

109TH CONGRESS
1ST SESSION

S. 250

To amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2005

Mr. ENZI (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Carl D. Perkins Career and Technical Education Im-
6 provement Act of 2005”.

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

Sec. 1. Short title; table of contents.

Sec. 2. References.

Sec. 3. Purpose.

Sec. 4. Definitions.

Sec. 5. Transition provisions.
 Sec. 6. Limitation.
 Sec. 7. Authorization of appropriations.

TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

Sec. 101. Career and technical education assistance to the States.
 Sec. 102. Reservations and State allotment.
 Sec. 103. Within State allocation.
 Sec. 104. Accountability.
 Sec. 105. National activities.
 Sec. 106. Assistance for the outlying areas.
 Sec. 107. Native American program.
 Sec. 108. Tribally controlled postsecondary career and technical institutions.
 Sec. 109. Occupational and employment information.
 Sec. 110. State administration.
 Sec. 111. State plan.
 Sec. 112. Improvement plans.
 Sec. 113. State leadership activities.
 Sec. 114. Distribution of funds to secondary school programs.
 Sec. 115. Distribution of funds for postsecondary career and technical education programs.
 Sec. 116. Special rules for career and technical education.
 Sec. 117. Local plan for career and technical education programs.
 Sec. 118. Local uses of funds.
 Sec. 119. Tech-Prep education.

TITLE II—GENERAL PROVISIONS

Sec. 201. Redesignation of title.
 Sec. 202. Fiscal requirements.
 Sec. 203. Voluntary selection and participation.
 Sec. 204. Limitation for certain students.
 Sec. 205. Authorization of Secretary; participation of private school personnel.
 Sec. 206. Student assistance and other Federal programs.
 Sec. 207. Table of contents.

1 SEC. 2. REFERENCES.

2 Except as otherwise expressly provided, wherever in
 3 this Act an amendment or repeal is expressed in terms
 4 of an amendment to, or repeal of, a section or other provi-
 5 sion, the reference shall be considered to be made to a
 6 section or other provision of the Carl D. Perkins Voca-
 7 tional and Technical Education Act of 1998 (20 U.S.C.
 8 2301 et seq.).

1 **SEC. 3. PURPOSE.**

2 Section 2 (20 U.S.C. 2301) is amended—

3 (1) by striking “vocational” each place the term
4 appears and inserting “career”;5 (2) in paragraph (1), by striking “standards”
6 and inserting “and technical standards, and to assist
7 students in meeting such standards, especially in
8 preparation for high skill, high wage, or high de-
9 mand occupations in emerging or established profes-
10 sions”;11 (3) in paragraph (2), by inserting “challenging”
12 after “integrate”;13 (4) in paragraph (3), by striking “and” after
14 the semicolon;

15 (5) in paragraph (4)—

16 (A) by inserting “conducting and” before
17 “disseminating national”;18 (B) by inserting “disseminating informa-
19 tion on best practices,” after “national re-
20 search,”; and21 (C) by striking the period at the end and
22 inserting a semicolon; and

23 (6) by adding at the end the following:

24 “(5) promoting leadership and professional de-
25 velopment at the State and local levels, and devel-
26 oping research and best practices for improving the

1 quality of career and technical education teachers,
2 faculty, principals, administrators, and counselors;

3 “(6) supporting partnerships among secondary
4 schools, postsecondary institutions, area career tech-
5 nical centers, business and industry, professional as-
6 sociations, and intermediaries; and

7 “(7) developing a highly skilled workforce need-
8 ed to keep America competitive in the global econ-
9 omy in conjunction with other Federal education and
10 training programs, including workforce investment
11 programs, that provide lifelong learning for the
12 workforce of today and tomorrow.”.

13 **SEC. 4. DEFINITIONS.**

14 Section 3 (20 U.S.C. 2302) is amended—

15 (1) in paragraph (2), by inserting “, including
16 employment statistics and information relating to
17 national, regional, and local labor market areas, as
18 provided pursuant to section 118, and career ladder
19 information, where appropriate” after “to enter”;

20 (2) in paragraph (3)—

21 (A) in the paragraph heading, by striking
22 “VOCATIONAL” and inserting “CAREER”; and

23 (B) by striking “vocational” each place the
24 term appears and inserting “career”;

25 (3) by striking paragraph (4);

5 “(4) ARTICULATION AGREEMENT.—The term
6 ‘articulation agreement’ means a written commit-
7 ment, approved annually by the relevant administra-
8 tors of the secondary and postsecondary institutions,
9 to a program that is designed to provide students
10 with a nonduplicative sequence of progressive
11 achievement leading to technical skill proficiency, a
12 credential, a certificate, or a degree, and linked
13 through credit transfer agreements.

14 “(5) CAREER AND TECHNICAL EDUCATION.—
15 The term ‘career and technical education’ means or-
16 ganized educational activities that—

17 “(A) offer a sequence of courses (which
18 may include technical learning experiences)
19 that—

1 “(ii) may lead to technical skill pro-
2 ficiency, a credential, a certificate, or a de-
3 gree; and

4 “(B) include competency-based applied
5 learning that contributes to the academic
6 knowledge, higher-order reasoning and problem-
7 solving skills, work attitudes, general employ-
8 ability skills, technical skills, and occupation-
9 specific skills, of an individual.

10 “(6) CAREER AND TECHNICAL EDUCATION STU-
11 DENT.—The term ‘career and technical education
12 student’ means a student who enrolls in a clearly de-
13 fined sequence of career and technical education
14 courses leading to attainment of technical skill pro-
15 ficiency, a credential, a certificate, or a degree.

16 “(7) CAREER AND TECHNICAL STUDENT ORGA-
17 NIZATION.—

18 “(A) IN GENERAL.—The term ‘career and
19 technical student organization’ means an orga-
20 nization for individuals enrolled in a career and
21 technical education program that engages in ca-
22 reer and technical education activities as an in-
23 tegral part of the instructional program.

24 “(B) STATE AND NATIONAL UNITS.—An
25 organization described in subparagraph (A)

1 may have State and national units that aggregate
2 the work and purposes of instruction in career and technical education at the local level.

3
4 “(8) CAREER GUIDANCE AND ACADEMIC COUNSELING.—The term ‘career guidance and academic
5 counseling’ means providing access to information
6 regarding career awareness and planning with respect to an individual’s occupational and academic
7 future that shall involve guidance and counseling
8 with respect to career options, financial aid, and
9 postsecondary options.

10
11
12 “(9) CAREER PATHWAY.—The term ‘career pathway’ means a coordinated and nonduplicative
13 sequence of courses (which may include technical
14 learning experiences) and associated credits that—

15
16 “(A) shall identify both secondary and
17 postsecondary education elements;

18 “(B) shall include challenging academic
19 and career and technical education content;

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

1 “(D) may culminate in technical skill pro-
2 ficiency, a credential, a certificate, or a de-
3 gree.”;

4 (6) in paragraph (10) (as redesignated by para-
5 graph (4) of this section), by striking “5206” and
6 inserting “5210”;

7 (7) by redesignating paragraphs (11) through
8 (35) (as redesignated by paragraph (4) of this sec-
9 tion) as paragraphs (12) through (36), respectively;

10 (8) by inserting after paragraph (10) (as redes-
11 gnated by paragraph (4) of this section) the fol-
12 lowing:

13 “(11) COMMUNITY COLLEGE.—The term ‘com-
14 munity college’—

15 “(A) means an institution of higher edu-
16 cation, as defined in section 101 of the Higher
17 Education Act of 1965, that provides not less
18 than a 2-year program that is acceptable for
19 full credit toward a baccalaureate degree; and

20 “(B) includes tribally controlled colleges or
21 universities.”;

22 (9) in paragraph (12) (as redesignated by para-
23 graph (7) of this section)—

24 (A) by striking “method of instruction”
25 and inserting “method”; and

3 (10) by redesignating paragraphs (13) through
4 (36) (as redesignated by paragraph (7) of this sec-
5 tion) as paragraphs (14) through (37), respectively;

6 (11) by inserting after paragraph (12) the fol-
7 lowing:

8 “(13) CORE ACADEMIC SUBJECTS.—The term
9 ‘core academic subjects’ has the meaning given the
10 term in section 9101 of the Elementary and Sec-
11 ondary Education Act of 1965, except that under
12 this Act such subjects included in such term shall be
13 only those subjects in a secondary school context.”;

14 (12) in paragraph (16) (as redesignated by
15 paragraph (10) of this section), by striking “voca-
16 tional” both places the term appears and inserting
17 “career”;

20 (A) in subparagraph (A), by striking “an
21 institution of higher education” and inserting
22 “a public or nonprofit private institution of
23 higher education that offers career and tech-
24 nical education courses that lead to technical

1 skill proficiency, an industry-recognized creden-
2 tial, a certificate, or a degree”; and

3 (B) in subparagraph (C), by striking “vo-
4 cational” and inserting “career”;

5 (14) in paragraph (18)(A) (as redesignated by
6 paragraph (10) of this section), by striking “agency,
7 an area vocational” and inserting “agency (including
8 a public charter school that operates as a local edu-
9 cational agency), an area career”;

10 (15) by redesignating paragraphs (20) through
11 (37) (as redesignated by paragraph (10) of this sec-
12 tion) as paragraphs (21) through (38), respectively;

13 (16) by inserting after paragraph (19) (as re-
14 designated by paragraph (10) of this section) the
15 following:

16 “(20) GRADUATION AND CAREER PLAN.—The
17 term ‘graduation and career plan’ means a written
18 plan for a secondary career and technical education
19 student, that—

20 “(A) is developed with career guidance and
21 academic counseling or other professional staff,
22 and in consultation with parents, not later than
23 in the first year of secondary school or upon en-
24 rollment in career and technical education;

1 “(B) is reviewed annually and modified as
2 needed;

3 “(C) includes relevant information on—
4 “(i) secondary school requirements for
5 graduating with a diploma;

6 “(ii) postsecondary education admission
7 requirements; and

8 “(iii) high skill, high wage, or high demand
9 occupations and nontraditional fields
10 in emerging and established professions,
11 and labor market indicators; and

12 “(D) states the student’s secondary school
13 graduation goals, postsecondary education and
14 training, or employment goals, and identifies 1
15 or more career pathways that correspond to the
16 goals.”;

17 (17) in paragraph (25) (as redesignated by
18 paragraph (15) of this section)—

19 (A) in the paragraph heading, by striking
20 “TRAINING AND EMPLOYMENT” and inserting
21 “FIELDS”; and

22 (B) by striking “training and employment”
23 and inserting “fields”;

24 (18) in paragraph (26) (as redesignated by
25 paragraph (15) of this section), by striking “the

1 Commonwealth” and all that follows through the pe-
2 riod and inserting “and the Commonwealth of the
3 Northern Mariana Islands.”;

4 (19) by redesignating paragraphs (31) through
5 (38) (as redesignated by paragraph (15) of this sec-
6 tion) as paragraphs (32) through (39), respectively;

7 (20) by inserting after paragraph (30) (as re-
8 designated by paragraph (15) of this section) the
9 following:

10 “(31) SELF-SUFFICIENCY.—The term ‘self-suf-
11 ficiency’ means a standard that is adopted, cal-
12 culated, or commissioned by a local area or State,
13 and which adjusts for local factors, in specifying the
14 income needs of families, by family size, the number
15 and ages of children in the family, and sub-State
16 geographical considerations.”;

17 (21) in paragraph (32) (as redesignated by
18 paragraph (19) of this section)—

19 (A) in subparagraph (C), by striking
20 “training and employment” and inserting
21 “fields”; and

22 (B) in subparagraph (F), by striking “indi-
23 viduals with other barriers to educational
24 achievement, including”;

5 (23) by striking paragraph (35) (as redesignated by paragraph (19) of this section) and inserting
6 the following:

8 “(35) TECH-PREP PROGRAM.—The term ‘tech-
9 prep program’ means a program of study that—

10 “(A) combines at a minimum 2 years of
11 secondary education (as determined under State
12 law) with a minimum of 2 years of postsec-
13 ondary education in a nonduplicative, sequential
14 course of study;

15 “(B) integrates academic and career and
16 technical education instruction, and utilizes
17 work-based and worksite learning where appro-
18 priate and available;

19 “(C) provides technical preparation in a
20 career field, including high skill, high wage, or
21 high demand occupations;

22 “(D) builds student competence in tech-
23 nical skills and in core academic subjects, as
24 appropriate, through applied, contextual, and

1 integrated instruction, in a coherent sequence
2 of courses;

3 “(E) leads to technical skill proficiency, a
4 credential, a certificate, or a degree, in a spe-
5 cific career field;

6 “(F) leads to placement in appropriate em-
7 ployment or to further education; and

8 “(G) utilizes career pathways, to the extent
9 practicable.”;

10 (24) in paragraph (37) (as redesignated by
11 paragraph (19) of this section)—

12 (A) in the paragraph heading, by striking
13 “VOCATIONAL” and inserting “CAREER”;

14 (B) in the matter preceding subparagraph
15 (A)—

16 (i) by striking “vocational” and in-
17 serting “career”;

18 (ii) by striking “paragraph (2)” and
19 inserting “subsection (a)(2)”; and

20 (iii) by striking “paragraph (5)(A)”
21 and inserting “subsection (a)(5)”; and

22 (C) in subparagraph (F), by striking “vo-
23 cational” and inserting “career”; and

24 (25) by striking paragraphs (38) and (39) (as
25 redesignated by paragraph (19) of this section).

1 SEC. 5. TRANSITION PROVISIONS.

2 Section 4 (20 U.S.C. 2303) is amended by striking
3 “the Carl D. Perkins Vocational and Applied Technology
4 Education Act” and all that follows through the period
5 and inserting “this Act, as this Act was in effect on the
6 day before the date of enactment of the Carl D. Perkins
7 Career and Technical Education Improvement Act of
8 2005. Each eligible agency shall be assured a full fiscal
9 year for transition to plan for and implement the require-
10 ments of this Act.”.

11 SEC. 6. LIMITATION.

12 Section 6 (20 U.S.C. 2305) is amended by striking
13 the second sentence.

14 SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

15 Section 8 (20 U.S.C. 2307) is amended—
16 (1) by striking “title II” and inserting “part D
17 of title I”; and
18 (2) by striking “1999 through 2003” and in-
19 serting “2006 through 2011”.

**20 TITLE I—CAREER AND TECH-
21 NICAL EDUCATION ASSIST-
22 ANCE TO THE STATES****23 SEC. 101. CAREER AND TECHNICAL EDUCATION ASSIST-
24 ANCE TO THE STATES.**

25 Title I (20 U.S.C. 2321 et seq.) is amended by strik-
26 ing the title heading and inserting the following:

1 **“TITLE I—CAREER AND TECH-**
2 **NICAL EDUCATION ASSIST-**
3 **ANCE TO THE STATES”.**

4 **SEC. 102. RESERVATIONS AND STATE ALLOTMENT.**

5 Section 111(a) (20 U.S.C. 2321(a)) is amended—

6 (1) in paragraph (1)(C), by striking “2001
7 through 2003,” and inserting “2006 through 2011,
8 not more than”;

9 (2) in paragraph (2), in the matter preceding
10 subparagraph (A), by striking “paragraph (1)” and
11 inserting “paragraph (1), that are not allotted under
12 paragraph (5),”;

13 (3) in paragraph (3)—

14 (A) in subparagraph (B), by striking “(or
15 in the case” and all that follows through
16 “1998); and

17 (B) in subparagraph (C)—

18 (i) in clause (i)(I), by striking “(or in
19 the case” and all that follows through
20 “1998); and

21 (ii) in clause (ii)(II), by striking “(or
22 in the case” and all that follows through
23 “1998); and

24 (4) by adding at the end the following:

1 “(5) FORMULA FOR AMOUNTS IN EXCESS OF
2 THE FISCAL YEAR 2005 FUNDING LEVEL.—

3 “(A) IN GENERAL.—For any fiscal year
4 for which the remainder of the sums appro-
5 priated under section 8 and not reserved under
6 paragraph (1) exceeds the remainder of the
7 sums appropriated under section 8 and not re-
8 served under paragraph (1) for fiscal year
9 2005, such excess amount shall be allotted to
10 the States according to the formula under sub-
11 paragraphs (A) through (D) of paragraph (2).

12 “(B) MINIMUM ALLOTMENT.—

13 “(i) IN GENERAL.—Notwithstanding
14 any other provision of law and subject to
15 clause (ii), no State shall receive for a fis-
16 cal year under this paragraph less than $\frac{1}{2}$
17 of 1 percent of the excess amount de-
18 scribed in subparagraph (A).

19 “(ii) REQUIREMENT.—No State, by
20 reason of the application of clause (i), shall
21 be allotted under this paragraph for a fis-
22 cal year more than the amount determined
23 by multiplying—

1 “(I) the number of individuals in
2 the State counted under paragraph
3 (2); by

4 “(II) 185 percent of the national
5 average per pupil payment made with
6 the excess amount described in sub-
7 paragraph (A) for that year.”.

8 **SEC. 103. WITHIN STATE ALLOCATION.**

9 Section 112 (20 U.S.C. 2322) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by adding “and”
12 after the semicolon; and

13 (B) by striking paragraphs (2) and (3) and
14 inserting the following:

15 “(2) not more than 15 percent for—

16 “(A) State leadership activities described
17 in section 124, of which—

18 “(i) an amount determined by the eli-
19 gible agency shall be made available to
20 serve individuals in State institutions, such
21 as State correctional institutions and insti-
22 tutions that serve individuals with disabil-
23 ties; and

1 “(ii) not less than \$60,000 shall be
2 available for services that prepare individ-
3 uals for nontraditional fields; and

4 “(B) administration of the State plan,
5 which may be used for the costs of—

6 “(i) developing the State plan;

7 “(ii) reviewing the local plans;

8 “(iii) monitoring and evaluating pro-
9 gram effectiveness;

10 “(iv) assuring compliance with all ap-
11 plicable Federal laws;

12 “(v) providing technical assistance;

13 and

14 “(vi) supporting and developing State
15 data systems relevant to the provisions of
16 this Act.”;

17 (2) in subsection (b), by striking “subsection
18 (a)(3)” both places the term appears and inserting
19 “subsection (a)(2)(B)”;

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

22 “(c) RESERVE.—From amounts made available
23 under subsection (a)(1) to carry out this subsection, an
24 eligible agency may—

1 “(1) award grants to eligible recipients, or con-
2 sortia of eligible recipients, for career and technical
3 education activities described in section 135 in—

4 “(A) rural areas; or

5 “(B) areas with high percentages or high
6 numbers of career and technical education stu-
7 dents;

8 “(2) reserve funds, with the approval of partici-
9 pating eligible recipients, for—

10 “(A) innovative statewide initiatives that
11 demonstrate benefits for eligible recipients,
12 which may include—

13 “(i) developing and implementing
14 technical assessments;

15 “(ii) improving the professional devel-
16 opment of career and technical education
17 teachers, faculty, principals, and adminis-
18 trators; and

19 “(iii) establishing, enhancing, and
20 supporting systems for accountability data
21 collection or reporting purposes; or

22 “(B) the development and implementation
23 of career pathways or career clusters; and

24 “(3) carry out activities described in para-
25 graphs (1) and (2).”.

1 **SEC. 104. ACCOUNTABILITY.**

2 Section 113 (20 U.S.C. 2323) is amended—

3 (1) by striking “vocational” each place the term
4 appears and inserting “career”;

5 (2) in subsection (a)—

6 (A) by striking “a State performance ac-
7 countability system” and inserting “and sup-
8 port State and local performance accountability
9 systems”; and10 (B) by inserting “and its eligible recipi-
11 ents” after “of the State”;

12 (3) in subsection (b)—

13 (A) in paragraph (1)—

14 (i) in subparagraph (A), by striking
15 “paragraph (2)(A)” and inserting “sub-
16 paragraphs (A) and (B) of paragraph (2)”;
17 and18 (ii) in subparagraph (B), by striking
19 “(2)(B)” and inserting “(2)(C)”;

20 (B) in paragraph (2)—

21 (i) by striking subparagraph (A) and
22 inserting the following:23 “(A) CORE INDICATORS OF PERFORMANCE
24 FOR SECONDARY CAREER AND TECHNICAL EDU-
25 CATION STUDENTS.—Each eligible agency shall
26 identify in the State plan core indicators of per-

1 formance for secondary career and technical
2 education students that include, at a minimum,
3 measures of each of the following:

4 “(i) Student achievement on technical
5 assessments and attainment of career and
6 technical skill proficiencies that are aligned
7 with nationally recognized industry stand-
8 ards, if available and appropriate.

9 “(ii) Student attainment of chal-
10 lenging academic content standards and
11 student academic achievement standards,
12 as adopted by the State under section
13 1111(b)(1) of the Elementary and Sec-
14 ondary Education Act of 1965 and meas-
15 ured by the academic assessments de-
16 scribed in section 1111(b)(3) of such Act,
17 consistent with State requirements.

18 “(iii) Student rates of attainment
19 of—

20 “(I) a secondary school diploma;

21 “(II) the recognized equivalent of
22 a secondary school diploma;

23 “(III) technical skill proficiency;

24 “(IV) a credential;

25 “(V) a certificate; and

“(VI) a degree.

9 (ii) by redesignating subparagraphs
10 (B) through (D) as subparagraphs (C)
11 through (E), respectively;

12 (iii) by inserting after subparagraph
13 (A) the following:

1 “(ii) Student attainment of technical
2 skill proficiency, a credential, a certificate,
3 or a degree, or retention in postsecondary
4 education, including transfer to a bacca-
5 laureate degree program.

6 “(iii) Placement in military service,
7 apprenticeship programs, or employment.

8 “(iv) Student participation in, and
9 completion of, career and technical edu-
10 cation programs that lead to employment
11 in nontraditional fields.

12 “(v) Increase in earnings, where avail-
13 able.”;

14 (iv) in subparagraph (C) (as redesign-
15 ated by clause (ii) of this subparagraph),
16 by striking “the title.” and inserting “this
17 title, such as attainment of self-suffi-
18 ciency.”;

19 (v) in subparagraph (D) (as redesign-
20 ated by clause (ii) of this subparagraph),
21 by inserting “career and technical edu-
22 cation” after “developed State”;

23 (vi) in subparagraph (E) (as redesign-
24 ated by clause (ii) of this subpara-
25 graph)—

1 (I) by striking “this paragraph”
2 and inserting “subparagraphs (A) and
3 (B)”; and

4 (II) by striking “recipients.” and
5 inserting “recipients, and shall meet
6 the requirements of this section.”; and
7 (vii) by adding at the end the fol-
8 lowing:

18 (C) in paragraph (3)—
19 (i) in the paragraph heading, by strik-
20 ing “LEVELS” and inserting “STATE LEV-
21 ELS”;

22 (ii) in subparagraph (A)—
23 (I) in clause (i)—
24 (aa) by striking “paragraph
25 (2)(A)” and inserting “subpara-

1 graphs (A) and (B) of paragraph
2 (2);

3 (bb) by inserting “after tak-
4 ing into account the local ad-
5 justed levels of performance and”
6 after “eligible agency,”; and

7 (cc) by striking subclause
8 (II) and inserting the following:
9 “(II) require the eligible recipi-
10 ents to make continuous and signifi-
11 cant improvement in career and tech-
12 nical achievement of career and tech-
13 nical education students, including
14 special populations.”;

15 (II) in clause (v)—

16 (aa) in the clause heading,
17 by striking “3RD, 4TH, AND 5TH”
18 and inserting “SUBSEQUENT”;

19 (bb) by striking “third pro-
20 gram year” and inserting “third
21 and fifth program years”; and

22 (cc) by striking “third,
23 fourth, and fifth” and inserting
24 “corresponding subsequent”;

1 (III) in clause (vi)(II), by insert-
2 ing “and significant” after “contin-
3 uous”; and

4 (IV) in clause (vii), by striking
5 “or (vi)” and inserting “or (v)”; and
6 (iii) in subparagraph (B), by striking

7 “(2)(B)” and inserting “(2)(C)”; and

8 (D) by adding at the end the following:

9 “(4) LOCAL LEVELS OF PERFORMANCE.—

10 “(A) LOCAL ADJUSTED LEVELS OF PER-
11 FORMANCE FOR CORE INDICATORS OF PER-
12 FORMANCE.—

13 “(i) IN GENERAL.—Each eligible re-
14 cipient shall accept the State adjusted lev-
15 els of performance established under para-
16 graph (3) as local adjusted levels of per-
17 formance, or negotiate with the State to
18 reach agreement on new local adjusted lev-
19 els of performance, for each of the core in-
20 dicators of performance described in sub-
21 paragraphs (A) and (B) of paragraph (2)
22 for career and technical education activi-
23 ties authorized under this title. The levels
24 of performance established under this sub-
25 paragraph shall, at a minimum—

1 “(I) be expressed in a percentage
2 or numerical form, so as to be objec-
3 tive, quantifiable, and measurable;
4 and

5 “(II) require the eligible recipient
6 to make continuous and significant
7 improvement in career and technical
8 achievement of career and technical
9 education students.

10 “(ii) IDENTIFICATION IN THE LOCAL
11 PLAN.—Each eligible recipient shall iden-
12 tify, in the local plan submitted under sec-
13 tion 134, levels of performance for each of
14 the core indicators of performance for the
15 first 2 program years covered by the local
16 plan.

17 “(iii) AGREEMENT ON LOCAL AD-
18 JUSTED LEVELS OF PERFORMANCE FOR
19 FIRST 2 YEARS.—The eligible agency and
20 each eligible recipient shall reach agree-
21 ment on the eligible recipient’s levels of
22 performance for each of the core indicators
23 of performance for the first 2 program
24 years covered by the local plan, taking into
25 account the levels identified in the local

1 plan under clause (ii) and the factors de-
2 scribed in clause (v). The levels of perform-
3 ance agreed to under this clause shall be
4 considered to be the local adjusted levels of
5 performance for the eligible recipient for
6 such years and shall be incorporated into
7 the local plan prior to the approval of such
8 plan.

9 “(iv) AGREEMENT ON LOCAL AD-
10 JUSTED LEVELS OF PERFORMANCE FOR
11 SUBSEQUENT YEARS.—Prior to the third
12 and fifth program years covered by the
13 local plan, the eligible agency and each eli-
14 gible recipient shall reach agreement on
15 the local adjusted levels of performance for
16 each of the core indicators of performance
17 for the corresponding subsequent program
18 years covered by the local plan, taking into
19 account the factors described in clause (v).
20 The local adjusted levels of performance
21 agreed to under this clause shall be consid-
22 ered to be the local adjusted levels of per-
23 formance for the eligible recipient for such
24 years and shall be incorporated into the
25 local plan.

1 “(v) FACTORS.—The agreement de-
2 scribed in clause (iii) or (iv) shall take into
3 account—

4 “(I) how the levels of perform-
5 ance involved compare with the local
6 adjusted levels of performance estab-
7 lished for other eligible recipients, tak-
8 ing into account factors including the
9 characteristics of participants when
10 the participants entered the program
11 and the services or instruction to be
12 provided; and

13 “(II) the extent to which the
14 local adjusted levels of performance
15 involved promote continuous and sig-
16 nificant improvement on the core indi-
17 cators of performance by the eligible
18 recipient.

19 “(vi) REVISIONS.—If unanticipated
20 circumstances arise with respect to an eli-
21 gible recipient resulting in a significant
22 change in the factor described in clause
23 (v)(II), the eligible recipient may request
24 that the local adjusted levels of perform-
25 ance agreed to under clause (iii) or (iv) be

1 revised. The eligible agency shall issue ob-
2 jective criteria and methods for making
3 such revisions.

17 (4) by striking subsection (c)(1)(B) and insert-
18 ing:

19 “(B) information on the levels of perform-
20 ance achieved by the State with respect to the
21 additional indicators of performance, including
22 the levels of performance disaggregated for
23 postsecondary institutions, by special popu-
24 lations, and for secondary institutions, by spe-
25 cial populations and by the categories described

1 in section 1111(h)(1)(C)(i) of the Elementary
2 and Secondary Education Act of 1965, except
3 that such disaggregation shall not be required
4 in a case in which the number of individuals in
5 a category is insufficient to yield statistically re-
6 liable information or the results would reveal
7 personally identifiable information about an in-
8 dividual.”.

9 **SEC. 105. NATIONAL ACTIVITIES.**

10 Section 114 (20 U.S.C. 2324) is amended—
11 (1) by striking “vocational” each place the term
12 appears and inserting “career”;
13 (2) in subsection (a)(1), by striking “, including
14 an analysis of performance data regarding special
15 populations” and inserting “, including an analysis
16 of performance data that is disaggregated for post-
17 secondary institutions, by special populations, and
18 for secondary institutions, by special populations and
19 by the categories described in section
20 1111(h)(1)(C)(i) of the Elementary and Secondary
21 Education Act of 1965, except that such
22 disaggregation shall not be required in a case in
23 which the number of individuals in a category is in-
24 sufficient to yield statistically reliable information or

1 the results would reveal personally identifiable information about an individual”;

3 (3) in subsection (c)—

4 (A) by striking paragraph (2) and inserting the following:

6 “(2) INDEPENDENT ADVISORY PANEL.—

7 “(A) IN GENERAL.—The Secretary shall
8 appoint an independent advisory panel to advise
9 the Secretary on the implementation of the as-
10 sessment described in paragraph (3), including
11 the issues to be addressed and the methodology
12 of the studies involved to ensure that the as-
13 sessment adheres to the highest standards of
14 quality.

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

17 “(i) educators, principals, and admin-
18 istrators (including State directors of ca-
19 reer and technical education), with exper-
20 tise in the integration of academic and ca-
21 reer and technical education;

22 “(ii) experts in evaluation, research,
23 and assessment;

1 “(iii) representatives of labor organizations and businesses, including small
2 businesses;

3 “(iv) parents;

4 “(v) career guidance and academic
5 counseling professionals; and

6 “(vi) other individuals and intermediaries with relevant expertise.

7 “(C) INDEPENDENT ANALYSIS.—The advisory panel shall transmit to the Secretary and
8 to the relevant committees of Congress an independent analysis of the findings and recommendations resulting from the assessment
9 described in paragraph (3).

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

12 (B) in paragraph (3)—

13 (i) by striking subparagraph (A) and
14 inserting the following:

15 “(A) IN GENERAL.—From amounts made
16 available under subsection (d), the Secretary
17 shall provide for the conduct of an independent
18 evaluation and assessment of career and technical
19 education programs under this Act, in-

1 cluding the implementation of the Carl D. Per-
2 kins Career and Technical Education Improve-
3 ment Act of 2005, to the extent practicable,
4 through studies and analyses conducted inde-
5 pendently through grants, contracts, and coop-
6 erative agreements that are awarded on a com-
7 petitive basis.”;

8 (ii) in subparagraph (B)—

9 (I) by striking clause (iii) and in-
10 serting the following:

11 “(iii) the preparation and qualifica-
12 tions of teachers and faculty of career and
13 technical education, as well as shortages of
14 such teachers and faculty;”;

15 (II) by striking clause (v) and in-
16 serting the following:

17 “(v) academic and career and tech-
18 nical education achievement and employ-
19 ment outcomes of career and technical
20 education students, including analyses of—

21 “(I) the number of career and
22 technical education students and tech-
23 prep students who meet the State ad-
24 justed levels of performance estab-
25 lished under section 113;

1 “(II) the extent and success of
2 integration of challenging academic
3 and career and technical education for
4 students participating in career and
5 technical education programs;

6 “(III) the extent to which career
7 and technical education programs pre-
8 pare students, including special popu-
9 lations, for subsequent employment in
10 high skill, high wage occupations, or
11 participation in postsecondary edu-
12 cation; and

13 “(IV) the number of career and
14 technical education students receiving
15 a high school diploma;”;

16 (III) in clause (vi), by inserting
17 “, and career and technical education
18 students’ preparation for employ-
19 ment” after “programs”; and

20 (IV) in clause (viii), by inserting
21 “and local” after “State” both places
22 such term appears; and

23 (iii) in subparagraph (C)—

24 (I) in clause (i)—

1 (aa) by striking “Committee
2 on Education” and all that fol-
3 lows through “Senate” and in-
4 serting “relevant committees of
5 Congress”; and

(bb) by striking “2002” both places it appears and inserting “2009”; and

9 (II) in clause (ii), by striking
10 “Committee on Education” and all
11 that follows through “Senate” and in-
12 serting “relevant committees of Con-
13 gress”;

14 (C) in paragraph (4)(B), by striking
15 “Committee on Education” and all that follows
16 through “Senate” and inserting “relevant com-
17 mittees of Congress”;

18 (D) in paragraph (5)—

19 (i) in subparagraph (A)—

20 (I) in the matter preceding clause
21 (i), by striking “higher education”
22 and all that follows through “centers”
23 and inserting “higher education offer-
24 ing comprehensive graduate programs
25 in career and technical education that

1 shall be the primary recipient and
2 shall collaborate with a public or pri-
3 vate nonprofit organization or agency,
4 or a consortium of such institutions,
5 organizations, or agencies, to establish
6 a national research center”;

7 (II) in clause (i)—

8 (aa) by inserting “and eval-
9 uation” after “to carry out re-
10 search”; and

11 (bb) by inserting “, includ-
12 ing special populations,” after
13 “participants”;

14 (III) by redesignating clauses
15 (ii), (iii), and (iv), as clauses (iii), (iv),
16 and (v), respectively;

17 (IV) by inserting after clause (i)
18 the following:

19 “(ii) to carry out research for the pur-
20 pose of developing, improving, and identi-
21 fying the most successful methods for suc-
22 cessfully addressing the needs of employers
23 in high skill, high wage business and in-
24 dustry, including evaluation and scientif-
25 ically based research of—

1 “(I) collaboration between career
2 and technical education programs and
3 business and industry;

4 “(II) academic and technical
5 skills required to respond to the chal-
6 lenge of a global economy and rapid
7 technological changes; and

8 “(III) technical knowledge and
9 skills required to respond to needs of
10 a regional or sectoral workforce, in-
11 cluding small business;”;

12 (V) in clause (iii) (as redesign-
13 ated by subclause (III) of this
14 clause), by inserting “that are inte-
15 grated with challenging academic in-
16 struction” before “, including”; and

17 (VI) by striking clause (iv) (as
18 redesignated by subclause (III) of this
19 clause) and inserting the following:

20 “(iv) to carry out scientifically based
21 research, where appropriate, that can be
22 used to improve preparation and profes-
23 sional development of teachers, faculty,
24 principals, and administrators and student

1 learning in the career and technical edu-
2 cation classroom, including—

3 “(I) effective in-service and pre-
4 service teacher and faculty education
5 that assists career and technical edu-
6 cation programs in—

7 “(aa) integrating those pro-
8 grams with academic content
9 standards and student academic
10 achievement standards, as adopt-
11 ed by States under section
12 1111(b)(1) of the Elementary
13 and Secondary Education Act of
14 1965; and

15 “(bb) promoting technical
16 education aligned with industry-
17 based standards and certifi-
18 cations to meet regional industry
19 needs;

20 “(II) dissemination and training
21 activities related to the applied re-
22 search and demonstration activities
23 described in this subsection, which
24 may also include serving as a reposi-
25 tory for information on career and

1 technical education skills, State aca-
2 demic standards, and related mate-
3 rials; and

11 (ii) in subparagraph (B)—

12 (I) by striking “or centers” both
13 places the term appears; and

14 (II) by striking “Committee on
15 Education” and all that follows
16 through “Senate” and inserting “rel-
17 evant committees of Congress”;

18 (iii) in subparagraph (C), by striking
19 “or centers”; and

20 (iv) by adding at the end the fol-
21 lowing:

1 paragraph shall identify, in its application,
2 an independent governing board for the
3 center established pursuant to this para-
4 graph.

5 “(ii) MEMBERS.—The independent
6 governing board shall consist of the fol-
7 lowing:

8 “(I) Two representatives of sec-
9 ondary career and technical education.

10 “(II) Two representatives of
11 postsecondary career and technical
12 education.

13 “(III) Two representatives of eli-
14 gible agencies.

15 “(IV) Two representatives of
16 business and industry.

17 “(V) Two representatives of ca-
18 reer and technical teacher preparation
19 institutions.

20 “(VI) Two nationally recognized
21 researchers in the field of career and
22 technical education.

23 “(iii) COORDINATION.—The inde-
24 pendent governing board shall ensure that
25 the research and dissemination activities

1 carried out by the center are coordinated
2 with the research activities carried out by
3 the Secretary.”;

4 (E) in paragraph (6)(B)(ii), by striking
5 “or centers”; and

6 (F) by striking paragraph (8); and

7 (4) by adding at the end the following:

8 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this section
10 such sums as may be necessary for each of fiscal years
11 2006 through 2011.”.

12 SEC. 106. ASSISTANCE FOR THE OUTLYING AREAS.

13 Section 115 (20 U.S.C. 2325) is amended—

14 (1) by striking “vocational” each place the term
15 appears and inserting “career”;

16 (2) in subsection (b)—

17 (A) in the matter preceding paragraph (1),
18 by striking “the Republic of the Marshall Is-
19 lands, the Federated States of Micronesia,”;

20 (B) in paragraph (1), by striking “training
21 and retraining;” and inserting “preparation;”

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

24 (D) by inserting after paragraph (1) the
25 following:

1 “(2) professional development for teachers, fac-
2 ulty, principals, and administrators;”; and
3 (3) in subsection (d)—

4 (A) by striking “the Republic of the Mar-
5 shall Islands, the Federated States of Micro-
6 nesia, and”; and

7 (B) by striking “2001” and inserting
8 “2007”.

9 **SEC. 107. NATIVE AMERICAN PROGRAM.**

10 Section 116 (20 U.S.C. 2326) is amended—

11 (1) by striking “vocational” each place the term
12 appears and inserting “career”;

13 (2) in subsection (a)(5), by adding a period at
14 the end;

15 (3) in subsection (b)—

16 (A) in paragraph (1), by striking “(d)”
17 and inserting “(c)”; and

18 (B) in paragraph (2), by striking “(other
19 than in subsection (i))”;

20 (4) in subsection (d), by striking “section an”
21 and inserting “section, an”;

22 (5) in subsection (e), by striking “paragraph”
23 and inserting “section”; and

24 (6) in subsection (h), by striking “which are
25 recognized by the Governor of the State of Hawaii”.

1 **SEC. 108. TRIBALLY CONTROLLED POSTSECONDARY CA-**2 **REER AND TECHNICAL INSTITUTIONS.**

3 Section 117 (20 U.S.C. 2327) is amended—

4 (1) by striking the section heading and insert-
5 ing the following:6 **“SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CA-**7 **REER AND TECHNICAL INSTITUTIONS.”;**8 (2) by striking “vocational” each place the term
9 appears and inserting “career”;

10 (3) in subsection (g)—

11 (A) in paragraph (1), by striking “The
12 Secretary” and inserting “On an annual basis,
13 the Secretary”;14 (B) in paragraph (2)(B), by striking
15 “2000” and inserting “2007”; and16 (C) in paragraph (3)(C), by striking “be-
17 ginning” and all that follows through the period
18 and inserting “beginning on the date of enact-
19 ment of the Carl D. Perkins Career and Tech-
20 nical Education Improvement Act of 2005.”;21 (4) by redesignating subsections (h) and (i) as
22 subsections (i) and (j), respectively;23 (5) by inserting after subsection (g) the fol-
24 lowing:

25 “(h) APPEALS.—

1 “(1) IN GENERAL.—Subject to paragraph (2),
2 the Secretary shall provide a tribally controlled post-
3 secondary career and technical institution with a
4 hearing on the record before an administrative law
5 judge with respect to the following determinations:

6 “(A) A determination that such institution
7 is not eligible for a grant under this section.

8 “(B) A determination regarding the cal-
9 culation of the amount of a grant awarded
10 under this section.

11 “(2) PROCEDURE FOR APPEAL.—To appeal a
12 determination described in paragraph (1), a tribally
13 controlled postsecondary career and technical insti-
14 tution shall—

15 “(A) in the case of an appeal based on a
16 determination that such institution is not eligi-
17 ble for a grant under this section, file a notice
18 of appeal with the Secretary not later than 30
19 days after receipt of such determination; and

20 “(B) in the case of an appeal based on a
21 determination regarding the calculation of the
22 amount of a grant awarded under this sec-
23 tion—

24 “(i) file a notice of appeal with the
25 Secretary not later than 30 days after re-

1 ceipt of the Secretary's notification of the
2 grant amount; and

3 "(ii) identify the amount of funding
4 that gives rise to such appeal.

5 "(3) WITHHOLDING OF AMOUNT.—If a tribally
6 controlled postsecondary career and technical insti-
7 tution appeals a determination described in para-
8 graph (1), the Secretary shall withhold the amount
9 in dispute from the award of grant funds under this
10 section until such time as the administrative law
11 judge has issued a written decision on the appeal.";
12 and

13 (6) by striking subsection (j) (as redesignated
14 by paragraph (4) of this section) and inserting the
15 following:

16 "(j) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 \$10,000,000 for fiscal year 2006 and such sums as may
19 be necessary for each of the 5 succeeding fiscal years.".

20 **SEC. 109. OCCUPATIONAL AND EMPLOYMENT INFORMA-
21 TION.**

22 Section 118 (20 U.S.C. 2328) is amended—

23 (1) in subsection (a)—

24 (A) in the matter preceding paragraph (1),
25 by striking "(f)" and inserting "(g)";

1 (B) in paragraph (1)—

2 (i) in subparagraph (A), by striking

3 “(b)” both places it appears and inserting

4 “(c)”;

5 (ii) in subparagraph (B), by striking

6 “(b)” and inserting “(c)”;

7 (iii) in subparagraph (C), by striking

8 “(b)” and inserting “(c)”;

9 (C) in paragraph (2), by striking “(b)”

10 both places it appears and inserting “(c)”;

11 (2) by redesignating subsections (b) through (f)

12 as subsections (c) through (g), respectively;

13 (3) by inserting after subsection (a) the fol-

14 lowing:

15 “(b) STATE APPLICATION.—

16 “(1) IN GENERAL.—Each State desiring assist-
17 ance under this section shall submit an application
18 to the Secretary at the same time the State submits
19 its State plan under section 122, in such manner,
20 and accompanied by such additional information, as
21 the Secretary may reasonably require.

22 “(2) CONTENTS.—Each application submitted
23 under paragraph (1) shall include—

24 “(A) a description of how the State entity
25 designated in subsection (c) will provide infor-

1 mation based on labor market trends to inform
2 program development; and

3 “(B) information about the academic con-
4 tent standards and student academic achieve-
5 ment standards adopted by the State under sec-
6 tion 1111(b)(1) of the Elementary and Sec-
7 ondary Education Act of 1965.”;

8 (4) in subsection (c) (as redesignated by para-
9 graph (2) of this section)—

10 (A) in paragraph (1), by striking “individ-
11 uals” and all that follows through the semicolon
12 and inserting “students and parents, including
13 postsecondary education and training, including
14 preparation for high skill, high wage, or high
15 demand occupations and nontraditional fields in
16 emerging or established professions;”;

17 (B) in paragraph (2), by inserting “aca-
18 demic and career and technical” after “relate”;

19 (C) by striking paragraph (3) and insert-
20 ing the following:

21 “(3) to equip teachers, faculty, administrators,
22 and counselors with the knowledge, skills, and occu-
23 pational information needed to assist parents and all
24 students, especially special populations underrep-
25 resented in certain careers, with career exploration,

1 educational opportunities, education financing, and
2 exposure to high skill, high wage, or high demand
3 occupations and nontraditional fields;”;

4 (D) in paragraph (4), by striking “such
5 entities;” and inserting “such entities, with an
6 emphasis on high skill, high wage, or high de-
7 mand occupations in emerging or established
8 professions;”;

9 (E) in paragraph (5), by striking “and”
10 after the semicolon;

11 (F) in paragraph (6), by striking the pe-
12 riod and inserting “; and”; and

13 (G) by adding at the end the following:
14 “(7) to provide information, if available, for
15 each occupation, on—

16 “(A) the average earnings of an individual
17 in the occupation at entry level and after 5
18 years of employment;

19 “(B) the expected lifetime earnings; and

20 “(C) the expected future demand for the
21 occupation, based on employment projections.”;

22 (5) in subsection (d)(1) (as redesignated by
23 paragraph (2) of this section), by striking “(b)”
24 both places it appears and inserting “(c)”;

10 SEC. 110. STATE ADMINISTRATION.

11 Section 121 (20 U.S.C. 2341) is amended—

12 (1) by redesignating subsection (a)(2) as sub-
13 section (b) and indenting appropriately;

14 (2) by redesignating subparagraphs (A) through
15 (D) of subsection (a)(1) as paragraphs (1) through
16 (4), respectively, and indenting appropriately;

17 (3) by redesignating clauses (i) and (ii) of para-
18 graph (4) (as redesignated by paragraph (2) of this
19 section) as subparagraphs (A) and (B), respectively,
20 and indenting appropriately;

21 (4) by striking the following:

22 "(a) ELIGIBLE AGENCY RESPONSIBILITIES.—

23 “(1) IN GENERAL.—The responsibilities” and
24 inserting the following:

1 “(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The re-
2 sponsibilities”;

3 (5) in subsection (a)(1) (as redesignated by
4 paragraph (2) of this section), by striking “training
5 and employment” and inserting “fields”;

6 (6) in subsection (a)(2) (as redesignated by
7 paragraph (2) of this section)—

8 (A) by inserting “teacher and faculty prep-
9 aration programs,” after “teachers,”; and

10 (B) by inserting “all types and sizes of”
11 after “representatives of”; and

12 (7) in subsection (b) (as redesignated by para-
13 graph (1) of this section), by striking “paragraph
14 (1)” and inserting “subsection (a)”.

15 **SEC. 111. STATE PLAN.**

16 Section 122 (20 U.S.C. 2342) is amended—

17 (1) by striking “vocational” each place the term
18 appears and inserting “career”;

19 (2) in subsection (a)—

20 (A) in paragraph (1)—

21 (i) by striking “5” and inserting “6”;

22 and

23 (ii) by adding at the end the fol-
24 lowing: “Each eligible agency may submit
25 a transition plan during the first full year

1 of implementation of this Act after the
2 date of enactment of the Carl D. Perkins
3 Career and Technical Education Improve-
4 ment Act of 2005. The transition plan
5 shall fulfill the eligible agency's State plan
6 submission obligation under this section.”;
7 and

12 “(1) IN GENERAL.—The eligible agency shall
13 develop the State plan in consultation with academic
14 and career and technical education teachers, faculty,
15 principals, and administrators, career guidance and
16 academic counselors, eligible recipients, parents, stu-
17 dents, the State tech-prep coordinator and rep-
18 resentatives of tech-prep consortia (if applicable), in-
19 terested community members (including parent and
20 community organizations), representatives of special
21 populations, representatives of business (including
22 small business) and industry, and representatives of
23 labor organizations in the State, and shall consult
24 the Governor of the State with respect to such devel-
25 opment.”;

1 (4) by striking subsection (c) and inserting the
2 following:

3 “(c) PLAN CONTENTS.—The State plan shall include
4 information that—

5 “(1) describes the career and technical edu-
6 cation activities to be assisted that are designed to
7 meet or exceed the State adjusted levels of perform-
8 ance, including a description of—

9 “(A) how the eligible agency will support
10 eligible recipients in developing or implementing
11 career pathways for career and technical edu-
12 cation content areas that are designed to meet
13 relevant workforce needs, including how the eli-
14 gible agency will—

1 “(iv) consult with business and indus-
2 try and use industry-recognized standards
3 and assessments, if appropriate;

4 “(B) the secondary and postsecondary ca-
5 reer and technical education programs to be
6 carried out, including programs that will be car-
7 ried out by the eligible agency to develop, im-
8 prove, and expand access to quality technology
9 in career and technical education programs;

10 “(C) the criteria that will be used by the
11 eligible agency to approve eligible recipients for
12 funds under this title, including criteria to as-
13 sess the extent to which the local plan will—

14 “(i) promote higher levels of academic
15 achievement;

16 “(ii) promote higher levels of technical
17 skill attainment; and

18 “(iii) identify and address workforce
19 needs;

20 “(D) how programs at the secondary level
21 will prepare career and technical education stu-
22 dents, including special populations to graduate
23 from high school with a diploma;

24 “(E) how such programs will prepare ca-
25 reer and technical education students, including

1 special populations, both academically and tech-
2 nically, for opportunities in postsecondary edu-
3 cation or entry into high skill, high wage, or
4 high demand occupations in emerging or estab-
5 lished occupations, and how participating stu-
6 dents will be made aware of such opportunities;
7 and

8 “(F) how funds will be used to improve or
9 develop new career and technical education
10 courses in high skill, high wage, or high de-
11 mand occupations that are aligned with busi-
12 ness needs and industry standards, as appro-
13 priate—

14 “(i) at the secondary level that are
15 aligned with challenging academic content
16 standards and student academic achieve-
17 ment standards adopted by the State
18 under section 1111(b)(1) of the Elemen-
19 tary and Secondary Education Act of
20 1965; and

21 “(ii) at the postsecondary level that
22 are relevant and challenging;

23 “(2) describes how career and technical edu-
24 cation teachers, faculty, principals, administrators,
25 and career guidance and academic counselors will be

1 provided comprehensive initial preparation and pro-
2 fessional development, including through programs
3 and activities that—

4 “(A) promote the integration of chal-
5 lenging academic and career and technical edu-
6 cation curriculum development, including oppor-
7 tunities for teachers to jointly develop and im-
8 plement curriculum and pedagogical strategies
9 with appropriate academic teachers;

10 “(B) increase the academic and career and
11 technical education knowledge of career and
12 technical education teachers and faculty;

13 “(C) are high-quality, sustained, intensive,
14 focused on instruction, directly related to indus-
15 try standards, and includes structured induc-
16 tion and mentoring components for new per-
17 sonnel, with an emphasis on identifying and ad-
18 dressing the needs of local businesses, including
19 small businesses;

20 “(D) ensure an increasing number of ca-
21 reer and technical education teachers and fac-
22 ulty meet teacher certification and licensing re-
23 quirements reflecting the needs of their subject
24 area or areas;

1 “(E) equip them with the knowledge and
2 skills needed to work with and improve instruc-
3 tion for special populations;

4 “(F) assist in accessing and utilizing data,
5 including labor market indicators, student
6 achievement, and assessments;

7 “(G) enhance the leadership capacity of
8 principals and administrators;

9 “(H) are integrated with professional de-
10 velopment activities that the State carries out
11 under title II of the Elementary and Secondary
12 Education Act of 1965 and title II of the High-
13 er Education Act of 1965; and

14 “(I) include strategies to expose all career
15 and technical education students to comprehen-
16 sive information regarding career options that
17 lead to high skill, high wage, or high demand
18 occupations and nontraditional fields;

19 “(3) describes efforts to improve—

20 “(A) the recruitment and retention of ca-
21 reer and technical education teachers, faculty,
22 counselors, principals, and administrators, in-
23 cluding individuals in groups underrepresented
24 in the teaching profession; and

1 “(B) the transition to teaching from busi-
2 ness and industry, including small business;

3 “(4) describes efforts to improve the capacity of
4 programs and faculty at postsecondary institutions
5 to effectively prepare career and technical education
6 personnel, including, as appropriate, through elec-
7 tronically delivered distance education, and articula-
8 tion agreements between 2-year technical programs
9 and postsecondary education programs;

10 “(5) describes how the eligible agency will ac-
11 tively involve parents, academic and career and tech-
12 nical education teachers, faculty, principals, and ad-
13 ministrators, career guidance and academic coun-
14 selors, local businesses (including small- and me-
15 dium-sized businesses and business intermediaries),
16 and labor organizations in the planning, develop-
17 ment, implementation, and evaluation of such career
18 and technical education programs;

19 “(6) describes how funds received by the eligible
20 agency through the allotment made under section
21 111 will be allocated—

22 “(A) among secondary school career and
23 technical education, or postsecondary and adult
24 career and technical education, or both, includ-
25 ing the rationale for such allocation; and

1 “(B) among any consortia that will be
2 formed among secondary schools and eligible in-
3 stitutions, and how funds will be allocated
4 among the members of the consortia, including
5 the rationale for such allocation;

6 “(7) describes how the eligible agency will—
7 “(A) use funds to improve or develop new
8 career and technical education courses in high
9 skill, high wage, or high demand occupations—
10 “(i) at the secondary level that are
11 aligned with challenging academic content
12 standards and student academic achieve-
13 ment standards adopted by the State
14 under section 1111(b)(1) of the Elemen-
15 tary and Secondary Education Act of
16 1965; and
17 “(ii) at the postsecondary level that
18 are challenging and aligned with business
19 needs and industry standards, as appro-
20 priate;

21 “(B) improve the academic and technical
22 skills of students participating in career and
23 technical education programs, including
24 strengthening the academic, and career and
25 technical, components of career and technical

1 education programs through the integration of
2 academics with career and technical education
3 to ensure learning in the core academic subjects
4 and career and technical education subjects,
5 and provide students with strong experience in,
6 and understanding of, all aspects of an indus-
7 try;

8 “(C) ensure that students who participate
9 in such career and technical education pro-
10 grams are taught to the same challenging aca-
11 demic proficiencies as are taught to all other
12 students; and

13 “(D) encourage secondary school students
14 who participate in such career and technical
15 education programs to enroll in challenging
16 courses in core academic subjects;

17 “(8) describes how the eligible agency will an-
18 nually evaluate the effectiveness of such career and
19 technical education programs, and describes, to the
20 extent practicable, how the eligible agency is coordi-
21 nating such programs to promote relevant lifelong
22 learning and ensure nonduplication with other exist-
23 ing Federal programs;

24 “(9) describes the eligible agency’s program
25 strategies for special populations, including a de-

1 scription of how individuals who are members of the
2 special populations—

3 “(A) will be provided with equal access to
4 activities assisted under this title;

5 “(B) will not be discriminated against on
6 the basis of their status as members of the spe-
7 cial populations; and

8 “(C) will be provided with programs de-
9 signed to enable the special populations to meet
10 or exceed State adjusted levels of performance,
11 and prepare special populations for further
12 learning and for high skill, high wage, or high
13 demand occupations;

14 “(10) how the eligible agency will collaborate in
15 developing the State plan with—

16 “(A) the entity within the State with re-
17 sponsibility for elementary and secondary edu-
18 cation;

19 “(B) the entity within the State with re-
20 sponsibility for public institutions engaged in
21 postsecondary education;

22 “(C) State institutions such as State cor-
23 rectional institutions and institutions that serve
24 individuals with disabilities; and

1 “(D) all other relevant State agencies with
2 responsibility for career and technical education
3 and training and workforce development;

4 “(11) describes what steps the eligible agency
5 will take to involve representatives of eligible recipi-
6 ents in the development of the State adjusted levels
7 of performance;

8 “(12) provides assurances that the eligible
9 agency will comply with the requirements of this
10 title and the provisions of the State plan, including
11 the provision of a financial audit of funds received
12 under this title which may be included as part of an
13 audit of other Federal or State programs;

14 “(13) provides assurances that none of the
15 funds expended under this title will be used to ac-
16 quire equipment (including computer software) in
17 any instance in which such acquisition results in a
18 direct financial benefit to any organization rep-
19 resenting the interests of the purchasing entity, the
20 employees of the purchasing entity, or any affiliate
21 of such an organization;

22 “(14) describes how the eligible agency will
23 measure and report data relating to students partici-
24 pating in and completing career and technical edu-
25 cation within specific career clusters in order to ade-

1 quately measure the progress of the students, includ-
2 ing special populations, at—

3 “(A) the secondary level, disaggregated by
4 the categories described in section
5 1111(h)(1)(C)(i) of the Elementary and Sec-
6 ondary Education Act of 1965, except that such
7 disaggregation shall not be required in a case in
8 which the number of individuals in a category
9 is insufficient to yield statistically reliable infor-
10 mation or the results would reveal personally
11 identifiable information about an individual;
12 and

13 “(B) the postsecondary level, disaggregated
14 by special populations and the categories de-
15 scribed in section 1111(h)(1)(C)(i) of the Ele-
16 mentary and Secondary Education Act of 1965,
17 except that such disaggregation shall not be re-
18 quired in a case in which the number of individ-
19 uals in a category is insufficient to yield statis-
20 tically reliable information or the results would
21 reveal personally identifiable information about
22 an individual;

23 “(15) describes how the eligible agency will ade-
24 quately address the needs of students in alternative
25 education programs, if appropriate;

1 “(16) describes how the eligible agency will pro-
2 vide local educational agencies, area career and tech-
3 nical education schools, and eligible institutions in
4 the State with technical assistance;

5 “(17) describes how career and technical edu-
6 cation relates to State and regional occupational op-
7 portunities;

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

12 “(19) describes how funds will be used to pro-
13 mote preparation for high skill, high wage, or high
14 demand occupations and nontraditional fields in
15 emerging and established professions;

16 “(20) describes how funds will be used to serve
17 individuals in State correctional institutions;

18 “(21) describes how the eligible agency will en-
19 sure that the data reported to the eligible agency
20 from local educational agencies and eligible institu-
21 tions under this title and the data the eligible agency
22 reports to the Secretary are complete, accurate, and
23 reliable; and

24 “(22) contains the description and information
25 specified in sections 112(b)(8) and 121(c) of the

1 Workforce Investment Act of 1998 (29 U.S.C.
2 2822(b)(8) and 2841(c)) concerning the provision of
3 services only for postsecondary students and school
4 dropouts.”;

5 (5) by striking subsection (d) and inserting the
6 following:

7 “(d) PLAN OPTIONS.—

8 “(1) SINGLE PLAN.—The eligible agency may
9 fulfill the plan or application submission require-
10 ments of this section, section 118(b), and section
11 141(c) by submitting a single State plan. In such
12 plan, the eligible agency may allow eligible recipients
13 to fulfill the plan or application submission require-
14 ments of section 134 and subsections (a) and (b) of
15 section 143 by submitting a single local plan.

16 “(2) PLAN SUBMITTED AS PART OF 501
17 PLAN.—The eligible agency may submit the plan re-
18 quired under this section as part of the plan sub-
19 mitted under section 501 of the Workforce Invest-
20 ment Act of 1998 (20 U.S.C. 9271), provided that
21 the plan submitted pursuant to the requirement of
22 this section meets the requirements of this Act.”;

23 and

24 (6) by striking subsection (f).

1 SEC. 112. IMPROVEMENT PLANS.

2 Section 123 (20 U.S.C. 2343) is amended to read as
3 follows:

4 “SEC. 123. IMPROVEMENT PLANS.**5 “(a) STATE PROGRAM IMPROVEMENT PLAN.—**

6 “(1) PLAN.—If a State fails to meet the State
7 adjusted levels of performance described in the re-
8 port submitted under section 113(c), the eligible
9 agency shall develop and implement a program im-
10 provement plan in consultation with the appropriate
11 agencies, individuals, and organizations for the first
12 program year succeeding the program year in which
13 the eligible agency failed to meet the State adjusted
14 levels of performance, in order to avoid a sanction
15 under paragraph (3).

16 “(2) TECHNICAL ASSISTANCE.—If the Sec-
17 retary determines that an eligible agency is not
18 properly implementing the eligible agency’s respon-
19 sibilities under section 122, or is not making sub-
20 stantial progress in meeting the purpose of this Act,
21 based on the State’s adjusted levels of performance,
22 the Secretary shall work with the eligible agency to
23 implement improvement activities consistent with the
24 requirements of this Act.

25 “(3) FAILURE.—

1 “(A) IN GENERAL.—If an eligible agency
2 fails to meet the State adjusted levels of per-
3 formance, has not implemented an improvement
4 plan as described in paragraph (1), has shown
5 no improvement within 1 year after imple-
6 menting an improvement plan as described in
7 paragraph (1), or has failed to meet the State
8 adjusted levels of performance for 2 or more
9 consecutive years, the Secretary may, after no-
10 tice and opportunity for a hearing, withhold
11 from the eligible agency all, or a portion of, the
12 eligible agency’s allotment under this title.

13 “(B) WAIVER FOR EXCEPTIONAL CIR-
14 CUMSTANCES.—The Secretary may waive the
15 sanction in subparagraph (A) due to exceptional
16 or uncontrollable circumstances such as a nat-
17 ural disaster or a precipitous and unforeseen
18 decline in financial resources of the State.

19 “(4) FUNDS RESULTING FROM REDUCED AL-
20 LOTMENTS.—

21 “(A) IN GENERAL.—The Secretary shall
22 use funds withheld under paragraph (3) for a
23 State served by an eligible agency, to provide
24 (through alternative arrangements) services and

1 activities within the State to meet the purposes
2 of this Act.

3 “(B) REDISTRIBUTION.—If the Secretary
4 cannot satisfactorily use funds withheld under
5 paragraph (3), then the amount of funds re-
6 tained by the Secretary as a result of a reduc-
7 tion in an allotment made under paragraph (3)
8 shall be redistributed to other eligible agencies
9 in accordance with section 111.

10 “(b) LOCAL PROGRAM IMPROVEMENT.—

11 “(1) LOCAL EVALUATION.—Each eligible agen-
12 cy shall evaluate annually, using the local adjusted
13 levels of performance described in section 113(b)(4),
14 the career and technical education activities of each
15 eligible recipient receiving funds under this title.

16 “(2) PLAN.—

17 “(A) IN GENERAL.—If, after reviewing the
18 evaluation, the eligible agency determines that
19 an eligible recipient is not making substantial
20 progress in achieving the local adjusted levels of
21 performance, the eligible agency shall—

22 “(i) conduct an assessment of the
23 educational needs that the eligible recipient
24 shall address to overcome local perform-

22 “(B) CONSULTATION.—The eligible agency
23 shall conduct the activities described in sub-
24 paragraph (A) in consultation with teachers,
25 principals, administrators, faculty, parents,

1 other school staff, appropriate agencies, and
2 other appropriate individuals and organizations.

3 “(3) TECHNICAL ASSISTANCE.—If the eligible
4 agency determines that an eligible recipient is not
5 properly implementing the eligible recipient’s respon-
6 sibilities under section 134, or is not making sub-
7 stantial progress in meeting the purpose of this Act,
8 based on the local adjusted levels of performance,
9 the eligible agency shall provide technical assistance
10 to the eligible recipient to assist the eligible recipient
11 in carrying out the improvement activities consistent
12 with the requirements of this Act. An eligible recipi-
13 ent, in collaboration with the eligible agency, may re-
14 quest that the Secretary provide additional technical
15 assistance.

16 “(4) FAILURE.—

17 “(A) IN GENERAL.—If an eligible recipient
18 fails to meet the local adjusted levels of per-
19 formance as described in section 113(b)(4) and
20 has not implemented an improvement plan as
21 described in paragraph (2), has shown no im-
22 provement within 1 year after implementing an
23 improvement plan as described in paragraph
24 (2), or has failed to meet more than 1 of the
25 local adjusted levels of performance for 2 or

1 more consecutive years, the eligible agency may,
2 after notice and opportunity for a hearing,
3 withhold from the eligible recipient all, or a por-
4 tion of, the eligible recipient's allotment under
5 this title.

6 “(B) WAIVER FOR EXCEPTIONAL CIR-
7 CUMSTANCES.—The eligible agency may waive
8 the sanction under this paragraph due to excep-
9 tional or uncontrollable circumstances such as
10 organizational structure, or a natural disaster
11 or a precipitous and unforeseen decline in fi-
12 nancial resources of the eligible recipient.

13 “(5) FUNDS RESULTING FROM REDUCED AL-
14 LOTMENTS.—The eligible agency shall use funds
15 withheld under paragraph (4) to provide (through
16 alternative arrangements) services and activities to
17 students within the area served by such recipient to
18 meet the purpose of this Act.”.

19 **SEC. 113. STATE LEADERSHIP ACTIVITIES.**

20 Section 124 (20 U.S.C. 2344) is amended—

21 (1) by striking “vocational” each place the term
22 appears and inserting “career”;

23 (2) in subsection (a), by striking “112(a)(2)”
24 and inserting “112(a)(2)(A)”;

25 (3) in subsection (b)—

6 (B) in paragraph (2), by striking subparagraphs (A) through (C) and inserting the fol-
7 lowing:
8

9 “(A) training of career and technical edu-
10 cation teachers, faculty, principals, career guid-
11 ance and academic counselors, and administra-
12 tors to use technology, including distance learn-
13 ing;

14 “(B) encouraging schools to work with
15 technology industries to offer voluntary intern-
16 ships and mentoring programs; or

22 (C) by striking paragraph (3) and insert-
23 ing the following:

24 “(3) professional development programs, includ-
25 ing providing comprehensive professional develop-

1 ment (including initial teacher preparation) for ca-
2 reer and technical education teachers, faculty, prin-
3 cipals, administrators, and career guidance and aca-
4 demic counselors at the secondary and postsecondary
5 levels, that support activities described in section
6 122 and—

7 “(A) provide in-service and pre-service
8 training in career and technical education pro-
9 grams and techniques, effective teaching skills
10 based on promising practices and, where avail-
11 able and appropriate, scientifically based re-
12 search, and effective practices to improve pa-
13 rental and community involvement;

14 “(B) improve student achievement in order
15 to meet the State adjusted levels of perform-
16 ance established under section 113;

17 “(C) support education programs for
18 teachers and faculty of career and technical
19 education in public schools and other public
20 school personnel who are involved in the direct
21 delivery of educational services to career and
22 technical education students to ensure that
23 such personnel—

24 “(i) stay current with the needs, ex-
25 pectations, and methods of industry;

1 “(ii) can effectively develop challenging, integrated academic and career
2 and technical education curriculum jointly
3 with academic teachers, to the extent practicable; and

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

9 “(D) are integrated with the teacher certification or licensing and professional development activities that the State carries out under
10 title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher
11 Education Act of 1965;”;

15 (D) in paragraph (4), by striking “support for” and inserting “supporting”;

17 (E) in paragraph (5), by striking “non-traditional training and employment” and inserting “nontraditional fields in emerging and established professions, and other activities that expose students, including special populations, to high skill, high wage occupations”;

23 (F) in paragraph (6)—

24 (i) by inserting “intermediaries,” after
25 “labor organizations,”; and

1 (ii) by inserting “, or complete career
2 pathways, as described in section
3 122(c)(1)(A)” after “skills”;

4 (G) in paragraph (7), by striking “and”
5 after the semicolon;

6 (H) in paragraph (8), by striking “wage
7 careers.” and inserting “wage, or high demand
8 occupations; and”; and

9 (I) by adding at the end the following:

10 “(9) technical assistance for eligible recipi-
11 ents.”;

12 (4) by striking subsection (c) and inserting the
13 following:

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

24 “(2) establishment of agreements, including ar-
25 ticulation agreements, between secondary and post-

1 secondary career and technical education programs
2 in order to provide postsecondary education and
3 training opportunities for students participating in
4 such career and technical education programs, such
5 as tech-prep programs;

6 “(3) support for career and technical student
7 organizations, especially with respect to efforts to in-
8 crease the participation of students who are mem-
9 bers of special populations;

10 “(4) support for public charter schools oper-
11 ating secondary career and technical education pro-
12 grams;

13 “(5) support for career and technical education
14 programs that offer experience in, and under-
15 standing of, all aspects of an industry for which stu-
16 dents are preparing to enter;

17 “(6) support for family and consumer sciences
18 programs;

19 “(7) support for partnerships between edu-
20 cation and business or business intermediaries, in-
21 cluding cooperative education and adjunct faculty
22 arrangements at the secondary and postsecondary
23 levels;

24 “(8) support to improve or develop new career
25 and technical education courses and initiatives, in-

1 cluding career clusters, career academies, and dis-
2 tance learning, that prepare individuals academically
3 and technically for high skill, high wage, or high de-
4 mand occupations;

5 “(9) awarding incentive grants to eligible recipi-
6 ents for exemplary performance in carrying out pro-
7 grams under this Act, which awards shall be based
8 on local performance indicators, as described in sec-
9 tion 113, in accordance with previously publicly dis-
10 closed priorities;

11 “(10) providing career and technical education
12 programs for adults and school dropouts to complete
13 their secondary school education;

14 “(11) providing assistance to individuals, who
15 have participated in services and activities under
16 this title, in finding an appropriate job and con-
17 tinuing their education or training through collabora-
18 tion with the workforce investment system estab-
19 lished under the Workforce Investment Act of 1998
20 (29 U.S.C. 2801 et seq.);

21 “(12) developing valid and reliable assessments
22 of technical skills that are integrated with industry
23 certification assessments where available;

1 “(13) developing and enhancing data systems to
2 collect and analyze data on secondary and postsec-
3 ondary academic and employment outcomes;

4 “(14) improving—

5 “(A) the recruitment and retention of ca-
6 reer and technical education teachers, faculty,
7 principals, administrators, and career guidance
8 and academic counselors, including individuals
9 in groups underrepresented in the teaching pro-
10 fession; and

11 “(B) the transition to teaching from busi-
12 ness and industry, including small business; and

13 “(15) adopting, calculating, or commissioning a
14 self-sufficiency standard.”; and

15 (5) in subsection (d), by striking “112(a)(2)”
16 and inserting “112(a)(2)(A)”.

17 **SEC. 114. DISTRIBUTION OF FUNDS TO SECONDARY**
18 **SCHOOL PROGRAMS.**

19 Section 131 (20 U.S.C. 2351) is amended—

20 (1) by striking “vocational” each place the term
21 appears and inserting “career”;

22 (2) by striking subsection (a);

23 (3) by redesignating subsections (b) through (i)
24 as subsections (a) through (h), respectively;

(4) in subsection (a) (as redesignated by paragraph (3) of this section)—

11 (A) by striking “subsection (b)” and in-
12 serting “subsection (a); and

13 (B) in paragraph (1), by striking
14 “9902(2))” and inserting “9902(2))”;

15 (6) in subsection (e) (as redesignated by para-
16 graph (3) of this section), in the subsection heading,
17 by striking “VOCATIONAL” and inserting “CAREER”;
18 and

19 (7) in subsection (g) (as redesignated by para-
20 graph (3) of this section), by striking “subsections
21 (a), (b), (c), and (d)” and inserting “subsections (a),
22 (b), and (c)”.

1 **SEC. 115. DISTRIBUTION OF FUNDS FOR POSTSECONDARY**2 **CAREER AND TECHNICAL EDUCATION PRO-**3 **GRAMS.**

4 Section 132 (20 U.S.C. 2352) is amended by striking

5 the section heading and inserting the following:

6 **“SEC. 132. DISTRIBUTION OF FUNDS FOR POSTSECONDARY**7 **CAREER AND TECHNICAL EDUCATION PRO-**8 **GRAMS.”.**9 **SEC. 116. SPECIAL RULES FOR CAREER AND TECHNICAL**10 **EDUCATION.**

11 Section 133 (20 U.S.C. 2353) is amended—

12 (1) by striking the section heading and insert-

13 ing the following:

14 **“SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL**15 **EDUCATION.”;**

16 and

17 (2) by striking “vocational” each place such

18 term appears and inserting “career”.

19 **SEC. 117. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**20 **CATION PROGRAMS.**

21 Section 134 (20 U.S.C. 2354) is amended—

22 (1) by striking the section heading and insert-

23 ing the following:

24 **“SEC. 134. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**25 **CATION PROGRAMS.”;**

26 and

1 (2) in subsection (b), by striking paragraphs

2 (1) through (10) and inserting the following:

3 “(1) describe how the career and technical edu-
4 cation programs required under section 135(b) will
5 be carried out with funds received under this title;

6 “(2) describe how the career and technical edu-
7 cation activities will be carried out with respect to
8 meeting State and local adjusted levels of perform-
9 ance established under section 113;

10 “(3) describe how the eligible recipient will—

11 “(A) offer the appropriate courses of not
12 less than 1 of the career pathways described in
13 section 122(c)(1)(A);

1 “(C) provide students with strong experi-
2 ence in and understanding of all aspects of an
3 industry; and

4 “(D) ensure that students who participate
5 in such career and technical education pro-
6 grams are taught to the same challenging aca-
7 demic proficiencies as are taught for all other
8 students;

9 “(4) describe how comprehensive professional
10 development will be provided that is consistent with
11 section 122;

12 “(5) describe how parents, students, academic
13 and career and technical education teachers, faculty,
14 principals, administrators, career guidance and aca-
15 demic counselors, representatives of tech-prep con-
16 sortia (if applicable), representatives of business (in-
17 cluding small business) and industry, labor organiza-
18 tions, representatives of special populations, and
19 other interested individuals are involved in the devel-
20 opment, implementation, and evaluation of career
21 and technical education programs assisted under
22 this title, and how such individuals and entities are
23 effectively informed about, and assisted in, under-
24 standing, the requirements of this title, including ca-
25 reer pathways;

1 “(6) provide assurances that the eligible recipi-
2 ent will provide a career and technical education
3 program that is of such size, scope, and quality to
4 bring about improvement in the quality of career
5 and technical education programs;

6 “(7) describe the process that will be used to
7 evaluate and continuously improve the performance
8 of the eligible recipient;

9 “(8) describe how the eligible recipient—

10 “(A) will review career and technical edu-
11 cation programs, and identify and adopt strate-
12 gies to overcome barriers that result in lowering
13 rates of access to or lowering success in the
14 programs, for special populations; and

15 “(B) will provide programs that are de-
16 signed to enable the special populations to meet
17 the local adjusted levels of performance and
18 prepare for high skill, high wage, or high de-
19 mand occupations, including those that will lead
20 to self-sufficiency;

21 “(9) describe how individuals who are members
22 of special populations will not be discriminated
23 against on the basis of their status as members of
24 the special populations;

1 “(10) describe how funds will be used to pro-
2 mote preparation for nontraditional fields;
3 “(11) describe how career guidance and aca-
4 demic counseling will be provided to all career and
5 technical education students; and
6 “(12) describe efforts to improve the recruit-
7 ment and retention of career and technical education
8 teachers, faculty, counselors, principals, and admin-
9 istrators, including individuals in groups underrep-
10 resented in the teaching profession, and the transi-
11 tion to teaching from business and industry.”.

12 **SEC. 118. LOCAL USES OF FUNDS.**

13 Section 135 (20 U.S.C. 2355) is amended—

14 (1) in subsection (a), by striking “vocational”
15 and inserting “career”;

16 (2) in subsection (b)—

17 (A) in the matter preceding paragraph (1),
18 by striking “vocational” and inserting “career”;
19 and

20 (B) by striking paragraphs (1) through (8)
21 and inserting the following:

22 “(1) strengthen the academic and career and
23 technical education skills of students participating in
24 career and technical education programs by
25 strengthening the academic and career and technical

1 education components of such programs through the
2 integration of academics with career and technical
3 education programs through a coherent sequence of
4 courses, such as career pathways described in sec-
5 tion 122(c)(1)(A), to ensure learning in the core
6 academic subjects and career and technical edu-
7 cation subjects;

8 “(2) link secondary career and technical edu-
9 cation and postsecondary career and technical edu-
10 cation, including by—

11 “(A) offering the relevant elements of not
12 less than 1 career pathway described in section
13 122(c)(1)(A);

14 “(B) developing and supporting articula-
15 tion agreements between secondary and postsec-
16 ondary institutions; or

17 “(C) supporting tech-prep programs and
18 consortia;

19 “(3) provide students with strong experience in
20 and understanding of all aspects of an industry;

21 “(4) develop, improve, or expand the use of
22 technology in career and technical education, which
23 may include—

24 “(A) training of career and technical edu-
25 cation teachers, faculty, principals, and admin-

3 “(B) encouraging schools to collaborate
4 with technology industries to offer voluntary in-
5 ternships and mentoring programs;

6 “(5) provide professional development programs
7 that are consistent with section 122 to secondary
8 and postsecondary teachers, faculty, principals, ad-
9 ministrators, and career guidance and academic
10 counselors who are involved in integrated career and
11 technical education programs, including—

12 “(A) in-service and pre-service training—

22 “(iv) in effective practices to improve
23 parental and community involvement;

1 “(B) support of education programs that
2 provide information on all aspects of an indus-
3 try;

4 “(C) internship programs that provide rel-
5 evant business experience; and

6 “(D) programs dedicated to the effective
7 use of instructional technology;

8 “(6) develop and implement evaluations of the
9 career and technical education programs carried out
10 with funds under this title, including an assessment
11 of how the needs of special populations are being
12 met;

13 “(7) initiate, improve, expand, and modernize
14 quality career and technical education programs, in-
15 cluding relevant technology;

16 “(8) provide services and activities that are of
17 sufficient size, scope, and quality to be effective; and

18 “(9) provide activities to prepare special popu-
19 lations, including single parents and displaced home-
20 makers, for high skill, high wage, or high demand
21 occupations, including those that will lead to self-
22 sufficiency.”; and

23 (3) in subsection (c)—

24 (A) in paragraph (1), by striking “voca-
25 tional” and inserting “career”; and

1 (B) by striking paragraphs (2) through
2 (15) and inserting the following:

3 “(2) to provide career guidance and academic
4 counseling that is based on current labor market in-
5 dicators, as provided pursuant to section 118, for
6 students participating in career and technical edu-
7 cation programs that—

8 “(A) improves graduation rates and pro-
9 vides information on postsecondary and career
10 options for secondary students, which activities
11 may include the use of graduation and career
12 plans; and

13 “(B) provides assistance for postsecondary
14 students, including for adult students who are
15 changing careers or updating skills;

16 “(3) for partnerships between the eligible recipi-
17 ent and businesses, including small businesses and
18 business intermediaries, including for—

19 “(A) work-related experience for students,
20 such as internships, cooperative education,
21 school-based enterprises, entrepreneurship, and
22 job shadowing that are related to career and
23 technical education programs;

1 “(C) industry experience for teachers and
2 faculty;

3 “(4) to provide programs for special popu-
4 lations;

5 “(5) to assist career and technical student orga-
6 nizations;

7 “(6) for mentoring and support services;

8 “(7) for leasing, purchasing, upgrading, or
9 adapting instructional equipment;

10 “(8) for teacher preparation programs that ad-
11 dress the integration of academic and career and
12 technical education and that assist individuals who
13 are interested in becoming career and technical edu-
14 cation teachers and faculty, including individuals
15 with experience in business and industry;

16 “(9) to develop and expand postsecondary pro-
17 gram offerings at times and in formats that are con-
18 venient and accessible for working students, includ-
19 ing through the use of distance education;

20 “(10) for improving or developing new career
21 and technical education courses, including develop-
22 ment of new career pathways;

23 “(11) to develop and support small, personal-
24 ized career-themed learning communities;

1 “(12) to provide support for family and con-
2 sumer sciences programs;

3 “(13) to provide career and technical education
4 programs for adults and school dropouts to complete
5 their secondary school education or upgrade their
6 technical skills;

7 “(14) to provide assistance to individuals who
8 have participated in services and activities under
9 this title in finding an appropriate job and con-
10 tinuing their education or training through collabora-
11 tion with the workforce investment system estab-
12 lished under the Workforce Investment Act of 1998
13 (29 U.S.C. 2801 et seq.);

14 “(15) to support activities in nontraditional
15 fields, such as mentoring and outreach; and

16 “(16) to support other career and technical
17 education activities that are consistent with the pur-
18 pose of this Act.”.

19 **SEC. 119. TECH-PREP EDUCATION.**

20 (a) REDESIGNATION.—Title II (20 U.S.C. 2371 et
21 seq.) is amended—

22 (1) by striking the title heading and inserting
23 the following:

1 **“PART D—TECH-PREP EDUCATION”;**

2 (2) by striking sections 201, 202, 206, and 207;

3 and

4 (3) by redesignating sections 203, 204, 205,
5 and 208, as sections 141, 142, 143, and 144, re-
6 spectively.7 (b) STATE ALLOTMENT AND APPLICATION.—Section
8 141 (as redesignated by subsection (a) of this section) is
9 amended—10 (1) in subsection (a), by striking “section 206”
11 and inserting “section 144”; and12 (2) by striking subsection (c) and inserting the
13 following:14 “(c) STATE APPLICATION.—Each eligible agency de-
15 siring assistance under this part shall submit an applica-
16 tion to the Secretary at such time, in such manner, and
17 accompanied by such information as the Secretary may
18 require. Such application shall describe how activities
19 under this part will be coordinated, to the extent prac-
20 ticable, with activities described in section 122.”.21 (c) TECH-PREP EDUCATION.—Section 142 (as redes-
22 gnated by subsection (a) of this section) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1)—

25 (i) by striking “section 203” and in-
26 serting “section 141”;

1 (ii) by striking “title” and inserting
2 “part”;

3 (iii) by striking “vocational” both
4 places the term appears and inserting “ca-
5 reer”; and

6 (iv) in subparagraph (A), by inserting
7 “, educational service agency,” after “in-
8 termediate educational agency”; and

9 (B) in paragraph (2)—

10 (i) in subparagraph (A), by striking
11 “and”;

12 (ii) in subparagraph (B), by striking
13 the period at the end and inserting a semi-
14 colon; and

15 (iii) by adding at the end the fol-
16 lowing:

20 (2) in subsection (c)—

21 (A) by striking paragraph (2) and insert-
22 ing the following:

“(2) consist of not less than 2 years of secondary school with a common core of technical skills and core academic subjects preceding graduation

1 and 2 years or more of higher education, or an ap-
2 prenticeship program of not less than 2 years fol-
3 lowing secondary instruction, designed to lead to
4 technical skill proficiency, a credential, a certificate,
5 or a degree, in a specific career field;”;

6 (B) in paragraph (3)(B), by inserting “in-
7 cluding through the use of articulation agree-
8 ments, and” after “career fields;”;

9 (C) by striking paragraph (4) and insert-
10 ing the following:

11 “(4) include in-service professional development
12 for teachers, faculty, principals, and administrators
13 that—

14 (A) supports effective implementation of
15 tech-prep programs;

16 (B) supports joint training in the tech-
17 prep consortium;

18 (C) supports the needs, expectations, and
19 methods of business and all aspects of an in-
20 dustry;

21 (D) supports the use of contextual and
22 applied curricula, instruction, and assessment;

23 (E) supports the use and application of
24 technology; and

1 “(F) assists in accessing and utilizing
2 data, including labor market indicators, achieve-
3 ment, and assessments;”;
4 (D) in paragraph (5)—
5 (i) by striking “training” and insert-
6 ing “professional development”;
7 (ii) in subparagraph (B), by inserting
8 “, which may include through the use of
9 graduation and career plans” after “pro-
10 grams”;
11 (iii) in subparagraph (D), by striking
12 “and”;
13 (iv) in subparagraph (E), by inserting
14 “and” after the semicolon; and
15 (v) by adding at the end the following:
16 “(F) provide comprehensive career guid-
17 ance and academic counseling to participating
18 students, including special populations;”;
19 (E) in paragraph (6)—
20 (i) by inserting “(including pre-ap-
21 prenticeship programs)” after “programs”;
22 and
23 (ii) by striking “and” after the semi-
24 colon;

1 (F) in paragraph (7), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (G) by adding at the end the following:

4 “(8) coordinate with activities conducted under
5 this title.”; and

6 (3) in subsection (d)—

9 (B) in paragraph (3), by striking the pe-
0 riod at the end and inserting a semicolon; and

11 (C) by adding at the end the following:

12 “(4) improve career guidance and academic
13 counseling for participating students through the de-
14 velopment and implementation of graduation and ca-
15 reer plans; and

16 “(5) develop curriculum that supports effective
17 transitions between secondary and postsecondary ca-
18 reer and technical education programs.”.

19 (d) CONSORTIUM APPLICATIONS.—Section 143 (as
20 redesignated by subsection (a) of this section) is amend-
21 ed—

22 (1) in subsection (a), by striking “title” and in-
23 serting “part”;

24 (2) in subsection (b) —

25 (A) by striking “5” and inserting “6”; and

1 (B) by striking “title” and inserting
2 “part”;

3 (3) in subsection (d)—

4 (A) in paragraph (1), by inserting “or ad-
5 vanced” after “baccalaureate”;

6 (B) by striking paragraph (4) and insert-
7 ing the following:

8 “(4) provide education and training in areas or
9 skills, including emerging technology, in which there
10 are significant workforce shortages based on the
11 data provided by the entity in the State under sec-
12 tion 118;”;

13 (C) in paragraph (5), by striking the pe-
14 riod at the end and inserting “; and”; and

15 (D) by adding at the end the following:

16 “(6) demonstrate success in, or provide assur-
17 ances of, coordination and integration with eligible
18 recipients described in part C.”; and

19 (4) in subsection (e), by striking “title” and in-
20 serting “part”.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
22 144 (as redesignated by subsection (a) of this section) is
23 amended—

24 (1) by striking “title (other than section 207)”
25 and inserting “part”; and

(2) by striking “1999 and each of the 4” and inserting “2006 and each of the 5”.

3 TITLE II—GENERAL PROVISIONS

4 SEC. 201. REDESIGNATION OF TITLE.

5 (a) FEDERAL ADMINISTRATIVE PROVISIONS.—Title
6 III (20 U.S.C. 2391 et seq.) is amended by redesignating
7 sections 311 through 318 as sections 211 through 218,
8 respectively.

9 (b) STATE ADMINISTRATIVE PROVISIONS.—Title III
10 (20 U.S.C. 2391 et seq.) is amended by redesignating sec-
11 tions 321 through 325 as sections 221 through 225, re-
12 spectively.

13 (c) TITLE HEADING.—The title heading of title III
14 (20 U.S.C. 2391 et seq.) is amended to read as follows:

15 **“TITLE II—GENERAL**
16 **PROVISIONS”.**

17 SEC. 202. FISCAL REQUIREMENTS.

18 Section 211 (as redesignated by section 201 of this
19 Act) is amended—

20 (1) by striking “vocational” each place the term
21 appears and inserting “career”; and

22 (2) in subsection (b)—

23 (A) by striking paragraph (1) and insert-
24 ing the following:

25 “(1) DETERMINATION —

1 “(A) IN GENERAL.—Except as provided in
2 subparagraphs (B) and (C), no payments shall
3 be made under this Act for any fiscal year to
4 a State for career and technical education pro-
5 grams or tech-prep programs unless the Sec-
6 retary determines that the average fiscal effort
7 per student or the aggregate expenditures of
8 such State for career and technical education
9 programs for the 3 fiscal years preceding the
10 fiscal year for which the determination is made,
11 equaled or exceeded such effort or expenditures
12 for career and technical education programs,
13 for the 3 fiscal years preceding the fiscal year
14 for which the determination is made.

15 “(B) COMPUTATION.—In computing the
16 average fiscal effort or aggregate expenditures
17 pursuant to subparagraph (A), the Secretary
18 shall exclude capital expenditures, special one-
19 time project costs, and the cost of pilot pro-
20 grams.

21 “(C) DECREASE IN FEDERAL SUPPORT.—
22 If the amount made available for career and
23 technical education programs under this Act for
24 a fiscal year is less than the amount made
25 available for career and technical education pro-

grams under this Act for the preceding fiscal year, then the average fiscal effort per student or the aggregate expenditures of a State required by subparagraph (A) for the 3 preceding fiscal years shall be decreased by the same percentage as the percentage decrease in the amount so made available.”; and

8 (B) in paragraph (2), by striking “fiscal
9 effort” both places the term appears and insert-
10 ing “average fiscal effort”.

11 SEC. 203. VOLUNTARY SELECTION AND PARTICIPATION.

12 Section 214 (as redesignated by section 201 of this
13 Act) is amended by striking “vocational” both places the
14 term appears and inserting “career”.

15 SEC. 204. LIMITATION FOR CERTAIN STUDENTS.

16 Section 215 (as redesignated by section 201 of this
17 Act) is amended by striking “vocational” and inserting
18 “career”.

19 SEC. 205. AUTHORIZATION OF SECRETARY; PARTICIPATION
20 OF PRIVATE SCHOOL PERSONNEL.

21 Part A of title II (as redesignated by section 201 of
22 this Act) is amended—

23 (1) by striking section 217;

24 (2) by redesignating section 218 as section 217;

25 and

9 SEC. 206. STUDENT ASSISTANCE AND OTHER FEDERAL
10 PROGRAMS.

11 Section 225(c) (as redesignated by section 201 of this
12 Act) is amended—

13 (1) in the subsection heading, by striking "VO-
14 CATIONAL" and inserting "CAREER"; and

15 (2) by striking “vocational” both places the
16 term appears and inserting “career”.

17 SEC. 207. TABLE OF CONTENTS.

18 Section 1(b) (20 U.S.C. 2301 note) is amended to
19 read as follows:

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

- “Sec. 1. Short title; table of contents.
- “Sec. 2. Purpose.
- “Sec. 3. Definitions.
- “Sec. 4. Transition provisions.
- “Sec. 5. Privacy.
- “Sec. 6. Limitation.
- “Sec. 7. Special rule.
- “Sec. 8. Authorization of appropriations

“TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO
THE STATES

“PART A—ALLOTMENT AND ALLOCATION

- “Sec. 111. Reservations and State allotment.
- “Sec. 112. Within State allocation.
- “Sec. 113. Accountability.
- “Sec. 114. National activities.
- “Sec. 115. Assistance for the outlying areas.
- “Sec. 116. Native American program.
- “Sec. 117. Tribally controlled postsecondary career and technical institutions.
- “Sec. 118. Occupational and employment information.

“PART B—STATE PROVISIONS

- “Sec. 121. State administration.
- “Sec. 122. State plan.
- “Sec. 123. Improvement plans.
- “Sec. 124. State leadership activities.

“PART C—LOCAL PROVISIONS

- “Sec. 131. Distribution of funds to secondary school programs.
- “Sec. 132. Distribution of funds for postsecondary career and technical education programs.
- “Sec. 133. Special rules for career and technical education.
- “Sec. 134. Local plan for career and technical education programs.
- “Sec. 135. Local uses of funds.

“PART D—TECH-PREP EDUCATION

- “Sec. 141. State allotment and application.
- “Sec. 142. Tech-prep education.
- “Sec. 143. Consortium applications.
- “Sec. 144. Authorization of appropriations.

“TITLE II—GENERAL PROVISIONS

“PART A—FEDERAL ADMINISTRATIVE PROVISIONS

- “Sec. 211. Fiscal requirements.
- “Sec. 212. Authority to make payments.
- “Sec. 213. Construction.
- “Sec. 214. Voluntary selection and participation.
- “Sec. 215. Limitation for certain students.
- “Sec. 216. Federal laws guaranteeing civil rights.
- “Sec. 217. Participation of private school personnel.

“PART B—STATE ADMINISTRATIVE PROVISIONS

- “Sec. 221. Joint funding.
- “Sec. 222. Prohibition on use of funds to induce out-of-State relocation of businesses.
- “Sec. 223. State administrative costs.

“Sec. 224. Limitation on Federal regulations.

“Sec. 225. Student assistance and other Federal programs.”.

