

114TH CONGRESS
2D SESSION

S. 3271

To amend the Carl D. Perkins Career and Technical Education Act of 2006 regarding dual or concurrent enrollment programs and early college high schools.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

Mr. BENNET (for himself and Mr. HATCH) 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 regarding dual or concurrent enrollment programs and early college high schools.

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 “Workforce Advance
5 Act”.

1 **SEC. 2. AMENDMENTS TO THE CARL D. PERKINS CAREER**
2 **AND TECHNICAL EDUCATION ACT OF 2006.**

3 (a) DEFINITIONS.—Section 3 of the Carl D. Perkins
4 Career and Technical Education Act of 2006 (20 U.S.C.
5 2302) is amended—

6 (1) paragraph (7)—

7 (A) in subparagraph (A), by inserting “op-
8 portunities,” after “regarding career aware-
9 ness”; and

10 (B) by amending subparagraph (B) to read
11 as follows:

12 “(B) provides information to students (and
13 parents, as appropriate) with respect to career
14 options, financial aid, job training, and sec-
15 ondary and postsecondary education options, in-
16 cluding baccalaureate degree programs, dual or
17 concurrent enrollment programs, and early col-
18 lege high schools, as appropriate.”;

19 (2) by redesignating paragraph (10), para-
20 graphs (11) through (23), and paragraphs (24)
21 through (34), as paragraph (11), paragraphs (14)
22 through (26), and paragraphs (28) through (38), re-
23 spectively;

24 (3) by inserting after paragraph (9) the fol-
25 lowing:

1 “(10) CREDIT TRANSFER AGREEMENTS.—The
2 term ‘credit transfer agreement’ refers to an oppor-
3 tunity for secondary school students to be awarded
4 transcribed postsecondary credit, supported with
5 formal agreements among secondary and postsec-
6 ondary education systems or different levels within
7 postsecondary systems, such as dual enrollment,
8 dual credit, 2-year to 4-year college articulation
9 agreements, or articulated credit, which may include
10 credit awarded for performance on technical assess-
11 ments.”;

12 (4) by inserting after paragraph (11), as redes-
13 igned by paragraph (1), the following:

14 “(12) DUAL OR CONCURRENT ENROLLMENT.—
15 The term ‘dual or concurrent enrollment’ means a
16 dual or concurrent enrollment program as defined in
17 section 8101 of the Elementary and Secondary Edu-
18 cation Act of 1965.

19 “(13) EARLY COLLEGE HIGH SCHOOL.—The
20 term ‘early college high school’ has the meaning
21 given that term in section 8101 of the Elementary
22 and Secondary Education Act of 1965.”; and

23 (5) by inserting after paragraph (26), as redes-
24 igned by paragraph (2), the following:

1 “(27) PRE-APPRENTICESHIP PROGRAM.—The
2 term ‘pre-apprenticeship program’ means a program
3 or set of strategies that—

4 “(A) is designed to prepare individuals to
5 enter and succeed in a registered apprenticeship
6 program;

7 “(B) is carried out in partnership with at
8 least 1 sponsor of a registered apprenticeship
9 program; and

10 “(C) includes each of the following ele-
11 ments:

12 “(i) Training (including a curriculum
13 for the training), aligned with industry
14 standards and reviewed and approved an-
15 nually by sponsors of the registered ap-
16 prenticeships within the documented part-
17 nership, that will prepare individuals by
18 teaching the skills and competencies need-
19 ed to enter one or more registered appren-
20 ticeship programs.

21 “(ii) Provision of hands-on training
22 and theoretical education to individuals
23 that—

24 “(I) accurately simulates the in-
25 dustry and occupational conditions of

1 the registered apprenticeship program
2 described in subparagraph (B);

3 “(II) is carried out in a manner
4 that includes proper observation of su-
5 pervision and safety protocols; and

6 “(III) is carried out in a manner
7 that does not displace a paid em-
8 ployee.

9 “(iii) A formal agreement with a
10 sponsor of a registered apprenticeship pro-
11 gram that would enable participants who
12 successfully complete the pre-apprentice-
13 ship program to enter directly into the reg-
14 istered apprenticeship program (if a place
15 in the program is available), and includes
16 agreements concerning earning credit rec-
17 ognized by a postsecondary educational in-
18 stitution for skills and competencies ac-
19 quired during the pre-apprenticeship pro-
20 gram.”.

21 (b) LOCAL REPORTING.—Section 113 (20 U.S.C.
22 2323) of the Carl D. Perkins Career and Technical Edu-
23 cation Act of 2006 is amended—

24 (1) in subsection (b)(4)(C)—

1 (A) in clause (i), by inserting before the
2 period at the end “and in the case of an eligible
3 recipient that is a local educational agency, the
4 data described in clause (iii)”;

5 (B) by redesignating clauses (iii) through
6 (v) as clauses (iv) and (vi), respectively;

7 (C) in clause (ii), by striking “clauses (iii)
8 and (iv)” and inserting “clauses (iv) and (v)”;
9 and

10 (D) by inserting after clause (ii) the fol-
11 lowing:

12 “(iii) SECONDARY SCHOOL REPORT-
13 ING.—Each eligible recipient that receives
14 an allocation described in section 112, and
15 is a secondary school, shall report—

16 “(I) the number and percentage
17 of students enrolled in, and the num-
18 ber and percentage of students com-
19 pleting, career and technical education
20 courses as part of a dual or concur-
21 rent enrollment program or an early
22 college high school;

23 “(II) the number and percentage
24 of students whose tuition and fees in
25 a dual or concurrent enrollment or

1 early college high school were paid in
2 part or in full using funding under
3 this Act, and the per-pupil amount
4 per such student, if applicable; and

5 “(III) the number of teachers re-
6 ceiving support from funding under
7 this Act to obtain required creden-
8 tials, as described under section
9 135(c)(21), and the per-teacher
10 amount of such support, if applica-
11 ble.”; and

12 (2) in subsection (c)(1)—

13 (A) in subparagraph (A), by striking
14 “and” after the semicolon;

15 (B) in subparagraph (B), by striking the
16 period at the end and inserting “; and”; and

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

18 “(C) the information reported under sub-
19 section (b)(4)(C)(iii).”.

20 (e) NATIONAL ACTIVITIES.—Section 114(d) (20
21 U.S.C. 2324(d)) of the Carl D. Perkins Career and Tech-
22 nical Education Act of 2006 is amended—

23 (1) in paragraph (4)(A)—

24 (A) by redesignating clause (iv) as clause
25 (v);

1 (B) in clause (iii)—

2 (i) in subclause (II), by striking
3 “and” after the semicolon; and

4 (ii) by adding at the end the fol-
5 lowing:

6 “(IV) activities and strategies to
7 provide teachers, principals, or other
8 school leaders with opportunities to
9 complete coursework or acquire skills,
10 credentials, or certifications required
11 to educate students in postsecondary
12 career and technical education course-
13 work as part of a career and technical
14 education program through early col-
15 lege high school or dual or concurrent
16 enrollment programs;” and

17 (C) by inserting after clause (iii) the fol-
18 lowing:

19 “(iv) to carry out evidence-based re-
20 search and evaluation for the purpose of
21 developing, improving, and identifying the
22 most successful methods, best practices,
23 and models for providing dual or concur-
24 rent enrollment programs, early college
25 high schools, and other opportunities for

1 students to earn postsecondary career and
2 technical education credit while still in
3 high school as part of career and technical
4 education programs; and”;

5 (2) in paragraph (5)—

6 (A) by inserting “or eligible recipient”
7 after “upon request of a State”; and

8 (B) by inserting “, including for providing
9 and integrating dual or concurrent enrollment,
10 early college high schools, pre-apprenticeship
11 programs, and other opportunities for sec-
12 ondary students to earn postsecondary edu-
13 cation credit, in career and technical edu-
14 cational programs” after “under this Act”.

15 (d) STATE PLAN.—Section 122(c) of the Carl D. Per-
16 kins Career and Technical Education Act of 2006 (20
17 U.S.C. 2342) is amended—

18 (1) in paragraph (1)—

19 (A) in subparagraph (I)—

20 (i) in clause (ii), by striking “and”
21 after the semicolon;

22 (ii) in clause (iii), by inserting “and”
23 after the semicolon; and

24 (iii) by adding at the end the fol-
25 lowing:

- 1 “(iv) that allow secondary school stu-
2 dents to earn postsecondary credit, such as
3 through dual or concurrent enrollment and
4 early college high schools, including how, if
5 applicable, funds will be used to provide
6 assistance to local educational agencies and
7 students to defray the costs of postsec-
8 ondary courses (such as tuition, fees, and
9 textbooks), particularly for students who
10 are underrepresented in higher education”;
- 11 (B) in subparagraph (K), by striking
12 “and” after the semicolon;
- 13 (C) in subparagraph (L), by adding “and”
14 after the semicolon; and
- 15 (D) by adding at the end the following:
- 16 “(M) how the eligible agency will enable or
17 support the development and implementation of
18 dual or concurrent enrollment or early college
19 high school career and technical education op-
20 portunities as part of a career and technical
21 education program, and ensure the dual or con-
22 current enrollment credit transferability toward
23 a postsecondary education credential or de-
24 gree;”; and
- 25 (2) in paragraph (2)—

1 (A) in subparagraph (F), by striking and
2 after the semicolon;

3 (B) in subparagraph (G), by adding and
4 after the semicolon; and

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

6 “(H) provides teachers, principals, or other
7 school leaders with the skills, coursework, cre-
8 dentials, or certifications required to educate
9 students in postsecondary career and technical
10 education coursework through early college high
11 school or dual or concurrent enrollment pro-
12 grams;”.

13 (e) STATE LEADERSHIP ACTIVITIES.—Section 124 of
14 the Carl D. Perkins Career and Technical Education Act
15 of 2006 (20 U.S.C. 2344) is amended—

16 (1) in subsection (b)—

17 (A) in paragraph (8), by striking “and”
18 after the semicolon;

19 (B) in paragraph (9), by striking the pe-
20 riod at the end and inserting “; and”; and

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

22 “(10) the development and dissemination of
23 model articulation agreements and memoranda of
24 understanding to support local educational agencies,
25 secondary schools, and postsecondary institutions

1 with the process of arranging such agreements and
2 memoranda.”; and

3 (2) in subsection (c)—

4 (A) in paragraph (2), by inserting “state-
5 wide” before “articulation agreements”;

6 (B) in paragraph (10)(A)(ii), by inserting
7 “, including the development of dual or concur-
8 rent enrollment or early college high school pro-
9 grams” after “education and training”;

10 (C) in paragraph (16)(B), by striking
11 “and” after the semicolon;

12 (D) in paragraph (17), by striking the pe-
13 riod at the end and inserting a semicolon; and

14 (E) by adding at the end the following:

15 “(18) supporting, facilitating, or providing dual
16 or concurrent enrollment or early college high school
17 career and technical education opportunities as part
18 of a career and technical education program in sec-
19 ondary schools (particularly for students who are
20 underrepresented in higher education and students
21 in areas with limited access to higher education
22 course, including rural communities), which may in-
23 clude providing distance learning or interactive video
24 conferencing, or paying for the costs of tuition, fees,
25 and books;

1 “(19) developing, or assisting local educational
2 agencies in developing, strategies that provide teach-
3 ers, principals, or other school leaders with the
4 skills, coursework, credentials, or certifications re-
5 quired to educate students in postsecondary career
6 and technical education coursework through early
7 college high school or dual or concurrent enrollment
8 programs; and

9 “(20) developing, or assisting local educational
10 agencies and postsecondary institutions in devel-
11 oping, processes and agreements to provide sec-
12 ondary and postsecondary education credit for ap-
13 prenticeships and work-based learning experiences.”.

14 (f) LOCAL PLAN.—Section 134(b)(3) of the Carl D.
15 Perkins Career and Technical Education Act of 2006 (20
16 U.S.C. 2354(b)(3)) is amended—

17 (1) in subparagraph (D), by striking “and”
18 after the semicolon;

19 (2) in subparagraph (E), by adding “and” after
20 the semicolon; and

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

22 “(F) provide secondary school students
23 with opportunities for dual or concurrent enroll-
24 ment, early college high school, or other oppor-

1 tunities to earn postsecondary career and tech-
2 nical education credit, if applicable;”.

3 (g) LOCAL USES OF FUNDS.—Section 135 of the
4 Carl D. Perkins Career and Technical Education Act of
5 2006 (20 U.S.C. 2355) is amended—

6 (1) in subsection (c)—

7 (A) in paragraph (19)(D) by striking
8 “and” after the semicolon;

9 (B) by redesignating paragraph (20) as
10 paragraph (22); and

11 (C) by inserting after paragraph (19) the
12 following:

13 “(20) to support career and technical education
14 dual or concurrent enrollment courses or career and
15 technical education courses in early college high
16 schools as part of a career and technical education
17 program in accordance with subsection (d), including
18 using funds for the costs associated with dual or
19 concurrent enrollment or early college high school
20 career and technical education courses for eligible
21 students, which, if identified in the needs assess-
22 ment, may include paying for—

23 “(A) the costs of tuition, fees, books, and
24 required instructional materials for eligible stu-

1 dents in a relevant career and technical edu-
2 cation course or program; and

3 “(B) support services, including transpor-
4 tation costs to and from such courses or pro-
5 grams for eligible students;

6 “(21) to support activities and strategies that
7 provide teachers, principals, or other school leaders
8 with the skills, postsecondary coursework, creden-
9 tials, or certifications, required to educate students
10 in postsecondary career and technical education
11 coursework as part of a career and technical edu-
12 cation program through dual or concurrent enroll-
13 ment programs or early college high school, in ac-
14 cordance with subsection (d); and”;

15 (2) by redesignating subsection (d) as sub-
16 section (e); and

17 (3) by adding after subsection (e) the following:

18 “(d) SPECIAL RULES.—

19 “(1) For purposes of subparagraphs (A) and
20 (B) of subsection (c)(20)—

21 “(A) an eligible recipient may use not
22 more than a total of 15 percent of funds re-
23 ceived under this part to support the activities
24 described in subparagraphs (A) and (B) of sub-

1 section (c)(20), in the aggregate, unless an eli-
2 gible recipient—

3 “(i) receives approval from the State,
4 in which case the eligible recipient may use
5 not more than a total of 25 percent of
6 such funds for such activities, in the aggre-
7 gate; or

8 “(ii) is a rural local educational agen-
9 cy with a locale code 32, 33, 41, 42, or 43,
10 or an educational service agency rep-
11 resenting rural local educational agencies
12 with locale codes 32, 33, 41, 42, or 43,
13 and receives approval from the State, in
14 which case the eligible recipient may use
15 not more than a total of 40 percent of
16 such funds for such activities, in the aggre-
17 gate;

18 “(B) in order to use funds under this Act
19 for activities described in subparagraph (A) or
20 (B) of subsection (c)(20), an eligible recipient
21 must demonstrate that not less than 50 percent
22 of any individualized student expenses for such
23 activities are being met—

24 “(i) by funds other than those pro-
25 vided under this Act;

1 “(ii) through in-kind tuition reduc-
2 tion; or

3 “(iii) through a combination of the
4 methods described in clauses (i) and (ii);
5 and

6 “(C) the term ‘eligible student’ means a
7 secondary school student who is eligible for a
8 free or reduced price lunch under the Richard
9 B. Russell National School Lunch Act (42
10 U.S.C. 1751 et seq.).

11 “(2) As part of the activities described in sub-
12 section (c)(21), an eligible recipient may use not
13 more than 40 percent of funds received under this
14 part to pay the costs of the tuition and fees for a
15 secondary school teacher employed, at the time such
16 funds are used, in a school served under part A of
17 title I of the Elementary and Secondary Education
18 Act of 1965 in order to enable that teacher to meet
19 the requirements (including by completing postsec-
20 ondary education coursework or professional devel-
21 opment) to teach dual or concurrent enrollment or
22 early college high school career and technical edu-
23 cation courses as part of a career and technical edu-
24 cation program that is offered or will be offered in
25 such school.

1 “(3) Notwithstanding paragraphs (1) and (2),
2 activities that are a permissible use of such funds
3 under a provision of this Act other than subpara-
4 graphs (A) and (B) of subsection (c)(20) and sub-
5 section (c)(21) shall not be subject to the spending
6 caps under this subsection.”.

○