistance under this part shall prepare jointly with the appropriate eligible recipient and submit an application to the State board at such time, in such manner, and containing or accompanied by such information as the State board may require. Each such application shall—

[(1) contain an agreement between the community-based organization and the eligible recipients in the area to be served, which includes the designation of fiscal agents established for the program;

[(2) provide a description of the uses for which assistance is sought pursuant to section 302(b) together with evaluation criteria to be applied to the program;

[(3) provide assurances that the community-based organization will give special consideration to the needs of severely economically and educationally disadvantaged youth ages sixteen through twenty-one, inclusive;

[(4) provide assurances that business concerns will be involved, as appropriate, in services and activities for which assistance is sought;

[(5) describe the collaborative efforts with the eligible recipients and the manner in which the services and activities for which assistance is sought will serve to enhance the enrollment of severely economically and educationally disadvantaged youth into the vocational education programs; and

[(6) provide assurances that the programs conducted by the community-based organization will conform to the applicable standards of performance and measures of effectiveness required of vocational education programs in the State.

[USES OF FUNDS

[SEC. 302. (a) From the portion of the allotment of each State under section 101 available for this part, each State shall provide financial assistance to joint programs of eligible recipients and community-based organizations within the State for the conduct of special vocational education services and activities described in subsection (b).

[(b) Funds provided under this section may be used in accordance with State plans for—

[(1) outreach programs to facilitate the entrance of youth into a program of transitional services and subsequent entrance into vocational education, employment or other education and training;

[(2) transitional services such as attitudinal and motivational prevocational training programs;

[(3) prevocational educational preparation and basic skills development conducted in cooperation with business concerns;

[(4) special prevocational preparations programs targeted to inner-city youth, non-English speaking youth, Appalachian youth, and the youth of other urban and rural areas having a high density of poverty who need special prevocational education programs;

[(5) career intern programs;

[(6) model programs for school dropouts;

[(7) assessment of students needs in relation to vocational education and jobs; and

[(8) guidance and counseling to assist students with occupational choices and with the selection of a vocational education program.

[PART B—CONSUMER AND HOMEMAKING EDUCATION

[CONSUMER AND HOMEMAKING EDUCATION GRANTS

[SEC. 311. From the portion of the allotment of each State under section 101 available for this part, the Secretary is authorized to make grants to States to assist them in conducting consumer and homemaking education programs. Such programs may include (1) instructional programs, services, and activities that prepare youth and adults for the occupation of homemaking, and (2) instruction in the areas of food and nutrition, individual and family health, consumer education, family living and parenthood education, child development and guidance, housing, home management (including resource management), and clothing and textiles.

[USE OF FUNDS FROM CONSUMER AND HOMEMAKING EDUCATION GRANTS

[SEC. 312. (a) Grants to any State under this part shall be used, in accordance with State plans approved under section 114—

[(1) to conduct programs for residents of economically depressed areas;

[(2) to encourage participation of traditionally underserved populations;

[(3) to encourage, in cooperation with the individual appointed under section 111(b)(1), the elimination of sex bias and sex stereotyping;

[(4) to improve, expand, and update programs with an emphasis on those which specifically address needs described under clauses (1), (2), and (3); and

[(5) to address priorities and emerging concerns at the local, State, and national levels.

[(b) Grants for the purposes set forth in subsection (a) may be used for—

[(1) program development and improvement of instruction and curricula relating to managing individual and family resources, making consumer choices, balancing work and family, improving responses to individual and family crises (including family violence and child abuse), strengthening parenting skills (especially among teenage parents), preventing teenage pregancy, assisting aged and individuals with handicaps, and members of at-risk populations (including the homeless), improving individual, child, and family nutrition and wellness, conserving limited resources, understanding the impact of new technology on life and work, applying consumer and homemaking education skills to jobs and careers, and other needs as determined by the State; and

[(2) support services and activities designed to ensure the quality and effectiveness of programs, including demonstration of innovative and exemplary projects, community outreach to underserved populations, application of academic skills (such as reading, writing, mathematics, and science) through consumer and homemaking education programs, curriculum development, research, program evaluation, development of instructional materials, teacher education, upgrading of equipment, teacher supervision, and State administration and leadership, including activities of the student organization.

[(c) Not less than one-third of the Federal funds made available to any State under this section shall be expended in economically depressed areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life.

[INFORMATION DISSEMINATION AND LEADERSHIP

[SEC. 313. (a) The State board shall ensure that the experience and information gained through carrying out programs assisted under this part is shared with administrators for the purpose of program planning. Funds available under this part shall be used to assist in providing State leadership and full time State administrators qualified by experience and educational preparation in home economics education.

[(b) Not more than 6 percent of the funds available under this part may be used for State administration of projects, services, and activities under this part.

[PART C—COMPREHENSIVE CAREER GUIDANCE AND COUNSELING PROGRAMS

[GRANTS FOR CAREER GUIDANCE AND COUNSELING

[SEC. 321. From the portion of the allotment of each State under section 101 available for this part, the Secretary is authorized to make grants to States to assist them in conducting career guidance and counseling programs authorized by this part.

[USE OF FUNDS FROM CAREER GUIDANCE AND COUNSELING GRANTS

[SEC. 322. (a) Grants to any State under this part shall be used, in accordance with State plans (and amendments thereto), for programs (organized and administered by certified counselors) designed to improve, expand, and extend career guidance and counseling programs to meet the career development, vocational education, and employment needs of vocational education students and potential students. Such programs shall be designed to assist individuals—

[(1) to acquire self-assessment, career planning, career decisionmaking, and employability skills;

[(2) to make the transition from education and training to work;

[(3) to maintain marketability of current job skills in established occupations;

[(4) to develop new skills to move away from declining occupational fields and enter new and emerging fields in high-technology areas and fields experiencing skill shortages;

[(5) to develop midcareer job search skills and to clarify career goals; and

[(6) to obtain and use information on financial assistance for postsecondary and vocational education, and job training.

[(b) Programs of career guidance and counseling under this part shall encourage the elimination of sex, age, handicapping condition, and race bias and stereotyping, provide for community outreach, enlist the collaboration of the family, the community, business, industry, and labor and be accessible to all segments of the population, including women, minorities, the handicapped, and the economically disadvantaged. The programs authorized by this part shall consist of—

[(1) instructional activities and other services at all educational levels to help students with the skills described in clauses (1) through (6) of subsection (a); and

[(2) services and activities designed to ensure the quality and effectiveness of career guidance and counseling programs and projects assisted under this part, such as counselor education (including education of counselors working with individuals with limited English proficiency), training of support personnel, curriculum development, research and demonstration projects, experimental programs, instructional materials development, equipment acquisition, development of career information delivery systems, and State and local leadership and supervision; and

[(3) projects which provide opportunities for counselors to obtain firsthand experience in business and industry, and

projects which provide opportunities to acquaint students with business, industry, the labor market, and training opportunities (including secondary educational programs that have at least one characteristic of an apprenticeable occupation as recognized by the Department of Labor or the State Apprenticeship Agency in accordance with the Act of August 16, 1937, known as the National Apprenticeship Act, in concert with local business, industry, labor, and other appropriate apprenticeship training entities, designed to prepare participants for an apprenticeable occupation or provide information concerning apprenticeable occupations and their prerequisites).

[(c) Not less than 20 percent of the sums made available to a State under this part shall be used for programs designed to eliminate sex, age, and race bias and stereotyping under subsection (b) and for activities to ensure that programs under this part are accessible to all segments of the population, including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities.

[INFORMATION DISSEMINATION AND LEADERSHIP

[SEC. 323. (a) The State board shall ensure that the experience and information gained through programs assisted under this part is shared with administrators for the purpose of program planning. Funds available under this part shall be used to assist in providing State leadership qualified by experience and knowledge in guidance and counseling.

[(b) Not more than 6 percent of the funds available under this part may be used for State administration of projects, services, and activities under this part.]

TITLE III—RESEARCH AND DEVELOPMENT

PART A—RESEARCH AND DEVELOPMENT

SEC. 301. EVALUATION; RESEARCH; DEMONSTRATIONS; AND DISSEMINATION.

(a) SINGLE PLAN.—

(1) IN GENERAL.—The Secretary shall develop a single plan for evaluation and assessment, research, demonstrations, and dissemination with regard to the vocational-technical education programs assisted under this Act.

(2) PLAN.—Such plan shall—

(A) identify the vocational-technical education programs the Secretary will carry out under this section;

(B) describe how the Secretary will evaluate such vocational-technical education programs in accordance with subsection (b); and

(C) include such other information as the Secretary determines to be appropriate.

(b) EVALUATION AND ASSESSMENT.—

(1) IN GENERAL.—From amounts made available under subsection (g), the Secretary shall provide for the conduct of an

independent evaluation and assessment of vocational-technical education programs under this Act through studies and analyses conducted independently through grants and contracts awarded on a competitive basis.

(2) CONTENTS.—Such evaluation and assessment of vocational-technical education programs shall include descriptions of—

(A) the extent to which State, local, and tribal entities have developed, implemented, or improved State and local vocational-technical education programs;

(B) the degree to which the expenditures at the Federal, State, local, and tribal levels address improvement in vocational-technical education programs;

(C) the extent to which vocational-technical education programs succeed in preparing individuals participating in such programs for entry into postsecondary education, further learning, or high skill, high wage careers; and

(D) the effect of State benchmarks, performance measures, and other measures of accountability on the delivery of vocational-technical education programs.

(c) INFORMATION COLLECTION AND REPORT.—

(1) IN GENERAL.—The Secretary may collect and disseminate information from States regarding State efforts to meet State benchmarks described in section 114.

(2) REPORT.—The Secretary shall gather any information collected pursuant to paragraph (1) and submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

(d) RESEARCH.—

(1) IN GENERAL.—The Secretary shall award grants, on a competitive basis, to an institution of higher education, a public or private organization or agency, or a consortium of such institutions, organizations, or agencies to establish a national research center or centers—

(A) to carry out research for the purpose of developing, improving, and identifying the most successful methods for successfully addressing the education, employment, and training needs of participants in vocational-technical education programs;

(B) to carry out research to increase the effectiveness and improve the implementation of vocational-technical education programs, including conducting research and development and studies providing longitudinal information or formative evaluation with respect to vocational-technical education programs;

(C) to carry out such other programs as the Secretary determines to be appropriate to achieve the purposes of this Act.

(2) SUMMARY.—The Secretary shall provide an annual report summarizing the evaluations and assessments described in subsection (b), and the research conducted pursuant to this subsection, and the findings of such evaluations and assessments, and research, to the Committee on Education and the Workforce

of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

(e) DEMONSTRATIONS AND DISSEMINATION.—

(1) DEMONSTRATION PROGRAM.—The Secretary is authorized to carry out demonstration vocational-technical education programs, to replicate model vocational-technical education programs, to disseminate best practices information, and to provide technical assistance upon request of a State, for the purposes of developing, improving, and identifying the most successful methods and techniques for providing vocational-technical education programs assisted under this Act.

(2) DEMONSTRATION PARTNERSHIP.—

(A) IN GENERAL.—The Secretary shall carry out a demonstration partnership project involving a 4-year, accredited postsecondary institution, in cooperation with local public education organizations, volunteer groups, and private sector business participants to provide program support, and facilities for education, training, tutoring, counseling, employment preparation, specific skills training in emerging and established professions, retraining of military medical personnel, retraining of individuals displaced by corporate or military restructuring, migrant workers, and other individuals who otherwise would not have access to such services, through multi-site, multi-State distance learning technologies.

(B) PROGRAM.—Such program may be carried out directly or through grants, contracts, cooperative agreements, or through the national center or centers.

(f) DEFINITION.—As used in this section, the term "institution of higher education" has the meaning given the term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C.1141(a)).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal year 1998 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this part.

PART B—VOCATIONAL-TECHNICAL EDUCATION INFORMATION

SEC. 311. DATA SYSTEMS AUTHORIZED.

(a) ESTABLISHMENT OF SYSTEM.—(1) The Secretary shall, directly, or by grant, contract or cooperative agreement, establish a vocational educational data system (in this section referred to as the "system"), using comparative information elements and uniform definitions, to the extent practicable.

(2) The Secretary shall establish the system not later than the end of the 6-month period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990.

(3) The National Center for Education Statistics (in this section referred to as the "National Center") shall coordinate the development and implementation of the system.

(b) FUNCTIONS OF SYSTEM.—Through the system, the Secretary shall collect data and analyze such data in order to provide—

(1) the Congress with information relevant to policymaking; and

(2) Federal, State, and local agencies and Tribal agencies with information relevant to program management, administration and effectiveness with respect to education and employment opportunities.

(c) CONTENTS OF SYSTEM.—(1)(A) The system shall include information—

(i) describing the major elements of the vocational education system on at least a national basis, including information with respect to teachers, administrators, students, facilities, and, to the extent practicable, equipment; and

(ii) describing the condition of vocational education with respect to the elements described in clause (i).

(B) The information described in subparagraph (A) shall be provided, to the extent practicable, in the context of other educational data relating to the condition of the overall education system.

(C) The Secretary, in consultation with the Task Force, the National Center, and the Office of Adult and Vocational Education (in this section referred to as the "Office"), shall modify existing general purpose and program data systems to ensure that an appropriate vocational education component is included in the design, implementation and reporting of such systems in order to fulfill the information requirements of this section.

(2) The information system shall include data reflecting the extent of participation of the following populations:

(A) women;

(B) Indians;

(C) individuals with handicaps;

(D) individuals of limited English proficiency;

(E) economically disadvantaged students (including information on students in rural and urban areas);

(F) adults who are in need of training and retraining;

(G) single parents;

(H) youths incarcerated in juvenile detention or correctional facilities or criminal offenders who are serving time in correctional institutions;

(I) individuals who participate in programs designed to eliminate gender bias and sex stereotyping in vocational education;

(J) minorities; and

(K) displaced homemakers.

(3) The Secretary, in consultation with the National Center and the Office, shall maintain and update the system at least every 3 years and assure the system provides the highest quality statistics and is adequate to meet the information needs of this Act. In carrying out the requirements of this paragraph, the Secretary shall ensure that appropriate methodologies are used in assessments of students of limited English proficiency and students with handicaps to ensure valid and reliable comparisons with the general student population and across program areas. With respect to standardized tests and assessments administered under this Act, test results shall be used as 1 of multiple independent indicators in assessment of performance and achievement.

(d) ASSESSMENT OF INTERNATIONAL COMPETITIVENESS.—The Center shall carry out an assessment of data availability and adequacy with respect to international competitiveness in vocational skills. To the extent practicable, the assessment shall include comparative policy-relevant data on vocational education in nations which are major trade partners of the United States. The assessment shall at a minimum identify available internationally comparative data on vocational education and options for obtaining and upgrading such data. The results of the assessment required by this paragraph shall be reported to the appropriate committees of the Congress not later than August 31, 1994.

(e) USE OF AND COMPATIBILITY WITH OTHER DATA COLLECTION SYSTEMS.—(1) In establishing, maintaining, and updating the system, the Secretary shall—

(A) use existing data collection systems operated by the Secretary and, to the extent appropriate, data collection systems operated by other Federal agencies;

(B) conduct additional data collection efforts to augment the data collection systems described in subparagraph (A) by providing information necessary for policy analysis required by this section; and

(C) use any independent data collection efforts that are complementary to the data collection efforts described in subparagraphs (A) and (B).

(2) In carrying out the responsibilities imposed by this part, the Secretary shall cooperate with the Secretary of Commerce, the Secretary of Labor, and the National Occupational Information Coordinating Committee established under section 422 with respect to the development of an information system under section 463 of the Job Training Partnership Act to ensure that the information system operated under this section is compatible with and complementary to other occupational supply and demand information systems developed or maintained with Federal assistance. The Secretary shall also ensure that the system allows international comparisons to the extent feasible.

(3) The Secretary shall assure that the system, to the extent practicable, uses data definitions common to State plans, performance standards, local applications and evaluations required by this Act. The data in the system shall be available for use in preparing such plans, standards, applications, and evaluations.

(f) REPORTS.—The Secretary shall report to the Congress at least biennially with respect to—

(1) the performance of the system established under subsection (a); and

(2) strategies to improve the system and expand its implementation.

(g) VOCATIONAL EDUCATION ADVISORY TASK FORCE.—(1) The Secretary, in consultation with the National Center and the Office shall establish a Vocational Education Advisory Task Force.

(2) The Secretary shall establish the Task Force before the expiration of the 90-day period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, and shall terminate upon the expiration of the 2-year period beginning on such date.

(3) The Task Force shall advise the Secretary on the development and implementation of an information reporting and accounting system responsive to the diverse programs supported by this Act.

(4) The membership of the Task Force shall be representative of Federal, State, and local agencies and Tribal agencies affected by technological information, representatives of secondary and vocational postsecondary educational institutions, representatives of vocational student organizations, representatives of special populations, representatives of adult training programs funded under this Act, and representatives of apprenticeships, business, and industry.

(5) The National Center shall provide the Task Force with staff for the purpose of carrying out its functions.

(h)(1) ASSESSMENT OF EDUCATIONAL PROGRESS ACTIVITIES.—As a regular part of its assessments, the National Assessment of Educational Progress shall collect and report information for at least a nationally representative subsample of vocational education students, including students who are members of special populations, which shall allow for fair and accurate assessment and comparison of the educational achievement of vocational education students and other students in the areas assessed. Such assessment may include international comparisons.

(2)(A) Notwithstanding any provision of section 406 of the General Education Provisions Act, the Commissioner of Education Statistics may authorize a State educational agency or a consortium of such agencies to use items and data from the National Assessment of Educational Progress for the purpose of evaluating a course of study related to vocational education, if the Commissioner has determined, in writing, that such use will not—

(i) result in the identification of characteristics or performance of individual students or schools;

(ii) result in the ranking or comparing of schools or local educational agencies;

(iii) be used to evaluate the performance of teachers, principals, or other local educators for the purpose of dispensing rewards or punishments; or

(iv) corrupt or harm the use and value of data collected for the National Assessment of Educational Progress.

(B) Not later than 60 days after making an authorization under subsection (a), the Commissioner shall submit to the Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate, a report which contains—

(i) a copy of the request for such authorization;

(ii) a copy of the written determination under subsection (a); and

(iii) a description of the details and duration of such authorization.

(C) The Commissioner may not grant more than one such authorization in any fiscal year and shall ensure that the authorized use of items or data from the National Assessment is evaluated for technical merit and for its affect on the National Assessment of Educational Progress. The results of such evaluations shall be promptly reported to the committees specified in subparagraph (B).

NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

SEC. 312. (a) There is established a National Occupational Information Coordinating Committee (in this section referred to as the "Committee") which shall consist of the Assistant Secretary for Vocational and Adult Education, the Commissioner of the Rehabilitative Services Administration, the Director of the Office of Bilingual Education and Minority Language Affairs, the Assistant Secretary for Postsecondary Education, and the Administrator of the National Center for Education Statistics of the Department of Education, the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training of the Department of Labor, the Undersecretary for Small Community and Rural Development of the Department of Agriculture, the Assistant Secretary for Economic Development of the Department of Commerce, and the Assistant Secretary of Defense (Force Management and Personnel). The Committee, with funds available to it under section 451, shall provide funds, on an annual basis, to State occupational information coordinating committees and to eligible recipients and shall—

(1) in the use of program data and employment data, improve coordination and communication among administrators and planners of programs authorized by this Act and by the Job Training Partnership Act, employment security agency administrators, research personnel, and personnel of employment and training planning and administering agencies (including apprenticeship training agencies) at the Federal, State, and local levels;

(2) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of vocational education programs and employment and training programs (including postsecondary employment and training programs) at the national, State, and local levels, which system shall include data on occupational demand and supply based on uniform definitions, standardized estimating procedures, and standardized occupational classifications, including regularly updated data on employment demand for agribusiness;

(3) conduct studies to improve the quality and delivery of occupational information systems to assist economic development activities, and examine the effects of technological change on new and existing occupational areas and the required changes in knowledge and job skills; of a system to provide data on graduation or completion rates, job placement rates from occupationally specific programs, licensing rates, and awards of high school graduate equivalency diplomas (GED), each State board for higher education shall develop a data collection system the results of which can be integrated into the occupational information system developed under this section.

(4) continue training, technical assistance activities to support comprehensive career guidance, and vocational counseling programs designed to promote improved career decisionmaking by individuals (especially in areas of career information delivery and use);

(5) coordinate the efforts of Federal, State, and local agencies and Tribal agencies with respect to such programs; and

(6) assist State occupational information coordinating committees established pursuant to subsection (b).

(b) Each State receiving assistance under this Act shall establish a State occupational information coordinating committee composed of representatives of the State board, the State employment security agency, the State economic development agency, the State job training coordinating council, the State board or agency governing higher education, and the agency administering the vocational rehabilitation program. Such committee shall, with funds available to it from the National Occupational Information Coordinating Committee established pursuant to subsection (a)—

(1) implement an occupational information system in the State which will meet the common needs for the planning for, and the operation of, programs of the State board assisted under this Act, of the administering agencies under the Job Training Partnership Act and of the State board or agency governing higher education; and

(2) use the occupational information system to implement a career information delivery system.

(c)(1)(A) The Committee, in consultation with the National Center or Centers for Research in Vocational Education, appropriate Federal agencies, and the States, shall establish a demonstration program to monitor educational outcomes for vocational education using wage and other records. The Committee shall develop procedures for establishing and maintaining nationally accessible information on a sample of wage and earning records maintained by States on earnings, establishment and industry affiliation and geographical location, and on educational activities. This information shall be collected on at least an annual basis. The program shall ensure that a scientific sample of vocational education students and nonvocational education students, local educational agencies, and States participate in the program. The Committee shall maintain, analyze, and report data collected under the program and shall provide technical assistance to States, local educational agencies, and others that wish to participate in the study.

(B)(i) Participation in the program described in subparagraph (A) shall be voluntary. The Committee shall enter into an agreement with any State which desires to carry out a study for the State under this subsection. Each such agreement shall contain provisions designed to assure—

(I) that the State will participate in the study;

(II) that the State will pay from non-Federal sources the non-Federal share of participation; and

(III) that the State agrees to the terms and conditions specified in this section.

(ii) For each fiscal year, the non-Federal share for the purpose of this program shall be the cost of conducting the study in the State, including the cost of administering the assessment for the State sample and the cost of coordination within the State.

(2) The program shall provide for an independent evaluation conducted by the Office of Technology Assessment of the Congress to assess the validity, fairness, accuracy, and utility of the data it pro-

duces. The report shall also describe the technical problems encountered and a description of what was learned about how to best implement and utilize data from the program.

(3) The provision of wage and other records to the Committee by a State employment security agency shall be voluntary and pursuant to an agreement between the Committee and the agency. Such agreement shall take into consideration issues such as—

(A) reimbursing the State employment security agency for the costs to the agency of providing the information; and

(B) compliance with safeguards established by the State employment security agency and determined by the Secretary of Labor to be appropriate to ensure that the information disclosed to the Committee is used only for the purposes of this subsection.

(4) The Executive Director of the Committee, in consultation with the Secretary, shall ensure that all personally identifiable information about students, their educational performance and their families and information with respect to individual schools shall remain confidential in accordance with the provisions of section 552 of title 5, United States Code. The data gathered under this subsection shall not be used to rank, compare, or otherwise evaluate individual students or individual schools. No individual may be included in the program without that individual's written consent. At least once every 3 years the Secretary shall remind participants in writing of their inclusion in the program.

(d) DATA COLLECTION SYSTEM.—In the development and design of a system to provide data on graduation or completion rates, job placement rates from occupationally specific programs, licensing rates, and awards of high school graduate equivalency diplomas (GED), each State board for higher education shall develop a data collection system the results of which can be integrated into the occupational information system developed under this section.

(e) There are authorized to be appropriated for each of fiscal years 1998 through 2002 such sums as may be necessary to carry out this part.

SEC. 313. INFORMATION BASE FOR VOCATIONAL EDUCATION DATA SYSTEM.

(a) INFORMATION RELATING TO STUDENTS WITH HANDICAPS.—(1) The Secretary shall ensure that adequate information on access to vocational education by secondary school students with handicaps is maintained in the data system established under section 311.

(2) The system shall include detailed information obtained through scientific sample surveys concerning—

(A) types of programs available; and

(B) enrollment of students with handicaps by—

(i) type of program;

(ii) type of instructional setting; and

(iii) type of handicap.

(3)(A) The General Accounting Office shall conduct a 3-year study, using representative samples, of the effects of the amendments made by title II of the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1990 on the access to and participation in vocational education of disadvantaged stu-

dents, students with handicaps, students of limited English proficiency, and, to the extent practicable, foster children.

(B) The study shall include consideration of issues such as—

(i) the proportion of students described in paragraph (1) who are enrolled in vocational education programs during the first 3 program years to which the amendments made by the Carl D. Perkins Vocational and Applied Technology Education Amendments Act of 1990 apply compared to the program year preceding such years;

(ii) the number of such students who enroll in vocational education programs for the first time during the period of study;

(iii) the number of such students who participate in vocational education programs that lead to an occupational skill or job placement;

(iv) the extent to which academics are incorporated with vocational education courses;

(v) the manner in which vocational education programs have addressed special needs of such students for supportive services, material, and equipment;

(vi) the comparability of vocational education services provided to such students with vocational education services provided to students who are not members of special populations; and

(vii) in the case of students with handicaps—

(I) the types and severity of handicaps of such students who enroll in vocational education programs;

(II) the extent to which such students participate in the same vocational education programs as students who do not have handicaps;

(III) the number of such students with individualized education programs developed under section 614(a)(5) of the Individuals with Disabilities Education Act who have individualized education programs that include vocational education programs;

(IV) the extent to which special personnel such as special education personnel or vocational rehabilitation personnel assist in the selection and provision of vocational education programs with respect to such students;

(V) the extent to which such students and their parents are involved in selecting vocational education courses and programs;

(VI) the number of such students who have returned to secondary vocational education programs after dropping out of or formally exiting the local educational system; and

(VII) the ages of such students.

(C) In conducting the study required by this subsection, the General Accounting Office may consider and include information from other sources to address or augment the issues considered in the study.

(4) The General Accounting Office shall submit to the appropriate committees of the Congress a report describing the results of the study conducted as required by this subsection not later than July 1, 1995.

(b) INFORMATION RELATING TO STUDENTS WHO HAVE COMPLETED SECONDARY SCHOOL.—(1) To carry out the provisions of this section, in accordance with the provisions of section 3 of the Technology Assessment Act of 1972, the Office of Technology Assessment shall conduct an assessment of a sample of tests designed to be administered to students who have completed secondary school to assess the level of technical knowledge relating to broad technical fields possessed by such students. The assessment shall include at least—

(A) an assessment of the quality, validity, reliability, and predictive capability of widely used vocational aptitude and competency tests and assessments, with particular attention to—

(i) the use of such assessments with respect to students who are members of special populations; and

(ii) patterns of actual usage with respect to entry into vocational education programs, promotion within such programs, completion of such programs, and placement in appropriate positions;

(B) identification of trends in such tests and assessments, including any relationship to vocational education curricula; and

(C) identification of policy options for—

(i) strengthening development and quality of such tests and assessments to ensure that such tests and assessments are conducted in an impartial manner that does not penalize students on the basis of race, sex, or economic background; and

(ii) means of sustaining competition in the development of such tests and assessments.

(2) The results of the study required by paragraph (1) shall be reported to the appropriate committees of the Congress not later than September 30, 1994.

SEC. 314. MISCELLANEOUS PROVISIONS.

(a) COLLECTION OF INFORMATION AT REASONABLE COST.—The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this part. To ensure reasonable cost, the Secretary, in consultation with the Vocational Education Task Force, the National Center for Education Statistics, the Office of Vocational and Adult Education, and the National Occupational Information Coordinating Committee shall determine the methodology to be used and the frequency with which information is to be collected.

(b) COOPERATION OF STATES.—All States receiving assistance under this Act shall cooperate with the Secretary in implementing the information systems developed pursuant to this part.

SEC. 315. AUTHORIZATION OF APPROPRIATIONS

There are authorized to be appropriated for this part such sums as may be necessary for fiscal year 1998 and such sums as may be necessary for each of the 4 succeeding fiscal years.

PART C—TECH-PREP EDUCATION

SEC. 321. TECH-PREP EDUCATION.

(a) PROGRAM AUTHORIZED.—The State board, in accordance with the provisions of this part, shall award grants to consortia on a

competitive basis or on the basis of a formula determined by the State board, for tech-prep education programs.

(b) GENERAL AUTHORITY.—Each grant recipient shall use amounts provided under the grant to develop and operate a 4-year tech-prep education program.

(c) CONTENTS OF PROGRAM.—Any such program shall—

(1) be carried out under an articulation agreement between the participants in the consortium;

(2) consist of the 2 or 4 years of secondary school preceding graduation and 2 years of higher education, or an apprenticeship program of at least 2 years following secondary instruction, with a common core of required proficiency in mathematics, science, communications, and technologies designed to lead to an associate degree or postsecondary certificate in a specific career field;

(3) include the development of tech-prep education program components appropriate to the needs of the consortium participants;

(4) include in-service training for teachers that—

(A) is designed to train vocational-technical teachers to effectively implement tech-prep education programs;

(B) provides for joint training for teachers in the tech-prep consortium; and

(C) may provide such training in weekend, evening, and summer sessions, institutes, or workshops;

(5) include training programs for counselors designed to enable counselors to more effectively—

(A) provide information to students regarding tech-prep education programs;

(B) support student progress in completing such programs; and

(C) provide information on related employment opportunities;

(6) provide equal access to the full range of technical preparation programs to individuals who are members of special populations, including the development of tech-prep education program services appropriate to the needs of such individuals; and

(7) provide for preparatory services that assist participants in such programs.

(d) ADDITIONAL AUTHORIZED ACTIVITIES.—Each such program may—

(1) provide for the acquisition of tech-prep education program equipment; and

(2) acquire technical assistance from State or local entities that have successfully designed, established and operated tech-prep programs.

SEC. 322. APPLICATIONS.

(a) IN GENERAL.—Each consortium that desires to receive a grant under this part shall submit an application to the State board, as appropriate, at such time and in such manner as the State board shall prescribe.

(b) PLAN.—Each application submitted under this section shall contain a 5-year plan for the development and implementation of programs under this part.

(c) APPROVAL.—The State board shall approve applications based on their potential to create an effective tech-prep education program as provided for in this section.

(d) SPECIAL CONSIDERATION.—The State board, as appropriate, shall give special consideration to applications which—

(1) provide for effective employment placement activities or transfer of students to 4-year baccalaureate degree programs;

(2) are developed in consultation with business, industry, institutions of higher education, and representatives of employees;

(3) address effectively the issues of dropout prevention and reentry and the needs of special populations.

SEC. 323. REPORT.

Each State that receives a grant under this part shall annually prepare and submit to the Secretary a report on the effectiveness of their Tech-Prep programs, including how competitive grants were awarded within the State.

SEC. 324. ALLOTMENT.

The Secretary shall allot funds under this part in each fiscal year in the same manner as funds are allotted under section 101(a)(2).

SEC. 325. AUTHORIZATION.

(a) IN GENERAL.—From amounts made available under section 3(a), 10 percent shall be used to carry out this part for fiscal year 1998 and for each of the 4 succeeding fiscal years.

(b) MINIMUM AMOUNT.—No State shall receive a grant of less than $200,000 under this part in any fiscal year.

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[TITLE IV—NATIONAL PROGRAMS

[PART A—RESEARCH AND DEVELOPMENT

[RESEARCH OBJECTIVES

[SEC. 401. It is the purpose of this part—

[(1) to authorize research activities which contribute to improving the access to vocational education programs of individuals who are disadvantaged, who are handicapped, women who are entering nontraditional occupations, adults who are in need of retraining, individuals who are single parents, displaced homemakers, or single pregnant women, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;

[(2) to authorize additional research and development activities that are related to the purposes of this Act as stated in section 2;

[(3) to improve the competitive process by which research projects are awarded;

[(4) to encourage the dissemination of findings of research projects assisted under this Act to all States; and

[(5) to authorize research activities which are readily applicable to the vocational education setting and are of practical application to vocational education administrators, counselors, and instructors and others involved in vocational education.

[RESEARCH ACTIVITIES

[SEC. 402. (a) In order to carry out the objectives set forth in section 401, the Secretary shall conduct applied research on aspects of vocational education specifically related to this Act. Such research may be conducted through the Office of Educational Research and Improvement. Such research shall include—

[(1) effective methods for providing quality vocational education to handicapped individuals, disadvantaged individuals, men and women in nontraditional fields, adults, single parents, displaced homemakers, single pregnant women, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;

[(2) research on the development and implementation of performance standards and measures that fit within the needs of State boards or eligible recipients in carrying out the provisions of this Act and on the relationship of such standards and measures to the data system established under section 421, which may include evaluation of existing performance standards and measures and dissemination of such information to the State board and eligible recipients;

[(3) evaluation of the use of performance standards and measures under this Act and the effect of such standards and measures on the participation of students in vocational education programs and on the outcomes of students in such programs, especially students who are members of special populations;

[(4) strategies for coordinating local, State, and Federal vocational education; employment training, and economic development programs to maximize their efficacy and for improving worker training and retraining;

[(5) the constructive involvement of the private sector in public vocational education;

[(6) successful methods of reinforcing and enhancing basic and more advanced academic and problem-solving skills in vocational settings;

[(7) successful methods for providing students, to the maximum extent practicable, with experience in and understanding of all aspects of the industry such students are preparing to enter; and

[(8) the development of effective methods for providing quality vocational education to individuals of limited English proficiency, including research related to bilingual vocational training.

[(b) In addition, the Secretary shall support meritorious, unsolicited research proposals from individual researchers, community colleges, State advisory councils, and State and local educators relating to the goals of this Act.

[(c) DISSEMINATION.—(1) The Secretary shall establish a system for disseminating information resulting from research and development activities carried out under this Act. In establishing such system, the Secretary shall use existing dissemination systems, including the National Diffusion Network, the National Center or Centers for Research in Vocational Education, and the National

Network for Curriculum Coordination in Vocational and Technical Education, in order to assure broad access at the State and local levels to the information being disseminated.

[(2)(A) In order to comply with paragraph (1), the Secretary shall establish through grants or contracts a National Network for Curriculum Coordination in Vocational and Technical Education (in this paragraph referred to as the "Network") consisting of 6 regional curriculum coordination centers. The Network shall—

[(i) provide national dissemination of information on effective vocational education programs and materials, with particular attention to regional programs;

[(ii) be accessible by electronic means;

[(iii) provide leadership and technical assistance in the design, development, and dissemination of curricula for vocational education;

[(iv) coordinate the sharing of information among the States with respect to vocational education curricula;

[(v) reduce duplication of effort in State activities for the development of vocational education curricula; and

[(vi) promote the use of research findings with respect to vocational education curricula.

[(B) The Secretary shall encourage the designation by each State of a liaison representative for the Network.

[(d) The Secretary shall give preference in carrying out the provisions of this part to public and private postsecondary institutions in conducting vocational education research.

[(e) The Secretary shall institute measures designed to ensure that program improvement activities carried out under this section represent a coordinated effort to improve the quality of vocational education.

[SEC. 403. NATIONAL ASSESSMENT OF VOCATIONAL EDUCATION PROGRAMS.

[(a) IN GENERAL.—(1) The Office of Education Research and Improvement (in this section referred to as the "Office") shall conduct a national assessment of vocational education programs assisted under this Act, through studies and analyses conducted independently through competitive awards.

[(2) The Office shall appoint an independent advisory panel, consisting of vocational education administrators, educators, researchers, and representatives of business, industry, labor, and other relevant groups, to advise the Office on the implementation of such assessment, including the issues to be addressed, the methodology of the studies, and the findings and recommendations. The panel, at its discretion, may submit to the Congress an independent analysis of the findings and recommendations of the assessment. The Federal Advisory Committee Act shall not apply to the panel established under this paragraph.

[(b) CONTENTS.—The assessment required under subsection (a) shall include descriptions and evaluations of—

[(1) the effect of this Act on State and tribal administration of vocational education programs and on local vocational education practices, including the capacity of State, tribal and local vocational education systems to address the priorities identified in this Act;

[(2) expenditures at the Federal, State, tribal and local levels to address program improvement in vocational education, including the impact of Federal allocation requirements (such as within-State allocation formulas) on the delivery of services;

[(3) preparation and qualifications of teachers of vocational and academic curricula in vocational education programs, as well as shortages of such teachers;

[(4) participation in vocational education programs, including, in particular, access of individuals who are members of special populations to high-quality vocational education programs and the effect on the delivery of services to such populations, of Federal legislation giving States flexibility in allocating funds to serve such populations;

[(5) academic and employment outcomes of vocational education, including analyses of—

[(A) the effect of educational reform on vocational education;

[(B) the extent and success of integration of academic and vocational curricula;

[(C) the success of the school-to-work transition; and

[(D) the degree to which vocational training is relevant to subsequent employment;

[(6) employer involvement in, and satisfaction with, vocational education programs;

[(7) the effect of performance standards and other measures of accountability on the delivery of vocational education services;

[(8) the effect of Federal requirements regarding criteria for services to special populations, participatory planning in the States, and articulation between secondary and postsecondary programs;

[(9) coordination of services under this Act, the Adult Education Act, the Job Training Partnership Act, the National Apprenticeship Act, the Rehabilitation Act of 1973, and the Wagner-Peyser Act; and

[(10) the degree to which minority students are involved in vocational student organizations.

[(c) CONSULTATION.—(1) The Secretary shall consult with the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives in the design and implementation of the assessment required under subsection (a).

[(2) The Secretary shall submit to the Congress—

[(A) an interim report on or before January 1, 1994; and

[(B) a final report, summarizing all studies and analyses completed after the assessment, on or before July 1, 1994.

[(3) Notwithstanding any other provision of law or regulation, the reports required by this subsection shall not be subject to any review outside of the Office of Educational Research and Improvement before their transmittal to the Congress, but the President, the Secretary, and the independent advisory council established under subsection (a)(2) may make such additional recommendations to the Congress with respect to the assessment as they deem appropriate.

[(d) STUDY.—(1) The assessment required by subsection (a) shall include a study of the distribution of Federal vocational education funds to the States. The study shall—

[(A) consider the distributional effects of the formula for allocation to the States established in section 101(a)(2), including the age cohorts and the per capita income allotment ratios;

[(B) examine the impact that various other factors such as State tax capacity, tax effort, per capita income, poverty and educational achievement, could have in achieving the Federal goals and policy objectives of this Act;

[(C) specifically address the appropriate distribution mechanism to serve the target populations of this Act; and

[(D) explore the use of other possible methods of targeting funds to individuals who are members of special populations, particularly individuals who are economically disadvantaged, including the poverty rate of the school-aged population, the gross State product per school-aged child, relative tax capacity, and tax effort of the State, unemployment figures, and dropout rates.

[(2) The findings of the study required by paragraph (1) shall be used to formulate recommendations on the most appropriate criteria and methods to direct Federal funds to the States and to achieve the Federal goals and policy objectives of this Act.

[(3) The study required under paragraph (1) shall be completed by January 1, 1994.

[SEC. 404. NATIONAL CENTER OR CENTERS FOR RESEARCH IN VOCATIONAL EDUCATION.

[(a) GENERAL AUTHORITY.—(1) In order to address the purposes of this Act through the involvement of a broad array of individuals, including both vocational and academic teachers and administrators, the Secretary is authorized to award a grant or grants for the establishment of 1 or 2 national centers in the areas of—

[(A) applied research and development; and

[(B) dissemination and training.

[(2)(A) Each entity selected to establish and operate a Center pursuant to paragraph (1) shall operate such Center for a period of 5 years.

[(B) Beginning after December 31, 1992, the Secretary shall award an annual grant to the National Center or Centers selected pursuant to paragraph (1) for each of the 5 years such National Center is operated. After the third year in which the National Center or Centers receive a grant under this section the Secretary shall review the research priorities of the National Center or Centers.

[(3) Of the amount available pursuant to section 451(a)(1) for purposes of carrying out this section, at least ⅔ of such amount shall be available for applied research and development.

[(4)(A) The Secretary shall hold a competition at the same point in time for the grant or grants for the activities described in paragraph (1). Any institution of higher education or consortium of such institutions may compete for either or both sets of activities.

[(B) For the purpose of this section the term "institution of higher education", notwithstanding section 427(b)(2) of the Higher Education Amendments of 1992, has the same meaning as provided by

section 435(b) of the Higher Education Act of 1965 as such section was in effect on July 22, 1992.

[(5) If an institution or consortium demonstrates that it can effectively carry out both activities either directly or through contracting, such institution or consortium shall be given a preference in the grant selection. If no institution or consortium demonstrates such capability and 2 grants are awarded, the Secretary must assure coordination of the activities under both grants.

[(6) Not more than 10 percent of each year's budget for the Center or for each of the Centers may be used to respond to field-initiated needs unanticipated prior to the annual funding period and which are in the mission of the Center but not part of the scope of work of the grant.

[(7) The National Center in existence on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 shall continue to operate through its 5-year cycle ending December 31, 1992.

[(b) ACTIVITIES.—(1) The applied research and development activities shall include—

[(A) economic changes that affect the skills which employers seek and entrepreneurs need;

[(B) integration of academic and vocational education;

[(C) efficient and effective practices for addressing the needs of special populations;

[(D) efficient and effective methods for delivering vocational education;

[(E) articulation of school and college instruction with high quality work experience;

[(F) recruitment, education, and enhancement of vocational teachers and other professionals in the field;

[(G) accountability processes in vocational education, to include identification and evaluation of the use of appropriate performance standards for student, program, and State-level outcomes;

[(H) effective practices that educate students in all aspects of the industry the students are preparing to enter;

[(I) effective methods for identifying and inculcating literacy and other communication skills essential for effective job preparation and job performance;

[(J) identification of strategic, high priority occupational skills and skills formation approaches needed to maintain the competitiveness of the United States workforce, sustain high-wage, high-technology jobs and which address national priorities such as technical jobs needed to protect and restore the environment;

[(K) identification of practices and strategies that address entrepreneurial development for minority-owned enterprises; and

[(L) upon negotiation with the Center, and if funds are provided pursuant to subsection (d), such other topics as the Secretary may designate.

[(2) The Center conducting the activities described in paragraph (1) shall annually prepare a study on the research conducted on approaches that lead to effective articulation for the education-to-

work transition, including tech-prep programs, cooperative education or other work-based programs, such as innovative apprenticeship or mentoring approaches, and shall submit copies of such study to the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, the Committee on Labor and Human Resources of the Senate, and the Committee on Education and Labor of the House of Representatives.

[(c) DISSEMINATION AND TRAINING.—(1) The dissemination and training activities shall include—

[(A) teacher and administrator training and leadership development;

[(B) technical assistance to assure that programs serving special populations are effective in delivering well-integrated and appropriately articulated vocational and academic offerings for secondary, postsecondary, and adult students;

[(C) needs assessment, design, and implementation of new and revised programs with related curriculum materials to facilitate vocational-academic integration;

[(D) evaluation and follow-through to maintain and extend quality programs;

[(E) assistance in technology transfer and articulation of program offerings from advanced technology centers to minority enterprises;

[(F) assistance to programs and States on the use of accountability indicators, including appropriate and innovative performance standards;

[(G) delivery of information and services using advanced technology, where appropriate, to increase the effectiveness and efficiency of knowledge transfer;

[(H) development of processes for synthesis of research, in cooperation with a broad array of users, including vocational and non-vocational educators, employers and labor organizations;

[(I) dissemination of exemplary curriculum and instructional materials, and development and publication of curriculum materials (in conjunction with vocational and non-vocational constituency groups, where appropriate);

[(J) technical assistance in recruiting, hiring, and advancing minorities in vocational education; and

[(K) upon negotiation with the Center and if funds are provided pursuant to subsection (d), such other topics as the Secretary may designate.

[(2) The Center conducting the activities described in paragraph (1) shall annually prepare a study on the dissemination and training activities described in paragraph (1) and shall submit copies of such study to the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, the Committee on Labor and Human Resources of the Senate, and the Committee on Education and Labor of the House of Representatives.

[(d) AUTHORIZATION OF OTHER RESEARCH.—There are authorized to be appropriated $3,000,000 for the fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992, 1993, 1994, and 1995 to carry out such additional activities assigned by the Secretary to the National Center in existence on the date of en-

actment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 until the termination of its grant on December 31, 1992 and to carry out the provisions of subsections (b)(1)(L) and (c)(1)(K).

[PART B—DEMONSTRATION PROGRAMS

[SEC. 411. PROGRAMS AUTHORIZED.

[(a) IN GENERAL.—From amounts available pursuant to section 101(a)(1)(A) in each fiscal year, the Secretary shall make demonstration grants in accordance with the provisions of this part.

[(b) PRIORITY.—In awarding demonstration grants pursuant to this part, the Secretary shall give priority to the programs described in sections 412 and 413.

[SEC. 412. MATERIALS DEVELOPMENT IN TELECOMMUNICATIONS.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants to nonprofit educational telecommunications entities to pay the Federal share of the costs of the development, production, and distribution of instructional telecommunications materials and services for use in local vocational and technical educational schools and colleges.

[(b) FEDERAL SHARE.—(1) The Federal share of the cost of each project assisted under this section shall be 50 percent.

[(2) The non-Federal share of the cost of each project assisted under this section shall be provided from non-Federal sources.

[(c) USE OF FUNDS.—Grants awarded pursuant to this section may be used to provide—

[(1) a sequential course of study that includes either preproduced video courseware or direct interactive teaching delivered via satellite, accompanied by a variety of print and computer-based instructional materials;

[(2) the development of individual videocassettes or a series of videocassettes that supplement instruction, which shall be distributed both via broadcast and nonbroadcast means;

[(3) videodiscs that produce simulated hands-on training; and

[(4) teacher training programs for vocational educators and administrators and correctional educators.

[(d) PRIORITY.—In awarding grants under this section the Secretary shall give priority to programs or projects which serve—

[(1) students in area vocational and technical schools;

[(2) teachers, administrators, and counselors in need of training or retraining;

[(3) out-of-school adults in need of basic skills improvement or a high school equivalency diploma to improve the employability of such individuals;

[(4) college students, particularly college students who are working toward a 2-year associate degree from a technical or community college;

[(5) workers in need of basic skills, vocational instruction, or career counseling to retain employment; and

[(6) workers who need to improve their skills to obtain jobs in high-growth industries.

[SEC. 413. DEMONSTRATION CENTERS FOR THE TRAINING OF DISLOCATED WORKERS.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to establish 1 or more demonstration centers for the retraining of dislocated workers. Such center or centers may provide for the recruitment of unemployed workers, vocational evaluation, assessment and counseling services, vocational and technical training, support services, and job placement assistance. The design and operation of each center shall provide for the utilization of appropriate existing Federal, State, and local programs.

[(b) EVALUATION.—The Secretary shall provide for the evaluation of each center established under subsection (a).

[(c) DISSEMINATION OF INFORMATION.—The Secretary shall disseminate information on successful retraining models developed by any center established under subsection (a) through dissemination programs operated by the Secretary and the Secretary of Labor.

[(d) ELIGIBLE ORGANIZATIONS.—Any private, nonprofit organization that is eligible to receive funding under the Job Training Partnership Act is eligible to receive funding under this section.

[SEC. 414. PROFESSIONAL DEVELOPMENT.

[(a) TRAINING AND STUDY GRANTS.—(1) The Secretary is authorized to provide grants to institutions of higher education, State educational agencies, or State correctional education agencies to provide grants, awards, or stipends—

[(A) to individuals who are entering the field of vocational education;

[(B) for graduate training in vocational education;

[(C) for vocational teacher education; and

[(D) for attracting gifted and talented students in vocational programs into further study and professional development.

[(2) Grants, awards, and stipends awarded under paragraph (1) shall provide—

[(A) opportunities for experienced vocational educators;

[(B) opportunities for—

[(i) certified teachers who have been trained to teach in other fields to become vocational educators, including teachers with skills related to vocational fields who can be trained as vocational educators, and especially minority instructors and instructors with experience in teaching individuals who are economically disadvantaged, individuals with handicaps, students of limited English proficiency, and adult and juvenile criminal offenders;

[(ii) individuals in industry who have skills and experience in vocational fields to be trained as vocational educators; and

[(iii) vocational educators to improve or maintain technological currency in their fields; and

[(C) opportunities for gifted and talented vocational education secondary and postsecondary students to intern with Federal or State agencies, nationally recognized vocational education associations and student organizations or the National Center or Centers for Research in Vocational Education.

[(b) LEADERSHIP DEVELOPMENT AWARDS.—(1) In order to meet the needs of all States for qualified vocational education leaders

(such as administrators, supervisors, teacher educators, researchers, career guidance and vocational counseling personnel, vocational student organization leadership personnel and teachers in vocational education programs), the Secretary shall make grants to institutions of higher education for leadership development awards. Individuals selected for such awards shall—

[(A) have not less than 3 years of experience in vocational education or in industrial training, or, in the case of researchers, experience in social science research which is applicable to vocational education;

[(B) are currently employed or are reasonably assured of employment in vocational education and have successfully completed at least a baccalaureate degree program;

[(C) are recommended by their employer, or others, as having leadership potential in the field of vocational education and have been accepted for admission as a graduate student in a program of higher education approved by the Secretary; and

[(D) have made a commitment to return to the field of vocational education upon completion of education provided through the leadership development award.

[(2) For a period of not more than 3 years, stipends shall be paid to individuals selected for leadership development awards. Such stipends shall be paid (including allowances for tuition, nonrefundable fees, and other expenses for such individuals and their dependents) as may be determined to be consistent with prevailing practices.

[(3) The Secretary may provide grants to institutions for stipends to individuals, which shall not exceed $9,000 per individual per academic year or its equivalent and $3,000 per individual per summer session or its equivalent.

[(4) The Secretary shall approve the application of the vocational education program of an institution of higher education for the purposes of this section only upon finding that—

[(A) the institution offers a comprehensive program in vocational education with adequate supporting services and disciplines such as education administration, career guidance and vocational counseling, research, and curriculum development;

[(B) such program is designed to substantially advance the objective of improving vocational education through providing opportunities for graduate training of vocational teachers, supervisors, and administrators, and of university-level vocational education teacher educators and researchers; and

[(C) such programs are conducted by a school of graduate study in the institution of higher education.

[(5) The Secretary, in carrying out this subsection shall apportion leadership development awards to institutions of higher education equitably among the States, taking into account such factors as the State's vocational education enrollments and the need for additional vocational education personnel in the State.

[(6) Each individual who receives a leadership development award under this subsection shall receive payments as provided in paragraph (2) for not more than a 3-year period during which such individual is—

[(A) pursuing a full-time course of study in vocational education in an approved institution of higher education;

[(B) maintaining satisfactory proficiency in such course of study; and

[(C) not engaged in gainful employment other than part-time employment by such institution in teaching, research, or similar activities.

[(c) VOCATIONAL EDUCATOR TRAINING FELLOWSHIPS.—(1) The purpose of this subsection is to provide fellowships—

[(A) to meet the need to provide adequate numbers of teachers and related classroom instructors in vocational education who are technologically current in their fields;

[(B) to take full advantage of the education which has been provided to already certified teachers who are unable to find employment in their fields of training and of individuals employed in industry who have skills and experience in vocational fields; and

[(C) to encourage more instructors from minority groups and teachers with skills and experience with individuals of limited English proficiency to become vocational education teachers.

[(2) The Secretary shall make available fellowships, in accordance with the provisions of this subsection, to individuals (especially minority instructors and instructors with experience in teaching individuals who are economically disadvantaged, individuals with disabilities, students of limited English proficiency, and adult and juvenile criminal offenders) who—

[(A)(i)(I) are employed in vocational education and need an opportunity to improve or maintain technological skills;

[(II) are certified by a State, or were so certified during the 10-year period preceding their application for a fellowship under this subsection, as teachers in secondary schools, area vocational education schools or institutes, or in community or junior colleges; and

[(III) have skills and experiences in vocational fields so that such individuals can be trained to be vocational educators; or

[(ii) are employed in agriculture, business, or industry (and may or may not hold a baccalaureate degree) and have skills and experience in vocational fields for which there is a need for vocational educators;

[(B) have been accepted in a program to become a vocational educator by an institution of higher education approved by the Secretary; and

[(C) have made a commitment to work in the field of vocational education upon completion of such program.

[(2) The Secretary shall, for a period of not more than 2 years, provide stipends to individuals who are awarded fellowships under this subsection (including such allowances for tuition, nonrefundable fees, subsistence and other expenses for such individuals and the dependents of such individuals) as the Secretary may determine to be consistent with prevailing practices.

[(3) The Secretary shall approve an institution of higher education under this subsection if—

[(A) the institution offers a comprehensive program in vocational education with adequate supporting services and dis-

ciplines such as education administration, career guidance and vocational counseling, research and curriculum development; and

[(B) such program is available to individuals receiving fellowships under this subsection so that such individuals receive the same quality of education and training provided for undergraduate students at such institution who are preparing to become vocational education teachers.

[(4) The Secretary shall apportion the fellowships available under this subsection equitably among the States, taking into account such factors as the State's vocational education enrollments, and the need in the State for additional vocational educators, especially minority educators and individuals with skills and experience in teaching individuals of limited English proficiency.

[(5) Individuals receiving fellowships under this subsection shall continue to receive payments provided in paragraph (2) only during such period as such individuals—

[(A) are maintaining satisfactory proficiency;

[(B) are devoting full time to study in the field of vocational education in an institution of higher education; and

[(C) are not engaging in gainful employment other than part-time employment by such institution.

[(6)(A) The Secretary shall, before the beginning of each fiscal year for which amounts are appropriated or otherwise made available to carry out this subsection, publish a listing of—

[(i) the areas of teaching in vocational education in need of additional personnel;

[(ii) the areas of teaching which will likely have need of additional personnel in the future; and

[(iii) areas of teaching in which technological upgrading may be especially critical.

[(B) The listing required by subparagraph (A) shall be based on information from the National Occupational Information Coordinating Committee, State occupational information coordinating committees, the vocational education data system established pursuant to section 421, and other appropriate sources.

[(7) In selecting recipients for fellowships under this subsection, the Secretary shall, to the maximum extent practicable, grant fellowships to individuals seeking to become teachers or improve their skills in the areas identified in the listing required by paragraph (6)(A).

[(d) INTERNSHIPS FOR GIFTED AND TALENTED STUDENTS.—(1) The purpose of this subsection is to provide stipends for internships to meet the need of attracting gifted and talented vocational education students into further study and professional development in the field of vocational education.

[(2)(A) The Secretary shall, from recommendations provided by State directors of vocational education, select gifted and talented students from vocational education secondary and postsecondary programs to work as interns for Federal and State agencies, nationally recognized vocational education associations, or the National Center or Centers for Research in Vocational Education. Each such student shall receive a stipend for the period of the student's internship, which shall not exceed 9 months. Such stipend

shall cover subsistence and other expenses for such individuals and shall be in such amount as the Secretary may determine to be consistent with prevailing practices.

[(B) Each individual selected under this paragraph shall have been recommended as gifted and talented by a vocational educator at the secondary or postsecondary school the student attends.

[(C) Each individual selected under this paragraph shall, during the period of such individual's internship, be provided with professional supervision by an individual qualified and experienced in the field of vocational education at the agency or institution at which the internship is offered.

[SEC. 415. BLUE RIBBON VOCATIONAL EDUCATION PROGRAMS.

[(a) INFORMATION DISSEMINATION.—The Secretary is authorized to disseminate information and exemplary materials regarding effective vocational education.

[(b) STANDARDS OF EXCELLENCE.—(1) The Secretary, in consultation with the National Center or Centers for Research in Vocational Education (in this section referred to as the "National Center or Centers for Research"), the National Diffusion Network, and the Blue Ribbon Schools Program, is authorized to carry out programs to recognize secondary and postsecondary schools or programs which have established standards of excellence in vocational education and which have demonstrated a high level of quality. Such schools and programs shall be known as "Blue Ribbon Vocational Programs". The Secretary shall competitively select schools and programs to be recognized from among public and private schools or programs within the States and schools funded by the Department of the Interior.

[(2) In the case of a private school or vocational education program that is designated as a Blue Ribbon Vocational Education Program, the Secretary shall make suitable arrangements to provide the award to such school.

[(c) AWARDS.—(1) The Secretary, in consultation with the National Center or Centers for Research and the National Occupational Information Coordinating Committee (in this section referred to as the "Committee"), is authorized to designate each fiscal year a category or several categories of vocational education, which may include tech-prep education, in which Blue Ribbon Vocational Education Program awards will be named. Such categories shall emphasize the expansion or strengthening of the participation of individuals who are members of special populations and may give special consideration to any of the following:

[(A) program improvement;

[(B) academic and occupational competencies; and

[(C) other categories determined by the Secretary in consultation with the National Center or Centers for Research and the Committee.

[(2) Within each category, the Secretary shall determine the criteria and procedures for selection. Selection for such awards shall be based solely on merit. Schools or programs selected for awards under this section shall not be required to be representative of the States.

[(d) CONSULTATION.—(1) The Secretary shall carry out the provisions of this section, including the establishment of the selection procedures, after consultation with appropriate outside parties.

[(2) No award may be made under this section unless the local educational agency, area vocational education school, intermediate educational agency, tribal authority, Bureau of Indian Affairs, or appropriate State agency with jurisdiction over the school or program involved submits an application to the Secretary at such time, in such manner and containing such information as the Secretary may reasonably require.

[SEC. 416. DEVELOPMENT OF BUSINESS AND EDUCATION STANDARDS.

[(a) FINDINGS.—The Congress finds that, in order to meet the needs of business for competent entry-level workers who have received a quality vocational education, national standards should be developed for competencies in industries and trades.

[(b) GENERAL AUTHORITY.—(1) The Secretary, in consultation with the Secretary of Labor, is authorized to establish a program of grants to industrial trade associations, labor organizations, or comparable national organizations for purposes of organizing and operating business-labor-education technical committees.

[(2) The committees established with assistance under this section shall propose national standards for competencies in industries and trades. Such standards shall at least include standards for—

[(A) major divisions or specialty areas identified within occupations studied;

[(B) minimum hours of study to be competent in such divisions or specialty areas;

[(C) minimum tools and equipment required in such divisions or specialty areas;

[(D) minimum qualifications for instructional staff; and

[(E) minimum tasks to be included in any course of study purporting to prepare individuals for work in such divisions or specialty areas.

[(c) MATCHING REQUIREMENT.—Each recipient of a grant under this section shall agree to provide for the committee to be established under the grant an amount equal to the amount provided under the grant.

[(d) APPLICATION.—Any industrial trade association, labor organization, national joint apprenticeship committee, or comparable national organization that desires to receive a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

[SEC. 417. EDUCATIONAL PROGRAMS FOR FEDERAL CORRECTIONAL INSTITUTIONS.

[(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to Federal correctional institutions in consortia with educational institutions, community-based organizations of demonstrated effectiveness, or business and industry, to provide education and training for criminal offenders in such institutions.

[(b) USE OF FUNDS.—Grants awarded pursuant to this section may be used for—

[(1) basic education programs with an emphasis on literacy instruction;

[(2) vocational training programs;

[(3) guidance and counseling programs; and

[(4) supportive services for criminal offenders, with special emphasis on the coordination of educational services with agencies furnishing services to criminal offenders after such offenders are released from correctional institutions.

[SEC. 418. DROPOUT PREVENTION.

[(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to partnerships between—

[(1) local educational agencies or area vocational education schools; and

[(2) institutions of higher education or public or private nonprofit organizations which have an established record of vocational education strategies that prevent students from dropping out of school.

[(b) USE OF FUNDS.—Grants awarded under this section shall be used to develop, implement, and operate vocational education programs designed to prevent students from dropping out of school. Such programs shall—

[(1) serve special populations, including significant numbers of economically disadvantaged dropout-prone youth;

[(2) provide inservice training for teachers and administrators in dropout prevention; and

[(3) disseminate information relating to successful dropout prevention strategies and programs through the National Dropout Prevention Network and the Center on Adult, Career and Vocational Education of the Educational Resources Information Clearinghouse.

[(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to partnerships which—

[(1) provide the special support services necessary to help individual students successfully complete the program such as mentoring, basic skills education, and services which address barriers to learning; and

[(2) utilize measures to integrate basic and academic skills instruction with work experience and vocational education.

[SEC. 419. MODEL PROGRAMS OF REGIONAL TRAINING FOR SKILLED TRADES.

[(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to regional model centers which provide—

[(1) training for skilled tradesmen within a region serving several States, and

[(2) technical assistance for programs which train such tradesmen within a region serving several States.

[(b) USE OF FUNDS.—The regional model centers described in subsection (a) shall—

[(1) provide training and career counseling for skilled tradesmen in areas of skill shortages or projected skilled shortages;

[(2) provide prejob and apprenticeship training and career counseling in skilled trades;

[(3) upgrade specialized craft training; and

[(4) improve the access of women, minorities, economically disadvantaged individuals, individuals with handicaps and ex-criminal offenders to trade occupations and training.

[(c) SPECIAL RULE.—In awarding grants under this section, and to the extent practicable, the Secretary shall ensure an equitable distribution of funds available under this section to the various skilled trades.

[SEC. 420. DEMONSTRATION PROJECTS FOR THE INTEGRATION OF VOCATIONAL AND ACADEMIC LEARNING.

[(a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to institutions of higher education, area vocational education schools, local educational agencies, secondary schools funded by the Bureau of Indian Affairs, State boards, public or private nonprofit organizations, or any consortia thereof, to develop, implement and operate programs using different models of curricula which integrate vocational and academic learning by—

[(1) designing integrated curricula and courses;

[(2) providing inservice training for teachers and administrators in integrated curricula; and

[(3) disseminating information regarding effective integrative strategies to other school districts through the National Diffusion Network established under part B of title XIII of the Elementary and Secondary Education Act of 1965.

[(b) REQUIREMENTS RELATING TO GRANT AWARDS.—In awarding grants under this section, the Secretary shall ensure—

[(1) an equitable geographic distribution of funds awarded pursuant to this section;

[(2) that programs supported under this section offer significantly different approaches to integrating curricula;

[(3) that the programs supported under this section serve individuals who are members of special populations;

[(4) that programs supported under this section serve—

[(A) vocational students in secondary schools and at postsecondary institutions;

[(B) individuals enrolled in adult programs; and

[(C) single parents, displaced homemakers, and single pregnant women; and

[(5) that adequate evaluation measures will be employed to measure the effectiveness of the curriculum approaches supported under this section.

[SEC. 420A. COOPERATIVE DEMONSTRATION PROGRAMS.

[(a) PROGRAM AUTHORIZED.—The Secretary is authorized to carry out, directly or through grants to or contracts with State and local educational agencies, postsecondary educational institutions, institutions of higher education, and other public and private agencies, organizations, and institutions, programs and projects which support—

[(1) model programs providing improved access to quality vocational education programs for those individuals described in section 521(31) of this Act and for men and women seeking nontraditional occupations;

[(2) examples of successful cooperation between the private sector and public agencies in vocational education, involving

employers or consortia of employers or labor organizations and building trade councils, and State boards or eligible recipients designed to demonstrate ways in which vocational education and the private sector of the economy can work together effectively to assist vocational education students to attain the advanced level of skills needed to make the transition from school to productive employment, including—

[(A) work experience and apprenticeship programs;

[(B) transitional worksite job training for vocational education students which is related to their occupational goals and closely linked to classroom and laboratory instruction provided by an eligible recipient;

[(C) placement services in occupations which the students are preparing to enter;

[(D) where practical, projects (such as the rehabilitation of public schools or housing in inner cities or economically depressed rural areas) that will benefit the public; and

[(E) employment-based learning programs;

[(3) programs to overcome national skill shortages, as designated by the Secretary in cooperation with the Secretary of Labor, Secretary of Defense, and Secretary of Commerce;

[(4) model programs described in section 312(b)(1), including child growth and development centers;

[(5) grants to community-based organizations in partnerships with local schools, institutions of higher education, and businesses for programs and projects that assist disadvantaged youths in preparing for technical and professional health careers (which partnerships should include in-kind contributions from such schools, institutions, and businesses and involve health professionals serving as preceptors and counselors); and

[(6) model programs providing improved access to vocational education programs through centers to be known as agriculture action centers, which programs shall be operated under regulations developed by the Secretary in consultation with the Secretary of Labor and—

[(A) shall assist—

[(i) individuals who are adversely affected by farm and rural economic downturns;

[(ii) individuals who are dislocated from farming; and

[(iii) individuals who are dislocated from agriculturally-related businesses and industries that are adversely affected by farm and rural economic downturns;

[(B) shall provide services, including—

[(i) crisis management counseling and outreach counseling that would include members of the family of the affected individual;

[(ii) evaluation of vocational skills and counseling on enhancement of such skills;

[(iii) assistance in obtaining training in basic, remedial, and literacy skills;

[(iv) assistance in seeking employment and training in employment-seeking skills; and

[(v) assistance in obtaining training related to operating a business or enterprise;

[(C) shall provide for formal and on-the-job training to the extent practicable; and

[(D) shall be coordinated with activities and discretionary programs conducted under title III of the Job Training Partnership Act.

[(b)(1) Projects described in clause (2) of subsection (a) may include institutional and on-the-job training, supportive services authorized by this Act, and such other necessary assistance as the Secretary determines to be necessary for the successful completion of the project.

[(2) Not less than 25 percent of the cost of the demonstration programs authorized by this subpart shall be provided by the recipient of the grant or contract, and such share may be in the form of cash or in-kind contributions, including facilities, overhead, personnel, and equipment fairly valued.

[(c) All programs assisted under this section shall be—

[(1) of direct service to individuals enrolled in such programs; and

[(2) capable of wide replication by service providers.

[(d) The Secretary shall disseminate the results of the programs and projects assisted under this section in a manner designed to improve the training of teachers, other instructional personnel, counsellors, and administrators who are needed to carry out the purposes of this Act.

[PART C—VOCATIONAL EDUCATION AND OCCUPATIONAL INFORMATION DATA SYSTEMS

[SEC. 421. DATA SYSTEMS AUTHORIZED.

[(a) ESTABLISHMENT OF SYSTEM.—(1) The Secretary shall, directly, or by grant, contract or cooperative agreement, establish a vocational educational data system (in this section referred to as the "system"), using comparative information elements and uniform definitions, to the extent practicable.

[(2) The Secretary shall establish the system not later than the end of the 6-month period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990.

[(3) The National Center for Education Statistics (in this section referred to as the "National Center") shall coordinate the development and implementation of the system.

[(b) FUNCTIONS OF SYSTEM.—Through the system, the Secretary shall collect data and analyze such data in order to provide—

[(1) the Congress with information relevant to policymaking; and

[(2) Federal, State, and local agencies and Tribal agencies with information relevant to program management, administration and effectiveness with respect to education and employment opportunities.

[(c) CONTENTS OF SYSTEM.—(1)(A) The system shall include information—

[(i) describing the major elements of the vocational education system on at least a national basis, including informa-

tion with respect to teachers, administrators, students, facilities, and, to the extent practicable, equipment; and

[(ii) describing the condition of vocational education with respect to the elements described in clause (i).

[(B) The information described in subparagraph (A) shall be provided, to the extent practicable, in the context of other educational data relating to the condition of the overall education system.

[(C) The Secretary, in consultation with the Task Force, the National Center, and the Office of Adult and Vocational Education (in this section referred to as the "Office"), shall modify existing general purpose and program data systems to ensure that an appropriate vocational education component is included in the design, implementation and reporting of such systems in order to fulfill the information requirements of this section.

[(2) The information system shall include data reflecting the extent of participation of the following populations:

[(A) women;

[(B) Indians;

[(C) individuals with handicaps;

[(D) individuals of limited English proficiency;

[(E) economically disadvantaged students (including information on students in rural and urban areas);

[(F) adults who are in need of training and retraining;

[(G) single parents;

[(H) youths incarcerated in juvenile detention or correctional facilities or criminal offenders who are serving time in correctional institutions;

[(I) individuals who participate in programs designed to eliminate gender bias and sex stereotyping in vocational education;

[(J) minorities; and

[(K) displaced homemakers.

[(3) The Secretary, in consultation with the National Center and the Office, shall maintain and update the system at least every 3 years and assure the system provides the highest quality statistics and is adequate to meet the information needs of this Act. In carrying out the requirements of this paragraph, the Secretary shall ensure that appropriate methodologies are used in assessments of students of limited English proficiency and students with handicaps to ensure valid and reliable comparisons with the general student population and across program areas. With respect to standardized tests and assessments administered under this Act, test results shall be used as 1 of multiple independent indicators in assessment of performance and achievement.

[(d) ASSESSMENT OF INTERNATIONAL COMPETITIVENESS.—The Center shall carry out an assessment of data availability and adequacy with respect to international competitiveness in vocational skills. To the extent practicable, the assessment shall include comparative policy-relevant data on vocational education in nations which are major trade partners of the United States. The assessment shall at a minimum identify available internationally comparative data on vocational education and options for obtaining and upgrading such data. The results of the assessment required by

this paragraph shall be reported to the appropriate committees of the Congress not later than August 31, 1994.

[(e) USE OF AND COMPATIBILITY WITH OTHER DATA COLLECTION SYSTEMS.—(1) In establishing, maintaining, and updating the system, the Secretary shall—

[(A) use existing data collection systems operated by the Secretary and, to the extent appropriate, data collection systems operated by other Federal agencies;

[(B) conduct additional data collection efforts to augment the data collection systems described in subparagraph (A) by providing information necessary for policy analysis required by this section; and

[(C) use any independent data collection efforts that are complementary to the data collection efforts described in subparagraphs (A) and (B).

[(2) In carrying out the responsibilities imposed by this part, the Secretary shall cooperate with the Secretary of Commerce, the Secretary of Labor, and the National Occupational Information Coordinating Committee established under section 422 with respect to the development of an information system under section 463 of the Job Training Partnership Act to ensure that the information system operated under this section is compatible with and complementary to other occupational supply and demand information systems developed or maintained with Federal assistance. The Secretary shall also ensure that the system allows international comparisons to the extent feasible.

[(3) The Secretary shall assure that the system, to the extent practicable, uses data definitions common to State plans, performance standards, local applications and evaluations required by this Act. The data in the system shall be available for use in preparing such plans, standards, applications, and evaluations.

[(f) REPORTS.—The Secretary shall report to the Congress at least biennially with respect to—

[(1) the performance of the system established under subsection (a); and

[(2) strategies to improve the system and expand its implementation.

[(g) VOCATIONAL EDUCATION ADVISORY TASK FORCE.—(1) The Secretary, in consultation with the National Center and the Office shall establish a Vocational Education Advisory Task Force.

[(2) The Secretary shall establish the Task Force before the expiration of the 90-day period beginning on the date of the enactment of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, and shall terminate upon the expiration of the 2-year period beginning on such date.

[(3) The Task Force shall advise the Secretary on the development and implementation of an information reporting and accounting system responsive to the diverse programs supported by this Act.

[(4) The membership of the Task Force shall be representative of Federal, State, and local agencies and Tribal agencies affected by technological information, representatives of secondary and vocational postsecondary educational institutions, representatives of vocational student organizations, representatives of special popu-

lations, representatives of adult training programs funded under this Act, and representatives of apprenticeships, business, and industry.

[(5) The National Center shall provide the Task Force with staff for the purpose of carrying out its functions.

[(h)(1) ASSESSMENT OF EDUCATIONAL PROGRESS ACTIVITIES.—As a regular part of its assessments, the National Assessment of Educational Progress shall collect and report information for at least a nationally representative subsample of vocational education students, including students who are members of special populations, which shall allow for fair and accurate assessment and comparison of the educational achievement of vocational education students and other students in the areas assessed. Such assessment may include international comparisons.

[(2)(A) Notwithstanding any provision of section 406 of the General Education Provisions Act, the Commissioner of Education Statistics may authorize a State educational agency or a consortium of such agencies to use items and data from the National Assessment of Educational Progress for the purpose of evaluating a course of study related to vocational education, if the Commissioner has determined, in writing, that such use will not—

[(i) result in the identification of characteristics or performance of individual students or schools;

[(ii) result in the ranking or comparing of schools or local educational agencies;

[(iii) be used to evaluate the performance of teachers, principals, or other local educators for the purpose of dispensing rewards or punishments; or

[(iv) corrupt or harm the use and value of data collected for the National Assessment of Educational Progress.

[(B) Not later than 60 days after making an authorization under subsection (a), the Commissioner shall submit to the Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate, a report which contains—

[(i) a copy of the request for such authorization;

[(ii) a copy of the written determination under subsection (a); and

[(iii) a description of the details and duration of such authorization.

[(C) The Commissioner may not grant more than one such authorization in any fiscal year and shall ensure that the authorized use of items or data from the National Assessment is evaluated for technical merit and for its affect on the National Assessment of Educational Progress. The results of such evaluations shall be promptly reported to the committees specified in subparagraph (B).

[NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

[SEC. 422. (a) There is established a National Occupational Information Coordinating Committee (in this section referred to as the "Committee") which shall consist of the Assistant Secretary for Vocational and Adult Education, the Commissioner of the Rehabilitative Services Administration, the Director of the Office of Bilingual Education and Minority Language Affairs, the Assistant Sec-

retary for Postsecondary Education, and the Administrator of the National Center for Education Statistics of the Department of Education, the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training of the Department of Labor, the Undersecretary for Small Community and Rural Development of the Department of Agriculture, the Assistant Secretary for Economic Development of the Department of Commerce, and the Assistant Secretary of Defense (Force Management and Personnel). The Committee, with funds available to it under section 451, shall provide funds, on an annual basis, to State occupational information coordinating committees and to eligible recipients and shall—

[(1) in the use of program data and employment data, improve coordination and communication among administrators and planners of programs authorized by this Act and by the Job Training Partnership Act, employment security agency administrators, research personnel, and personnel of employment and training planning and administering agencies (including apprenticeship training agencies) at the Federal, State, and local levels;

[(2) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of vocational education programs and employment and training programs (including postsecondary employment and training programs) at the national, State, and local levels, which system shall include data on occupational demand and supply based on uniform definitions, standardized estimating procedures, and standardized occupational classifications, including regularly updated data on employment demand for agribusiness;

[(3) conduct studies to improve the quality and delivery of occupational information systems to assist economic development activities, and examine the effects of technological change on new and existing occupational areas and the required changes in knowledge and job skills;

[(4) continue training, technical assistance activities to support comprehensive career guidance, and vocational counseling programs designed to promote improved career decisionmaking by individuals (especially in areas of career information delivery and use);

[(5) coordinate the efforts of Federal, State, and local agencies and Tribal agencies with respect to such programs; and

[(6) assist State occupational information coordinating committees established pursuant to subsection (b).

[(b) Each State receiving assistance under this Act shall establish a State occupational information coordinating committee composed of representatives of the State board, the State employment security agency, the State economic development agency, the State job training coordinating council, the State board or agency governing higher education, and the agency administering the vocational rehabilitation program. Such committee shall, with funds available to it from the National Occupational Information Coordinating Committee established pursuant to subsection (a)—

[(1) implement an occupational information system in the State which will meet the common needs for the planning for,

and the operation of, programs of the State board assisted under this Act, of the administering agencies under the Job Training Partnership Act and of the State board or agency governing higher education; and

[(2) use the occupational information system to implement a career information delivery system.

[(c)(1)(A) The Committee, in consultation with the National Center or Centers for Research in Vocational Education, appropriate Federal agencies, and the States, shall establish a demonstration program to monitor educational outcomes for vocational education using wage and other records. The Committee shall develop procedures for establishing and maintaining nationally accessible information on a sample of wage and earning records maintained by States on earnings, establishment and industry affiliation and geographical location, and on educational activities. This information shall be collected on at least an annual basis. The program shall ensure that a scientific sample of vocational education students and nonvocational education students, local educational agencies, and States participate in the program. The Committee shall maintain, analyze, and report data collected under the program and shall provide technical assistance to States, local educational agencies, and others that wish to participate in the study.

[(B)(i) Participation in the program described in subparagraph (A) shall be voluntary. The Committee shall enter into an agreement with any State which desires to carry out a study for the State under this subsection. Each such agreement shall contain provisions designed to assure—

[(I) that the State will participate in the study;

[(II) that the State will pay from non-Federal sources the non-Federal share of participation; and

[(III) that the State agrees to the terms and conditions specified in this section.

[(ii) For each fiscal year, the non-Federal share for the purpose of this program shall be the cost of conducting the study in the State, including the cost of administering the assessment for the State sample and the cost of coordination within the State.

[(2) The program shall provide for an independent evaluation conducted by the Office of Technology Assessment of the Congress to assess the validity, fairness, accuracy, and utility of the data it produces. The report shall also describe the technical problems encountered and a description of what was learned about how to best implement and utilize data from the program.

[(3) The provision of wage and other records to the Committee by a State employment security agency shall be voluntary and pursuant to an agreement between the Committee and the agency. Such agreement shall take into consideration issues such as—

[(A) reimbursing the State employment security agency for the costs to the agency of providing the information; and

[(B) compliance with safeguards established by the State employment security agency and determined by the Secretary of Labor to be appropriate to ensure that the information disclosed to the Committee is used only for the purposes of this subsection.

[(4) The Executive Director of the Committee, in consultation with the Secretary, shall ensure that all personally identifiable information about students, their educational performance and their families and information with respect to individual schools shall remain confidential in accordance with the provisions of section 552 of title 5, United States Code. The data gathered under this subsection shall not be used to rank, compare, or otherwise evaluate individual students or individual schools. No individual may be included in the program without that individual's written consent. At least once every 3 years the Secretary shall remind participants in writing of their inclusion in the program.

[(d) DATA COLLECTION SYSTEM.—In the development and design of a system to provide data on graduation or completion rates, job placement rates from occupationally specific programs, licensing rates, and awards of high school graduate equivalency diplomas (GED), each State board for higher education shall develop a data collection system the results of which can be integrated into the occupational information system developed under this section.

[(e) Of amounts reserved under section 451(a)(3)(A) to carry out the provisions of this section, the Committee shall use—

[(1) to support State occupational information coordinating committees for the purpose of operating State occupational information systems and career information delivery systems, the greater of—

[(A) an amount equal to the aggregate amount appropriated or otherwise made available for that purpose for the fiscal year 1990; or

[(B) an amount equal to 75 percent of the aggregate amount appropriated or otherwise made available to carry out this section; and

[(2) for purposes of carrying out subsection (c)—

[(A) an amount equal to not less than 10 percent of the amounts available to carry out this section; or

[(B) if the amount remaining after carrying out paragraph (1) is insufficient to provide the amount described in subparagraph (A), such remaining amount.

[SEC. 423. INFORMATION BASE FOR VOCATIONAL EDUCATION DATA SYSTEM.

[(a) INFORMATION RELATING TO STUDENTS WITH HANDICAPS.—(1) The Secretary shall ensure that adequate information on access to vocational education by secondary school students with handicaps is maintained in the data system established under section 421.

[(2) The system shall include detailed information obtained through scientific sample surveys concerning—

[(A) types of programs available; and

[(B) enrollment of students with handicaps by—

[(i) type of program;

[(ii) type of instructional setting; and

[(iii) type of handicap.

[(3)(A) The General Accounting Office shall conduct a 3-year study, using representative samples, of the effects of the amendments made by title II of the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1990 on the access to and participation in vocational education of disadvantaged stu-

dents, students with handicaps, students of limited English proficiency, and, to the extent practicable, foster children.

[(B) The study shall include consideration of issues such as—

[(i) the proportion of students described in paragraph (1) who are enrolled in vocational education programs during the first 3 program years to which the amendments made by the Carl D. Perkins Vocational and Applied Technology Education Amendments Act of 1990 apply compared to the program year preceding such years;

[(ii) the number of such students who enroll in vocational education programs for the first time during the period of study;

[(iii) the number of such students who participate in vocational education programs that lead to an occupational skill or job placement;

[(iv) the extent to which academics are incorporated with vocational education courses;

[(v) the manner in which vocational education programs have addressed special needs of such students for supportive services, material, and equipment;

[(vi) the comparability of vocational education services provided to such students with vocational education services provided to students who are not members of special populations; and

[(vii) in the case of students with handicaps—

[(I) the types and severity of handicaps of such students who enroll in vocational education programs;

[(II) the extent to which such students participate in the same vocational education programs as students who do not have handicaps;

[(III) the number of such students with individualized education programs developed under section 614(a)(5) of the Individuals with Disabilities Education Act who have individualized education programs that include vocational education programs;

[(IV) the extent to which special personnel such as special education personnel or vocational rehabilitation personnel assist in the selection and provision of vocational education programs with respect to such students;

[(V) the extent to which such students and their parents are involved in selecting vocational education courses and programs;

[(VI) the number of such students who have returned to secondary vocational education programs after dropping out of or formally exiting the local educational system; and

[(VII) the ages of such students.

[(C) In conducting the study required by this subsection, the General Accounting Office may consider and include information from other sources to address or augment the issues considered in the study.

[(4) The General Accounting Office shall submit to the appropriate committees of the Congress a report describing the results of the study conducted as required by this subsection not later than July 1, 1995.

[(b) INFORMATION RELATING TO STUDENTS WHO HAVE COMPLETED SECONDARY SCHOOL.—(1) To carry out the provisions of this section, in accordance with the provisions of section 3 of the Technology Assessment Act of 1972, the Office of Technology Assessment shall conduct an assessment of a sample of tests designed to be administered to students who have completed secondary school to assess the level of technical knowledge relating to broad technical fields possessed by such students. The assessment shall include at least—

[(A) an assessment of the quality, validity, reliability, and predictive capability of widely used vocational aptitude and competency tests and assessments, with particular attention to—

[(i) the use of such assessments with respect to students who are members of special populations; and

[(ii) patterns of actual usage with respect to entry into vocational education programs, promotion within such programs, completion of such programs, and placement in appropriate positions;

[(B) identification of trends in such tests and assessments, including any relationship to vocational education curricula; and

[(C) identification of policy options for—

[(i) strengthening development and quality of such tests and assessments to ensure that such tests and assessments are conducted in an impartial manner that does not penalize students on the basis of race, sex, or economic background; and

[(ii) means of sustaining competition in the development of such tests and assessments.

[(2) The results of the study required by paragraph (1) shall be reported to the appropriate committees of the Congress not later than September 30, 1994.

[SEC. 424. MISCELLANEOUS PROVISIONS.

[(a) COLLECTION OF INFORMATION AT REASONABLE COST.—The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this part. To ensure reasonable cost, the Secretary, in consultation with the Vocational Education Task Force, the National Center for Education Statistics, the Office of Vocational and Adult Education, and the National Occupational Information Coordinating Committee shall determine the methodology to be used and the frequency with which information is to be collected.

[(b) COOPERATION OF STATES.—All States receiving assistance under this Act shall cooperate with the Secretary in implementing the information systems developed pursuant to this part.

[PART E—BILINGUAL VOCATIONAL TRAINING

[PROGRAM AUTHORIZED

[SEC. 441. (a)(1) From the sums made available to carry out this section in each fiscal year under section 3(d), the Secretary is authorized to make grants to and to enter into contracts with appropriate State agencies, local educational agencies, postsecondary

educational institutions, private nonprofit vocational training institutions, and other nonprofit organizations specially created to serve individuals who normally use a language other than English, for bilingual vocational education and training for individuals with limited English proficiency to prepare such individuals for jobs in recognized occupations and new and emerging occupations. Such training shall include instruction in the English language to ensure that participants in such training will be equipped to pursue such occupations in an English language environment. The Secretary may also enter into contracts with private for-profit agencies and organizations for bilingual vocational education and training programs.

[(2) Grants and contracts under this subsection may be used for—

[(A) bilingual vocational training programs for individuals who have completed or left elementary or secondary school and who are available for education in a postsecondary educational institution;

[(B) bilingual vocational education and training programs for individuals who have already entered the labor market and who desire or need training or retraining to achieve year-round employment, adjust to changing manpower needs, expand their range of skills, or advance in employment; and

[(C) training allowances for participants in bilingual vocational training programs.

[(b)(1) From the sums made available to carry out this section, the Secretary is authorized to make grants to and to enter into contracts with State agencies and public and private nonprofit educational institutions and to enter into contracts with private for-profit educational institutions to assist such entities in conducting training for instructors of bilingual vocational education and training programs.

[(2) Grants and contracts under this subsection may be used for—

[(A) preservice and inservice training for instructors, aides, counselors, or other ancillary personnel participating or preparing to participate in bilingual vocational training programs; and

[(B) fellowships and traineeships for individuals participating in preservice or inservice training.

[(3) The Secretary may not make a grant or enter into a contract under this subsection unless the Secretary determines that the applicant has an ongoing vocational training program in the field in which participants will be trained and can provide instructors with adequate language capabilities in the language other than English to be used in the program.

[(c)(1) From the sums made available to carry out this section, the Secretary is authorized to make grants to and to enter into contracts with State agencies, educational institutions, and appropriate nonprofit organizations, and to enter into contracts with private for-profit organizations and individuals, to assist in the development of instructional and curriculum materials, methods, or techniques for bilingual vocational training.

[(2) Grants and contracts under this subsection may be used for—

[(A) research in bilingual vocational training;

[(B) training programs to familiarize State agencies and training institutions with research findings and with successful pilot and demonstration projects in bilingual vocational education and training; and

[(C) experimental, developmental, pilot, and demonstration projects.

[(d)(1) Any eligible entity which desires to receive a grant from the Secretary under subsection (a), (b), or (c) shall submit an application to the Secretary in such form, at such times, and accompanied by such information as the Secretary may require. Such application shall provide that the activities and services for which assistance is sought will be administered by or under the supervision of the applicant.

[(2) An application pursuant to subsection (a) shall (A) set forth a program of such size, scope, and design as will make a substantial contribution toward carrying out the purposes of this section, and (B) be submitted to the State board or agency under section 111 for review and comment. Any such comments shall be included for submission to the Secretary.

[(3) An application pursuant to subsection (c) shall set forth the qualifications of staff responsible for any such program.

[(4) An application pursuant to subsection (b) shall—

[(A) describe the capabilities of the applicant (including vocational training or education courses offered by the applicant, accreditation, and any certification of courses by appropriate State agencies);

[(B) describe the qualifications of principal staff responsible for any program under subsection (b); and

[(C) describe minimum qualifications for individuals participating or to participate in any program, describe the selection process for such individuals, and the projected amount of the fellowships or traineeships, if any.

[(5) Prior to making grants or contracts under subsection (a) or (b), the Secretary shall consult with the State board under section 111 to ensure an equitable distribution of assistance among populations of individuals with limited English proficiency within the State.

[(6) The Secretary may approve an application for assistance under this section only if the application meets the requirements set forth under this section. An amendment to an application shall, except as the Secretary may otherwise provide, be subject to approval in the same manner as the initial application.

[(e)(1) The Secretary shall administer programs under this section in consultation with the Secretary of Labor.

[(2) Programs of bilingual vocational education and training under this section in the Commonwealth of Puerto Rico may provide for the needs of students of limited Spanish proficiency.

[(3) The Secretary of Education, in consultation with the Secretary of Labor, shall gather and disseminate information concerning the status of bilingual vocational education in all geographic regions and shall evaluate the impact of bilingual vocational edu-

cation on occupational shortages of skilled workers, the unemployment or underemployment of individuals with limited English proficiency, and the ability of such individuals to acquire sufficient job skills and English language skills to fully contribute to the economy.

[(f)(1) For each fiscal year, not less than 75 per centum of sums appropriated for the purposes of this section shall be available only for grants and contracts under subsection (a).

[(2) For each fiscal year, not less than 15 per centum of the sums appropriated for the purposes of this section shall be available only for grants and contracts under subsection (b).

[(3) For each fiscal year, not less than 10 per centum of sums appropriated for the purposes of this section shall be available only for grants and contracts under subsection (c).

[PART F—GENERAL PROVISIONS

[SEC. 451. DISTRIBUTION OF ASSISTANCE.

[(a) IN GENERAL.—Subject to the provisions of subsection (b) and section 504, of the amounts available pursuant to section 3(e)(1) for any fiscal year for this title—

[(1) 30 percent shall be available for part A, relating to research and development, of which 90 percent shall be available for section 404, relating to the National Center or Centers;

[(2) 30 percent shall be available for part B, relating to demonstration programs; and

[(3) 40 percent shall be available for part C, relating to vocational education and occupational information data systems, of which not less than—

[(A) 22 percent of the total amount appropriated pursuant to the authority of section 3(e) shall be available to carry out section 422, relating to the National Occupational Information Coordinating Committee;

[(B) 8 percent shall be available to carry out the provisions of section 421, relating to data systems; and

[(C) 10 percent shall be available to carry out the provisions of section 402(c), relating to the National Network for Curriculum Coordination.

[(b) HOLD HARMLESS.—Notwithstanding the provisions of subsection (a), the amounts available to carry out the activities described in subsection (a)(1) and in subsections (a)(3)(A) and (a)(3)(C) shall be at least equal to the amounts made available for such activities in the fiscal year 1990.

[TITLE V—GENERAL PROVISIONS

[PART A—FEDERAL ADMINISTRATIVE PROVISIONS

[PAYMENTS

[SEC. 501. (a) The Secretary shall pay from its allotment under section 101 to each State for any fiscal year for which the State has a State plan approved in accordance with section 114 (including any amendment to such plan) the Federal share of the costs of carrying out the State plan.

[(b) The Secretary shall pay to each State council of a State which has a State plan approved in accordance with section 114, from its allotment under section 112(f), an amount equal to the reasonable amounts expended by the State council in carrying out its functions under this Act in such fiscal year.

[MAINTENANCE OF EFFORT

[SEC. 502. (a) No payments shall be made under this Act for any fiscal year to a State unless the Secretary determines that the fiscal effort per student or the aggregate expenditures of such State for vocational education for the fiscal year preceding the fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for vocational education for the second preceding fiscal year.

[(b) The Secretary may waive the requirements of this section (with respect to not more than 5 percent of expenditures by any State educational agency) for one fiscal year only, upon making a determination that such waiver would be equitable due to exceptional or uncontrollable circumstances affecting the ability of the applicant to meet such requirements, such as a natural disaster or an unforeseen and precipitous decline in financial resources. No level of funding permitted under such a waiver may be used as the basis for computing the fiscal effort required under this section for years subsequent to the year covered by such waiver; such fiscal effort shall be computed on the basis of the level of funding which would, but for such waiver, have been required.

[AUTHORITY TO MAKE PAYMENTS

[SEC. 503. Any authority to make payments or to enter into contracts under this Act shall be available only to such extent or in such amounts as are provided in advance appropriation Acts.

[SEC. 504. REGIONAL MEETINGS AND NEGOTIATED RULEMAKING.

[(a) IN GENERAL.—(1) The Secretary shall convene regional meetings to obtain public involvement in the development of proposed regulations under the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990. Such meetings shall include individuals and representatives of groups involved in vocational education programs under this Act, such as Federal, State, tribal and local administrators, parents, teachers, members of local boards of education and special populations.

[(2) During each meeting described in paragraph (1), the Secretary shall provide for a comprehensive discussion and exchange of information on at least 4 key issues, selected by the Secretary, concerning implementation of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990. The Secretary shall take into account information received at such meetings in the development of proposed regulations, and shall publish a summary of such information in the Federal Register together with such proposed regulations.

[(b) DRAFT REGULATIONS.—After holding regional meetings and before publishing proposed regulations in the Federal Register, the Secretary shall prepare draft regulations under this Act and submit regulations on at least 2 key issues to a negotiated rulemaking

process. The Secretary shall follow the guidance provided in the Administrative Conference of the United States in Recommendation 82–4 and 85–5, "Procedures for Negotiating Proposed Regulations" (1 C.F.R. 305.82–4 and 85–5) and any successor recommendation, regulation, or law. Participants in the negotiation process shall be chosen by the Secretary from among participants in the regional meetings, representing the groups described in subsection (a)(1) and all geographic regions. At least 10 participants, 1 from each of the regions served by a regional office established pursuant to section 416 of the Department of Education Organization Act, representing the groups described in subsection (a)(1), shall be chosen under the preceding sentence. The negotiation process shall be conducted in a timely manner in order that final regulations may be issued by the Secretary within the 360-day period required by section 437(e) of the General Education Provisions Act.

[(c) SPECIAL RULE.—If a regulation must be issued within a very limited time period to assist States and eligible recipients with the operation of a program under this Act, the Secretary may issue a regulation without fulfilling the requirements of subsections (a) and (b), but shall immediately convene regional meetings to review the regulation before such regulation is issued in final form.

[(d) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act shall not apply to activities carried out under this section.

[(e) RESERVATION OF AMOUNTS.—For the fiscal year 1991, the Secretary may reserve for purposes of carrying out subsection (b) not more than $300,000 from amounts made available under section 3(e).

[SEC. 505. REQUIREMENTS RELATING TO REPORTS, PLANS, AND REGULATIONS.

[The General Accounting Office shall, upon the request of any Member of the Congress—

[(1) investigate the circumstances of any failure by the Secretary to submit any report or research finding or issue any regulation required by this Act by the time specified in the provision of this Act requiring the submission of such report or research finding or issuance of such regulation; and

[(2) submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report containing the results of any investigation conducted pursuant to paragraph (1), including an identification of the cause of delay and of the office or offices of the Department of Education or of the Office of Management and Budget responsible for the delay.

[SEC. 506. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS.

[Nothing in this Act shall be construed to be inconsistent with appropriate Federal laws guaranteeing civil rights.

[SEC. 507. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.

[(a) ATTENDANCE COSTS NOT TREATED AS INCOME OR RESOURCES.—The portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection (b) shall not be considered as income or re-

sources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.

[(b) ATTENDANCE COSTS.—The attendance costs described in this subsection are—

[(1) tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and

[(2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

[SEC. 508. FEDERAL MONITORING.

[The Secretary shall make every effort to provide adequate monitoring of compliance by recipients of assistance under this Act with the provisions of this Act. Such monitoring activities shall be developed by the Secretary in consultation with parents, students, and advocacy organizations, and shall—

[(1) consider items such as whether the provisions of the State plan are being fully implemented;

[(2) consider items such as whether the State board's monitoring of local recipients of assistance under this Act is adequate to assure full compliance with the provisions of this Act by such recipients;

[(3) consider items such as whether the State-level coordinators for individuals who are members of special populations are able to review the local plans for serving such individuals;

[(4) consider items such as whether the other State responsibilities under this Act are being implemented; and

[(5) provide for input from students, parents, teachers, and special populations in the States.

[PART B—STATE ADMINISTRATIVE PROVISIONS

[SEC. 511. JOINT FUNDING.

[(a) GENERAL AUTHORITY.—Funds made available to States under this Act may be used to provide additional funds under an applicable program if—

[(1) such program otherwise meets the requirements of this Act and the requirements of the applicable program;

[(2) such program serves the same individuals that are served under this Act;

[(3) such program provides services in a coordinated manner with services provided under this Act; and

[(4) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

[(b) APPLICABLE PROGRAMS.—For the purposes of this section, the term "applicable program" means any program under any of the following provisions of law:

[(1) Section 123, title II, and title III of the Job Training Partnership Act.

[(2) The Wagner-Peyser Act.

[(c) ISSUANCE OF REGULATIONS.—Notwithstanding the provisions of section 504, the Secretary shall develop regulations to be issued under this section in consultation with the Secretary of Labor.

[(d) USE OF FUNDS AS MATCHING FUNDS.—For the purposes of this section, the term "additional funds" includes the use of funds as matching funds.

[SEC. 512. REVIEW OF REGULATIONS.

[(a) ESTABLISHMENT OF REVIEW COMMITTEE.—Except as provided in subsection (b), before any State publishes any proposed or final State rule or regulation pursuant to this Act, the State shall establish and convene a State Committee of Practitioners (in this section referred to as the "Committee") for the purpose of reviewing such rule or regulation. The Committee shall be selected from nominees solicited from State organizations representing school administrators, teachers, parents, members of local boards of education, and appropriate representatives of institutions of higher education. The Committee shall consist of—

[(1) representatives of local educational agencies, who shall constitute a majority of the members of the Committee;

[(2) school administrators;

[(3) teachers;

[(4) parents;

[(5) members of local boards of education;

[(6) representatives of institutions of higher education; and

[(7) students.

[(b) LIMITED EXCEPTION.—In an emergency, where a regulation must be issued within a very limited time period to assist eligible recipients with the operation of a program, the State may issue a regulation without fulfilling the requirements of subsection (a), but shall immediately convene the Committee to review the regulation before it is issued in final form.

[SEC. 513. IDENTIFICATION OF STATE-IMPOSED REQUIREMENTS.

[Any State rule or policy imposed on the administration or operation of programs funded by this Act, including any rule or policy based on State interpretation of any Federal law, regulation, or guideline, shall be identified as a State imposed requirement.

[SEC. 514. PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.

[No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from 1 State to another State if such relocation would result in a reduction in the number of jobs available in the State where the business enterprise is located before such incentives or inducements are offered.

[SEC. 515. STATE ADMINISTRATIVE COSTS.

[For each fiscal year for which a State receives assistance under this Act, the State shall provide from non-Federal sources for costs the State incurs for administration of programs under this Act an amount that is not less than the amount provided by the State from non-Federal sources for such costs for the preceding fiscal year.

[SEC. 516. ADDITIONAL ADMINISTRATIVE PROVISIONS.

[(a) IN GENERAL.—(1)(A) Funds made available under title II shall be used to supplement, and to the extent practicable increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses specified in the application, and in no case supplant such State or local funds.

[(B) Notwithstanding subparagraph (A), funds made available under title II may be used to pay for the costs of vocational education services required in an individualized education plan developed pursuant to sections 612(4) and 614(a)(5) of the Individuals with Disabilities Education Act, in a manner consistent with section 614(a)(1) of such Act, and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to vocational education.

[(2) No State shall take into consideration payments under this Act in determining, for any educational agency or institution in that State, the eligibility for State aid, or the amount of State aid, with respect to public education within the State.

[(b) LIMITATION.—Any project assisted with funds made available under title II shall be of sufficient size, scope, and quality to give reasonable promise of meeting the vocational education needs of the students involved in the project.

[(c) PERMISSIBLE SERVICES AND ACTIVITIES.—(1) Vocational education services and activities authorized in title II may include work-site programs such as cooperative vocational education, programs with community-based organizations, work-study, and apprenticeship programs.

[(2) Vocational education services and activities described in title II may include placement services for students who have successfully completed vocational education programs.

[(3) Vocational education services and activities described in title II may include programs which involve students in addressing the needs of the community in the production of goods or services which contribute to the community's welfare or which involve the students with other community development planning, institutions, and enterprises.

[(d) ACADEMIC CREDIT.—Each State board receiving financial assistance under title II may consider granting academic credit for vocational education courses which integrate core academic competencies.

[PART C—DEFINITIONS

[SEC. 521. DEFINITIONS.

[As used in this Act:

[(1) The term "administration" means activities of a State necessary for the proper and efficient performance of its duties under this Act, including supervision, but does not include curriculum development activities, personnel development, or research activities.

[(2) The term "all aspects of the industry" means strong experience in, and understanding of, all aspects of the industry the students are preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology, labor issues, and health and safety.

[(3) The term "apprenticeship training program" means a program registered with the Department of Labor or the State apprenticeship agency in accordance with the Act of August 16, 1937, commonly known as the National Apprenticeship Act, which is conducted or sponsored by an employer, a group of employers, or a joint apprenticeship committee representing both employers and a union, and which contains all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices.

[(4) The term "area vocational education school" means—

[(A) a specialized high school used exclusively or principally for the provision of vocational education to individuals who are available for study in preparation for entering the labor market;

[(B) the department of a high school exclusively or principally used for providing vocational education in not less than 5 different occupational fields to individuals who are available for study in preparation for entering the labor market;

[(C) a technical institute or vocational school used exclusively or principally for the provision of vocational education to individuals who have completed or left high school and who are available for study in preparation for entering the labor market; or

[(D) the department or division of a junior college, community college or university operating under the policies of the State board and which provides vocational education in not less than 5 different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if, in the case of a school, department, or division described in subparagraph (C) or this subparagraph, it admits as regular students both individuals who have completed high school and individuals who have left high school.

[(5) The term "career guidance and counseling" means programs—

[(A) which pertain to the body of subject matter and related techniques and methods organized for the development in individuals of career awareness, career planning, career decisionmaking, placement skills, and knowledge and understanding of local, State, and national occupational, educational, and labor market needs, trends, and opportunities; and

[(B) which assist such individuals in making and implementing informed educational and occupational choices.

[(6) The term "community-based organization" means any such organization of demonstrated effectiveness described in section 4(5) of the Job Training Partnership Act.

[(7) The term "construction" includes construction of new buildings and acquisition, and expansion, remodeling, and alternation of existing buildings, and includes site grading and improvement and architect fees.

[(8) The term "cooperative education" means a method of instruction of vocational education for individuals who, through

written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field. Such alternation shall be planned and supervised by the school and employers so that each contributes to the student's education and to his or her employability. Work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

[(9) The term "criminal offender" means any individual who is charged with or convicted of any criminal offense, including a youth offender or a juvenile offender.

[(10) The term "correctional institution" means any—

[(A) prison,

[(B) jail,

[(C) reformatory,

[(D) work farm,

[(E) detention center, or

[(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

[(11) The term "Council" means the National Council on Vocational Education.

[(12) The term "curriculum materials" means instructional and related or supportive material, including materials using advanced learning technology, in any occupational field which is designed to strengthen the academic foundation and prepare individuals for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field, and appropriate counseling and guidance material.

[(13) The term "disadvantaged" means individuals (other than individuals with handicaps) who have economic or academic disadvantages and who require special services and assistance in order to enable such individuals to succeed in vocational education programs. Such term includes individuals who are members of economically disadvantaged families, migrants, individuals of limited English proficiency and individuals who are dropouts from, or who are identified as potential dropouts from, secondary school.

[(14) The term "displaced homemaker" means an individual who—

[(A) is an adult; and

[(B)(i) has worked as an adult primarily without remuneration to care for the home and family, and for that reason has diminished marketable skills;

[(ii) has been dependent on public assistance or on the income of a relative but is no longer supported by such income;

[(iii) is a parent whose youngest dependent child will become ineligible to receive assistance under the State program funded under part A of title IV of the Social Security Act within 2 years of the parent's application for assistance under this Act; or

[(iv) is unemployed or underemployed and is experiencing difficulty in obtaining any employment or suitable employment, as appropriate, or

[(C) is described in subparagraph (A) or (B) and is a criminal offender.

The Secretary may not prescribe the manner in which the States will comply with the application of the definition contained in this paragraph.

[(15) The term "economically disadvantaged family or individual" means such families or individuals who are determined by the Secretary to be low-income according to the latest available data from the Department of Commerce.

[(16) Except as otherwise provided, the term "eligible recipient" means a local educational agency, an area vocational education school, an intermediate educational agency, a postsecondary educational institution, a State corrections educational agency, or an eligible institution (as such term is defined in section 232(d)(1)).

[(17) The term "general occupational skills" means experience in and understanding of all aspects of the industry the student is preparing to enter, including planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, and health, safety, and environmental issues.

[(18) The term "high technology" means state-of-the-art computer, microelectronic, hydraulic, pneumatic, laser, nuclear, chemical, telecommunication, and other technologies being used to enhance productivity in manufacturing, communication, transportation, agriculture, mining, energy, commercial, and similar economic activity, and to improve the provision of health care.

[(19) The term "individual with handicaps" means any individual who is an individual with any disability (as defined in section 3(2) of the Americans With Disabilities Act of 1990).

[(20) The term "intermediate educational agency" means a combination of school districts or counties (as defined in section 14101 of the Elementary and Secondary Education Act of 1965) as are recognized in a State as an administrative agency for such State's vocational or technical education schools or for vocational programs within its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction over a public elementary or secondary school.

[(21) The term "limited English proficiency" has the meaning given such term in section 7004(a) of the Elementary and Secondary Education Act of 1965.

[(22) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program. For the pur-

poses of sections 114, 115, 116, 117, and 240, such term shall include a State corrections educational agency.

[(23) The term "postsecondary educational institution" means an institution legally authorized to provide postsecondary education within a State, a Bureau of Indian Affairs controlled postsecondary institution, or any postsecondary educational institution operated by or on behalf of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934.

[(24) The term "preparatory services" means services, programs, or activities designed to assist individuals who are not enrolled in vocational education programs in the selection of, or preparation for participation in, an appropriate vocational education or training program, such as—

[(A) services, programs, or activities related to outreach to or recruitment of potential vocational education students;

[(B) career counseling and personal counseling;

[(C) vocational assessment and testing; and

[(D) other appropriate services, programs, or activities.

[(25) The term "private vocational training institution" means a business or trade school, or technical institution or other technical or vocational school, in any State, which—

[(A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution;

[(B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations;

[(C) has been in existence for 2 years or has been specially accredited by the Secretary as an institution meeting the other requirements of this subsection; and

[(D) is accredited—

[(i) by a nationally recognized accrediting agency or association listed by the Secretary pursuant to this clause;

[(ii) if the Secretary determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Secretary pursuant to this clause; or

[(iii) if the Secretary determines that there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by the Secretary and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards.

For the purpose of this paragraph, the Secretary shall publish a list of nationally recognized accrediting agencies or associations and State agencies which the Secretary determines to be reliable authority as to the quality of education or training afforded.

[(26) The term "school facilities" means classrooms and related facilities (including initial equipment) and interests in lands on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

[(27) The term "Secretary" means the Secretary of Education.

[(28) The term "small business" means for-profit enterprises employing 500 or fewer employees.

[(29) The term "sequential course of study" means an integrated series of courses which are directly related to the educational and occupational skills preparation of individuals for jobs, or preparation for postsecondary education.

[(30) The term "single parent" means an individual who—

[(A) is unmarried or legally separated from a spouse; and

[(B)(i) has a minor child or children for which the parent has either custody or joint custody; or

[(ii) is pregnant.

[(31) The term "special populations" includes individuals with handicaps, educationally and economically disadvantaged individuals (including foster children), individuals of limited English proficiency, individuals who participate in programs designed to eliminate sex bias, and individuals in correctional institutions.

[(32) The term "specific job training" means training and education for skills required by the employer that provides the individual student with the ability to obtain employment and to adapt to the changing demands of the workplace.

[(33) The term "State" includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and Palau (until the Compact of Free Association with Palau takes effect pursuant to section 101(a) of Public Law 99–658).

[(34) The term "State board" means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration of vocational education in the State.

[(35) The term "State corrections educational agency" means the State agency or agencies responsible for carrying out corrections education programs in the State.

[(36) The term "State council" means the State council on vocational education established in accordance with section 112.

[(37) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary or second-

ary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

[(38) The term "supplementary services" means curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.

[(39) The term "technology education" means an applied discipline designed to promote technological literacy which provides knowledge and understanding of the impacts of technology including its organizations, techniques, tools and skills to solve practical problems and extend human capabilities in areas such as construction, manufacturing, communication, transportation, power and energy.

[(40) The term "tribally controlled community college" means an institution which receives assistance under the Tribally Controlled Community College Assistance Act of 1976 or the Navajo Community College Act.

[(41) The term "vocational education" means organized educational programs offering a sequence of courses which are directly related to the preparation of individuals in paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree. Such programs shall include competency-based applied learning which contributes to an individual's academic knowledge, higher-order reasoning, and problem-solving skills, work attitudes, general employability skills, and the occupational-specific skills necessary for economic independence as a productive and contributing member of society. Such term also includes applied technology education.

[(42) The term "vocational student organizations" means those organizations for individuals enrolled in vocational education programs which engage in activities as an integral part of the instructional program. Such organizations may have State and national units which aggregate the work and purposes of instruction in vocational education at the local level.]

TITLE IV—GENERAL PROVISIONS

PART A—FEDERAL ADMINISTRATIVE PROVISIONS

SEC. 401. PAYMENTS.

The Secretary shall pay from its allotment under section 101 to each State for any fiscal year for which the State has a State application submitted in accordance with section 113 (including any amendment to such application) the Federal share of the costs of carrying out the State application.

SEC. 402. FISCAL REQUIREMENTS.

(a) SUPPLEMENT NOT SUPPLANT.—Funds received under this Act shall be used to supplement, not supplant, the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for vocational-technical education programs.

(b) MAINTENANCE OF EFFORT.—

(1) DETERMINATION.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no payments shall be made under this title for any program year to a State for vocational-technical education programs unless the Secretary of Education determines that the fiscal effort per student or the aggregate expenditures of such State for vocational-technical programs for the fiscal year preceding the fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for vocational-technical education programs, for the second program year preceding the fiscal year for which the determination is made.

(B) COMPUTATION.—In computing the fiscal effort or aggregate expenditures pursuant to subparagraph (A), the Secretary of Education shall exclude capital expenditures, special one-time project costs, similar windfalls, and the cost of pilot programs.

(C) DECREASE IN FEDERAL SUPPORT.—If the amount made available for vocational-technical education programs under this Act for a fiscal year is less than the amount made available for vocational-technical education programs under this Act for the preceding fiscal year, then the fiscal effort per student or the aggregate expenditures of a State required by subparagraph (B) for such preceding fiscal year shall be decreased by the same percentage as the percentage decrease in the amount so made available.

(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) (with respect to not more than 5 percent of expenditures required for the preceding fiscal year by any State) for 1 program year only, after making a determination that such waiver would be equitable due to exceptional or uncontrollable circumstances affecting the ability of the State to meet such requirements, such as a natural disaster or an unforeseen and precipitous decline in financial resources. No level of funding permitted under such a waiver may be used as the basis for computing the fiscal effort or aggregate expenditures required under this paragraph for years subsequent to the year covered by such waiver. The fiscal effort or aggregate expenditures for the subsequent years shall be computed on the basis of the level of funding that would, but for such waiver, have been required.

SEC. 403. AUTHORITY TO MAKE PAYMENTS.

Any authority to make payments or to enter into contracts under this Act shall be available only to such extent or in such amounts as are provided in advance appropriation Acts.

SEC. 404. NATIONAL AND STATE FUNDING.

Nothing in this Act shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to bar private, religious, or home schools from participation in programs or services under the Act.

SEC. 405. FREEDOM TO CHOOSE.

None of the funds made available under this Act shall be used to—

(1) require any individual to choose or pursue a specific career path or major;

(2) compel any individual to enter into a specific course of study which requires as a condition or completion, attainment of federally-funded or endorsed industry recognized skills or standards; or

(3) require any individuals to meet or obtain federally-funded or endorsed industry recognized skills, certificates, or standards.

SEC. 406. LIMITATION FOR CERTAIN STUDENTS.

None of the funds received under this Act may be used to provide vocational-technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used by such students.

SEC. 407. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS.

Nothing in this Act shall be construed to be inconsistent with applicable Federal laws guaranteeing civil rights.

SEC. 408. AUTHORIZATION OF SECRETARY.

For the purposes of increasing and expanding the use of technology in vocational-technical education instruction, including the training of vocational-technical education personnel as provided in title II, the Secretary is authorized to receive funds collected by the Federal Government from fees for the use of property, rights-of-way, and easements under the control of Federal departments and agencies for the placement of telecommunications services that are dependent, in whole or in part, upon the utilization of general spectrum rights for the transmission or reception of such services.

PART B—STATE ADMINISTRATIVE PROVISIONS

SEC. 411. JOINT FUNDING.

(a) GENERAL AUTHORITY.—Funds made available to States under this Act may be used to provide additional funds under an applicable program if—

(1) such program otherwise meets the requirements of this Act and the requirements of the applicable program;

(2) such program serves the same individuals that are served under this Act;

(3) such program provides services in a coordinated manner with services provided under this Act; and

(4) such funds would be used to supplement, and not supplant, funds provided from non-Federal sources.

(b) APPLICABLE PROGRAM.—For the purposes of this section, the term "applicable program" means any program under any of the following provisions of law:

(1) Section 123, title II, and title III of the Job Training Partnership Act.

(2) The Wagner-Peyser Act.

(c) USE OF FUNDS AS MATCHING FUNDS.—For the purposes of this section, the term "additional funds" does not include the use of funds as matching funds.

SEC. 412. PROHIBITION ON USE OF FUNDS TO INDUCE OUT-OF-STATE RELOCATION OF BUSINESSES.

No funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one State to another State if such relocation would result in a reduction in the number of jobs available in the State where the business enterprise is located before such incentives or inducements are offered.

SEC. 413. STATE ADMINISTRATIVE COSTS.

For each fiscal year for which a State receives assistance under this Act, the State shall provide from non-Federal sources for costs the State incurs for administration of programs under this Act an amount that is not less than the amount provided by the State from non-Federal sources for such costs for the preceding fiscal year.

SEC. 414. LIMITATION ON FEDERAL REGULATIONS.

The Secretary may issue regulations under this Act only to the extent necessary to administer and ensure compliance with the specific requirements of this Act.

SEC. 415. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.

(a) ATTENDANCE COSTS NOT TREATED AS INCOME OR RESOURCES.—The portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection (b) shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.

(b) ATTENDANCE COSTS.—The attendance costs described in this subsection are—

(1) tuition and fees normally assessed a student carrying the same academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and

(2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

(c) COSTS OF VOCATIONAL-TECHNICAL EDUCATION SERVICES.—Funds made available under title II may be used to pay for the costs of vocational-technical education services required in an individualized education plan developed pursuant to section 614(d) of the Individuals with Disabilities Education Act and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to vocational-technical education.

PART C—DEFINITIONS

SEC. 421. DEFINITIONS.

Except as otherwise specified in this Act, as used in this Act:

(1) ADMINISTRATION.—The term "administration" means programs of a State necessary for the proper and efficient performance of its duties under this Act, including supervision, but does not include curriculum development programs, personnel development, or research programs.

(2) ALL ASPECTS OF THE INDUSTRY.—The term "all aspects of the industry" means strong experience in, and comprehensive understanding of, the industry that individuals are preparing to enter.

(3) AREA VOCATIONAL-TECHNICAL EDUCATION SCHOOL.—The term "area vocational-technical education school" means—

(A) a specialized secondary school used exclusively or principally for the provision of vocational-technical education to individuals who are available for study in preparation for entering the labor market;

(B) the department of a secondary school exclusively or principally used for providing vocational-technical education in not fewer than five different occupational fields to individuals who are available for study in preparation for entering the labor market;

(C) a technical institute or vocational-technical education school used exclusively or principally for the provision of vocational-technical education to individuals who have completed or left secondary school and who are available for study in preparation for entering the labor market, if the institute or school admits as regular students both individuals who have completed secondary school and individuals who have left secondary school; or

(D) the department or division of a junior college, or community college, that operates under the policies of the State board and that provides vocational-technical education in not fewer than five different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if the department or division admits as regular students both individuals who have completed secondary school and individuals who have left secondary school.

(4) COOPERATIVE EDUCATION.—The term "cooperative education" means a method of instruction of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required academic courses and related instruction, by alternation of study in school with a job in any occupational field, which alternation shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual, and may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

(5) DISPLACED HOMEMAKER.—The term "displaced homemaker" means an individual who—

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

(B) is a parent whose youngest dependent child will become ineligible to receive assistance under title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 not later than 2 years after the date of which the parent applies for assistance under this title.

(6) EDUCATIONAL SERVICE AGENCY.—The term "educational service agency" means a regional public multiservice agency authorized by State statute to develop and manage a service or program and provide the service or program to a local educational agency.

(7) ELIGIBLE RECIPIENT.—The term "eligible recipient" means a local educational agency, an area vocational-technical education school, an educational service agency, an institution of higher education (as such term is defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))), and a consortium of such entities.

(8) LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(9) OUTLYING AREA.—The term "outlying area" means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(10) REPRESENTATIVES OF EMPLOYEES.—The term "representatives of employees" means—

(A) individuals who have been elected by organizations, associations, or a network of similar institutions to represent the economic interests of employees at a significant segment of workplaces; or

(B) individuals from organizations, associations, or a network of similar institutions, with expertise to represent, or experience representing, the interests of employees with respect to vocational-technical education.

(11) SECONDARY SCHOOL.—The term "secondary school" has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(12) SPECIAL POPULATIONS.—The term "special populations" means individuals with disabilities, economically disadvantaged individuals, individuals of limited English proficiency, and individuals participating in nontraditional training and employment.

(13) SECRETARY.—The term "Secretary" means the Secretary of Education.

(14) STATE.—The term "State" means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(15) TECH-PREP PROGRAM.—The term "tech-prep program" means a program of study that—

(A) combines at least 2 years of secondary education (as determined under State law) and 2 years of postsecondary education in a nonduplicative sequential course of study;

(B) strengthens the applied academic component of vocational-technical education through the integration of academic and vocational-technical instruction;

(C) provides technical preparation in an area such as engineering technology, applied science, a mechanical, industrial, or practical art or trade, agriculture, a health occupation, business, or applied economics;

(D) builds student competence in mathematics, science, and communications through applied academics in a coherent sequence of courses; and

(E) leads to an associate degree or a certificate in a specific career field and to high skill, high wage employment or further education.

(16) VOCATIONAL-TECHNICAL EDUCATION.—The term "vocational-technical education" means organized educational programs that—

(A) offer a sequence of courses that provide individuals with the academic knowledge and skills the individuals need to prepare for further education and careers in current or emerging employment sectors; and

(B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, and occupation-specific skills, of an individual.

(17) VOCATIONAL STUDENT ORGANIZATION.—The term "vocational student organization" means an organization, for individuals enrolled in programs of vocational-technical education programs, that engages in programs as an integral part of the instructional component of such programs, which organization may have State and national units.

ACT OF FEBRUARY 23, 1917

(Commonly known as the "Smith-Hughes Vocational Education Act")

CHAP. 114.—An Act To provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That there is hereby annually appropriated, out of any money in the Treasury not otherwise appropriated, the sums provided in sections two, three and four of this Act, to be paid to the respective States for the purpose of cooperating with the States in paying the salaries of teachers, supervisors, and directors of agricultural subjects, and teachers of trade, home economics, and industrial subjects, and in the preparation of teachers of agricultural, trade, industrial, and home economics subjects; and the sum provided for in section seven for the use of the Federal Board for Vocational Education for the administration of this Act and for the purpose of making studies, investigations, and reports to aid in the organization and conduct

of vocational education, which sums shall be expended, as hereinafter provided.

[SEC. 2. That for the purpose of cooperating with the States in paying the salaries of teachers, supervisors, or directors of agricultural subjects there is hereby appropriated for the use of the States, subject to the provisions of this Act, for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of $500,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of $750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of $1,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of $1,250,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of $1,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of $1,750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of $2,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of $2,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, and annually thereafter, the sum of $3,000,000. Said sums shall be allotted to the States in the proportion which their rural population bears to the total rural population in the United States, not including outlying possessions, according to the last preceding United States census: *Provided,* That the allotment of funds to any State shall be not less than a minimum of $5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and twenty-three, nor less than $10,000 for any fiscal year thereafter, and there is hereby appropriated the following sums, or so much thereof as may be necessary, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of $48,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of $34,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of $24,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of $18,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of $14,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of $11,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of $9,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of $34,000; and annually thereafter the sum of $28,000.

[SEC. 3. That for the purpose of cooperating with the States in paying the salaries of teachers of trade, home economics, and industrial subjects there is hereby appropriated for the use of the States, for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of $500,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of $750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of $1,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of $1,250,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of $1,500,000; for the fiscal year ending June thirti-

eth, nineteen hundred and twenty-three, the sum of $1,750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of $2,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of $2,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, the sum of $3,000,000; and annually thereafter the sum of $3,000,000. Said sums shall be allotted to the States in the proportion which their urban population bears to the total urban population in the United States, not including outlying possessions, according to the last preceding United States census: *Provided,* That the allotment of funds to any State shall be not less than a minimum of $5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and twenty-three, nor less than $10,000 for any fiscal year thereafter, and there is hereby appropriated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of $66,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of $46,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of $34,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of $28,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of $25,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of $22,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of $19,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of $56,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, and annually thereafter, the sum of $50,000.

[That not more than twenty per centum of the money appropriated under this Act for the payment of salaries of teachers of trade, home economics, and industrial subjects, for any year, shall be expended for the salaries of teachers of home economics subjects.

[SEC. 4. That for the purpose of cooperating with the States in preparing teachers, supervisors, and directors of agricultural subjects and teachers of trade and industrial and home economics subjects there is hereby appropriated for the use of the States for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of $500,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of $700,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of $900,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, and annually thereafter, the sum of $1,000,000. Said sums shall be allotted to the States in the proportion which their population bears to the total population of the United States, not including outlying possessions, according to the last preceding United States census: *Provided,* That the allotment of funds to any State shall be not less than a minimum of $5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and nineteen, nor less than $10,000 for any fiscal year thereafter. And there is hereby appro-

priated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of $46,000; for the fiscal year ending the June thirtieth, nineteen hundred and nineteen, the sum of $32,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of $24,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, and annually thereafter, the sum of $105,200.

[SEC. 5. That in order to secure the benefits of the appropriations provided for in sections two, three, and four of this Act, any State shall, through the legislative authority thereof, accept the provisions of this Act and designate or create a State board, consisting of not less than three members, and having all necessary power to cooperate, as herein provided, with the Federal Board for Vocational Education in the administration of the provisions of this Act. The State board of education, or other board having charge of the administration of public education in the State, or any State board having charge of the administration of any kind of vocational education in the State may, if the State so elect, be designated as the State board, for the purposes of this Act.

[In any State the legislature of which does not meet in nineteen hundred and seventeen, if the governor of that State, so far as he is authorized to do so, shall accept the provisions of this Act and designate or create a State board of not less than three members to act in cooperation with the Federal Board for Vocational Education, the Federal board shall recognize such local board for the purposes of this Act until the legislature of such State meets in due course and has been in session sixty days.

[Any State may accept the benefits of any one or more of the respective funds herein appropriated, and it may defer the acceptance of the benefits of any one or more of such funds, and shall be required to meet only the conditions relative to the fund or funds the benefits of which it has accepted: *Provided,* That after June thirtieth, nineteen hundred and twenty, no State shall receive any appropriation for salaries of teachers, supervisors, or directors of agricultural subjects, until it shall have taken advantage of at least the minimum amount appropriated for the training of teachers, supervisors, or directors of agricultural subjects, as provided for in this Act, and that after said date no State shall receive any appropriation for the salaries of teachers of trade, home economics, and industrial subjects until it shall have taken advantage of at least the minimum amount appropriated for the training of teachers of trade, home economics, and industrial subjects, as provided for in this Act.

[SEC. 6. That a Federal Board for Vocational Education is hereby created, to consist of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the United States Commissioner of Education, and three citizens of the United States to be appointed by the President, by and with the advice and consent of the Senate. One of said three citizens shall be a representative; of the manufacturing and commercial interests, one a representative of the agricultural interests, and one a representative of labor. The board shall elect annually one of its members as chairman. In the

first instance, one of the citizen members shall be appointed for one year, one for two years, and one for three years, and thereafter for three years each. The members of the board other than the members of the Cabinet and the United States Commissioner of Education shall receive a salary of $5,000 per annum.

[The board shall have power to cooperate with State boards in carrying out the provisions of this Act. It shall be the duty of the Federal Board for Vocational Education to make, or cause to have made studies, investigations, and reports, with particular reference to their use in aiding the States in the establishment of vocational schools and classes and in giving instruction in agriculture, trades and industries, commerce and commercial pursuits, and home economics. Such studies, investigations, and reports shall include agriculture and agricultural processes and requirements upon agricultural workers; trades, industries, and apprenticeships, trade and industrial requirements upon industrial workers, and classification of industrial processes and pursuits; commerce and commercial pursuits and requirements upon commercial workers; home management, domestic science, and the study of related facts and principles; and problems of administration of vocational schools and of courses of study and instruction in vocational subjects.

[When the board deems it advisable such studies, investigations, and reports concerning agriculture, for the purposes of agricultural education, may be made in cooperation with or through the Department of Agriculture; such studies, investigations, and reports concerning trades and industries, for the purposes of trade and industrial education, may be made in cooperation with or through the Department of Labor; such studies investigations, and reports concerning commerce and commercial pursuits, for the purposes of commercial education, may be made in cooperation with or through the Department of Commerce; such studies, investigations, and reports concerning the administration of vocational schools, courses of study and instruction in vocational subjects, may be made in cooperation with or through the Bureau of Education.

[The Commissioner of Education may make such recommendations to the board relative to the administration of this Act as he may from time to time deem advisable. It shall be the duty of the chairman of the board to carry out the rules, regulations, and decisions which the board may adopt. The Federal Board for Vocational Education shall have power to employ such assistants as may be necessary to carry out the provisions of this Act.

[SEC. 7. That there is hereby appropriated to the Federal Board for Vocational Education the sum of $200,000 annually, to be available from and after the passage of this Act, for the purpose of making or cooperating in making the studies, investigations, and reports provided for in section six of this Act, and for the purpose of paying the salaries of the officers, the assistants, and such office and other expenses as the board may deem necessary to the execution and administration of this Act.

[SEC. 8. That in order to secure the benefits of the appropriation for any purpose specified in this Act, the State board shall prepare plans, showing the kinds of vocational education for which it is proposed that the appropriation shall be used; the kinds of schools and equipment; courses of study; methods of instruction; qualifications

of teachers; and, in the case of agricultural subjects the qualifications of supervisors or directors; plans for the training of teachers; and, in the case of agricultural subjects, plans for the supervision of agricultural education, as provided for in section ten. Such plans shall be submitted by the State board to the Federal Board for Vocational Education, and if the Federal board finds the same to be in conformity with the provisions and purposes of this Act, the same shall be approved. The State board shall make an annual report to the Federal Board for Vocational Education, on or before September first of each year, on the work done in the State and the receipts and expenditures of money under the provisions of this Act.

[SEC. 9. That the appropriation for the salaries of teachers, supervisors, or directors of agricultural subjects and of teachers of trade, home economics, and industrial subjects shall be devoted exclusively to the payment of salaries of such supervisors, or directors having the minimum qualifications set up for the State by the State board, with the approval of the Federal Board for Vocational Education. The cost of instruction supplementary to the instruction in agricultural and in trade, home economics, and industrial subjects provided for in this Act, necessary to build a well-rounded course of training, shall be borne by the State and local communities, and no part of the cost thereof shall be borne out of the appropriation herein made. The moneys expended under the provisions of this Act, in cooperation with the States, for the salaries of teachers, supervisors, or directors of agricultural subjects, or for the salaries of teachers of trade, home economics, and industrial subjects, shall be conditioned that for each dollar of Federal money expended for such salaries the State or local community, or both, shall expend an equal amount for such salaries; and that appropriations for the training of teachers of vocational subjects, as herein provided, shall be conditioned that such money be expended for maintenance of such training and that for each dollar of Federal money so expended for maintenance, the State or local community, or both, shall expend an equal amount for the maintenance of such training.

[SEC. 10. That any State may use the appropriation for agricultural purposes, or any part thereof allotted to it, under the provisions of this Act, for the salaries of teachers, supervisors, or directors of agricultural subjects, either for the salaries of teachers of such subjects in schools or classes or for the salaries of supervisors or directors of such subjects under a plan of supervision for the State to be set up by the State board, with the approval of the Federal Board for Vocational Education. That in order to receive the benefits of such appropriation for the salaries of teachers, supervisors, or directors of agricultural subjects the State board of any State shall provide in its plan for agricultural education that such education shall be that which is under public supervision or control; that the controlling purpose of such education shall be to fit for useful employment; that such education shall be of less than college grade and be designed to meet the needs of persons over fourteen years of age who have entered upon or who are preparing to enter upon the work of the farm or of the farm home; that the State or local community, or both, shall provide the necessary plant

and equipment determined upon by the State board, with the approval of the Federal Board for Vocational Education, as the minimum requirement for such education in schools and classes in the State; that the amount expended for the maintenance of such education in any school or class receiving the benefit of such appropriation shall be not less annually than the amount fixed by the State board, with the approval of the Federal board as the minimum for such schools or classes in the State; that such schools shall provide for directed or supervised practice in agriculture, either on a farm provided for by the school or other farm, for at least six months per year; that the teachers, supervisors, or directors of agricultural subjects shall have at least the minimum qualifications determined for the State by the State board, with the approval of the Federal Board for Vocational Education.

[SEC. 11. That in order to receive the benefits of the appropriation for the salaries of teachers of trade, home economics, and industrial subjects the State board of any State shall provide in its plan for trade, home economics, and industrial education that such education shall be given in schools or classes under public supervision or control; that the controlling purpose of such education shall be to fit for useful employment; that such education shall be of less than college grade and shall be designed to meet the needs of persons over fourteen years of age who are preparing for a trade or industrial pursuit or who have entered upon the work of a trade or industrial pursuit; that the State or local community, or both, shall provide the necessary plant and equipment determined upon by the State board, with the approval of the Federal Board for Vocational Education, as the minimum requirement in such State for education for any given trade or industrial pursuit; that the total amount expended for the maintenance of such education in any school or class receiving the benefit of such appropriation shall be not less annually than the amount fixed by the State board, with the approval of the Federal board, as the minimum for such schools or classes in the State; that such schools or classes giving instruction to persons who have not entered upon employment shall require that at least half of the time of such instruction be given to practical work on a useful or productive basis, such instruction to extend over not less than nine months per year and not less than thirty hours per week; that at least one-third of the sum appropriated to any State for the salaries of teachers of trade, home economics, and industrial subjects shall, if expended, be applied to part-time schools or classes for workers over fourteen years of age who have entered upon employment, and such subjects in a part-time school or class may mean any subject given to enlarge the civic or vocational intelligence of such workers over fourteen and less than eighteen years of age; that such part-time schools or classes shall provide for not less than one hundred and forty-four hours of classroom instruction per year; that evening industrial schools shall fix the age of sixteen years as a minimum entrance requirement and shall confine instruction to that which is supplemental to the daily employment; that the teachers of any trade or industrial subject in any State shall have at least the minimum qualifications for teachers of such subject determined upon for such State by the State board, with the approval of the Federal Board

for Vocational Education: *Provided,* That for cities and towns of less than twenty-five thousand population, according to the last preceding United States census, the State board, with the approval of the Federal Board for Vocational Education, may modify the conditions as to the length of course and hours of instruction per week for schools and classes giving instruction to those who have not entered upon employment, in order to meet the particular needs of such cities and towns.

[SEC. 12. That in order for any State to receive the benefits of the appropriation in this Act for the training of teachers, supervisors, or directors of agricultural subjects, or of teachers of trade, industrial or home economics subjects, the State board of such State shall provide in its plan for such training that the same shall be carried out under the supervision of the State board; that such training shall be given in schools or classes under public supervision or control; that such training shall be given only to persons who have had adequate vocational experience or contact in the line of work for which they are preparing themselves as teachers, supervisors, or directors, or who are acquiring such experience or contact as a part of their training; and that the State board, with the approval of the Federal board, shall establish minimum requirements for such experience or contact for teachers, supervisors, or directors of agricultural subjects and for teachers of trade, industrial, and home economics subjects; that not more than sixty per centum nor less than twenty per centum of the money appropriated under this Act for the training of teachers of vocational subjects to any State for any year shall be expended for any one of the following purposes: For the preparation of teachers, supervisors, or directors of agricultural subjects, or the preparation of teachers of trade and industrial subjects, or the preparation of teachers of home economics subjects.

[SEC. 13. That in order to secure the benefits of the appropriations for the salaries of teachers, supervisors, or directors of agricultural subjects, or for the salaries of teachers of trade, home economics, and industrial subjects, or for the training of teachers as herein provided, any State shall, through the legislative authority thereof, appoint as custodian for said appropriations its State treasurer, who shall receive and provide for the proper custody and disbursements of all money paid to the State from said appropriations.

[SEC. 14. That the Federal Board for Vocational Education shall annually ascertain whether the several States are using, or are prepared to use, the money received by them in accordance with the provisions of this Act. On or before the first day of January of each year the Federal Board for Vocational Education shall certify to the Secretary of the Treasury each State which has accepted the provisions of this Act and complied therewith, certifying the amounts which each State is entitled to receive under the provisions of this Act. Upon such certification the Secretary of the Treasury shall pay quarterly to the custodian for vocational education of each State the moneys to which it is entitled under the provisions of this Act. The moneys so received by the custodian for vocational education for any State shall be paid out on the requisition of the State board as reimbursement for expenditures already

incurred to such schools as are approved by said State board and are entitled to receive such moneys under the provisions of this Act.

[SEC. 15. That whenever any portion of the fund annually allotted to any State has not been expended for the purpose provided for in this Act, a sum equal to such portion shall be deducted by the Federal board from the next succeeding annual allotment from such fund to such State.

[SEC. 16. That the Federal Board for Vocational Education may withhold the allotment of moneys to any State whenever it shall be determined that such moneys are not being expended for the purposes and under the conditions of this Act.

[If any allotment is withheld from any State, the State board of such State may appeal to the Congress of the United States, and if the Congress shall not direct such sum to be paid it shall be covered into the Treasury.

[SEC. 17. That if any portion of the moneys received by the custodian for vocational education of any State under this Act, for any given purpose named in this Act, shall, by any action or contingency, be diminished or lost, it shall be replaced by such State, and until so replaced no subsequent appropriation for such education shall be paid to such State. No portion of any moneys appropriated under this Act for the benefit of the State shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of lands, or for the support of any religious or privately owned or conducted school or college.]

ADDITIONAL VIEWS OF RON PAUL

1. Introduction

Over the past thirty-five years, Congress has constructed a centralized system of vocational education, wasting millions of taxpayer dollars on a system that all-too-often serves more as a "dumping ground" for special-needs students than as an effective means of providing non-college bound students with the knowledge and skills they need to become productive citizens.

Congress is considering prolonging the life of large parts of this system by reauthorizing the Carl Perkins Vocational Education and Applied Technology Act (H.R. 1853). While 1853 does eliminate several federal programs and state mandates contained in current law, it further legitimizes the unconstitutional notion that the federal government has a legitimate role to play in education.

Furthermore, certain language in H.R. 1853 suggests that the purpose of education is to train students to serve the larger needs of "society," as determined by government and business, not to serve the individual.

II. H.R. 1853 Violates the Tenth Amendment to the Constitution

During the discussion of this bill, the case has been made that constitutionalists should support H.R. 1853 because it reduces the number of federal mandates on the states; however the tenth amendment does not quantify the extent to which the federal government can interfere in areas such as education. Instead, the tenth amendment forbids any and all federal interference in education, no matter how much "flexibility" the programs provide the states.

H.R. 1853 represents "mandate federalism," where the federal government allows states limited flexibility as to the means of complying with Congress' mandates. Under this bill, states must submit a vocational education plan to the Department of Education for approval. States must then demonstrate yearly compliance with benchmarks that measure a series of federally-set goals. The Secretary of Education has the authority to sanction the states for failure to reach those benchmarks, as if the states were the disobedient children of the federal government, not entities whose sovereignty must be constitutionally respected.

Congress has, so far, resisted pressure from the administration to give the Department of Education explicit statutory authority to create "model" benchmarks, which would then be adopted by every state. However, certain provisions of H.R. 1853 may provide the Department of Education with the opportunity to impose a uniform system of vocational education on every state in the nation.

Particularly troublesome in this regard is the provision requiring every state to submit their vocational education plan to the Secretary for approval. The Secretary may withhold approval if "the application is in violation of the provisions of this Act." Ambitious bureaucrats may stretch this language to mean that the Department can reject a State plan if the Department does not feel the plan will be effective in meeting the goals of the bill. For example, a Department of Education official may feel that a state's plan does not adequately "prepare vocational-technical education students for opportunities in postsecondary education or entry into high skill, high wage jobs," because the plan fails to adopt the specifications favored by the Education Department. The state plan may thus be rejected unless the state adopts the academic provisions favored by the administration.

H.R. 1853 further opens the door for the establishment of national standards for vocational education through provisions allowing the Secretary to "develop a single plan for evaluation and assessment, . . . with regard to the vocational-technical education" and provide for "an independent evaluation . . . of vocational-technical education programs," including examining how states and localities "have developed, implemented, or improved State and local vocational-technical education programs." Education bureaucrats could very easily use the results of the studies to establish *de facto* model benchmarks that states would have to follow.

The Department of Education may use to impose national standards on state vocational education programs by requiring that states improve the academic component of vocational education. Integrating academics with vocational education is a mobile goal, but federal education bureaucrats may use this requirement to force vocational education programs to adopt national academic standards, upon pain of having their state plans denied as "inconsistent with the provisions of the act" mandating instead that states integrate academics into their vocational education programs.

States are also required to distribute their federal funds according to a predetermined formula that dictates the percentage of funds states must spend on certain federally-approved activities without regard for differences between the states. For example, H.R. 1853 singles out certain populations, such as displaced homemakers and single parents, and requires the states to certify to the federal government that their programs are serving these groups. These provisions stem from the offensive idea that without orders from the federal government, states will systematically deny certain segments of the population access to job training services.

Another federal mandate contained in this so-called "decentralization plan," is one requiring states to spend a certain percentage on updating the technology used in vocational education programs. Technological training can be a useful and necessary part of vocational education, however, under the Constitution it is not the business of the federal government to ensure vocational education students receive up-to-date technological training.

The states and the people are quite capable of ensuring that vocational education students receive up-to-date technological training—if the Federal Government stops usurping their legitimate authority to run vocational education programs and if the government

stops draining taxpayers of the resources necessary to run those programs.

III. H.R. 1853 Places the Needs of Businesses Above the Needs of Students

H.R. 1853 provides businesses with taxpayer-provided labor in the form of vocational education students engaging in "cooperative education." Since businesses benefit by having a trained workforce, they should not burden the taxpayers with the costs of training their future employees. Furthermore, the provision allowing students to spend alternating weeks at work rather than in the classroom seems inconsistent with the bill's goals of strengthening the academic component of vocational education.

Work experience can be valuable for students, especially when that experience involves an occupation the student may choose as a future career. However, there is no reason for taxpayers to subsidize the job training of another. Furthermore, if it wasn't for federal minimum wage and other laws that make hiring unexperienced workers cost prohibitive, many businesses would gladly provide work apprenticeships to young people out of their own pockets instead of forcing the costs onto the U.S. Taxpayer.

Today, employers can be assessed huge fines if they allow their part-time adolescent employees to work, with pay, for 15 minutes beyond the Department of Labor regulations. Yet, those same businesses can receive free, full-time labor from those same adolescents as part of a "cooperative education program." Clearly, common sense has been tossed out the window and replaced by the arbitrary and conflicting whims of a Congress attempting to "do good."

Further evidence of catering to well-established businesses can be found within the provision of H.R. 1853 where in teachers are instructed not to meet the needs and expectations of students, but rather "the needs, expectations, and methods of industry." All education, including vocational education, should explicitly be tailored to the wishes of the parent or those already funding the costs of education.

IV. H.R. 1853 Is Inconsistent With Parental Rights and Individual Liberties

H.R. 1853 continues the federal education policy of dragooning parents into education as "partners" in the education process. Parents should control the education process, but they should never be placed in a subordinate role and made to help carry out the agenda of government bureaucrats.

Concerns have been raised that vocational education programs may be used as a means to force all students into a career track not of their own choosing, and thus change the American education system into one of preparation for a career determined for the students by the government. Such a system more closely resembles something depicted in a George Orwell novel than the type of education system compatible with a free society. H.R. 1853 attempts to assuage those fears through a section forbidding the use of federal funds to force an individual into a career path that the individ-

ual would not otherwise choose or require any individual to obtain so-called skilled certificates.

However, states and localities that violate this portion of the Act are not subject to any loss of federal funds. Of course, even if the Act did contain sanctions for violating an individual's freedom to determine their own career path, those sanctions would have to rely on the willingness of the very federal bureaucracy which helped originate many of the education "reforms" which diminish student freedom to enforce this statutory provision.

V. Conclusion

The Carl D. Perkins Act Reauthorization may appear to provide for greater state and individual control over vocational education. However, H.R. 1853 is really another example of "mandate federalism," where states, localities, and individuals are given limited autonomy in how they fulfill federal mandates. As H.R. 1853 places mandates on the states and individuals to perform certain functions in the area of education, an area where Congress has no Constitutional authority. It is also in violation of the ninth and tenth amendments to the United States Constitution.

Furthermore, H.R. 1853 forces federal taxpayers to underwrite the wages of students working part-time in the name of "cooperative education," another form of corporate welfare. Businesses who benefit from the labor of students should not have the costs of that labor subsidized by the taxpayers.

Certain language in H.R. 1853 suggests that parent's authority to raise their children as they see fit may be undermined by the government in order to make parents partners in training their children according to government specifications.

Congress should, therefore, reject H.R. 1853 and instead eliminate all federal vocational education programs in order to restore authority for those programs to the states, localities, and individual citizens.

Ron Paul.

ADDITIONAL VIEWS OF HON. MAJOR R. OWENS

During the 105th Congress, the Committee on Education and the Workforce has successfully reported significant legislation in a bipartisan manner. Bills reauthorizing the Individuals with Disabilities Education Act, the Juvenile Justice and Delinquency Prevention Act, and the Job Training and Partnership Act were passed by the Committee with support from Democratic and Republican Members. However, consideration of the Carl D. Perkins Vocational Education Act threatened this bipartisan effort to move major legislation through the Committee.

I commend the Chairman of the Subcommittee on Early Childhood, Youth and Families for recognizing the important role of technology in vocational education. In order to prepare American students for the 21st century work place, it is crucial that we change the way we think of the vocational and technical education program. Vocational and technical education students must receive the training and skills necessary to take advantage of the new technology-based economy to gain high wage employment. Vocational education must no longer be a dumping ground for students perceived to have poor academic skills. It must become the center of academic and technological excellence in our schools.

I am pleased that the Committee has included language I proposed which would require secondary schools receiving Perkins Act funds to provide vocational and technical education students with the training necessary to enter the education technology or telecommunications fields. As part of their training, students would work as "Technical Assistants" in their schools or with local businesses in a program that would lead to employment as Local Area Network technicians or computer systems troubleshooters.

Several witnesses at Subcommittee hearings noted the importance of building partnerships with local business. My language would encourage schools to work with high tech industries to provide vocational and technical education students the opportunity to participate in voluntary internships and mentoring programs. It would include the chance to follow up with classes in local community colleges to attain certification in these expanding fields. This training would allow these students to enter high wage professions that will otherwise be under staffed in the 21st century. According to the Department of Commerce, by the next century, 60% of the new jobs will require the kinds of skills possessed by only 22% of workers today. This new Perkins Act would work to close this gap and ensure that vocational education meets the challenges of the changing work place.

Unfortunately, there are several outstanding issues which prevented this bill from receiving Democratic support. In particular, the proposed funding formula may jeopardize the effectiveness of this program. Specifically, changes in the within-state formula

which would alter the way States allocate funds would shift money away from the most economically disadvantaged, needy areas. Under current law, within-state allocations are made based on a formula which targets low income students. The Republican proposal would weaken the effort to target funds based on need and move towards a general population based formula. Under this scheme, New York City schools would lose more than $1.5 million, nearly 9% of its allocation under the current formula. In addition, the Republican proposal actually sets aside 10% of these funds for rural areas, regardless of population density and economic need.

The Carl D. Perkins Vocational Education program is at a critical juncture. It is vital that we move forward in a bipartisan way to ensure that those in need are equipped with the academic and technical skills necessary to compete in the new work place.

MAJOR R. OWENS.

ADDITIONAL VIEWS OF HON. CAROLYN McCARTHY

During the Committee mark-up of H.R. 1853, I offered an amendment to ensure that vocational education programs keep spending federal taxpayer dollars in an accountable fashion.

H.R. 1853 would decrease the minimum grant amount for local education agencies from $15,000 to $7,500. New York State estimates that this would increase the number of school districts directly eligible for funds by four times. I am concerned that this reduction in the minimum grant amount would make it very difficult for the state to administer the vocational education program effectively. This is especially true since the bill also reduces the amount that states can spend on administration from five to two percent.

I also am concerned that this provision could endanger many of the consortia around the country that are comprised of local school districts who do not meet the current minimum grant amount. In New York State, the Board of Cooperative Educational Services, or BOCES, has been remarkably successful at providing a range of education services to our students. The 38 BOCES programs statewide are an effective and popular system of consortia that let local school districts pool their vocational education funds together.

If we reduce the minimum grant amount to $7,500, however, many school districts may leave BOCES, denying BOCES much-needed resources and making it harder for them to provide services to students. This problem would be repeated in states all across the nation.

I understand the concerns that some of my colleagues have raised that the current minimum grant makes it hard for rural districts to get vocational education funding. However, this bill ensures that districts in rural areas can get waivers from the minimum grant provision. Now we need to ensure that programs in *suburban* areas, like mine, can continue serving students in an effective manner.

In the interest of bipartisanship, I offered an amendment to set the minimum grant at $10,000. This would let local education agencies to continue forming consortia, and it would let rural areas continue receiving waivers if they have difficulty forming consortia. I believe this amendment was a sensible compromise between current law and H.R. 1853. However, the amendment was not accepted.

I hope that both sides continue working to address the concerns my colleagues and I have raised about provisions in this bill so that we can make vocational education re-authorization a truly bipartisan endeavor.

CAROLYN McCARTHY.

MINORITY VIEWS

I. Introduction

Since the passage of the Smith-Hughes Act in 1917, the Federal government has remained committed to assisting States and localities in providing quality vocational education programs. The passage of the Carl D. Perkins Vocational and Applied Technology Education Act (hereafter referred to as "the Act") demonstrated the Federal commitment to vocational education by providing meaningful and effective vocational education programs to those most in need, with special emphasis on high academic goals.

Unfortunately, H.R. 1853, takes a giant step backward from the intent and substance of the Act. It diminishes aid to those most in need of assistance in the name of arbitrary consolidation, so-called "flexibility," and a reduced emphasis on distributing scarce dollars to low-income areas.

We are disappointed that the Majority has been unwilling to compromise on the two major remaining obstacles to a bipartisan bill—the Act's provisions which provide for the equitable distribution of funds to secondary school districts, and the elimination of the Act's emphasis on ensuring that women, minorities, the economically disadvantaged, and the disabled have access to quality vocational education programs.

II. Instate Funding Formula: Distribution of Funds to Secondary School Districts

Under current law, States must allocate 75 percent of the funding they receive to local recipients—secondary school districts and postsecondary institutions. States are permitted to determine how to share the allocation between these two types of local recipients. For the portion of funds which States select to allocate to secondary school districts, they are required to allocate funding based on a formula with the following factors: 70 percent Title I (basic grants); 20 percent Individuals with Disability Education Act child count; and 10 percent general enrollment. In addition, eligible local education agencies ("LEAs") and postsecondary institutions must meet minimum grant requirements of $15,000 and $50,000, respectively, or form consortia to meet these minimum grant requirements.

H.R. 1853 radically revises this set of funding provisions in several key ways. The bill (1) sends 90 percent of Perkins funding down to local recipients; (2) institutes a formula based 50 percent on population and 50 percent on poverty (thereby vastly decreasing the emphasis on targeting money to areas most in need of assistance); (3) authorizes States to use an alternative formula based on an undefined standard of "greatest economic need"; (4) creates new set asides of local program dollars for undefined rural areas and incentive grant awards of 10 percent and 5 percent, respectively; and

(5) reduces the minimum grant amounts to $7,500 for secondary and $20,000 for post-secondary schools. The latter four of these changes seriously undermine the Act's focus on targeting funds to those most in need of assistance.

Prior to the 1990 reauthorization of the Act, the GAO sharply criticized the instate distribution of vocational education funding. The report, entitled *Vocational Education: Opportunity to Prepare for the Future,*[1] concluded the following:

> Vocational education students in economically depressed areas may be less likely to receive Perkins funding for improved or modernized program activities than students outside such areas.
>
> Some States designated relatively wealthy areas as "economically depressed," and gave them greater per capita funding than some poorer communities.
>
> Some relatively wealthy school districts received more funding per low-income student than districts with high concentrations of low-income students.

The GAO findings clearly demonstrate the need for a specific substate formula heavily weighted through a poverty-based formula. To rectify these shortcomings, the current substate formula was included in the 1990 reauthorization.

The Republican Majority has consistently stated that they believe the formula in current law is strongly biased in favor of urban districts and that it should be changed to ensure a more equal distribution of funding among geographic regions. They have further stated that their policy objective is to target more of the Act's funds to rural areas, which in their view have been underserved by this program. They have claimed their change to a 50 percent population, 50 percent poverty formula accomplishes this goal.

While we recognize that there is significant poverty in rural areas which must be addressed, the Majority's policy goals are not reflected by the results of their formula changes. The Congressional Research Service has produced a chart (Attachment 1) which clearly demonstrates that the Republican formula channels funds to well-off suburban districts at the expense of rural areas and urban areas. CRS concluded that, nationally, urban school districts lose 7 percent funding; rural school districts lose 3 percent funding; and suburban areas gain 10 percent.

Coupled with the change in the secondary school district formula is the institution of a provision which would allow 15 percent of the monies earmarked for locals to essentially be distributed at the whim of the States through a 10 percent rural reserve and a 5 percent allotment for incentive grants. Not only does this in effect reduce the amount allocated to the local level compared to the amount mandated under the current statute, but the Majority's unwillingness to add further definition to these provisions signifies their politically motivated objective. The Majority's creation of these new set asides makes it extremely unlikely that the newly increased allocation of 90 percent of Perkins funds for local use will actually reach secondary schools. Furthermore, by placing these set asides in the bill, the Majority is extremely inconsistent in their ar-

[1] GAO–HRD–89–55, May, 1989.

guments, because H.R. 1853 also eliminates the set asides for special populations and sex equity in current law.

Equally as troubling as the two intrastate reserves are the bill's provisions which provide authority to develop an alternative secondary formula and to lower the minimum grant amounts for secondary and postsecondary institutions. The Majority has consistently argued that States that wish to target "areas of greatest economic need" should have the ability to develop an alternative formula which accomplishes this goal. What troubles us about such a provision is both the history of State implementation of this Act, when States distributed funds to less needy areas, and the Majority's refusal to insert a definition of "greatest economic need." In constructing these funding provisions, we must acknowledge that in the past funding for secondary school districts should have been distributed to local education agencies that were truly in need of Federal assistance for vocational education. The GAO study clearly outlines what can happen without a clear instate formula. This alternative formula provision could only lead to a wide range of unproven and possibly damaging secondary school distribution formulas.

Prior to consideration of H.R. 1853 in the full committee, the Majority proffered a formula in the hopes of reaching a compromise. Unfortunately, their formula offer ignored our core concerns by leaving the new local set asides undefined and vague. While the Majority did move in our direction through the elimination of the alternative secondary formula provision and the inclusion of a formula with a higher poverty allocation, the offer still would have led to an unjust and uncertain distribution of funds to secondary school districts. With them unwilling to compromise further, we had to proceed to markup without a bipartisan agreement.

During the Committee markup, Representative Martinez offered two amendments to address the flawed funding formula. The first of these was an amendment designed to ensure that funds distributed presently under the current formula would be maintained, and any monies above that level ("new money") would be allocated based on a 60 percent poverty, 40 percent population formula. Under this amendment, the secondary school district formula in current law would be locked-in for the total amount presently reserved by the State for distribution to secondary school districts. The amendment would ensure that the present dollar amount going down to local education agencies would be reserved for distribution under the secondary school district formula in current law. This amendment also modified or eliminated the other ill-conceived portions of the Republican bill, including the alternative secondary formula authority, the new local set asides, and the minimum grant levels. Despite our view that this amendment was a reasonable compromise aimed at satisfying the needs of both sides, it was defeated on a near party-line vote.

The second Martinez amendment was a complete substitute which addressed the entire range of funding issues, including the in-state formula, minimum grants, alternative secondary formula, and set asides. Unfortunately, the Martinez substitute was defeated by a narrow margin of 18–19.

We vigorously dispute the Majority's claim that all school districts would receive additional funding over what they now receive. With provisions such as the 10 percent rural reserve and the 5 percent incentive grant set asides out of local funding, no school district would know what level of assistance they might receive. Under current law, a total of 75 percent of funds must be distributed directly to locals by the substate formula. Under the Majority proposal, only slightly more—76.5 percent—must be distributed directly to locals by formula. Also, many states use state-level funds to benefit local school districts. Along with the major shift from a strong poverty based formula as in the current statute, these set asides will significantly undermine current vocational education programs in many urban and rural areas.

III. Elimination of the Special Program Set Asides

The other major area of disagreement is the bill's elimination of set asides for displaced homemakers, single pregnant women, single parents, and sex equity programs. Throughout the years, the Perkins Act has made enormous strides in ensuring that individuals have access to non-traditional employment and training. Through the Perkins Act and related measures, disadvantaged populations have dramatically increased their work and educational opportunities.

Under current law, 10.5 percent of the funding going to each State must be reserved for programs designed to serve displaced homemakers, single pregnant women, single parents, and to ensure sex equity. Within this funding structure is a provision which mandates that each State have a sex equity coordinator whose primary duty is to ensure access for individuals entering non-traditional fields.

H.R. 1853 completely eliminates much of the focus of the Act on displaced homemakers, single pregnant women, single parents, and programs designed to ensure sex equity. While the Majority did make some efforts to address these needs through additional State plan requirements and the ability to use State program dollars to operate similar programs, the bill strikes the language in current law which provides for the 10.5 percent set aside and eliminates the mandate for a sex equity coordinator.

During the full Committee markup, Representative Mink offered two amendments intended to refocus the legislation on these programs. The first amendment would have instituted a hold-harmless policy at the local level for programs designed to serve these special populations and to ensure sex equity. The second amendment would have reinstituted the requirement for a sex equity coordinator. Unfortunately, the Majority rejected these amendments, on party line votes.

The elimination of the special program and sex equity set aside is one of the more short-sighted provisions in this legislation. The barriers that continue for women and those in non-traditional fields remain a troubling national problem. By reducing support for women seeking to gain access to high-skill training for high-wage careers, the Majority is once again overlooking the needs of disadvantaged populations.

IV. Other Concerns

The Majority report correctly reiterates that the bill provides for the States, and not the Secretary of Education, to develop the benchmarks. The report also notes, however, that section 114 of the bill requires that such benchmarks be rigorous. A State benchmark that accepted minimal yearly gains in student achievement—gains that were not in fact sufficient to enable the students to attain the State's challenging academic proficiencies, for example—would clearly not be rigorous.

The Majority report also states that, while the opportunity for college should be open to all, the Federal government should not discourage students who choose not to pursue that option if they choose to enter a vocational-technical education program. This language should not obscure, and in no way changes, the language in the bill itself which requires that students participating in such vocational-technical education programs be taught to the same challenging academic proficiencies as are provided for all other students (section 224(b)(3)(B)). Young people's educational and career horizon often expand, especially when they are in a good program, and the price of admission to a high-school vocational program should in no way restrict access to college.

In the report, the Majority highlights the bill's repeal of the specific requirements of current law that States designate individuals to review plans to ensure that the needs of the disabled, economically disadvantaged, and students of limited English proficiency are being met. Nevertheless, section 113 requires that the State assess how those special needs are met by the programs funded under the Act, and that the State describe how it will ensure that they are met. An adequate assessment of how well the needs are being met, and adequate plans for ensuring that they are met, obviously cannot be developed and carried out by people devoid of expertise in assessing and meeting those needs.

V. Conclusion

With the significant differences between the Majority and Minority, we remain unable to support a bill which guts the core provisions of the Act. We remain committed to obtaining a bipartisan solution, but the unyielding views of the Majority have prevented this thus far. Through earlier passage of legislation such as the reauthorization of the Individuals with Disabilities Act and the Juvenile Justice and Delinquency Prevention Act, this Committee has demonstrated its ability to overcome partisan differences. It is our hope that this spirit of bipartisanship will not be destroyed by the arbitrary objectives of the Majority.

TABLE 1. CARL D. PERKINS VOCATIONAL-TECHNICAL EDUCATION ACT AMENDMENTS OF 1997—ESTIMATED ALLOCATIONS TO URBAN, SUBURBAN, AND RURAL LOCAL EDUCATIONAL AGENCIES (LEAs) UNDER ALTERNATIVE SECONDARY SCHOOL FORMULAS

State and type of LEA	Estimated Allocations Under Alternative Substate Formulas				Percentage change, 50–50 minus 70–30
	Ages 5 to 17—Poverty/population				
	70%/30%	65%/35%	60%/40%	50%/50%	
California:					
Urban	$18,234,400	$17,991,800	$17,749,200	$17,264,000	−5
Suburban	18,217,200	18,468,900	18,720,600	19,223,900	6
Rural	1,877,000	1,865,600	1,854,100	1,831,100	−2
Not available (NA)	317,300	319,700	322,200	327,000	3
Colorado:					
Urban	2.104,800	2,092,200	2,079,600	2,054,300	−2
Suburban	1,294,100	1,321,600	1,349,100	1,404,100	9
Rural	1,076,500	1,061,700	1,046,900	1,017,200	−6
(NA)	4,000	4,000	3,900	3,800	−5
Delaware:					
Urban	0	0	0	0	NA
Suburban	1,815,600	1,835,600	1,855,500	1,895,400	4
Rural	1,446,700	1,426,800	1,406,800	1,366,900	−6
(NA)	0	0	0	0	NA
Florida:					
Urban	15,875,400	15,866,600	15,857,800	15,840,200	0
Suburban	2,734,400	2,765,900	2,797,500	2,860,500	5
Rural	2,198,800	2,176,100	2,153,400	2,107,900	−4
(NA)	0	0	0	0	NA
Georgia:					
Urban	2,702,100	2,641,200	2,580,300	2,458,500	−9
Suburban	4,736,200	4,859,400	4,982,700	5,229,300	10
Rural	5,387,100	5,329,300	5,271,400	5,155,700	−4
(NA)	191,200	186,700	182,100	173,100	−9
Illinois:					
Urban	10,723,600	10,436,900	10,150,300	9,577,000	−11
Suburban	7,096,500	7,372,600	7,648,700	8,201,000	16
Rural	3,712,900	3,720,100	3,727,400	3,742,000	1
(NA)	138,500	141,800	145,000	151,500	9
Indiana:					
Urban	5,421,000	5,297,000	5,173,000	4,924,900	−9
Suburban	3,939,000	4,054,800	4,170,700	4,402,400	12
Rural	3,732,600	3,739,000	3,745,000	3,758,200	1
(NA)	28,600	30,300	32,100	35,500	24
Michigan:					
Urban	8,906,800	8,653,500	8,460,200	8,013,700	−10
Suburban	6,859,300	7,082,500	7,305,700	7,752,100	13
Rural	2,688,900	2,689,100	2,689,400	2,689,900	0
(NA)	8,800	8,600	8,500	8,100	−8
Missouri:					
Urban	3,387,800	3,301,400	3,215,000	3,042,100	−10
Suburban	4,006,100	4,154,700	4,303,400	4,600,600	15
Rural	5,135,700	5,073,500	5,011,400	4,887,000	−5
(NA)	8,000	8,000	8,000	8,000	0
Nebraska:					
Urban	963,500	964,100	964,600	965,700	0
Suburban	216,900	225,000	233,100	249,300	15
Rural	1,533,400	1,525,800	1,518,200	1,502,900	−2
(NA)	65,900	64,900	63,900	61,900	−6
New Jersey:					
Urban	5,649,200	5,420,000	5,190,900	4,732,600	−16
Suburban	8,284,700	8,513,600	8,742,600	9,200,400	11
Rural	0	0	0	0	NA
NA	1,700	1,900	2,100	2,500	47
North Carolina:					
Urban	2,989,000	2,990,500	2,927,600	2,995,400	0
Suburban	5,425,000	5,518,600	5,612,300	5,799,700	7
Rural	8,353,300	8,267,300	8,181,200	8,009,100	−4

TABLE 1. CARL D. PERKINS VOCATIONAL-TECHNICAL EDUCATION ACT AMENDMENTS OF 1997—ESTIMATED ALLOCATIONS TO URBAN, SUBURBAN, AND RURAL LOCAL EDUCATIONAL AGENCIES (LEAs) UNDER ALTERNATIVE SECONDARY SCHOOL FORMULAS—Continued

State and type of LEA	Estimated Allocations Under Alternative Substate Formulas				Percentage change, 50–50 minus 70–30
	Ages 5 to 17—Poverty/population				
	70%/30%	65%/35%	60%/40%	50%/50%	
NA	527,700	518,600	509,400	490,900	−7
Pennsylvania:					
Urban	9,555,800	9,304,700	9,053,500	8,551,200	−11
Suburban	11,047,400	11,318,900	11,590,400	12,133,500	10
Rural	4,182,800	4,162,400	4,142,100	4,101,300	−2
NA	0	0	0	0	NA
South Carolina:					
Urban	1,495,000	1,520,900	1,546,800	1,598,700	7
Suburban	4,906,500	4,952,000	4,997,500	5,088,600	4
Rural	6,177,700	6,106,200	6,034,800	5,891,900	−5
NA	0	0	0	0	NA
Tennessee:					
Urban	3,673,300	3,593,900	3,514,500	3,355,600	−9
Suburban	6,681,300	6,785,400	6,889,500	7,097,700	6
Rural	5,633,700	5,611,300	5,588,900	5,544,100	−2
NA	214,200	211,900	209,700	205,200	−4
Texas:					
Urban	20,355,000	20,255,700	10,096,400	19,837,700	−3%
Suburban	10,044,300	10,252,700	10,461,100	10,877,800	8%
Rural	7,988,200	7,909,100	7,830,000	7,671,800	−4%
NA	9,000	9,100	9,100	9,200	2%
Wisconsin:					
Urban	3,514,100	3,433,300	3,352,400	3,190,800	−9%
Suburban	1,393,800	1,470,000	1,546,200	1,698,600	22%
Rural	2,434,500	2,439,100	2,443,700	2,452,900	1%
NA	6,000	6,000	6,000	6,100	2%
Total for states above:					
Urban	115,550,800	113,763,700	101,912,100	108,402,400	−6%
Suburban	98,698,300	100,952,200	103,206,600	107,714,900	9%
Rural	63,559,800	63,102,400	62,644,700	61,729,900	−3%
NA	1,520,900	2,511,500	1,502,000	1,482,800	−3%
U.S. total (all states):					
Urban	179,874,600	176,779,900	173,764,200	167,896,100	−7%
Suburban	175,489,900	179,782,600	184,075,400	192,660,900	10%
Rural	143,293,700	142,367,700	141,441,800	139,589,900	−3%
NA	33,915,500	33,467,200	33,094,400	32,348,900	−5%

MSA=Metropolitan Statistical Area.
Urban=LEAs serving a central city of a MSA.
Surban=LEAs serving portions of a MSA other than a central city.
Rural=LEAs serving areas that are not in a MSA.
NA=Information on the MSA status of these LEAs is not immediately available. In most cases, this is because LEAs were consolidated or otherwise substantially restructured between 1990 (the date when poverty and population data were compiled for LEAs) and 1993–94 (the year for which MSA status codes were assigned).

WILLIAM L. CLAY.
DALE E. KILDEE.
MAJOR R. OWENS.
PATSY T. MINK.
TIM ROEMER.
CHAKA FATTAH.
CAROLYN MCCARTHY.
HAROLD E. FORD, Jr.
RON KIND.
GEORGE MILLER.
MATTHEW G. MARTINEZ.
DONALD M. PAYNE.

ROBERT E. ANDREWS.
ROBERT C. SCOTT.
CARLOS ROMERO-BARCELÓ.
RUBÉN HINOJOSA.
JOHN F. TIERNEY.
LORETTA SANCHEZ.
DENNIS J. KUCINICH.

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