

115TH CONGRESS  
1ST SESSION

# S. 790

To amend the Carl D. Perkins Career and Technical Education Act of 2006 to encourage innovation, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 30, 2017

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

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## A BILL

To amend the Carl D. Perkins Career and Technical Education Act of 2006 to encourage innovation, and for other purposes.

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 “Innovation for Tomor-  
5 row’s Workforce Act”.

6 **SEC. 2. INNOVATION FUND.**

7 Section 114 of the Carl D. Perkins Career and Tech-  
8 nical Education Act of 2006 (20 U.S.C. 2324) is amend-  
9 ed—

1 (1) in subsection (d), by adding at the end the  
2 following:

3 “(6) INNOVATION.—

4 “(A) GRANT PROGRAM.—To identify and  
5 support innovative strategies and activities to  
6 improve career and technical education and  
7 align workforce skills with labor market needs,  
8 the Secretary may award grants, by using  
9 early-phase, mid-phase, and expansion grants,  
10 to eligible entities to—

11 “(i) create, develop, implement, or  
12 take to scale evidence-based, field-initiated  
13 innovations, including through a pay for  
14 success initiative to improve student out-  
15 comes in career and technical education,  
16 which may include activities that—

17 “(I) improve career and technical  
18 education outcomes of students served  
19 by eligible entities under this title;

20 “(II) improve career and tech-  
21 nical education teacher effectiveness;

22 “(III) improve the transition of  
23 students from secondary education to  
24 postsecondary education, apprentice-  
25 ships, or employment;

1                   “(IV) improve the incorporation  
2 of comprehensive work-based learning  
3 into career and technical education;

4                   “(V) increase the effective use of  
5 technology within career and technical  
6 education programs;

7                   “(VI) support new models for in-  
8 tegrating academic content, career  
9 and technical education, and pre-ap-  
10 prenticeship and apprenticeship con-  
11 tent in such programs;

12                   “(VII) support the development  
13 and enhancement of innovative deliv-  
14 ery models for career and technical  
15 education;

16                   “(VIII) work with industry to de-  
17 sign and implement courses or pro-  
18 grams of study aligned to labor mar-  
19 ket needs in new or emerging fields;

20                   “(IX) integrate science, tech-  
21 nology, engineering, and mathematics  
22 fields, including computer science edu-  
23 cation, with career and technical edu-  
24 cation;

1           “(X) support innovative ap-  
2           proaches to career and technical edu-  
3           cation by redesigning the high school  
4           experience for students, which may in-  
5           clude evidence-based transitional sup-  
6           port strategies for students who have  
7           not met postsecondary education eligi-  
8           bility requirements;

9           “(XI) improve career and tech-  
10          nical education concentrator employ-  
11          ment outcomes in nontraditional  
12          fields; or

13          “(XII) support the use of career  
14          and technical education programs and  
15          career and technical programs of  
16          study in a coordinated strategy to ad-  
17          dress identified employer needs and  
18          workforce shortages, such as short-  
19          ages in the early childhood, elemen-  
20          tary school, and secondary school edu-  
21          cation workforce; and

22          “(ii) rigorously evaluate such innova-  
23          tions.

24          “(B) MATCHING FUNDS.—

1           “(i) MATCHING FUNDS REQUIRED.—  
2           Except as provided under clause (ii), to re-  
3           ceive a grant under this paragraph, an eli-  
4           gible entity shall demonstrate that match-  
5           ing funds will be provided, through cash or  
6           in-kind contributions, from public or pri-  
7           vate sources in an amount equal to not less  
8           than 25 percent of the funds provided  
9           under such grant.

10           “(ii) EXCEPTION.—The Secretary  
11           may waive the matching fund requirement  
12           under clause (i) if the eligible entity dem-  
13           onstrates exceptional circumstances.

14           “(C) APPLICATION.—To receive a grant  
15           under this paragraph, an eligible entity shall  
16           submit to the Secretary, at such time as the  
17           Secretary may require, an application that—

18           “(i) identifies and designates the  
19           agency, institution, or school responsible  
20           for the administration and supervision of  
21           the program assisted under this paragraph;

22           “(ii) provides an assurance that  
23           matching funds will be obtained before im-  
24           plementation of the grant;

1           “(iii) describes how the eligible entity  
2           will use the grant funds, including how  
3           such funds will directly benefit students,  
4           including special populations, served by the  
5           eligible entity; and

6           “(iv) describes how the program as-  
7           sisted under this paragraph will be coordi-  
8           nated with the activities carried out under  
9           section 124 or 135.

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

15          “(E) GEOGRAPHIC DIVERSITY.—In award-  
16          ing grants under this paragraph for a fiscal  
17          year, the Secretary shall award not less than 25  
18          percent of the total amount of funds available  
19          for such fiscal year to eligible entities proposing  
20          to fund career and technical education activities  
21          that serve—

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) an institution of higher education  
2           primarily serving one or more areas served  
3           by such a local educational agency;

4           “(iii) a consortium of such local edu-  
5           cational agencies or such institutions of  
6           higher education;

7           “(iv) a partnership between—

8                 “(I) an educational service agen-  
9                 cy or a nonprofit organization; and

10                “(II) such a local educational  
11                agency or such an institution of high-  
12                er education; or

13           “(v) a partnership between—

14                 “(I) a grant recipient described  
15                 in clause (i) or (ii); and

16                 “(II) a State educational agency.

17           “(F) USES OF FUNDS.—An eligible entity  
18           that is awarded a grant under this paragraph  
19           shall use the grant funds in a manner con-  
20           sistent with subparagraph (A)(i).

21           “(G) EVALUATION.—Each eligible entity  
22           receiving a grant under this paragraph shall—

23                 “(i) provide for an independent eval-  
24                 uation of the activities carried out using  
25                 such grant; and

1                   “(ii) submit to the Secretary an an-  
2 nual report that includes—

3                   “(I) a description of how funds  
4 received under this paragraph were  
5 used;

6                   “(II) the performance of the eli-  
7 gible entity with respect to, at a min-  
8 imum, the performance indicators de-  
9 scribed in section 113(b)(2), as appli-  
10 cable, and disaggregated by—

11                   “(aa) subgroups of students  
12 described in section  
13 1111(c)(2)(B) of the Elementary  
14 and Secondary Education Act of  
15 1965 (20 U.S.C. 6311(c)(2)(B)),  
16 as amended by the Every Stu-  
17 dent Succeeds Act (Public Law  
18 114–95);

19                   “(bb) special populations;  
20 and

21                   “(cc) as appropriate, each  
22 career and technical education  
23 program and career and technical  
24 education program of study; and



1                   “(III) a quantitative analysis of  
2                   the effectiveness of the project carried  
3                   out under this paragraph.

4                   “(H) DEFINITIONS.—In this paragraph:

5                   “(i) ELIGIBLE ENTITY.—The term ‘el-  
6                   igible entity’ means a consortium that  
7                   meets the following requirements:

8                   “(I) The consortium includes one  
9                   or more of the following:

10                   “(aa) A local educational  
11                   agency.

12                   “(bb) An educational service  
13                   agency.

14                   “(cc) An area career and  
15                   technical education school.

16                   “(dd) A postsecondary edu-  
17                   cational institution receiving  
18                   funds under this Act.

19                   “(ee) A State educational  
20                   agency.

21                   “(ff) The Bureau of Indian  
22                   Education.

23                   “(gg) A State apprenticeship  
24                   agency or apprenticeship sponsor.

1           “(II) The consortium may also  
2 include regional, State, or local public  
3 or private organizations or employers,  
4 including community-based organiza-  
5 tions.

6           “(III) The consortium is led by  
7 an entity, or partnership of entities,  
8 described in subclause (I) and identi-  
9 fied as the leader of the eligible entity  
10 in its application submitted under  
11 subparagraph (C).

12           “(ii) PAY FOR SUCCESS INITIATIVE.—  
13 The term ‘pay for success initiative’ has  
14 the meaning given that term in section  
15 8101 of the Elementary and Secondary  
16 Education Act of 1965 (20 U.S.C. 7801).

17           “(I) AUTHORIZATION OF APPROPRIA-  
18 TIONS.—There are authorized to be appro-  
19 priated such sums as may be necessary to carry  
20 out this paragraph.”; and

21           (2) in subsection (e), by inserting “(except for  
22 subsection (d)(6))” after “section”.

1 **SEC. 3. OPEN EDUCATION RESOURCES.**

2 (a) STATE LEADERSHIP ACTIVITIES.—Section  
3 124(c) of the Carl D. Perkins Career and Technical Edu-  
4 cation Act of 2006 (20 U.S.C. 2344(c)) is amended—

5 (1) in paragraph (16)(B), by striking “and”  
6 after the semicolon;

7 (2) in paragraph (17), by striking the period at  
8 the end and inserting a semicolon; and

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

10 “(18) making all forms of instructional content  
11 widely available, which may include use of open edu-  
12 cational resources;”.

13 (b) LOCAL USES OF FUNDS.—Section 135(c) of the  
14 Carl D. Perkins Career and Technical Education Act of  
15 2006 (20 U.S.C. 2355(c)) is amended—

16 (1) in paragraph (19)(D), by striking “and”  
17 after the semicolon;

18 (2) by redesignating paragraph (20) as para-  
19 graph (23); and

20 (3) by inserting after paragraph (19) the fol-  
21 lowing:

22 “(20) to make all forms of instructional content  
23 widely available, which may include use of open edu-  
24 cational resources;”.

1 **SEC. 4. PAY-FOR-SUCCESS.**

2 (a) STATE LEADERSHIP ACTIVITIES.—Section  
3 124(c) of the Carl D. Perkins Career and Technical Edu-  
4 cation Act of 2006 (20 U.S.C. 2344(c)), as amended by  
5 section 3, is further amended by adding at the end the  
6 following:

7 “(19) supporting pay for success initiatives (as  
8 defined in section 8101 of the Elementary and Sec-  
9 ondary Education Act of 1965); and”.

10 (b) LOCAL USES OF FUNDS.—Section 135(c) of the  
11 Carl D. Perkins Career and Technical Education Act of  
12 2006 (20 U.S.C. 2355(c)), as amended by section 3, is  
13 further amended by inserting after paragraph (20) the fol-  
14 lowing:

15 “(21) to support pay for success initiatives (as  
16 defined in section 8101 of the Elementary and Sec-  
17 ondary Education Act of 1965);”.

18 **SEC. 5. WORK-BASED LEARNING OPPORTUNITIES AND AP-**  
19 **PRENTICESHIPS.**

20 (a) STATE LEADERSHIP ACTIVITIES.—Section  
21 124(c) of the Carl D. Perkins Career and Technical Edu-  
22 cation Act of 2006 (20 U.S.C. 2344(c)), as amended by  
23 sections 3 and 4, is further amended by adding at the end  
24 the following:

25 “(20) providing or supporting work-based learn-  
26 ing opportunities, which may include employer-led

1 training resulting in a recognized credential and ap-  
2 prenticeship programs.”.

3 (b) LOCAL USES OF FUNDS.—Section 135(b)(3) of  
4 the Carl D. Perkins Career and Technical Education Act  
5 of 2006 (20 U.S.C. 2355(b)(3)) is amended by striking  
6 “which may include work-based learning experiences” and  
7 inserting “which may include work-based learning oppor-  
8 tunities, such as employer-led training resulting in a rec-  
9 ognized credential and apprenticeship programs”.

10 **SEC. 6. JOINT DEMONSTRATION PROJECTS.**

11 (a) EVALUATIONS.—Section 114(d)(2)(B) of the Carl  
12 D. Perkins Career and Technical Education Act of 2006  
13 (20 U.S.C. 2324(d)(2)(B)) is amended—

14 (1) in clause (vi), by striking “and” after the  
15 semicolon;

16 (2) in clause (vii), by striking the period and in-  
17 serting “; and”; and

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

19 “(viii) the effectiveness of projects au-  
20 thorized under paragraph (7), including  
21 whether such projects achieved intended  
22 outcome goals and improved the quality  
23 and alignment of career and technical edu-  
24 cation and workforce education and train-  
25 ing programs.”.

1 (b) JOINT DEMONSTRATION PROJECTS.—Section  
2 114(d) of the Carl D. Perkins Career and Technical Edu-  
3 cation Act of 2006 (20 U.S.C. 2324(d)), as amended by  
4 section 2, is further amended by adding at the end the  
5 following:

6 “(7) JOINT PROJECTS.—The Secretary, under  
7 the authority provided under subparagraph (5), and  
8 the Secretary of Labor, under the authority provided  
9 under sections 156 and 171 of the Workforce Inno-  
10 vation and Opportunity Act (29 U.S.C. 3206, 3226),  
11 are authorized to carry out, in consultation with the  
12 Director, joint experimental, research, pilot, or dem-  
13 onstration projects regarding integrated, aligned, co-  
14 ordinated, and effective career and technical edu-  
15 cation and workforce education and training pro-  
16 grams in order to address employment and training  
17 needs.”.

18 **SEC. 7. COMPETENCY-BASED EDUCATION.**

19 Section 135(e) of the Carl D. Perkins Career and  
20 Technical Education Act of 2006 (20 U.S.C. 2325(e)), as  
21 amended by sections 3 and 4, is further amended by in-  
22 serting after paragraph (21) the following:

1           “(22) expanding opportunities for students to  
2           participate in competency-based education programs;  
3           and”.

○