

116TH CONGRESS  
1ST SESSION

# H. R. 3892

To amend the Workforce Innovation and Opportunity Act to award competitive grants for the purpose of developing, offering, improving, and providing educational or career pathway programs for workers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2019

Mr. HARDER of California introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Workforce Innovation and Opportunity Act to award competitive grants for the purpose of developing, offering, improving, and providing educational or career pathway programs for workers, 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 “Short-Term Acceler-  
5 ated Reskilling Tracks Career Pathways Act” or the  
6 “START Career Pathways Act”.

1 **SEC. 2. START PATHWAYS TO CAREERS FUND.**

2 Title I of the Workforce Innovation and Opportunity  
3 Act (29 U.S.C. 3111 et seq.) is amended by adding at  
4 the end the following:

5 **“Subtitle F—START Pathways to**  
6 **Careers Fund**

7 **“SEC. 199. START PATHWAYS TO CAREERS PROGRAM.**

8 “(a) GRANTS AUTHORIZED.—Not later than the end  
9 of the first full fiscal year after the date of enactment of  
10 the START Career Pathways Act, from funds appro-  
11 priated under section 199A, the Secretary of Labor (in  
12 coordination with the Secretary of Education) shall award  
13 competitive grants to eligible entities described in sub-  
14 section (c) for the purpose of developing, offering, improv-  
15 ing, and providing educational or career pathway pro-  
16 grams for workers.

17 “(b) DURATION.—

18 “(1) IN GENERAL.—The Secretaries may award  
19 a grant to an eligible entity for not more than a 6-  
20 year period.

21 “(2) CONTINUATION OF GRANTS.—At the end  
22 of the initial 3-year grant period for a grant award-  
23 ed to an eligible entity under this section, the Sec-  
24 retary shall evaluate, using the performance indica-  
25 tors under subsection (h), each program for which  
26 the eligible entity was awarded such grant to deter-

1 mine if eligible entity is eligible to receive such grant  
2 for an additional 3-year grant period.

3 “(c) ELIGIBLE ENTITY.—

4 “(1) PARTNERSHIPS WITH EMPLOYERS OR AN  
5 EMPLOYER OR INDUSTRY PARTNERSHIP.—

6 “(A) GENERAL DEFINITION.—For pur-  
7 poses of this section, an ‘eligible entity’ means  
8 any of the entities described in subparagraph  
9 (B) (or a consortium of any of such entities) in  
10 partnership with local employers or a local em-  
11 ployer or local industry partnership rep-  
12 resenting multiple employers.

13 “(B) DESCRIPTION OF ENTITIES.—The en-  
14 tities described in this subparagraph are—

15 “(i) a junior college or a community  
16 college (as defined under section 316 of  
17 the Higher Education Act of 1965 (20  
18 U.S.C. 1059c) to mean public 2-year State  
19 institutions of higher education at which  
20 the highest degree that is predominantly  
21 awarded to students is an associate’s de-  
22 gree, including 2-year tribally controlled  
23 colleges);

24 “(ii) a 4-year public institution of  
25 higher education (as defined in section

1           101(a) of the Higher Education Act of  
2           1965 (20 U.S.C. 1001(a)) that offers 2-  
3           year degrees, and that will use funds pro-  
4           vided under this section for activities at  
5           the certificate and associate degree levels;  
6           or

7           “(iii) a postsecondary vocational insti-  
8           tution, as defined in section 102(e) of the  
9           Higher Education Act of 1965.

10          “(2) ADDITIONAL PARTNERS.—

11           “(A) AUTHORIZATION OF ADDITIONAL  
12          PARTNERS.—In addition to partnering with  
13          local employers or a local employer or local in-  
14          dustry partnership representing multiple em-  
15          ployers as described in paragraph (1)(A), an  
16          entity described in paragraph (1) may include  
17          in the partnership described in paragraph (1)  
18          one or more of the organizations described in  
19          subparagraph (B). Each eligible entity that in-  
20          cludes one or more such organizations shall col-  
21          laborate with the State or local board in the  
22          area served by the eligible entity.

23           “(B) ORGANIZATIONS.—The organizations  
24          described in this subparagraph are as follows:

1           “(i) A provider of adult education (as  
2 defined in section 203) or an institution of  
3 higher education (as defined in section 101  
4 of the Higher Education Act of 1965 (20  
5 U.S.C. 1001)).

6           “(ii) A community-based organization.

7           “(iii) A joint labor-management part-  
8 nership.

9           “(iv) A State board that oversees  
10 higher education.

11           “(v) A State educational agency (as  
12 defined in section 8101 of the Elementary  
13 and Secondary Education Act of 1965 (20  
14 U.S.C. 7801)).

15           “(vi) An elementary school or sec-  
16 ondary school (as such terms are defined  
17 in section 8101 of the Elementary and  
18 Secondary Education Act of 1965 (20  
19 U.S.C. 7801)).

20           “(vii) A local educational agency (as  
21 defined in section 8101 of the Elementary  
22 and Secondary Education Act of 1965 (20  
23 U.S.C. 7801)).

24           “(viii) A State-based education fo-  
25 cused nonprofit.

1                   “(ix) An educational service agency  
2                   (as defined in section 8101 of the Elemen-  
3                   tary and Secondary Education Act of 1965  
4                   (20 U.S.C. 7801)).

5                   “(x) Any other not-for-profit or com-  
6                   munity-based organization, with a proven  
7                   record on job training (as determined by  
8                   the Secretaries), that the Secretaries con-  
9                   sider appropriate.

10           “(d) EDUCATIONAL OR CAREER PATHWAY PRO-  
11 GRAM.—For purposes of this section, the Governor of the  
12 State in which at least 1 of the entities described in sub-  
13 section (c) of an eligible entity is located shall establish  
14 criteria for an educational or career training pathway pro-  
15 gram leading to a recognized postsecondary credential for  
16 which an eligible entity submits a grant proposal under  
17 subsection (e).

18           “(e) APPLICATION.—An eligible entity seeking a  
19 grant under this section shall submit an application con-  
20 taining a grant proposal, for an educational or career  
21 pathway program leading to a recognized postsecondary  
22 credential, to the Secretaries at such time and containing  
23 such information as the Secretaries determine is required,  
24 including—

25                   “(1) a detailed description of—

1           “(A) the extent to which the educational or  
2 career pathway program described in the grant  
3 proposal fits within an overall strategic plan  
4 consisting of—

5                   “(i) the State plan described in sec-  
6 tion 102 or 103, for the State involved;

7                   “(ii) the local plan described in sec-  
8 tion 108, for each local area that com-  
9 prises a significant portion of the area to  
10 be served by the eligible entity; and

11                   “(iii) a strategic local plan developed  
12 by the eligible entity;

13           “(B) the extent to which the program will  
14 meet the needs of employers in the area for  
15 workers in high-skill, high-wage, or in-demand  
16 sectors or occupations;

17           “(C) the extent to which the program will  
18 meet the educational or career training needs of  
19 workers in the area;

20           “(D) the specific educational or career  
21 pathway program and how the program meets  
22 the criteria established under subsection (f), in-  
23 cluding the manner in which the grant will be  
24 used to develop, offer, improve, and provide the  
25 educational or career pathway program;

1           “(E) any previous experience of the eligible  
2           entity in providing educational or career path-  
3           way programs, the absence of which shall not  
4           automatically disqualify an eligible institution  
5           from receiving a grant under this section; and

6           “(F) how the program leading to the cre-  
7           dential meets the criteria described in sub-  
8           section (f); and

9           “(2) a detailed plan on how the entity will en-  
10          sure that the program will meet the performance  
11          measures described in subsection (h), and an assur-  
12          ance that the entity will annually submit to the Sec-  
13          retary information on the performance of the pro-  
14          gram on such performance measures.

15          “(f) CRITERIA FOR AWARD.—

16                 “(1) IN GENERAL.—Grants under this section  
17          shall be awarded based on criteria established by the  
18          Secretaries, that include the following:

19                         “(A) A determination of the merits of the  
20                         grant proposal submitted by the eligible entity  
21                         involved to develop, offer, improve, and provide  
22                         an educational or career pathway program to be  
23                         made available to local workers.

24                         “(B) An assessment of the likely employ-  
25                         ment opportunities available in the area to indi-



1           viduals who complete an educational or career  
2           pathway program that the eligible entity pro-  
3           poses to develop, offer, improve, and provide.

4           “(C) An assessment of prior demand for  
5           training programs by individuals eligible for  
6           training and served by the eligible entity, as  
7           well as availability and capacity of existing (as  
8           of the date of the assessment) training pro-  
9           grams to meet future demand for training pro-  
10          grams.

11          “(2) PRIORITY.—In awarding grants under this  
12          section, the Secretaries shall give priority to eligible  
13          entities that—

14                 “(A) include a partnership, with local em-  
15                 ployers or a local employer or local industry  
16                 partnership, that—

17                         “(i) pays a portion of the costs of  
18                         educational or career pathway programs;  
19                         or

20                         “(ii) creates a career pathway by sup-  
21                         porting employers who hire individuals who  
22                         have attained a recognized postsecondary  
23                         credential resulting from the educational or  
24                         career training pathway program of the eli-  
25                         gible entity;

1           “(B) enter into a partnership with a labor  
2 organization or labor-management training pro-  
3 gram to provide, through the program, tech-  
4 nical expertise for occupationally specific edu-  
5 cation necessary for a recognized postsecondary  
6 credential leading to an occupation in a local  
7 high-skill, high-wage, or in-demand industry  
8 sector or occupation;

9           “(C) are focused on serving individuals  
10 with barriers to employment, students who are  
11 veterans including, active duty servicemembers  
12 who are otherwise eligible for educational assist-  
13 ance under chapter 30 of title 38, United  
14 States Code, spouses of members of the Armed  
15 Forces, children of members of the Armed  
16 Forces, and incumbent workers who are low-  
17 skilled and who need to increase their work-re-  
18 lated skills;

19           “(D) include any eligible entities serving  
20 areas with high unemployment rates; and

21           “(E) are eligible entities that include an  
22 institution of higher education eligible for as-  
23 sistance under title III or V of the Higher Edu-  
24 cation Act of 1965 (20 U.S.C. 1051 et seq.; 20  
25 U.S.C. 1101 et seq.).

1       “(g) USE OF FUNDS.—Grant funds awarded under  
2 this section shall be used for one or more of the following:

3           “(1) The development, offering, improvement,  
4 and provision of educational or career pathway pro-  
5 grams, that provide relevant job training for skilled  
6 occupations, that lead to recognized postsecondary  
7 credentials, that will meet the needs of employers in  
8 high-skill, high-wage, or in-demand sectors or occu-  
9 pations (such as nursing, health care, agriculture,  
10 horticulture, food, natural resources, fire science,  
11 building trades, and labor) and that may include  
12 registered apprenticeship programs, on-the-job train-  
13 ing programs, and programs that support employers  
14 in upgrading the skills of their workforce.

15           “(2) The development and implementation of  
16 policies and programs to expand opportunities for  
17 students to earn a recognized postsecondary creden-  
18 tial, including a degree, in high-skill, high-wage, or  
19 in-demand industry sectors or occupations, including  
20 by—

21           “(A) facilitating the transfer of academic  
22 credits between institutions of higher education,  
23 including the transfer of academic credits for  
24 courses in the same field of study;

1           “(B) expanding articulation agreements  
2           and policies that guarantee transfers between  
3           such institutions, including through common  
4           course numbering and use of a general core  
5           curriculum;

6           “(C) developing or enhancing student sup-  
7           port services; and

8           “(D) establishing policies and processes for  
9           assessing and awarding course credit for work-  
10          related learning.

11          “(3) The creation of career pathway programs  
12          that provide a sequence of education and occupa-  
13          tional training that leads to a recognized postsec-  
14          ondary credential, including a degree, including pro-  
15          grams that—

16                 “(A) blend basic skills and occupational  
17                 training;

18                 “(B) facilitate means of transitioning par-  
19                 ticipants from non-credit occupational, basic  
20                 skills, or developmental coursework to for-credit  
21                 coursework within and across institutions;

22                 “(C) build or enhance linkages, including  
23                 the development of dual enrollment programs  
24                 and early college high schools, between sec-  
25                 ondary education or adult education programs

1 (including programs established under the Carl  
2 D. Perkins Career and Technical Education Act  
3 of 2006 (20 U.S.C. 2301 et seq.) and title II  
4 of this Act);

5 “(D) are innovative programs designed to  
6 increase the provision of training for students,  
7 including students who are members of the Na-  
8 tional Guard or Reserves, to enter high-skill,  
9 high-wage, or in-demand industry sectors or oc-  
10 cupations;

11 “(E) support paid internships that will  
12 allow students to simultaneously earn credit for  
13 work-based learning and gain relevant employ-  
14 ment experience in a high-skill, high-wage, or  
15 in-demand industry sector or occupation, which  
16 shall include opportunities that transition indi-  
17 viduals into employment; and

18 “(F) develop competency-based education  
19 programs that offer an outcome-oriented ap-  
20 proach through which recognized postsecondary  
21 credentials are awarded based on successful  
22 demonstration of skills and proficiency.

23 “(4) A Pay-for-Success program that leads to a  
24 recognized postsecondary credential, for which an el-  
25 igible entity—

1           “(A) enters into a partnership with an in-  
2           vestor, such as a philanthropic organization  
3           that provides funding for a specific project to  
4           address a clear and measurable educational or  
5           career training need in the area to be served  
6           under the grant; and

7           “(B) agrees to be reimbursed under the  
8           grant only if the project achieves specified per-  
9           formance outcomes and criteria agreed to by  
10          the Secretary.

11         “(h) PERFORMANCE MEASURES.—

12           “(1) IN GENERAL.—The Secretary shall estab-  
13           lish performance measures for the programs carried  
14           out under this section.

15           “(2) MEASURES.—The performance measures  
16           shall consist of—

17           “(A) indicators of performance, including  
18           the number of program participants who are in  
19           unsubsidized employment during the second  
20           quarter after exit from the program; and

21           “(B) a level of performance for each indi-  
22           cator described in subparagraph (A).

23           “(3) MONITORING PROGRESS.—The Secretary  
24           shall monitor the progress of eligible entities that re-

1       ceive grants under this section in ensuring that their  
2       programs meet the performance measures.

3       **“SEC. 199A. GENERAL PROVISIONS.**

4       “(a) AUTHORIZATION OF APPROPRIATIONS.—

5               “(1) IN GENERAL.—There are authorized to be  
6       appropriated such sums as may be necessary to  
7       carry out the program established by section 199.  
8       Funds appropriated under this subsection shall re-  
9       main available until the end of the 5th full fiscal  
10      year after the date of enactment of the START Ca-  
11      reer Pathways Act.

12              “(2) ADMINISTRATIVE COST.—Not more than 5  
13      percent of the amounts made available under para-  
14      graph (1) may be used by the Secretaries for Fed-  
15      eral administration of the program described in that  
16      subsection, including providing technical assistance  
17      and carrying out evaluations for the program de-  
18      scribed in that subsection.

19              “(3) PERIOD OF AVAILABILITY.—The funds ap-  
20      propriated pursuant to paragraph (1) for a fiscal  
21      year shall be available for Federal obligation for that  
22      fiscal year and the succeeding 4 fiscal years.

23              “(b) SECRETARIES DEFINED.—In this subtitle, the  
24      term ‘Secretaries’ means the Secretary of Labor and the  
25      Secretary of Education.”.

1 **SEC. 3. START (SHORT-TERM ACCELERATED RESKILLING**  
2 **TRACKS) PATHWAYS TO CAREERS FEDERAL**  
3 **PELL GRANTS.**

4 Section 401 of the Higher Education Act of 1965 (20  
5 U.S.C. 1070a–1) is amended by adding at the end the fol-  
6 lowing:

7 “(k) START FEDERAL PELL GRANT APPLICA-  
8 TIONS.—

9 “(1) IN GENERAL.—For the award years begin-  
10 ning on October 1, 2019, the Secretary shall carry  
11 out a program through which the Secretary shall  
12 award START Federal Pell Grants to students in el-  
13 igible short-term programs.

14 “(2) TERMS AND CONDITIONS.—Each START  
15 Federal Pell Grant awarded under this subsection  
16 shall have the same terms and conditions, and be  
17 awarded in the same manner, as a Federal Pell  
18 Grant awarded under subsection (a), except as fol-  
19 lows:

20 “(A) STUDENT ELIGIBILITY.—A student  
21 who is eligible to receive a Federal Pell Grant  
22 under this subsection is a student who—

23 “(i) has not yet attained a bacca-  
24 laurate degree or postbaccalaureate de-  
25 gree; and



1           “(ii) is enrolled, or accepted for en-  
2           rollment, in an eligible short-term program  
3           at an institution of higher education.

4           “(B) GRANT AMOUNT.—The amount of a  
5           START Federal Pell Grant awarded under this  
6           subsection for an eligible student shall be deter-  
7           mined under subsection (b)(2)(A), except  
8           that—

9                   “(i) subsection (b)(4) shall be applied  
10                   by substituting ‘5 percent’ for ‘ten per-  
11                   cent’; and

12                   “(ii) no increase shall be calculated  
13                   under subsection (b)(7)(B) for such stu-  
14                   dent.

15           “(C) INCLUSION IN DURATION LIMITS.—  
16           Any period during which a student receives a  
17           START Federal Pell Grant under this sub-  
18           section shall be included in calculating the stu-  
19           dent’s period of eligibility for Federal Pell  
20           Grants under subsection (c), and any regula-  
21           tions under such subsection regarding students  
22           who are enrolled in an undergraduate program  
23           on less than a full-time basis shall similarly  
24           apply to students who are enrolled in an eligible

1 short-term program at an eligible institution on  
2 less than a full-time basis.

3 “(D) EFFECT ON DISCONTINUED PARTICI-  
4 PATION.—An eligible student who receives a  
5 START Federal Pell Grant under this sub-  
6 section shall receive such grant during the pe-  
7 riod in which the student is enrolled in a short-  
8 term program for which the student receives  
9 such grant and is making satisfactory academic  
10 progress, without regard to whether the short-  
11 term program ceases to be eligible for participa-  
12 tion in the START Federal Pell Grant program  
13 under this subsection.

14 “(3) ELIGIBLE SHORT-TERM PROGRAM RE-  
15 QUIREMENTS.—

16 “(A) IN GENERAL.—To be an eligible  
17 short-term program for purposes of this sub-  
18 section, the Secretary shall determine that a  
19 short-term program meets the following:

20 “(i) The short-term program is made  
21 available to workers in the geographic area  
22 in which the program is offered.

23 “(ii) The short-term program pre-  
24 pares participants for employment oppor-  
25 tunities in high-skill, high-wage, or in-de-

1           mand sectors or occupations in such geo-  
2           graphic area.

3           “(iii) The short-term program meets  
4           any other requirements that the Secretary  
5           determines appropriate.

6           “(B) TERMINATION OF ELIGIBLE SHORT-  
7           TERM PROGRAM STATUS.—A short-term pro-  
8           gram may cease to be an eligible short-term  
9           program for purposes of this subsection if not  
10          less than 2 annual evaluations under paragraph  
11          (4) for such program demonstrate that the pro-  
12          gram does not meet the performance outcomes  
13          established by the Secretary on the metrics de-  
14          scribed in paragraph (4)(B)(ii).

15          “(4) EVALUATIONS AND REPORTS.—

16                 “(A) REPORTS.—Not later than 3 years  
17                 after the date that the first Federal Pell Grant  
18                 is awarded under this subsection, and on an an-  
19                 nual basis thereafter, the Secretary, in con-  
20                 sultation with the Director of the Institute of  
21                 Education Sciences, shall evaluate each short-  
22                 term program participating under this sub-  
23                 section in accordance with subparagraph (B),  
24                 and report the results of such evaluation to the  
25                 authorizing committees.

1           “(B) EVALUATION OF PROGRAMS.—An  
2 evaluation of a short-term program under sub-  
3 paragraph (A) shall—

4           “(i) evaluate the extent to which such  
5 short-term program meets the require-  
6 ments under paragraph (3); and

7           “(ii) include both qualitative and  
8 quantitative evidence of—

9           “(I) the program’s alignment  
10 with workforce needs, including place-  
11 ment and retention in jobs related to  
12 the training provided by the program;

13           “(II) the effect, if any, this pro-  
14 gram has on matriculation of students  
15 attending 4-year institutions;

16           “(III) the extent to which stu-  
17 dents have sought a higher credential  
18 or degree or military service;

19           “(IV) employment rates after  
20 program completion;

21           “(V) earnings (either average  
22 earnings of completers or the share of  
23 completers earning more than the av-  
24 erage high school graduate);

1 “(VI) program completion rates;

2 and

3 “(VII) rates of continued edu-

4 cation of those who have completed

5 the program.

6 “(5) SUNSET.—The Secretary shall not have  
7 the authority to award Federal Pell Grants under  
8 this subsection after the date that is 7 years after  
9 the date of enactment of the START Career Path-  
10 ways Act.

11 “(6) DEFINITIONS.—In this subsection:

12 “(A) CAREER AND TECHNICAL EDU-  
13 CATION.—The term ‘career and technical edu-  
14 cation’ has the meaning given the term in sec-  
15 tion 3 of the Carl D. Perkins Career and Tech-  
16 nical Education Act of 2006 (20 U.S.C. 2302).

17 “(B) HIGH-SKILL; HIGH-WAGE.—The  
18 terms ‘high-skill’ and ‘high-wage’ are used as  
19 such terms are used in the Carl D. Perkins Ca-  
20 reer and Technical Education Act of 2006 (20  
21 U.S.C. 2301 et seq.).

22 “(C) JOB TRAINING PROGRAM.—The term  
23 ‘job training program’ means a career and tech-  
24 nical education program at an institution of  
25 higher education that—

1           “(i) provides not less than 150 clock  
2 hours of instructional time over a period of  
3 not less than 8 weeks;

4           “(ii) provides training in partnership  
5 with the requirements of employers in the  
6 State or local area, which may include  
7 high-skill, high-wage, or in-demand sectors  
8 or occupations in the State or local area;

9           “(iii) provides a student, upon comple-  
10 tion of the program, with a recognized  
11 postsecondary credential, that is widely  
12 recognized by local employers in the rel-  
13 evant industry, including credentials recog-  
14 nized by industry or sector partnerships in  
15 the State or local area where the industry  
16 is located;

17           “(iv) utilizes work-based and worksite  
18 learning experiences, where appropriate  
19 and available, that—

20           “(I) are related to the employ-  
21 ment for which the program provides  
22 training (such as employment in a  
23 sector or occupation described in  
24 clause (ii)); and

1                   “(II) are supervised by an indi-  
2                   vidual with expertise in the field; and

3                   “(v) has been determined by the insti-  
4                   tution of higher education (after validation  
5                   of that determination by an industry or  
6                   sector partnership) to provide academic  
7                   content, an amount of instructional time,  
8                   and a recognized postsecondary credential  
9                   that—

10                   “(I) meet the hiring requirements  
11                   of potential local employers;

12                   “(II) allow the students to apply  
13                   for any licenses or certifications that  
14                   may be required to be employed in the  
15                   local field for which the job training is  
16                   offered;

17                   “(III) may include integrated or  
18                   basic skills courses; and

19                   “(IV) may be offered as part of  
20                   an eligible local eligible career path-  
21                   ways program.

22                   “(D) SHORT-TERM PROGRAM.—The term  
23                   ‘short-term program’ means—

24                   “(i) a career and technical education  
25                   program that provides more than 320

1 clock hours and less than 600 clock hours  
2 of instruction;

3 “(ii) an educational or career pathway  
4 program that is part of a career pathway;  
5 or

6 “(iii) a job-training program.

7 “(E) WIOA TERMS.—The terms ‘career  
8 pathway’, ‘in-demand industry sector or occupa-  
9 tion’, and ‘recognized postsecondary credential’  
10 have the meanings given the terms in section 3  
11 of the Workforce Innovation and Opportunity  
12 Act (29 U.S.C. 3102).”.

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