

112TH CONGRESS
2D SESSION

S. 3710

To amend the Carl D. Perkins Career and Technical Education Act of 2006 to establish a career and technical innovation fund.

IN THE SENATE OF THE UNITED STATES

DECEMBER 27, 2012

Mr. BLUMENTHAL 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 Career and Technical Education Act of 2006 to establish a career and technical innovation fund.

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.**

4 This Act may be cited as the “Career And Technical
5 Innovation Fund Act of 2012”.

6 **SEC. 2. CAREER AND TECHNICAL INNOVATION FUND.**

7 (a) IN GENERAL.—The Carl D. Perkins Career and
8 Technical Education Act of 2006 (20 U.S.C. 2301 et seq.)
9 is amended by adding at the end the following:

1 **“TITLE IV—CAREER AND**
2 **TECHNICAL INNOVATION FUND**

3 **“SEC. 401. PURPOSES.**

4 “The purposes of this title are to strengthen the abil-
5 ity of career and technical education programs to prepare
6 students to meet the needs of the future workforce by—

7 “(1) funding the identification, development,
8 evaluation, and expansion of new and innovative,
9 research- and evidence-based career and technical
10 education practices, programs, and strategies in
11 order to—

12 “(A) significantly increase student achieve-
13 ment on the core indicators of performance as
14 outlined in section 113;

15 “(B) reduce gaps in program participation
16 and completion rates among populations of ca-
17 reer and technical education students; and

18 “(C) improve the effectiveness of career
19 and technical education teachers, leaders, and
20 counselors;

21 “(2) funding the development of innovative ca-
22 reer and technical programs of study, as described
23 in section 122(e)(1)(A), in new and emerging indus-
24 tries at the regional (or local) level;

1 “(3) developing rigorous evidence of the effec-
2 tiveness of innovative strategies on career and tech-
3 nical education student outcomes and career and
4 technical education program outcomes; and

5 “(4) supporting the rapid development, expan-
6 sion, adoption, and implementation of tools and re-
7 sources that improve the efficiency, effectiveness, or
8 pace of adoption of such career and technical edu-
9 cation practices, programs, and strategies.

10 **“SEC. 402. NATIONAL ACTIVITIES.**

11 “The Secretary may reserve not more than 5 percent
12 of funds appropriated to carry out this title for any fiscal
13 year to carry out activities of national significance. Such
14 activities shall include—

15 “(1) capacity building;

16 “(2) technical assistance;

17 “(3) evaluation; and

18 “(4) dissemination of best practices developed
19 with grant funds provided under this title.

20 **“SEC. 403. PROGRAM AUTHORIZED; LENGTH OF GRANTS;
21 PRIORITIES.**

22 “(a) PROGRAM AUTHORIZATION.—

23 “(1) IN GENERAL.—The Secretary shall use
24 funds made available to carry out this title for a fis-

1 cal year to award grants, on a competitive basis, to
2 eligible entities.

3 “(2) ELIGIBLE ENTITY.—

4 “(A) IN GENERAL.—In this title, the term
5 ‘eligible entity’ means a group or consortium
6 that includes not less than 2 of the following
7 (at least 1 of which shall be an entity described
8 in clause (i), (ii), (iii), or (iv)):

9 “(i) A local educational agency or a
10 consortium of such agencies.

11 “(ii) An area career and technical
12 education school or a consortium of such
13 schools.

14 “(iii) An institution of higher edu-
15 cation whose most common degree awarded
16 is an associate’s degree, or a consortium of
17 such institutions.

18 “(iv) A postsecondary vocational insti-
19 tution, as defined in section 102(e) of the
20 Higher Education Act of 1965, or a con-
21 sortium of such institutions.

22 “(v) An entity that carries out ap-
23 prenticeship programs registered under the
24 Act of August 16, 1937 (commonly known
25 as the National Apprenticeship Act (29

1 U.S.C. 50 et seq; 50 Stat. 664, chapter
2 663)).

3 “(vi) An institution of higher edu-
4 cation whose most common degree awarded
5 is a bachelor’s or higher degree, or a con-
6 sortium of such institutions.

7 “(vii) A business or industry rep-
8 resentative partner that provides training.

9 “(B) OTHER PARTNERS.—An eligible enti-
10 ty may also include a State board or local board
11 (as such terms are defined in section 101 of the
12 Workforce Investment Act of 1998 (29 U.S.C.
13 2801)), an eligible agency, a community-based
14 organization, a nonprofit organization, or other
15 business or industry representative.

16 “(C) RECORD OF SUCCESS.—In order to
17 be eligible to receive a grant under this title, at
18 least 1 of the members of the eligible entity
19 shall have a recent record of success in improv-
20 ing career and technical education outcomes,
21 career and technical education program out-
22 comes, or both, in the area addressed in the ap-
23 plication.

24 “(b) DURATION OF GRANTS.—The Secretary—

1 “(1) shall award grants under this title for a
2 period of not more than 3 years; and

3 “(2) may extend such grants for not more than
4 an additional 2-year period if the grantee dem-
5 onstrates to the Secretary that it is achieving its
6 program objectives and, as applicable, has improved
7 education outcomes for career and technical edu-
8 cation students.

9 “(c) RURAL SET-ASIDE.—The Secretary shall ensure
10 that not less than 22 percent of the funds awarded under
11 subsection (a) for any fiscal year are for projects that meet
12 the following requirements, except that the Secretary shall
13 not be required to make such awards unless a sufficient
14 number of otherwise eligible high-quality applications are
15 received:

16 “(1) ELIGIBLE ENTITIES THAT INCLUDE LOCAL
17 EDUCATIONAL AGENCIES.—If the eligible entity in-
18 cludes a local educational agency or a consortium of
19 such agencies, both of the following requirements
20 shall be met:

21 “(A) The eligible entity includes—

22 “(i) a local educational agency with
23 an urban-centric district locale code of 32,
24 33, 41, 42, or 43, as determined by the
25 Secretary;

1 “(ii) a consortium of such local edu-
2 cational agencies; or

3 “(iii) an educational service agency or
4 a nonprofit organization with demonstrated
5 expertise in serving students from rural
6 areas.

7 “(B) A majority of the schools to be served
8 by the project are designated with a school lo-
9 cale code of 41, 42, or 43, or a combination of
10 such codes, as determined by the Secretary,
11 and—

12 “(i) are served by a local educational
13 agency serving a geographic area in which
14 20 percent or more of the children 5
15 through 17 years of age are from families
16 with incomes below the poverty level;

17 “(ii) are served by a local educational
18 agency in which the total number of stu-
19 dents in average daily attendance at all of
20 the schools served by the local educational
21 agency is fewer than 600; or

22 “(iii) are served by a local educational
23 agency located in a county that has a total
24 population density of fewer than 10 per-
25 sons per square mile.

1 “(2) ELIGIBLE ENTITIES THAT DO NOT IN-
2 CLUDE LOCAL EDUCATIONAL AGENCIES.—If the eli-
3 gible entity does not include a local educational
4 agency or a consortium of such agencies, the eligible
5 entity shall demonstrate that it will serve individ-
6 uals—

7 “(A) at least 20 percent of whom are from
8 families with incomes below the poverty level;

9 “(B) who reside in an area served by a
10 local educational agency in which the total
11 number of students in average daily attendance
12 at all of the schools served by the local edu-
13 cational agency is fewer than 600; or

14 “(C) who reside in a county that has a
15 total population density of fewer than 10 per-
16 sons per square mile.

17 “(d) STANDARDS OF EVIDENCE.—An eligible entity
18 that desires a grant under this title shall demonstrate that
19 the activities the entity proposes to carry out with funds
20 under this title are likely to succeed in improving student
21 outcomes. Evidence shall include a rationale based on re-
22 search findings or a reasonable hypothesis that the activi-
23 ties proposed by the eligible entity will improve student
24 outcomes.

1 **“SEC. 404. APPLICATIONS.**

2 “Each eligible entity that desires to receive a grant
3 under this title shall submit an application to the Sec-
4 retary at such time, in such manner, and containing such
5 information as the Secretary may reasonably require. At
6 a minimum, each application shall—

7 “(1) describe the project for which the appli-
8 cant is seeking a grant and how the evidence sup-
9 porting that project meets the standards of evidence,
10 as described in section 403(d);

11 “(2) describe how the applicant will address at
12 least 1 of the areas described in section 405(a)(1);

13 “(3) describe how the project will support the
14 goal of innovation as outlined in the purposes of this
15 title;

16 “(4) provide an estimate of the number of stu-
17 dents that the applicant plans to serve under the
18 proposed project, including the percentage of those
19 students who are from special populations;

20 “(5) describe the applicant’s plan for continuing
21 the proposed project after funding under this title
22 ends;

23 “(6) describe the applicant’s partnership and
24 communication with business, industry, and labor, as
25 appropriate;

1 “(7) provide evidence of the eligible entity’s
2 ability to carry out the project, which may include
3 information on other successful efforts to increase
4 student achievement;

5 “(8) provide a description of the applicant’s
6 plan for independently evaluating the effectiveness of
7 activities carried out with funds under this title;

8 “(9) provide an assurance that the applicant
9 will—

10 “(A) cooperate with evaluations, as re-
11 quested by the Secretary;

12 “(B) make data available to third parties
13 for validation and further study, in accordance
14 with applicable data privacy laws, including sec-
15 tion 444 of the General Education Provisions
16 Act (20 U.S.C. 1232g, commonly known as the
17 ‘Family Educational Rights and Privacy Act of
18 1974’);

19 “(C) participate in communities of prac-
20 tice; and

21 “(D) disseminate information about project
22 activities;

23 “(10) provide a description of how the innova-
24 tive project will support and coordinate with any
25 funds received by project partners under title I, and

1 with the activities outlined in State and local plans
2 under title I; and

3 “(11) include an assurance from the applicable
4 eligible agency that the project is aligned with State
5 goals.

6 **“SEC. 405. USES OF FUNDS.**

7 “(a) USES OF FUNDS.—

8 “(1) IN GENERAL.—Each eligible entity that re-
9 ceives a grant under this title shall use the grant
10 funds to carry out 1 or more of the following activi-
11 ties:

12 “(A) Designing and implementing pro-
13 grams of study aligned to labor market needs in
14 new or emerging industries or occupations.

15 “(B) More seamlessly integrating academic
16 and career and technical education components
17 through new or improved education delivery
18 models.

19 “(C) Implementing new assessment sys-
20 tems within career and technical education pro-
21 grams that measure career readiness skills for
22 students, particularly focusing on measures of
23 employability skills and industry-recognized cre-
24 dentials.

1 “(D) Incorporating new and emerging
2 workforce skills into current career and tech-
3 nical education curriculum to ensure all pro-
4 grams are aligned to industry needs.

5 “(E) Ensuring students have access to up-
6 to-date career pathway and labor market infor-
7 mation through new or expanded comprehensive
8 career education programs that link to existing
9 labor market data.

10 “(F) Developing new programs to help stu-
11 dents transition from secondary education to
12 postsecondary education, or from completion of
13 one postsecondary program to another postsec-
14 ondary program awarding a higher-level creden-
15 tial.

16 “(G) Increasing the use of technology with-
17 in career and technical education programs.

18 “(H) Redesigning current programs
19 through the comprehensive use of innovative de-
20 livery models, curriculum, professional develop-
21 ment, and other key elements.

22 “(I) Designing programs specifically tar-
23 geted to disadvantaged populations, such as
24 high school dropouts or dislocated workers.

1 “(J) Incorporating comprehensive work-
2 based learning programs into the programs of
3 study described in subparagraph (A).

4 “(2) ADDITIONAL USES OF FUNDS.—In addi-
5 tion to the activities described in paragraph (1),
6 each eligible entity that receives a grant under this
7 title may use the grant funds—

8 “(A) to improve the effectiveness of career
9 and technical education teachers, administra-
10 tors, or counselors through innovative recruit-
11 ment, retention, or professional development ef-
12 forts; and

13 “(B) for an independent evaluation of the
14 innovative practices carried out with the grant.

15 “(b) AUTHORITY TO SUBGRANT.—

16 “(1) IN GENERAL.—If an eligible entity that re-
17 ceives a grant under this title includes a member
18 that is a nonprofit organization, such nonprofit or-
19 ganization may use the grant funds to award sub-
20 grants to other entities to provide support to 1 or
21 more schools or local educational agencies.

22 “(2) COMPLIANCE WITH REQUIREMENTS OF
23 GRANTEES.—Each entity awarded a subgrant under
24 paragraph (1) shall comply with the requirements of
25 this title relating to grantees, as appropriate.

1 **“SEC. 406. PERFORMANCE MEASURES.**

2 “The Secretary shall establish performance measures
3 for the programs and activities carried out under this title.
4 These measures, at a minimum, shall track the grantee’s
5 progress in improving outcomes for each subgroup of stu-
6 dents included in the definition of special populations that
7 is served by the grantee, including, as applicable, by—

8 “(1) each of the core indicators of performance,
9 as outlined in section 113;

10 “(2) improving career and technical education
11 teacher and school leader effectiveness; or

12 “(3) any other indicator as the grantee may de-
13 termine relative to the specific project proposed.

14 **“SEC. 407. REPORTING.**

15 “Each eligible entity that receives a grant under this
16 title shall submit to the Secretary, at such time and in
17 such manner as the Secretary may require, an annual re-
18 port that includes information on the entity’s progress on
19 the performance measures established under section 406,
20 and the data supporting such progress.

21 **“SEC. 408. AUTHORIZATION OF APPROPRIATIONS.**

22 “There are authorized to be appropriated to carry out
23 this title such sums as may be necessary for each of the
24 fiscal years 2013 through 2017.”.

25 (b) TABLE OF CONTENTS.—The table of contents in
26 section 1(b) of the Carl D. Perkins Career and Technical

- 1 Education Act of 2006 is amended by inserting after the
- 2 item relating to section 324 the following:

“TITLE IV—CAREER AND TECHNICAL INNOVATION FUND

- “Sec. 401. Purposes.
- “Sec. 402. National activities.
- “Sec. 403. Program authorized; length of grants; priorities.
- “Sec. 404. Applications.
- “Sec. 405. Uses of funds.
- “Sec. 406. Performance measures.
- “Sec. 407. Reporting.
- “Sec. 408. Authorization of appropriations.”.

