

William R. Kincaid
06/02/97 04:17:43 PM

Record Type: Record

To: Constance J. Bowers/OMB/EOP

cc:

Subject: Testimony comments

I understand that testimony very similar to this has already been cleared once before, but I think this merits some revisions now that our bill is actually going to be transmitted.

I have two interrelated, general comments:

- Right now, the testimony leans too far in the direction of voc ed as an instrument of reforming secondary education. Voc ed is indeed a promising aspect of overall reform efforts, but the current testimony has too much of a "tear down the walls" feel to it (especially on page 4, lines 3 and 4) -- it could feed into concerns on the right that we want to force every student to have a career major and water down academic standards. Our message should be that every student should have the opportunity for high quality work-based learning, and that all those who participate in vocational education programs should be mastering challenging academic content -- NOT that every student ought to be participating in vocational education. I have suggested a few edits to pull back a little on this front, and more might be appropriate.
- In part because it places so much emphasis on the need transforming schools overall, the testimony does not make a sufficiently strong case for the legislation from the perspective of those students who previously would have been placed into a minimally challenging vocational track in the past. We need to send a message that this bill will help transform the old voc-ed experience, with its low expectations, into the career preparation of the 21st century; that these students will be challenged, that they will be asked to master high quality academic content in math, science, computers and writing along with gaining strong work-based and technical experience, and that they will be equipped for either further education or the high tech workplace. I would recommend an additional paragraph clearly emphasizing this point early on, maybe making more powerful use of the statistic from page 4 that 50% of all 1994 voc ed graduates went on to college.

Also, here's one specific passage that needs reworking:

- The sentence beginning on the bottom of page 1 and running over to page 2 does not do a good job of explaining what was wrong with the 19th Century educational model. I don't think we want to even imply that it is because "children received a common core curriculum of academic subjects"--something that we strongly encourage even now.

I will fax you a marked-up draft with the rest of my comments.

URGENTTotal Pages: 15

LRM ID: CJB47

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Friday, May 30, 1997

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below
Constance J. Bowers
FROM: Janet R. Forsgren (for) Assistant Director for Legislative Reference
OMB CONTACT: Constance J. Bowers
PHONE: (202)395-3803 FAX: (202)395-6148

SUBJECT: EDUCATION Testimony on EDUCATION Draft Bill on Career Preparation
Education Reform Act of 1997

DEADLINE: 4:00 p.m. Monday, June 2, 1997

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: The testimony addresses ED's draft bill, which is still in the clearance process.

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LRM ID: CJB47 SUBJECT: EDUCATION Testimony on EDUCATION Draft Bill on Career Preparation Education Reform Act of 1997

RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

(1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or

(2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Constance J. Bowers Phone: 395-3803 Fax: 395-6148
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-7362

FROM:

~~Patricia Bowers~~ 6/2/97 (Date)

Bill Kincaid (Name)

DPC (Agency)

6-2857 (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

_____ Concur

_____ No Objection

_____ No Comment

_____ See proposed edits on pages _____

_____ Other: _____

☒ FAX RETURN of _____ pages, attached to this response sheet (4) See
e-mail comment.

DEPARTMENT OF EDUCATION

**Statement by
Patricia W. McNeil
Assistant Secretary for Vocational and Adult Education
on
Vocational Education**

June 4, 1997

House Subcommittee on Early Childhood, Youth and Families

Chairman Riggs, Mr. Martinez, and Members of the Subcommittee:

Thank you for the opportunity to appear before you today to discuss the Administration's views on reforming the Federal investment in vocational education. We need a new vision of vocational education if we are going to ensure that students are prepared for the information age of the 21st century. That vision must reflect the rapidly changing demands of our economy and society brought on by new technologies, global competition, and changes in the organization of work. Our vision must reflect the knowledge and skills that workers, citizens and family members will need to be successful in a world that is dramatically different than the one that existed when most of us got our formal education. ~~In short, we must envision new kinds of schools.~~

I look forward to working closely with this Subcommittee in a bipartisan effort to reshape the Federal investment in vocational education to meet these challenges.

I believe it is important that we construct legislation that makes vocational education an integral part of the efforts to reform secondary schools and improve postsecondary education. The place of vocational education in the larger educational enterprise has been a policy issue for a long time. A century ago, there was heated debate over how high schools should change to reflect the demands of an economy moving from an agrarian age to an industrial age. Until that time,

Weak

purely (?)

Does not describe what was looking about this system?

children received a common core curriculum of academic subjects. Most left school before the end of eighth grade. In 1900, only about 6.5 percent of youth graduated from high school (the size of the Nation's high school graduate class as a percentage of the high-school-graduate age population).

That system worked for an agrarian-based society and economy, but educators, parents, and business and labor leaders believed it was inadequate for the emerging manufacturing economy. Some policy-makers proposed setting up separate vocational education programs to prepare young people for work. Others, most notably John Dewey, urged that schools teach students both academic and vocational subjects, so that all students could learn the same academic material, but do so in the context of occupations and other "real world" experiences. The Federal government came down on the side of creating distinct programs of vocational instruction when it passed the Smith-Hughes Act of 1917. Eventually, most schools sorted students into "academic" and "vocational" tracks. In the 1920s, many schools added a general track to give students a little bit of both. Although commissions and studies throughout the 20th century suggested that the Nation's approach to vocational education needed to be reconsidered, most schools and school districts have considered vocational education a separate track designed primarily to prepare students for work.

The question we must confront today is this: Is the vocational education policy and practice of the 20th century sufficient for the 21st century? The answer, I believe, is an emphatic NO. As we enter what Peter Drucker calls the "knowledge society," citizens and workers will need a combination of strong academic skills, technical skills, and theoretical knowledge. Individuals also need what have come to be known as the SCANS (Secretary's Commission on Acquiring Necessary Skills) competencies, that is, information analysis, resource allocation, interpersonal skills, and thinking, problem-solving, learning, and communication skills. Brain surgeons, automobile technicians, teachers, parents helping a child with school work -- all need a

combination of these skills to participate fully in the information economy. Lester Thurow notes the rapid growth of "brainpower" industries such as microelectronics, biotechnology, and telecommunications. He points out that, while natural resources determined economic prowess in the 20th century, "brainpower will be the competitive advantage for individuals and firms" in the information age.

These changes are not only being felt in emerging industries. Our traditional manufacturing and service firms are also feeling their impact. There is no more dramatic example than what has taken place in the automobile industry. In just five model years, from 1990 to 1995, the percentage of the average car's operating components that were electronic rose from 18 percent to 83 percent. There are about 80 computer chips in our 1997 model cars. If you tinker under the hood of these cars, you are likely to knock out an operating or guidance system costing \$300, or much more. Recently, I spoke with a high school student at the dealership where he was an intern. I asked him what level of math he thought he needed to be a competent auto technician. Without hesitation he replied "algebra 2." His mentor -- a master technician -- noted that an associate's degree is essential to move up the career ladder in the industry. Even with an AA degree, he needs to return continually to school to acquire new academic, technical, and theoretical knowledge.

With the changing skill demands, many high school graduates are ill-equipped for entry-level jobs. From studying the hiring practices of several modern automobile manufacturing and insurance companies, and comparing the qualifications of entry-level employees to the scores of 17-year olds on the National Assessment of Educational Progress, authors Frank Levy and Richard Murnane concluded that nearly half of the 17-year olds in the Nation do not have the basic academic skills to get an entry-level job in these firms.

Our students simply are not getting the skills and knowledge they need for the future. No

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longer can our students succeed with only ^{vocational or} academic or only technical skills. Students need a combination of academic skills and computer and other technical skills, and the ability to keep on learning throughout a lifetime. ^{all students need to be} In the information age, the distinctions between academic and vocational preparation and between college and non-college bound no longer serve us well. ^{prepared for postsecondary education} This means that high schools and colleges are going to have to produce a new kind of graduate, ^{one that has mastered challenging academic material as well as essential technical skills and is equipped to continue success in postsecondary study as well as the workforce} Our educational institutions have been trying to respond to the challenge. More students are going to college than ever before, taking advanced placement courses, using computers, and gaining more advanced skills in technical courses. In 1994, 50 percent of all vocational education graduates went on to college. But this is not enough. Our schools and colleges need to change much more rapidly and dramatically in order to close the gap between what they teach, how they teach, and the knowledge and skills our citizens need to be successful in the 21st century.

See e-mail comment

Need to focus more on improving modern preparation of students who would be seen in vocational track, not the "brain down the valley"

^{key stat} Federal investment has always been an important catalyst for institutional change, ^{in education} from the Land Grant College Act in 1862 to the Smith-Hughes Act of 1917 to the Elementary and Secondary Education Act of 1965. With the Carl Perkins Vocational and Applied Technology Education Act of 1990, Congress began to make some changes in vocational education designed to respond to the changing societal and economic conditions. ^{stability began to?} The Act promoted the integration of academic and vocational learning. It required that each State use academic achievement as a measure of success. It encouraged linkages between secondary and postsecondary course work through tech-prep education. It moved away from narrow occupational skills development and emphasized exposing vocational students to all aspects of an industry.

With passage of the School-to-Work Opportunities Act, Congress recognized that every student needs to gain challenging academic skills, have opportunities to explore careers, and learn how skills and knowledge are used in work-related settings through job shadowing, internships, and work-based learning linked to classroom learning. It affirmed that students need safe,

supportive learning environments by emphasizing opportunities for youth to work with adult mentors. Far from watering down curricula or narrowing career options, the School-to-Work Opportunities Act envisions high standards, preparation for postsecondary education, awarding of certificates recognizing the skills students achieve, and helping students make smooth transitions from high school to college, from college to careers, or from high school to careers with the skills needed to continue their schooling. Republican and Democratic governors, legislators, and community leaders are recognizing the importance of these ideas in improving schools and helping students gain 21st century skills and knowledge.

Our proposed legislation would help schools and colleges adopt quality educational practices that will improve students' academic and technical preparation and further the development of the school-to-work opportunity systems that States and communities are creating. *what state?* The Napa County Office of Education has a school-to-career system that is a great example of these new educational practices. Napa's 21st Century Project is creating career options, such as Environmental Science and Telecommunications, for students in the district. The district is committed to ensuring that every student has some experience outside the classroom related to their studies, such as an internship or paid work experience. The Regional Occupational Program provides technical skills courses for students in school-to-career programs. The schools are exploring ways to integrate academic and vocational learning and raise academic standards. For example, the Napa High School has an electronics and television production academy that is a small, supportive learning environment for its students. The students are together in classes, taught by the same group of teachers, for two years. In addition to the regular high school requirements, these students work in internships, engage in off-campus projects -- such as filming a video -- prepare senior projects, and complete two years of math and two years of science above the graduation requirement. The students are doing well: they are motivated to learn and their attendance rate is high. It's a new program that will graduate its first class this year. I expect the first class will do well next year in postsecondary education and careers.

Across the country, vocational education, including tech-prep education, is making a significant contribution to school reform efforts and the development of school-to-work systems. With the help of the National Center for Research in Vocational Education, we identified some remarkable examples of secondary schools that are committed to ensuring that every student achieves to high standards and is prepared for college and careers. We named these schools "new American high schools" because they seem to represent the high schools of the future. They are drawn from the range of public education in the country: large comprehensive high schools, charter schools, restructured vocational-technical centers, career academies, and magnet schools. They provide the opportunity for all students to explore careers, gain technical skills, and do community or work-based learning. They use technology to enhance learning and create safe, supportive learning environments. They also stress parental involvement, have strong business partnerships, and work closely with postsecondary institutions. These schools have seen test scores go up, dropout rates come down, and postsecondary enrollment rates increase significantly.

Sussex Technical High School in Georgetown, Delaware, is one of the ten high schools we recognized last year as new American high schools. In five years, Sussex has been transformed from an area vocational school with declining enrollment to a high school with challenging curriculum and a waiting list of prospective students. The school has four general occupational clusters -- for example, Business Technologies -- that give students a context for learning and applying their knowledge. There is no remedial or general track. No matter which cluster a student chooses, he receives a broad, rigorous academic education. Students learn and apply their academics through projects relevant to the career clusters, and develop their occupational and technical skills at the same time. Applied learning has increased dramatically. From 1993 to 1996, the Sussex Tech students who completed a career topic-related mathematics project at least twice a year increased from 10 percent to 76 percent and those required to complete joint mathematics and vocational assignments more than twice a year increased from 6 percent to 83 percent. These

examples of successful high school adaptations of the principles in our proposed vocational education bill give us confidence in the direction we are proposing.

At the postsecondary level, community and technical colleges serve a broad range of students: students who are still in high school, recent high school graduates, college graduates returning for some specific technical skills, adult workers returning for retraining, welfare recipients, and adults with limited basic skills trying to get a foot on the economic ladder. Colleges face challenges serving this diverse group of students -- their needs are distinct and, increasingly, they enter college ill-prepared for rigorous academic and technical course work. Colleges are also challenged to ensure that their graduates have the skills necessary to succeed in the fast-changing, demanding new workplace. In response, community colleges are revamping their curriculum and teaching methods, and building strong partnerships with high schools, business leaders, economic development agencies, and social service entities. Like the high schools, they are redesigning vocational-technical education to respond to the needs of the information age.

The Genesee Area Skill Center's Technology Center in Flint, Michigan, in a tech-prep partnership with Mott Community College and Baker College, won a Secretary's Award for Outstanding Vocational-Technical Programs for its strong program and partnerships. Through partnerships with employers, this tech-prep education program offers students work-based learning, mentoring, and work experience. Students work and apply their classroom learning at hospitals, nursing homes, physicians' offices, and managed care companies. Perkins Act funds help support vocational technicians that work with special population students at the technical center.

So how can the Federal investment support this new vision of vocational education? We believe it is important to align vocational education with education improvement efforts in secondary schools and postsecondary institutions. Federal investments can help to ensure that

secondary students (1) have opportunities to learn about and explore careers and obtain the skills and knowledge needed to pursue them, (2) gain computer and other technical skills, (3) have access to up-to-date equipment in school and through work-based learning experiences, and (4) make smooth transitions to college and careers. Federal investment at the postsecondary level can ensure that college students gain advanced technical skills and academic knowledge, and are prepared for careers or the transitions to degree programs in four-year colleges and universities.

We believe there is considerable agreement around certain core principles for reform of vocational education legislation:

- Dramatically reduce the number of separate programs and set-asides.
- Provide States and schools with more flexibility by providing for waivers and eliminating prescriptive provisions.
- Promote high standards for learner achievement, including both academic and technical skills achievement.
- Promote program quality by establishing priorities for program funding.
- Include strong accountability provisions and a system of performance goals and indicators using common definitions developed collaboratively with States.
- Target funds to States and local areas with the greatest need.
- Promote strong partnerships among business, secondary and postsecondary institutions, and workforce and economic development systems.
- Support and become a part of education reform and improvement efforts.

Streamlining and flexibility

Our proposal would consolidate the many existing Perkins Act programs. The bill would include a consolidated State formula grant and a State formula grant for tech-prep education. We propose a tech-prep grant because of the unique reforms it supports and the consortia of

secondary and postsecondary institutions it encourages, which have made tech-prep a catalyst for the ^{improvement} reform of vocational education and the development of school-to-work systems. In addition, funds for Indian and Native Hawaiian programs would be maintained because of the unique needs of these groups.

Under our proposed State grant program, States could chose to improve and innovate their secondary-postsecondary linkages and promote the tech-prep model by funding consortia of secondary and postsecondary institutions. States could also chose to continue any of the ⁰ ~~many~~ activities authorized under current law, such as programs for displaced homemakers and programs for incarcerated youth.

The bill would enhance flexibility by eliminating many administrative and governance requirements of current law. States and localities could receive waivers of requirements in the new law, if they impede their ability to achieve the purposes of the Act. A State could chose to submit its Perkins plan as part of a consolidated plan ^{for using federal funds under programs including} that included Goals 2000, the School-to-Work Opportunities Act, or the Elementary and Secondary Education Act. States would also be able to integrate Perkins Act funds with funds from other programs to create integrated education and school-to-work systems that fit the needs of their States.

Opportunities for program quality

Our proposal would establish program priorities to focus Federal support on program quality and promote high standards. The bill would require States and local recipients, in making decisions about grants and services, to give priority to schools, programs, and activities that have the characteristics that lead to quality results for students. They should:

- Ensure that every student, including those who are members of special populations, has the opportunity to achieve a combination of strong basic and advanced academic skills, computer and other technical skills, theoretical knowledge, communications, problem-solving, and other skills needed to meet challenging State academic standards and industry-recognized skill standards.
- Promote the integration of academic and vocational learning.
- Support the development and implementation of courses of study in broad occupational clusters or industry sectors.
- Effectively link secondary and postsecondary education.
- Provide students, to the extent possible, with strong experience in, and understanding of, all aspects of an industry.
- Provide students with work-related experiences, such as internships, work-based learning, school-based enterprises, entrepreneurship, and job-shadowing that link to classroom learning.
- Provide school-site and work-site mentoring.
- Provide instruction in general workplace competencies and instruction needed for students to earn a skill certificate.
- Provide career guidance and counseling for students, including the provision of career awareness, exploration, and planning services, and financial aid information to students and their parents.
- Ensure continuing parent and employer involvement in program design and implementation.
- Provide needed support services, such as mentoring, opportunities to participate in student organizations, tutoring, the modification of curriculum, classrooms, and equipment, transportation, and child care.

Accountability

In response to the 1990 amendments to the Perkins Act, States have created and implemented State-based performance standards for their vocational education programs. At this time, the content of these performance systems, and how States use them to improve program quality, widely vary. The Department has begun working with the States to establish core indicators of performance. Our proposal would build on the current State efforts to build performance management systems. It would require the identification of program goals and expected levels of performance. The Secretary would work with the States and other stakeholders to develop common core indicators. States would establish challenging goals for improvement, which would be considered by the Secretary in the State plan approval process and in determining the Department's progress toward its goals established pursuant to the Government Performance and Results Act.

We propose to increase the use of this information to improve program quality by authorizing States to work with or sanction its grantees that do not meet their performance objectives, as well as allowing them to use State leadership funds for performance incentive grants to local programs that provide exemplary services. Our proposal would authorize the Secretary to work with or sanction poor-performing States and to make awards for national excellence to States that provide exemplary services.

Formulas and financing

As school enrollments increase, the Department believes it is critical to ensure that education programs receive sufficient funding and that Federal funds are effectively targeted. Our proposal would authorize appropriations for fiscal year 1998 at the level requested in the President's budget, including \$1 billion for the State grant and \$105 million for tech-prep education.

To get funds to where they are needed most, we propose using a formula to distribute basic grant funds to States, based on population and State income, and to require States to distribute funds to local communities and institutions based on specified formulas. While our proposal would provide States some flexibility in how they allocate funds to local areas, we believe that there is a strong Federal interest in promoting equity that makes it necessary for States to take into account the enrollments and poverty in local areas when distributing Federal funds.

Because it is critically important for the State agency accountable for education ^{results} ~~outcomes~~ to have the lead role in planning, administering, and making decisions relevant to the resources for which they are accountable, an educational agency or agencies in the State, consistent with State law, would continue to administer the program. Each State's program would be based on a State plan developed by the responsible education agency in the State and approved by the State educational agency and the State agency responsible for community colleges and submitted to the Secretary after review and comment by the Governor.

To further ensure that States can effectively meet their responsibilities for this program, our proposal would continue to allow States to retain 15 percent (for the first two years, declining to 10 percent thereafter) of their grants for State leadership activities, such as professional development, curriculum development and dissemination, career guidance and counseling for students, educational technology, and supporting vocational student organizations. These State leadership activities are the source of innovation and improvements in vocational education and allow States to coordinate their vocational education strategies with other education and training initiatives.

National activities

Investments in research, development, technical assistance, and evaluation at the national level have historically been extremely important. The Perkins Act, however, authorizes many very narrow and specific national programs, most of which have never been funded. Our proposal would streamline the national programs authority and create the flexibility to address new issues as they arise. Our proposal would continue to authorize the National Occupational Information Coordinating Committee and the State Occupational Information system and a National Research Center^{to ?} conduct research on career preparation education. It would authorize a new assessment of how secondary and postsecondary schools are preparing students with the academic and technical and related skills needed for the 21st century. The balance of our national activities will support strategic investments to improve student achievement at the secondary and postsecondary level, including investments in professional development, improvements in curriculum and assessment at the local level, innovations in career information and guidance, student support services, and the use of technology to enhance learning. The development of effective performance management systems, building strong partnerships between schools and business, between secondary and postsecondary schools, and among parents, students and schools, as well as support for comprehensive high school and community college reform efforts are other areas we support.

Again, I look forward to working with you and your colleagues on legislation that will take vocational education into the 21st century. I would be happy to respond to any questions you may have.

FUNDING PROVISIONS IN THE ADMINISTRATION'S PERKINS PROPOSAL

ALLOTMENTS TO STATES FOR THE BASIC CAREER PREP PROGRAM (sec. 108(a))

1. Basic grant formula

- Based on population 15-19 and 20-24

2. Rewards for Excellence (sec. 201)

- For any FY after FY 2000
- Not more than 2% of funds for basic grant program (sec. 3(b))
- Priorities (sec. 101(b))
- Secretary may make to one or more states that exceeded performance goals or implemented exemplary programs or provided exemplary services to special pops

ALLOCATIONS WITHIN STATES

- Described in state plan
- At least 80%, then and then at least 85% of funds to locals (only 5% allowed for state administrative activities--balance for state leadership)

1. Basic distribution formula

A. For Secondary Schools (109(d))

- Based on prior year Title I allocation

B. For Post-Sec Schools (109(e))

- Formula based on Pell Grant recipients/up to 2 year programs

2. Alternative distribution formula allowed--restrictive conditions

- Only if demonstrates to Sec. that better meets purposes of the Act, alternative in accord with priorities, and basic formula does not lead to allocations to locals or consortia with highest economically disadvantaged

3. Optional financial incentives/rewards 103(d)(2)(D); 102(b)(10)

- for one or more local recipients to recognize exemplary quality or innovation in services or activities or for members of special pops
- Peer review process
- Using performance goals/indicators from sec. 106 or other criteria

ALLOTMENTS TO STATES FOR THE TECH PREP PROGRAM

- Formula based on allocation for basic career prep program

WITHIN STATE ALLOCATIONS

- Distributed on a competitive basis.

May 29, 1997

OMB response to draft bill, Career Education Reform Act of 1997

We have questions about the bill's approach in several areas, including the lack of language on coordination with other agencies, some missing specificity in the evaluation pieces, conflicting waiver authorities, and the absence of language allowing states to combine funds across programs.

In addition, at the end of this document we list possible language changes for fine-tuning.

ISSUES

1. Lack of coordination across agencies

We were surprised that the draft bill did not include references to cooperation among federal agencies (especially Education and Labor), and involvement from states and local workforce boards. For this bill to be consistent with the President's position on government wide coordination and cooperation, it must include such language. In the attached marked up pages of the bill, we have included some examples of the types of language changes that include cross-government partnerships.

2. Evaluation and data collection

General: The bill needs to be clear on the separate roles played by research on specific issues, a national assessment of the overall impact of the program, and outcomes reported by states. A coherent framework for the various evaluation and research sections in Title II would help organize this bill.

Specific:

p. 45 §203 - National Assessment

203(b) should link the assessment to the vocational education performance measures in the Department's GPRA plan and ensure that the assessment will report performance on key goals such as those listed in the priorities in §101(b). For example, a national assessment should not only examine how well States have implemented systems and programs, but also how well they have provided students with work-related experiences (purpose #6), and involved parents and employers (purpose #10). Recommend inserting before the current (b)(1) something like:

(1) States and localities are meeting the performance objectives for this program established by the Secretary pursuant to the Government Performance and Results Act, using the performance indicators established under Section 106(b);

p. 49 §205 - Data Systems

The Department needs a well thought out strategy for collecting and analyzing the data on program outcomes. What data will be captured through this new data systems authority that is not already collected by NCES and in the States' annual reports? (§102(d) would require States to report in a way that ensures the collection of uniform data.) Also, how would this new system tie into ED's plans in its GPRA strategic plan for a data warehouse?

3. Waivers

- p. 60 §301 too broadly allows waivers of ESEA and STW provisions under more generous terms than their own statutes allow. As written, there would be three different waiver authorities that apply to the ESEA programs (ESEA, Goals, and Perkins). In addition, waivers could be granted beyond the period that the ESEA programs are authorized (this bill would allow waivers for five years, ESEA allows waivers for only three years). Waiver authority should include measurable goals and outcomes for students, methods for measuring progress toward meeting the goals and outcomes, and specifications on what should go in the application.

The waiver authority for Perkins is currently in STW and Goals. The waiver language in this bill should mirror that in §502 and §503 of STW.

In addition, this waiver authority should not supersede more stringent authority in other statutes. Recommend adding language to clarify this along the following lines:

§301© (1): The statutes subject to the waiver authority of the Secretary under this section -- only to the extent that a waiver meets the conditions of the waiver authority in those statutes -- are...

4. Combination of funds

The bill two years ago included a provision (§104) allowing recipients to combine funds from Perkins, School-to-Work Act, Goals 2000: Educate America Act, ESEA, and JTPA in order to foster school-to-work systems. If you do not plan to reinstate this provision, can you tell us why?

5. Tech prep

This issue has been raised to a policy level within OMB, and we are awaiting a response, which we will send to you as soon as possible.

SPECIFIC SUGGESTIONS OF LANGUAGE CHANGES

- p.3-6 The Findings section (2(b)) includes 16 points, and while none is objectionable individually, they lose their impact given their length. **Suggest that ED prioritize or reorganize this section into fewer Findings.**
- p. 7 None of the purposes in 2© addresses developing career education curricula that meet demands in the marketplace based on consultation with employers. Although employer involvement is frequently mentioned in the bill, the lack of private sector input in the purposes section diminishes the importance of this critical activity. **Recommend adding such a purpose.**

Line 13. **Please insert a reference to JTPA**, as was included in HR 1426.

Line 14. **Please change "every student" to the STW language "all students."** This change should be made throughout the bill.

- p. 8 Line 12. Please explain why ED has taken a different approach to authorizing appropriations for National Activities than was included in HR 1426 (i.e., a national reserve under the State grant, rather than a separate appropriation).
- p. 13 §102© requires specific activities devoted to special populations, and appears inconsistent with the Dear Speaker letter. **Recommend that the section either be deleted, given the specific attention paid to including special populations in activities throughout the bill; or revised to have the State conduct these activities on behalf of "all students, including women and students who are members of special populations."** Also, p. 19, Line 15: recommend revising "students who are members" to "all students, including students who are members". Same comment applies to p. 39, line 17. On p. 39, line 5, add "all students, including members of" before "special populations."

Should §102© be retained, States should not be required to collect data if they have alternative access to data for dissemination. **Recommend deleting "gather and" before "disseminate" on line 21.**

- p. 17 Line 4: **Please consider mirroring §105(d)(2) of H.R. 1426** by adding "including those under Goals 2000, and STW, and related services and activities under ESEA and JTPA" after "education reforms."
- p. 21 Lines 4-8. How would career academies and alternative schools qualify as eligible institutions for grants in this list?
- p. 24 **Please consider substituting lines 17-20 to read:**
 "(b) IMPROVEMENT ACTIVITIES.--If a State determines, based on the annual report provided under subsection (a), that a recipient of a subgrant under this part is not making substantial progress in achieving --
 (1) the applicable performance goals and indicators established under section 106; and (2) the purpose of the Act in accordance with the priorities described in section 101(b), the State shall work jointly with the recipient to develop a plan, in..."
- p. 28 The authority to promulgate regulations in (2) (lines 3-4), and its absence elsewhere, implies that the Secretary does not have authority to promulgate regulations elsewhere. **Recommending adding a general authority for regulation under Title III, General Provisions.**
- p.28-32 Do the provisions pertaining to allocation of funds and consortia address the problem, under the existing Act, that Oregon encountered in forming and funding consortia comprised of both LEAs and IHEs?
- p. 33 Line 22. **Please consider including the JTPA "economically disadvantaged" definition as an additional factor** which States could use in determining the number of economically disadvantaged students.

- p. 46 The National Assessment advisory panel does not include student representatives. **Recommend adding "students" after "parents" in line 2.** (Same comment applies to other sections with consultation requirements that include a variety of stakeholders (e.g., parents, employers).)
- p. 46 The National Assessment examination of School to Work appears to duplicate information that will flow from the ongoing National STW evaluation. **Recommend deleting (b)(1) (lines 11-12).**

5/12/97 Draft

A BILL

To assist States and secondary and postsecondary schools to develop, implement, and improve career preparation education so that every student has an opportunity to acquire academic and technical knowledge and skills needed for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Career Preparation Education Reform Act of 1997”.

TITLE I--AMENDMENTS TO THE CARL D. PERKINS
VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

AMENDMENT TO THE ACT

SEC. 101. The Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.; hereinafter referred to as “the Act”) is amended in its entirety to read as follows:

“SHORT TITLE; TABLE OF CONTENTS

“SECTION 1. (a) SHORT TITLE.--This Act may be cited as the ‘Carl D. Perkins Career Preparation Education Act’.

“(b) TABLE OF CONTENTS.--The table of contents for this Act is as follows:

1 "TABLE OF CONTENTS

2 "Sec. 1. Short title; table of contents.

3 "Sec. 2. Declaration of policy, findings, and purpose.

4 "Sec. 3. Authorization of appropriations.

5 "TITLE I--PREPARING STUDENTS FOR CAREERS

6 "PART A--CAREER PREPARATION EDUCATION

7 "Sec. 101. Career Preparation Education; Priorities.

8 "Sec. 102. State leadership activities.

9 "Sec. 103. State plans.

10 "Sec. 104. Local activities.

11 "Sec. 105. Local applications.

12 "Sec. 106. Performance goals and indicators.

13 "Sec. 107. Evaluation, improvement, and accountability.

14 "Sec. 108. Allotments.

15 "Sec. 109. Within-State allocation and distribution of funds.

16 "PART B--TECH-PREP EDUCATION

17 "Sec. 111. Program elements.

18 "Sec. 112. State leadership activities.

19 "Sec. 113. Local activities.

20 "Sec. 114. Local applications.

21 "Sec. 115. Evaluation, improvement, and accountability.

22 "Sec. 116. Allotment and distribution.

23 "TITLE II--NATIONAL SUPPORT FOR STATE AND LOCAL REFORMS

24 "Sec. 201. Awards for excellence.

25 "Sec. 202. National activities.

26 "Sec. 203. National assessment.

27 "Sec. 204. National research center.

28 "Sec. 205. Data systems.

29 "Sec. 206. National Occupational Information Coordinating Committee.

30 "Sec. 207. Career preparation education for Indians and Native Hawaiians.

31 "TITLE III--GENERAL PROVISIONS

32 "Sec. 301. Waivers.

33 "Sec. 302. Effect of Federal payments.

1 "Sec. 303. Maintenance of effort.
2 "Sec. 304. Identification of State-imposed requirements.
3 "Sec. 305. Out-of-State relocations.
4 "Sec. 306. Entitlement.
5 "Sec. 307. Definitions.

6 "DECLARATION OF POLICY, FINDINGS, AND PURPOSE

7 "SEC. 2. (a) DECLARATION OF POLICY.--The Congress declares it to be the policy of
8 the United States that, in order to meet new economic challenges brought about by technology,
9 increasing international economic competition, and changes in production ^{processes} ~~technologies~~ and the
10 organization of work, the Nation must enable every student to obtain the academic, technical, and
11 other skills needed to prepare for, and make a transition to, postsecondary education, further
12 learning, and a wide range of opportunities in high-skill, high-wage careers.

13 "(b) DECLARATION OF FINDINGS.--The Congress finds that--

14 "(1) in order to be successful workers, citizens, and learners in the 21st century,
15 individuals will need a combination of strong basic and advanced academic skills; computer and
16 other technical skills; theoretical knowledge; communications, problem-solving, and teamwork
17 skills; and the ability to acquire additional knowledge and skills throughout a lifetime;

18 "(2) though employment and earnings increasingly depend on educational
19 attainment and the ability to acquire and transfer skills among jobs in broad clusters of
20 occupations or industry sectors, a majority of high school graduates in the United States do not
21 complete a rigorous course of study that prepares them for completing a two-year or four-year
22 college degree or for entering careers with high-skill, high-wage potential;

23 "(3) community colleges are an important component of our Nation's system of

1 life-long learning, offering students a gateway to higher education, access to quality occupational
2 certificates and degrees that increase their skills and earnings, and continuing education
3 opportunities necessary for professional growth;

4 ^{many} ~~group~~ of whom ~~of whom~~ "(4) today's community colleges face a number of challenges: serving a diverse
5 group of adult students who enter unprepared for academic and technical work without first
6 completing remedial and developmental education; ensuring that the academic and occupational
7 skills gained by students adequately prepare them for the workforce; and enhancing connections
8 with employers and obtaining sufficient resources so that students have access to state-of-the-art
9 programs, equipment, and support services necessary for completion of their chosen courses of
10 study;

11 ^{many} "(5) ~~certain~~ individuals (including students who are members of special
12 populations) often face great challenges in acquiring the academic knowledge and occupational
13 skills needed for successful employment and thus may need additional assistance and services to
14 allow them to participate fully in career preparation activities;

15 "(6) State initiatives to develop challenging State academic standards for all
16 students are helping to establish a new framework for education reform;

17 ⁱⁿ ~~communication~~ "(7) States have begun to develop ^g statewide school-to-work ^{interaction} ~~opportunity~~ ^{sk} ~~systems~~
18 that offer opportunities for all students to participate in school-based, work-based, and connecting
19 activities leading to postsecondary education, further learning, and first jobs in high-skill, high-
20 wage careers;

21 "(8) students in the United States can achieve challenging academic and technical
22 skills, and may learn better and retain more, when they learn in context, learn by doing, and have

1 an opportunity to learn and understand how academic and technical skills are used outside the
2 classroom;

3 “(9) local, State, and national programs supported under the Carl D. Perkins
4 Vocational and Applied Technology Education Act, which has assisted many students in obtaining
5 technical and academic skills, as well as employment, can be more effective when these programs
6 are part of the larger education reforms taking place in States and localities;

7 “(10) education reform efforts at the secondary level are creating new American
8 high schools that are committed to high academic standards for all students, and that--with the
9 active support of business and parents--ensure that all students have the academic and technical
10 knowledge and skills needed to pursue postsecondary education, provide students with
11 opportunities to explore careers, use technology to enhance learning, and create safe, supportive
12 learning environments;

13 “(11) technical preparation (tech-prep) education has promoted the integration of
14 academic and vocational education, reinforced and stimulated improvements in classroom
15 instruction, and forged strong secondary-postsecondary connections that serve as a catalyst for
16 the reform of vocational education and the development of school-to-work ~~systems~~ *systems* ^{state};

17 “(12) the active involvement of employers, parents, and labor and community
18 organizations in planning, developing, and implementing career preparation education increases its
19 effectiveness;

20 “(13) when aligned with broader State and local education reforms, this Act can
21 enhance the capacity of States, communities, and postsecondary institutions to enable every
22 student to achieve to challenging academic standards and industry-recognized skill standards and

1 prosper in a highly competitive, technological economy;

2 “(14) while current law has promoted important reforms in vocational education, it
3 contains numerous setbacks and special programs and requirements that may inhibit further
4 ^{improvement} ~~reforms~~ as well as the proper implementation of performance management systems needed to
5 ensure accountability for results;

6 “(15) the Federal Government can ^{and should} -- through a performance partnership with
7 States and localities based on clear programmatic goals, increased State and local flexibility,
8 improved accountability, and performance goals, indicators, and incentives -- provide to States
9 and localities financial assistance for the improvement and expansion of career preparation
10 education ^g ~~in all States~~, as well as for services and activities that ensure that every student,
11 including those with special needs, has the opportunity to achieve the academic and technical
12 knowledge and skills needed to prepare for postsecondary education, further learning, and a wide
13 range of careers; and

14 “(16) the Federal Government can also assist States and localities by carrying out
15 nationally significant research, program development, demonstration, dissemination, evaluation,
16 capacity-building, data collection, professional development, and technical assistance activities
17 that support State and local efforts to implement successfully programs, services, and activities
18 that are funded under this Act, as well as those supported with their own resources.

19 “(c) DECLARATION OF PURPOSE.--The purpose of this Act is to assist all students,
20 through a performance partnership with States and localities, to acquire the knowledge and skills
21 they need to meet challenging State academic standards and industry-recognized skill standards,
22 and to prepare for postsecondary education, further learning, and a wide range of opportunities in

1 high-skill, high-wage careers. This purpose shall be pursued through support for State and local
2 efforts that--

3 “(1) build on the efforts of States and localities to develop and implement
4 education reforms based on academic standards;

5 “(2) integrate reforms of vocational education with State reforms of academic
6 preparation in schools;

7 “(3) promote, in particular, the development of services and activities that
8 integrate academic and occupational instruction, link secondary and postsecondary education, and
9 promote school-based and work-based learning and connecting activities;

10 “(4) increase State and local flexibility in providing services and activities designed
11 to develop, implement, and improve career preparation education, including tech-prep education,
12 and in integrating these services and activities with services and activities supported with other
13 Federal, State, and local educational funds in exchange for clear accountability for results;

14 “(5) provide every student, including those who are members of special
15 populations, with the opportunity to participate in the full range of career preparation education
16 programs, services, and activities;

17 “(6) integrate career guidance and counseling into the educational processes, so
18 that students are prepared to make informed education and career decisions, find employment,
19 and lead productive lives; and

20 “(7) benefit from national research, program development, demonstration,
21 dissemination, evaluation, capacity-building, data collection, professional development, and
22 technical assistance activities supporting the development, implementation, and improvement of

1 career preparation education programs, services, and activities.

2
3 "AUTHORIZATION OF APPROPRIATIONS

4 "SEC. 3. (a) PREPARING STUDENTS FOR CAREERS --(1) There are authorized to be
5 appropriated to carry out part A of title I, relating to career preparation education,
6 \$1,064,047,000 for the fiscal year 1998 and such sums as may be necessary for each of the fiscal
7 years 1999 through 2002.

8 "(2) There are authorized to be appropriated to carry out part B of title I, relating
9 to technical preparation education, \$105,000,000 for the fiscal year 1998 and such sums as may
10 be necessary for each of the fiscal years 1999 through 2002.

11 "(b) NATIONAL SUPPORT FOR STATE AND LOCAL REFORMS ~~from the amount~~
12 ~~appropriated for any fiscal year under subsection (a) the Secretary shall reserve--~~

13 ~~"(1) not more than 7 percent to carry out title II (except section 207, relating to~~
14 ~~career preparation education for Indians and Native Hawaiians), of which not more than 2 percent~~
15 ~~of the amount appropriated under subsection (a) for any fiscal year after the fiscal year 2000 shall~~
16 ~~be available to carry out activities under section 201, relating to awards for excellence, and~~

17 (2) 1.75 percent to carry out activities under sections 207(b) and 207(c), relating
18 to career preparation education for Indians, and section 207(d), relating to career preparation
19 education for Native Hawaiians.

1 "TITLE I--PREPARING STUDENTS FOR CAREERS

2 "PART A--CAREER PREPARATION EDUCATION

3 "CAREER PREPARATION EDUCATION; PRIORITIES

4 "SEC. 101. (a) CAREER PREPARATION EDUCATION.--(1) In order to enable every
5 student to obtain the academic, technical, and other knowledge and skills that are needed to make
6 a successful transition to postsecondary education and a wide range of careers and further
7 learning, as well as support, to the maximum extent possible, the integration of vocational
8 education with broader educational reforms underway in States and secondary and postsecondary
9 schools, funds under this part shall be used to support career preparation education programs,
10 services, and activities.

11 "(2) As used in this Act, career preparation education programs, services, and
12 activities means those that--

13 "(A) support the development, implementation, or improvement of State
14 School-to-Work systems, as set forth in title I of the School-to-Work Opportunities Act of 1994;
15 or

16 "(B) otherwise prepare students for employment and further learning in
17 technical fields.

18 "(b) PRIORITIES.--In using funds under this part, States and local recipients, as described
19 in section 105(a), shall give priority to services and activities designed to--

20 "(1) ensure that every student, including those who are members of special

1 populations, has the opportunity to achieve a combination of strong basic and advanced academic
2 skills, computer and other technical skills, theoretical knowledge, communications, problem-
3 solving, and other skills needed to meet challenging State academic standards and industry-
4 recognized skill standards;

5 “(2) promote the integration of academic and vocational education;

6 “(3) support the development and implementation of courses of study in broad
7 occupational clusters or industry sectors;

8 “(4) effectively link secondary and postsecondary education;

9 “(5) provide students, to the extent possible, with strong experience in, and
10 understanding of, all aspects of an industry;

11 “(6) provide students with work-related experiences, such as internships, work-
12 based learning, school-based enterprises, entrepreneurship, and job-shadowing that link to
13 classroom learning;

14 “(7) provide schoolsite and worksite mentoring;

15 “(8) provide instruction in general workplace competencies and instruction needed
16 for students to earn a skill certificate;

17 “(9) provide career guidance and counseling for students, including the provision
18 of career awareness, exploration, and planning services, and financial aid information to students
19 and their parents;

20 “(10) ensure continuing parent and employer involvement in program design and
21 implementation; and

22 “(11) provide needed support services, such as mentoring, opportunities to

1 participate in student organizations, tutoring, the modification of curriculum, classrooms, and
2 equipment, transportation, and child care.

3 "STATE LEADERSHIP ACTIVITIES

4 "SEC. 102. (a) RESPONSIBLE AGENCY OR AGENCIES.--Any State desiring to
5 receive a grant under this part, as well as a grant under part B, shall, consistent with State law,
6 designate an educational agency or agencies that shall be responsible for the administration of
7 services and activities under this Act, including--

8 "(1) the development, submission, and implementation of the State plan;

9 "(2) the efficient and effective performance of the State's duties under this Act;

10 and

11 "(3) consultation with other appropriate agencies, groups, and individuals that are
12 involved in the development and implementation of services and activities assisted under this Act,
13 such as employers, industry, parents, students, teachers, labor organizations, community-based
14 organizations, State and local elected officials, and local program administrators, including the
15 State agencies responsible for activities under the State's implementation grant under the School-
16 to-Work Opportunities Act of 1994.

17 "(b) IN GENERAL.--Each State that receives a grant under this part shall, from amounts
18 reserved for State leadership activities under section 109(c), conduct programs, services, and
19 activities that further the development, implementation, and improvement of career preparation
20 education within the State and that are integrated, to the maximum extent possible, with broader
21 education reforms underway in the State, including such activities as--

1 “(1) providing comprehensive professional development (including initial teacher
2 preparation) for vocational, academic, career guidance, and administrative personnel that--

3 “(A) will help such teachers and personnel to meet the goals established by
4 the State under section 106; and

5 “(B) reflects the State's assessment of its needs for professional
6 development, as determined under section 2205(b)(2)(C) ^{of} the Elementary and Secondary
7 Education Act of 1965, and is integrated with the professional development activities that the
8 State carries out under title II of that Act;

9 “(2) developing and disseminating curricula that are aligned, as appropriate, with
10 challenging State academic standards and industry-recognized skill standards;

11 “(3) monitoring and evaluating the quality of, and improvement in, services and
12 activities conducted with assistance under this Act;

13 “(4) promoting equity in secondary and postsecondary education and, to the
14 maximum extent possible, ensuring opportunities for all students, including students who are
15 members of special populations, to participate in education activities that are free from sexual and
16 other harassment and that lead to high-skill, high-wage careers;

17 “(5) supporting tech-prep education activities, including, as appropriate, activities
18 described under part B of this title;

19 “(6) improving and expanding career guidance and counseling programs that assist
20 students to make informed education and career decisions;

21 “(7) improving and expanding the use of technology in instruction;

22 “(8) supporting partnerships of local educational agencies, institutions of higher

1 education, and, as appropriate, other entities, such as employers, labor organizations, parents, and
2 community-based organizations, for enabling all students, including students who are members of
3 special populations, to achieve to challenging State academic standards and industry-recognized
4 skill standards;

5 “(9) promoting the dissemination and use of occupational information;

6 ~~“(10) providing financial incentives or awards to one or more local recipients in~~
7 ~~recognition of exemplary quality or innovation in education services and activities, or exemplary~~
8 ~~services and activities for students who are members of special populations, as determined by the~~
9 ~~State through a peer review process, using performance goals and indicators described in~~
10 ~~section 106 or other appropriate criteria;~~

11 “(11) supporting vocational student organizations, especially with respect to
12 efforts to increase the participation of students who are members of special populations in such
13 organizations;

14 “(12) developing career preparation education curricula that provide students with
15 understanding in all aspects of the industry; and

16 “(13) serving individuals in State institutions, such as State correctional institutions
17 and institutions that serve individuals with disabilities.

18 “(c) SPECIAL POPULATIONS.--Any State that receives a grant under this part shall--

19 “(1) work to eliminate bias and stereotyping in education at the secondary and
20 postsecondary levels;

21 “(2) gather and disseminate data on the effectiveness of career preparation
22 education programs, services, and activities in the State in meeting the educational and

1 employment needs of women and students who are members of special populations;

2 “(3) review proposed actions on applications, grants, contracts, and policies of the
3 State to help to ensure that the needs of women and students who are members of special
4 populations are addressed in the administration of this part;

5 “(4) recommend outreach and other activities that inform women and students
6 who are members of special populations about their education and employment opportunities; and

7 “(5) advise local educational agencies, postsecondary educational institutions, and
8 other interested parties in the State on expanding career preparation opportunities for women and
9 students who are members of special populations and ensuring that the needs of men and women
10 in training for nontraditional jobs are met.

11 “(d) STATE REPORT --(1) The State shall annually report to the Secretary on the quality[®]
12 and effectiveness of the programs, services, and activities, provided through its grant under this
13 part, as well as its grant under part B, based on the performance goals and indicators and the
14 expected level of performance included in its State plan under section 103(d)(2)(B).

15 “(2) The State report shall also--

16 “(A) include such information, and in such form, as the Secretary may
17 reasonably require, in order to ensure the collection of uniform data; and

18 “(B) be made available to the public.

19 “STATE PLANS

20 “SEC. 103. (a) IN GENERAL --Any State desiring to receive a grant under this part, as

1 well as a grant under part B, for any fiscal year shall submit to, or have on file with, the Secretary
2 a five year State plan in accordance with this section. The agency or agencies designated under
3 section 102(a) may submit its State plan as part of a comprehensive plan that may include State
4 plan provisions under the Goals 2000: Educate America Act, the School-to-Work Opportunities
5 Act of 1994, and section 14302 of the Elementary and Secondary Education Act of 1965. Any
6 State that receives an implementation grant under subpart B of title II of the School-to-Work
7 Opportunities Act of 1994 shall make the plan that it submits or files under this section consistent
8 with the approved plan for which it received its implementation grant.

9 “(b) APPROVALS.--(1) Notwithstanding the designation of the responsible agency or
10 agencies under section 102(a), the agencies that shall approve the State plan under subsection (a)
11 are--

12 “(A) the State educational agency, and

13 “(B) the State agency responsible for community colleges.

14 “(2) The Secretary shall approve a State plan under subsection (a), or a revision to
15 an approved State plan, only if the Secretary determines that it meets the requirements of this
16 section and the State’s performance goals and expected level of performance under
17 subsection (d)(2)(B) are sufficiently rigorous as to meet the purpose of this Act and to allow the
18 Department of Education to make progress toward its performance objectives and indicators
19 established under the Government Performance and Results Act. The Secretary shall establish a
20 peer review process to make recommendations regarding approval of the State plan and revisions
21 to the plan. The Secretary shall not finally disapprove a State plan before giving the State
22 reasonable notice and an opportunity for a hearing.

1 “(c) CONSULTATION --(1) In developing and implementing its plan under
2 subsection (a), and any revisions under subsection (f), the designated agency or agencies under
3 section 102(a) shall consult widely with employers, labor organizations, parents, and other
4 individuals, agencies, and organizations in the State that have an interest in education and
5 training, including the State agencies responsible for activities under the State’s implementation
6 grant under the School-to-Work Opportunities Act of 1994, as well as individuals, employers, and
7 organizations that have an interest in education and training for students who are members of
8 special populations.

9 “(2) The designated agency or agencies under section 102(a) shall submit the State
10 plan under this section, and any revisions to the State plan under subsection (f), to the Governor
11 for review and comment, and shall ensure that any comments the Governor may have are included
12 with the State plan or revision when the plan or revision is submitted to the Secretary.

13 “(d) CONTENTS --(1) A State plan under subsection (a) shall describe how the State will
14 use funds under this part to--

15 “(A) improve student achievement of academic, technical, and other
16 knowledge and skills and address the priorities described in section 101(b);

17 “(B) help ensure that every student, including those who are members of
18 special populations, has the opportunity to achieve to challenging State academic standards and
19 industry-recognized skill standards and to be prepared for postsecondary education, further
20 learning, and high-skill, high-wage careers;

21 “(C) further the State’s education reform efforts and school-to-work
22 opportunities system; and

1 “(D) carry out State leadership activities under section 102.

2 “(2) A State plan under subsection (a) shall also--

3 “(A) describe how the State will integrate its services and activities under
4 this title with the broad education reforms in the State and with relevant employment, training,
5 technology, and welfare programs carried out in the State;

6 “(B) include a statement, expressed in terms of the performance indicators
7 published by the Secretary under section 106(b), and any other performance indicators the State
8 may choose, of the State’s performance goals established under section 106(a) and the level of
9 performance the State expects to achieve in progressing toward its performance goals during the
10 life of the State plan;

11 “(C) describe how the State will ensure that the data reported to it from its
12 local recipients under this Act and the data it reports to the Secretary are complete, accurate, and
13 reliable;

14 “(D) describe how the State will provide incentives or rewards for
15 exemplary programs, services, or activities under this Act, if the State elects to implement the
16 authority under section 102(b)(10);

17 “(E) describe how funds will be allocated and used at the secondary and
18 postsecondary level, the consortia that will be formed among secondary and postsecondary
19 schools and institutions, and how funds will be allocated to such consortia; and

20 “(F) be made available to the public.

21 “(e) ASSURANCES --A State plan under subsection (a) shall contain assurances that the
22 State will--

“(1) comply with the requirements of this Act and the provisions of the State plan,
and

“(2) provide for the fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State under this Act.

“(f) REVISIONS.--When changes in conditions or other factors require substantial revision to an approved State plan under subsection (a), the State shall submit revisions to the State plan to the Secretary after the State plan revisions have been approved by the agencies responsible for approving the plan under subsection (b).

“LOCAL ACTIVITIES

“SEC. 104. (a) GENERAL REQUIREMENTS.--Each recipient of a subgrant under this part shall--

“(1) conduct career preparation education programs, services and activities that further student achievement of academic, technical, and other knowledge and skills;

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

“(3) give priority under this part to assisting schools or campuses that serve the highest numbers or percentages of students who are members of special populations; and

“(4) promote equity in career preparation education and, to the maximum extent possible, ensure opportunities for every student, including those who are members of special

1 populations, to participate in education activities that are free from sexual and other harassment
2 and that lead to high-skill, high-wage careers.

3 “(b) AUTHORIZED ACTIVITIES.--Each recipient of a subgrant under this part may use
4 funds to--

5 “(1) provide programs, services, and activities that promote the priorities described
6 in section 101(b), such as--

7 “(A) developing curricula and assessments that are aligned, as appropriate,
8 with challenging State academic standards, as well as industry-recognized skill standards, and that
9 integrate academic and vocational instruction, school-based and work-based instruction and
10 connecting activities, and secondary and postsecondary level instruction;

11 “(B) acquiring and adapting equipment, including instructional aids;

12 “(C) providing professional development activities, including such activities
13 for teachers, mentors, counselors, and administrators, and board members;

14 “(D) providing services, directly or through community-based or other
15 organizations, that are needed to meet the needs of students who are members of special
16 populations, such as mentoring, opportunities to participate in student organizations, tutoring,
17 curriculum modification, equipment modification, classroom modification, supportive personnel,
18 instructional aids and devices, guidance, career information, English language instruction,
19 transportation, and child care;

20 “(E) supporting tech-prep education services and activities, career
21 academies, and public charter, pilot, or magnet schools that have a career focus;

*Is this
do line
elsewhere?*

22 “(F) carrying out activities that ensure active and continued involvement of

1 employers, parents, and labor organizations in the development, implementation, and
2 improvement of a career preparation education in the State, such as support for local school-to-
3 work partnerships and organizations that support activities that link school and work;

4 “(G) assisting in the reform of secondary schools, including schoolwide
5 reforms and schoolwide programs authorized under section 1114 of the Elementary and
6 Secondary Education Act of 1965;

7 “(I) supporting vocational student organizations, especially with respect to
8 efforts to increase the participation of students who are members of special populations in such
9 organizations;

10 “(J) providing assistance to students who have participated in services and
11 activities under this Act in finding an appropriate job and continuing their education and training;
12 and

13 “(K) developing and implementing performance management systems and
14 evaluations; and

15 “(2) carry out other services and activities that meet the purposes of this Act.

16 “(c) EQUIPMENT.--Equipment acquired or adapted with funds under this part may be
17 used for other instructional purposes when not being used to carry out this part if such acquisition
18 or adaptation is reasonable and necessary for providing services or activities under this part and
19 such other use is incidental to, does not interfere with, and does not add to the cost of, the use of
20 such equipment under this part.

1 "LOCAL APPLICATIONS

2 "SEC. 105. (a) ELIGIBILITY.--Schools and other institutions or agencies eligible to
3 apply, individually or as consortia, to a State for a subgrant under this part are--

4 "(1) local educational agencies;

5 "(2) area vocational education schools;

6 "(3) intermediate educational agencies;

7 "(4) institutions of higher education; and

8 "(5) postsecondary educational institutions controlled by the Bureau of Indian
9 Affairs or operated by, or on behalf of, any Indian tribe that is eligible to contract with the
10 Secretary of the Interior for the administration of programs under the Indian Self-Determination
11 Act or the Act of April 16, 1934.

12 "(b) APPLICATION REQUIREMENTS.--Any applicant that is eligible under
13 subsection (a) and that desires to receive a subgrant under this part shall, according to
14 requirements established by the State, submit an application to the agency or agencies designated
15 under section 102(a). In addition to including such information as the State may require and
16 identifying the results the applicant seeks to achieve, each application shall also describe how the
17 applicant will use funds under this part to--

18 "(1) develop, improve, or implement career preparation education programs,
19 services, or activities in secondary schools and postsecondary institutions and address the
20 priorities described in section 101(b), in accordance with section 103;

21 "(2) evaluate progress toward the results it seeks to achieve, consistent with the
22 performance goals and indicators established under section 106;

1 “(3) coordinate its services and activities with related services and activities offered
2 by community-based organizations, employers, and labor organizations, and, to the extent
3 possible, integrate its services and activities under this title with broad educational reforms in the
4 State and with relevant employment, training, and welfare programs carried out in the State; and

5 “(4) consult with students, their parents, employers, and other interested
6 individuals or groups (including labor organizations and organizations representing special
7 populations), in developing their services and activities.

8 “PERFORMANCE GOALS AND INDICATORS

9 “SEC. 106. (a) PERFORMANCE GOALS. --(1) Any State desiring to receive a grant
10 under this part, as well as under part B, in consultation with employers, parents, labor
11 organizations, and other individuals, agencies, and organizations in the State that have an interest
12 in education and training, shall--

13 “(A) establish performance goals to define the level of performance to be
14 achieved by students served under this title and to evaluate the quality and effectiveness of
15 programs, services, and activities under this title; and

16 “(B) express such goals in an objective, quantifiable, and measurable form.

17 “(2) Any State may also use amounts it receives for State leadership activities
18 under section 109(c) to evaluate its entire career preparation education program in secondary and
19 postsecondary schools and to carry out activities under paragraph (1).

20 “(b) PERFORMANCE INDICATORS. --(1) After consultation with States, local
21 educational agencies, institutions of higher education, representatives of business and industry,

1 and other interested parties, the Secretary shall publish in the Federal Register performance
2 indicators (including the definition of relevant terms) described in paragraph (2) that State and
3 local recipients shall use in measuring or assessing progress toward achieving the State's
4 performance goals under subsection (a).

5 “(2) The Secretary shall publish performance indicators for programs, services, and
6 activities under this Act in the following areas:

7 “(A) achievement to challenging State academic standards, such as those
8 established under ^{the} Goals 2000: Educate America Act, and industry-recognized skill standards;

9 “(B) receipt of a high school diploma, skill certificate, and postsecondary
10 certificate or degree;

11 “(C) job placement, retention, and earnings, particularly in the student's field o.
12 study; and

13 “(D) such other indicators as the Secretary determines.

14 “(c) TRANSITION.--A State shall use the performance goals and indicators established
15 under subsections (a) and (b) not later than July 1, 1999. In order to provide a transition for State
16 evaluation activities, each State receiving funds under this title shall use the system of standards
17 and measures the State developed under section 115 of the Carl D. Perkins Vocational and
18 Applied Technology Education Act as in effect prior to the enactment of this Act during the
19 period that the State is establishing performance goals under subsection (a).

20 “(d) TECHNICAL ASSISTANCE.--The Secretary shall provide technical assistance to
21 the States regarding the development of the State's performance goals under subsection (a), as
22 well as use of uniform national performance data. The Secretary may use funds appropriated for

1 title II to provide technical assistance under this section.

2 "EVALUATION, IMPROVEMENT AND ACCOUNTABILITY

3 "SEC. 107. (a) LOCAL EVALUATION.--(1) Each recipient of a subgrant under this
4 part shall--

5 "(A) annually evaluate, using the performance goals and indicators
6 described in section 106, and report to the State regarding, its use of funds under this part to
7 develop, implement, or improve its career preparation education program, services, and activities;
8 and

9 "(B) biennially evaluate, and report to the State regarding the effectiveness
10 of its programs, services, and activities under this part in achieving the priorities described in
11 section 101(b), including the participation, progress, and outcomes of students who are members
12 of special populations.

13 "(2) Such recipient may evaluate portions of its entire career preparation education
14 program, including portions that are not supported under this part. If such recipient does so, it
15 need not evaluate separately that portion of its entire career preparation education program
16 supported with funds under this part.

17 "(b) IMPROVEMENT ACTIVITIES.--If a State determines, based on the local
18 evaluation conducted under subsection (a) and applicable performance goals and indicators
19 established under section 106, that a recipient of a subgrant under this part is not making
20 substantial progress in achieving the purpose of this Act in accordance with the priorities
21 described in section 101(b), the State shall work jointly with the recipient to develop a plan, in

1 consultation with teachers, counselors, parents, students, employers, and labor organizations, for
2 improvement for succeeding school years. If, after not more than 2 years of implementation of the
3 improvement plan, the State determines that the local recipient is not making sufficient progress,
4 the State shall take whatever corrective action it deems necessary, consistent with State law. The
5 State shall take corrective action only after it has provided technical assistance to the recipient and
6 shall ensure that any corrective action it takes allows for continued career preparation education
7 services and activities for the recipient's students.

8 “(c) TECHNICAL ASSISTANCE.--If the Secretary determines that the State is not
9 properly implementing its responsibilities under subsection (b), or is not making substantial
10 progress in meeting the purpose of this Act or carrying out services and activities under this part
11 that are in accord with the priorities described in section 101(b), based on the performance goals
12 and indicators and expected level of performance included in its State plan under section
13 103(d)(2)(B), the Secretary shall work with the State to implement improvement activities.

14 “(d) WITHHOLDING OF FEDERAL FUNDS.--If, after a reasonable time, but not earlier
15 than one year after of implementation of the improvement activities described in subsection (c),
16 the Secretary determines that the State is not making sufficient progress, based on the
17 performance goals and indicators and expected level of performance included in its State plan
18 under section 103(d)(2)(B), the Secretary shall, after notice and opportunity for a hearing,
19 withhold from the State all, or a portion, of the State's allotment under this part. The Secretary
20 may use funds withheld under the preceding sentence to provide, through alternative
21 arrangements, services and activities within the State that meet the purpose of this Act and are in
22 accord with the priorities described in section 101(b).

1
2 "ALLOTMENTS

3 "SEC. 108. (a) ALLOTMENT TO STATES FOR CAREER PREPARATION

4 EDUCATION -- Subject to subsection (b), from the remainder of the sums available for this part,
5 the Secretary shall allot to each State for each fiscal year--

6 "(1) an amount that bears the same ratio to 50 percent of the sum being allotted as
7 the product of the population aged 15 to 19 inclusive, in the State in the fiscal year preceding the
8 fiscal year for which the determination is made and the State's allotment ratio bears to the sum of
9 the corresponding products for all the States; and

10 "(2) an amount that bears the same ratio to 50 percent of the sum being allotted as
11 the product of the population aged 20 to 24 inclusive, in the State in the fiscal year preceding the
12 fiscal year for which the determination is made and the State's allotment ratio bears to the sum of
13 the corresponding products for all the States.

14 "(b) HOLD-HARMLESS AMOUNTS.--(1) Notwithstanding any other provision of law
15 and subject to paragraph (2), for fiscal year 1998 no State shall receive an allotment for services
16 and activities authorized under this part that is less than 90 percent of the sum of the payments
17 made to the State for fiscal year 1997 for programs authorized by title II of the Carl D. Perkins
18 Vocational and Applied Technology Education Act, and for fiscal years 1998 through 2002 no
19 State shall receive for services and activities authorized under this part an allotment that is less
20 than 90 percent of its allotment under this part for the preceding fiscal year.

21 "(2) If for any fiscal year the amount appropriated for services and activities

1 authorized under this part and available for allotment under this section is insufficient to satisfy
2 the provisions of paragraph (1), the Secretary shall ratably reduce the payments to all States for
3 such services and activities as necessary.

4 “(3) Notwithstanding any other provision of law, the allotment for this part for
5 each of American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands shall not be
6 less than \$200,000.

7 “(c) ALLOTMENT RATIO.--The allotment ratio of any State shall be 1.00 less the
8 product of--

9 “(1) 0.50; and

10 “(2) the quotient obtained by dividing the per capita income for the State by the
11 per capita income for all the States (exclusive of American Samoa, Guam, Puerto Rico, the
12 Northern Mariana Islands, and the Virgin Islands), except that--

13 “(A) the allotment ratio shall in no case be more than 0.60 or less than
14 0.40; and

15 “(B) the allotment ratio for American Samoa, Guam, Puerto Rico, the
16 Northern Mariana Islands, and the Virgin Islands shall be 0.60.

17 “(d) REALLOTMENT.--If the Secretary determines that any amount of any State's
18 allotment under subsection (a) for any fiscal year will not be required for carrying out the services
19 and activities for which such amount has been allotted, the Secretary shall make such amount
20 available for reallocation to one or more other States. Any amount reallocated to a State under this
21 subsection shall be deemed to be part of its allotment for the fiscal year in which it is obligated.

22 “(e) STATE GRANTS.--(1) From the State's allotment under subsection (a), the

1 Secretary shall make a grant for each fiscal year to each State that has an approved State plan
2 under section 103.

3 “(2) The Secretary may promulgate regulations with regard to indirect cost rates
4 that may be used for grants and subgrants awarded under this title.

5 “(f) DEFINITIONS AND DETERMINATIONS.--For purposes of this section--

6 “(1) allotment ratios shall be computed on the basis of the average of the
7 appropriate per capita incomes for the 3 most recent consecutive fiscal years for which
8 satisfactory data are available;

9 “(2) the term ‘per capita income’ means, with respect to a fiscal year, the total
10 personal income in the calendar year ending in such year, divided by the population of the area
11 concerned in such year; and

12 “(3) population shall be determined by the Secretary on the basis of the latest
13 estimates available to the Department that are satisfactory to the Secretary.

14 “WITHIN-STATE ALLOCATION AND DISTRIBUTION OF FUNDS

15 “SEC. 109. (a) IN GENERAL.--(1) For each of the fiscal years 1998 and 1999, the State
16 shall award as subgrants to eligible recipients under section 105(a) at least 80 percent of its grant
17 under section 108(e) for that fiscal year.

18 “(2) For each of the fiscal years 2000 through 2002, the State shall award as
19 subgrants to eligible recipients under section 105(a) at least 85 percent of its grant under
20 section 108(e) for that fiscal year.

21 “(b) STATE ADMINISTRATION.--(1) The State may use an amount not to exceed

1 5 percent of its grant under section 108(e) for each fiscal year for administering its State plan,
2 including developing the plan, reviewing local applications for subgrants under this part and
3 part B, supporting activities to ensure the active participation of interested individuals and
4 organizations, and ensuring compliance with all applicable Federal laws.

5 “(2) Each State shall match, from non-Federal sources and on a dollar-for-dollar
6 basis, the funds used for State administration under paragraph (1).

7 “(c) STATE LEADERSHIP.--The State shall use the remainder of its grant under
8 section 108(e) for each fiscal year for State leadership activities described in section 102.

9 “(d) DISTRIBUTION OF PART A FUNDS AT THE SECONDARY LEVEL.--(1)

10 ~~Except as provided in subsections (f), (g), and (h),~~ each State shall, each fiscal year, distribute to
11 local educational agencies, or consortia of such agencies, within the State funds under this part
12 available for secondary level education programs, services, and activities that are conducted in
13 accordance with the priorities described in section 101(b). Each local educational agency or
14 consortium ~~shall be allocated an amount that bears the same relationship to the amount available~~
15 ~~as the amount that the local educational agency or consortium was allocated under subpart 2 of~~
16 ~~part A of title I of the Elementary and Secondary Education Act of 1965 in the preceding fiscal~~
17 ~~year~~ bears to the total amount received under such subpart by all the local educational agencies in
18 the State in such fiscal year.

19 “(2) In applying the provisions of paragraph (1), the State shall--

20 “(A) distribute those funds that, based on the distribution formula under
21 paragraph (1), would have gone to a local educational agency serving only elementary schools, to
22 the local educational agency that provides secondary school services to secondary school students

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1 in the same attendance area;

2 “(B) distribute to a local educational agency that has jurisdiction over
3 secondary schools, but not elementary schools, funds based on the number of students that
4 entered such secondary schools in the previous year from the elementary schools involved; and

5 “(C) distribute funds to an area vocational education school or intermediate
6 educational agency in any case in which--

7 “(i) the area vocational education school or intermediate
8 educational agency and the local educational agency or agencies concerned have an agreement to
9 use such funds to provide services and activities in accordance with the priorities described in
10 section 101; and

11 “(ii) the area vocational education school or intermediate
12 educational agency serves an equal or greater proportion of students with disabilities or
13 economically disadvantaged students than the proportion of these students under the jurisdiction
14 of the local educational agencies sending students to the area vocational education school.

15 “(e) DISTRIBUTION OF PART A FUNDS AT THE POSTSECONDARY
16 LEVEL. --(1) Except as provided in subsections (f), (g), and (h), each State shall, each fiscal year,
17 distribute to eligible institutions, or consortia of such institutions, within the State funds under this
18 part available for postsecondary level services and activities that are conducted in accordance with
19 the priorities described in section 101(b). Each such eligible institution or consortium shall be
20 allocated an amount that bears the same relationship to the amount of funds available as the
21 number of Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs
22 enrolled in the preceding fiscal year by such institution or consortium in a career preparation

1 education program that does not exceed two years bears to the number of such recipients enrolled
2 in such programs within the State in such fiscal year.

3 “(2) For the purposes of this subsection--

4 “(A) the term ‘eligible institution’ means--

5 “(i) an institution of higher education;

6 “(ii) a local educational agency providing education at the
7 postsecondary level;

8 “(iii) an area vocational education school providing education at the
9 postsecondary level; and

10 “(iv) a postsecondary educational institution controlled by the
11 Bureau of Indian Affairs or operated by or on behalf of any Indian tribe that is eligible to contract
12 with the Secretary of the Interior for the administration of programs under the Indian
13 Self-Determination Act or the Act of April 16, 1934; and

14 “(B) the term ‘Pell Grant recipient’ means a recipient of financial aid under
15 subpart 1 of part A of title IV of the Higher Education Act of 1965.

16 “(3) An eligible institution may use funds distributed in accordance with paragraph
17 (1) to provide postsecondary level services and activities for students enrolled in a career
18 preparation education program that exceeds two years through a written articulation agreement
19 between the eligible institution and the administrators of that program.

20 “(f) ALTERNATIVE PART A DISTRIBUTION FORMULA -- ~~The State may distribute~~
21 ~~funds under subsection (d) or (e) using an alternative formula if the State demonstrates to the~~
22 ~~Secretary’s satisfaction that--~~

1 “(1) the alternative formula better meets the purposes of this Act;

2 “(2) the alternative formula is in accord with the priorities described in
3 section 101(b) and

4 “(3)(A) the formula described in subsection (d) or (e) does not result in a
5 distribution of funds to the eligible recipients or consortia that have the highest numbers or
6 percentages of economically disadvantaged students, as described in subsection (j); and

7 “(B) the alternative formula would result in such a distribution.

8 “(g) MINIMUM SUBGRANT AMOUNTS. -- (1)(A) Except as provided in subparagraph
9 (B), no local educational agency shall be eligible for a subgrant under this part unless the amount
10 allocated to that agency under subsection (c) or (d) equals or exceeds \$15,000.

11 “(B) The State may waive the requirement in subparagraph (A) in any case
12 in which the local educational agency--

13 “(i) enters into a consortium with one or more other local
14 educational agencies to provide services and activities conducted in accordance with the priorities
15 described in section 101(b) and the aggregate amount allocated and awarded to the consortium
16 equals or exceeds \$15,000; or

17 “(ii) is located in a rural, sparsely-populated area and demonstrates
18 that the agency is unable to enter into a consortium for the purpose of providing services and
19 activities conducted in accordance with the priorities described in section 101(b), but that the
20 agency is able to provide services and activities that meet the purposes of this Act.

21 “(2)(A) Except as provided in subparagraph (B), no eligible institution shall be
22 eligible for a subgrant under this part unless the amount allocated to that institution under

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subsection (d) or (e) equals or exceeds \$50,000.

“(B) The State may waive the requirement in subparagraph (A) in any case in which the eligible institution--

“(i) enters into a consortium with one or more other eligible institutions to provide services and activities conducted in accordance with the priorities described in section 101 and the aggregate amount allocated and awarded to the consortium equals or exceeds \$50,000; or

“(ii) is a tribally controlled community college.

“(h) PART A SECONDARY-POSTSECONDARY CONSORTIA.--The State may distribute funds available for part A in any fiscal year for secondary and postsecondary level services and activities, as applicable, to one or more local educational agencies and one or more eligible institutions that enter into a consortium in any case in which--

“(1) the consortium has been formed to provide services and activities conducted in accordance with the priorities described in section 101(b); and

“(2) the aggregate amount allocated and awarded to the consortium under subsections (a), (b), and (c) equals or exceeds \$50,000.

“(i) REALLOCATIONS.--The State shall reallocate to one or more local educational agencies, eligible institutions, and consortia any amounts that are allocated in accordance with subsections (d) through (f), but that would not be used by a local educational agency or eligible institution, in a manner the State determines will best serve the purpose of this Act and be in accord with the priorities described in section 101(b).

“(j) ECONOMICALLY DISADVANTAGED STUDENTS.--For the purposes of this

1 section, the State may determine the number of economically disadvantaged students on the basis
2 of--

3 “(1) eligibility for free or reduced-price meals under the National School Lunch
4 Act or for assistance under part A of title IV of the Social Security Act;

5 “(2) the number of children counted for allocation purposes under title I of the
6 Elementary and Secondary Education Act of 1965; or

7 “(3) any other index of disadvantaged economic status if the State demonstrates to
8 the satisfaction of the Secretary that the index is more representative of the number of low-income
9 students than the indices described in paragraphs (1) and (2).

10 “PART B--TECH-PREP EDUCATION

11 “PROGRAM ELEMENTS

12 “SEC. 111. Funds under this part shall be used only to develop, implement, and improve
13 tech-prep education programs that--

14 “(1) include--

15 “(A) a non-duplicative sequence of study, with a common core of required
16 proficiency in mathematics, science, communications, and technology, consisting of at least 2
17 years of secondary school preceding graduation and leading to an associate degree, an industry-
18 recognized skill certificate, completion of a registered apprenticeship program, or a bachelor's
19 degree in a specific career field;

20 “(B) an integrated academic and technical curriculum appropriate to the

needs of the students enrolled in the secondary schools and postsecondary education institutions participating in a consortium;

“(C) curriculum and professional development to--

“(i) train academic, vocational, and technical teachers to use strategies and techniques effectively to support the tech-prep education program; and

“(ii) train counselors to advise students effectively, and to help ensure that students successfully complete their tech-prep education program and enter into appropriate employment;

“(D) preparatory services, including outreach, career counseling, assessment, and testing, that assist students to enter into tech-prep education programs, as well as career awareness, exploration, and planning activities that help students in tech-prep education programs to make informed choices;

“(E) equal access for students who are members of special populations; and

“(F) work-based learning opportunities, for both students and educators, that are tied to the tech-prep curriculum; and

“(2) are conducted by a consortium—

“(A) of at least one public secondary school or local educational agency and at least one postsecondary educational institution; and

“(B) that displays strong, comprehensive institutional links within the consortium.

1 "STATE LEADERSHIP RESPONSIBILITIES

2 "SEC. 112. (a) IN GENERAL.-- Each State that receives a grant under this part may use
3 funds reserved for leadership activities under section 109(c) to conduct services and activities that
4 further the development, implementation, and improvement of tech-prep education programs
5 throughout the State in accordance with the purposes of this Act.

6 "(b) STATE PLAN.--Any State desiring to receive a grant under this part for any fiscal year
7 shall--

8 "(1) have an approved State plan under section 103 for that fiscal year; and

9 "(2) include in such plan--

10 "(A) a description of how the State will use funds under this part only to
11 make competitive subgrants to consortia to conduct services and activities that further the
12 development, implementation, and improvement of tech-prep education programs throughout the
13 State in accordance with the purposes of this Act; and

14 "(B) a description of how tech-prep education programs under this part will
15 relate to, and be integrated with, the career preparation education programs, services, and
16 activities supported in the State under part A of this title.

17 "(c) STATE REPORT.--Any State that receives a grant under this part shall annually report
18 to the Secretary on the quality and effectiveness of its services and activities provided under the
19 grant, based on the performance goals and indicators, as appropriate, established under section
20 106. Such report shall be part of the report that the State submits in accordance with
21 section 102(d).

1 "LOCAL ACTIVITIES

2 "SEC. 113. (a) GENERAL AUTHORITY.--Each recipient of a subgrant under this part
3 shall use such funds to develop, implement, or improve a tech-prep education program described
4 in section 111.

5 "(b) AUTHORIZED ACTIVITIES.--A recipient of a subgrant under this part may use such
6 funds to--

7 "(1) acquire tech-prep education program equipment, subject to subsection (c);
8 and

9 "(2) obtain technical assistance from State or local entities that have successfully
10 designed, established, and operated tech-prep programs.

11 "(c) EQUIPMENT.--Equipment acquired or adapted with funds under this part may be
12 used for other instructional purposes when not being used to carry out this part if such acquisition
13 or adaptation is reasonable and necessary for providing services or activities under this part and
14 such other use is incidental to, does not interfere with, and does not add to the cost of, the use of
15 such equipment under this part.

16
17 "LOCAL APPLICATIONS

18 "SEC. 114. (a) ARTICULATION AGREEMENT.--A consortium that desires to receive a
19 subgrant under this part shall submit to the agency or agencies designated under section 102(a) a
20 written articulation agreement among the consortium participants that describes each participant's
21 role in carrying out the tech-prep education program.

22 "(b) APPLICATION REQUIREMENTS.--(1) A consortium that desires to receive a

1 subgrant under this part shall, according to requirements established by the State, submit an
2 application to the agency or agencies designated under section 102(a). In addition to including
3 such information as the State may require and identifying the results the consortium seeks to
4 achieve, each application shall also describe how the consortium will--

5 “(A) use funds under this part to develop, improve, or implement a tech-
6 prep education program;

7 “(B) evaluate progress toward the results it seeks to achieve, consistent
8 with the performance goals and indicators established under section 106;

9 “(C) coordinate its services and activities with related services and
10 activities offered by community-based organizations, employers, and labor organizations, and, to
11 the extent possible, integrate its services and activities under this part with career preparation
12 education programs, services, and activities, broad education reforms, and relevant employment,
13 training, and welfare programs carried out in the State; and

14 “(D) consult with students, their parents, and other interested individuals or
15 groups (including employers and labor organizations), in developing their services and activities.

16 “(2) A consortium may submit its application as part of the application for funds
17 under part A of this title.

18 “(c) APPROVAL AND SPECIAL CONSIDERATION.--(1) The agency or agencies
19 designated under section 102(a) shall approve applications based on their potential to create an
20 effective tech-prep education program as described in section 111.

21 “(2) The designated agency or agencies shall give special consideration to
22 applications that--

1 “(A) provide for effective employment placement activities or for the
2 transfer of students to 4-year baccalaureate degree programs;

3 “(B) are developed in consultation with business, industry, labor
4 organizations, and institutions of higher education that award bachelor’s degrees;

5 “(C) address effectively the needs of special populations; and

6 “(D) demonstrate the use of tech-prep education programs as a ~~primary~~
7 strategy for ~~systemic~~ ^{standards-based} educational reform. *(hand on challenging academic standards.)*

8 “EVALUATION, IMPROVEMENT AND ACCOUNTABILITY

9 “SEC. 115. (a) LOCAL EVALUATION.--(1) Each recipient of a subgrant under this
10 part shall --

11 “(A) annually evaluate, using the performance goals and indicators
12 described in section 106, as appropriate, and report to the State regarding, its use of funds under
13 this part to develop, implement, or improve tech-prep education programs described under
14 section 111; and

15 “(B) biennially evaluate and report to the State regarding, the effectiveness
16 of its services and activities supported under this part in achieving the purposes of this Act,
17 including the progress of students who are members of special populations.

18 “(2) Such recipient may evaluate portions of its entire tech-prep education
19 program, including portions that are not supported under this part. If such recipient does so, it
20 need not evaluate separately that portion of its entire tech-prep education program supported with
21 funds under this part.

1 “(b) IMPROVEMENT ACTIVITIES.--If a State determines, based on the local
2 evaluation conducted under subsection (a) and applicable performance goals and indicators
3 established under section 106, that a recipient of a subgrant under this part is not making
4 substantial progress in achieving the purpose of this Act, the State shall work jointly with the
5 recipient to develop a plan, in consultation with teachers, parents, and students, for improvement
6 for succeeding school years. If, after not more than 2 years of implementation of the improvement
7 plan, the State determines that the recipient is not making sufficient progress, the State shall take
8 whatever corrective action it deems necessary, consistent with State law. The State shall take
9 corrective action only after it has provided technical assistance to the recipient and shall ensure
10 that any corrective action it takes allows for continued tech-prep services and activities for the
11 recipient's students.

12 “(c) TECHNICAL ASSISTANCE.--If the Secretary determines that the State is not
13 properly implementing its responsibilities under subsection (b), or is not making substantial
14 progress in meeting the purpose of this Act, based on the performance goals and indicators and
15 expected level of performance included in its State plan under section 103(d)(2)(B), the Secretary
16 shall work with the State to implement improvement activities.

17 “(d) WITHHOLDING OF FEDERAL FUNDS.--If, after a reasonable time, but not earlier
18 than one year after of implementation of the improvement activities described in subsection (c),
19 the Secretary determines that the State is not making sufficient progress, based on the
20 performance goals and indicators and expected level of performance included in its State plan
21 under section 103(d)(2)(B), the Secretary shall, after notice and opportunity for a hearing,
22 withhold from the State all, or a portion, of the State's allotment under this part. The Secretary

1 may use funds withheld under the preceding sentence to provide, through alternative
2 arrangements, tech-prep services and activities within the State that meet the purpose of this Act.

3 "ALLOTMENT AND DISTRIBUTION

4 "SEC. 116. (a) ALLOTMENT TO STATES FOR TECH-PREP EDUCATION --(1)

5 From the amount appropriated for this part under section 3(a)(2) for each fiscal year, the Secretary
6 shall allot funds to each State for programs under this part based on the ratio that its allotment
7 under section 108 bears to the sum of State allotments under part A for that fiscal year.

8 "(2) From the State's allotment under paragraph (1), the Secretary shall make a
9 grant for each fiscal year to each State that has an approved State plan in accordance with section
10 112(b).

11 "(b) REALLOTMENT --If the Secretary determines that any amount of any State's
12 allotment under subsection (a) for any fiscal year will not be required for carrying out the tech-
13 prep education services and activities for which such amount has been allotted, the Secretary shall
14 make such amount available for reallocation to one or more other States to support tech-prep
15 education services and activities. Any amount reallocated to a State under this subsection shall be
16 deemed to be part of its allotment for the fiscal year in which it is obligated.

17 "(c) DISTRIBUTION OF FUNDS --From the amount made available to each State under
18 subsection (a)(2), the State agency or agencies designated in section 102(a) shall award subgrants
19 to consortia of educational institutions on a competitive basis.

20 "(d) EQUITABLE DISTRIBUTION OF ASSISTANCE --In making subgrants under this
21 part, the agency or agencies designated under section 102(a) shall ensure an equitable distribution

1 of assistance between urban and rural areas of the State.

2 "TITLE II--NATIONAL SUPPORT FOR STATE AND LOCAL REFORMS

3 "AWARDS FOR EXCELLENCE

4 "SEC. 201. The Secretary may, from the amount reserved under section 3(b)(1) for any
5 fiscal year after the fiscal year 2000, and through a peer review process, make performance
6 awards to one or more States that have--

7 "(1) exceeded in an outstanding manner their performance goals or expected level
8 of performance under section 103(d)(2)(B);

9 "(2) implemented exemplary career preparation education programs, services, or
10 activities in secondary and postsecondary schools in accordance with the priorities described in
11 section 101(b); or

12 "(3) provided exemplary career preparation education programs, services, or
13 activities for students who are members of special populations.

14 "NATIONAL ACTIVITIES

15 "SEC. 202. (a) GENERAL AUTHORITY.--(1) In order to carry out the purpose of this
16 Act, the Secretary may, directly or through grants, contracts, or cooperative agreements, carry
17 out research, development, dissemination, evaluation, capacity-building, and technical assistance
18 activities in accord with the purposes of this Act, such as activities relating to--

19 "(A) challenging State academic standards and industry-recognized skill

standards, including curricula and assessments aligned with such standards;

“(B) the improvement in academic, technical, communications and other skills of students participating in career preparation education;

“(C) best practices in career preparation education, including curricula, assessments, supportive services;

“(D) effective career guidance and counseling practices, including the identification of components of such programs that meet the career preparation education needs of students;

“(E) the use of community- and work-based learning, job shadowing, internships, entrepreneurship, and school-based enterprises to further academic and technical skills development;

“(F) the use of technology, including distance learning, to enhance learning;

“(G) the preparation of students for new and advanced technologies and industries, such as information technology and telecommunications, biotechnology, and robotics;

“(H) enhancing employer-school partnerships;

“(I) the development of effective performance management systems;

“(J) the creation of innovative learning environments with a career focus, such as career academies, and public charter, magnet, and pilot schools;

“(K) whole school reforms, in which all students are expected to gain academic and computer and other technical skills, and be prepared for postsecondary education and career opportunities; and

“(L) improvements in technical education at the postsecondary level.

1 “(2) The Secretary shall coordinate activities carried out under this section with
2 related activities under the School-to-Work Opportunities Act of 1994, the Goals 2000: Educate
3 America Act, the Higher Education Act of 1965, and the Elementary and Secondary Education
4 Act of 1965.

5 “(3) Research and development activities carried out under this section may
6 include support for States in their development and implementation of performance goals and
7 indicators established under section 106. The Secretary shall broadly disseminate information
8 resulting from research and development activities carried out under this Act, and shall ensure
9 broad access at the State and local levels to the information disseminated.

10 “(4) Activities carried out under this section may include support for occupational
11 and career information systems, such as the system described in section 206.

12 “(b) PROFESSIONAL DEVELOPMENT.--(1) The Secretary may, directly, or through
13 grants, contracts, or cooperative agreements, support professional development activities for
14 educators (including teachers, administrators, counselors, mentors, and board members) to help to
15 ensure that all students receive an education that prepares them for postsecondary education,
16 further learning, and high-skill, high-wage careers.

17 “(2)(A) Professional development activities supported under this subsection shall--

18 “(i) be tied to challenging State academic standards and industry-
19 recognized skill standards;

20 “(ii) take into account recent research on teaching and learning;

21 “(iii) be of sufficient intensity and duration to have a positive and
22 lasting impact on the educator’s performance;

1 “(iv) include strong academic and technical skills content and
2 pedagogical components; and

3 “(v) be designed to improve educators’ skills in such areas as
4 integrating academic and vocational instruction, articulating secondary and postsecondary
5 education, combining school-based and work-based instruction and connecting activities, using
6 occupational and career information, computer literacy, innovative uses of educational
7 technology, and all aspects of an industry.

8 “(B) Funds under this subsection may be used for such activities as pre-
9 service and inservice training, including internships at employer sites, training of work-site
10 supervisors, and support for development of local, regional, and national educator networks that
11 facilitate the exchange of information relevant to the development of career preparation education
12 programs.

13 “(3) In supporting activities under this subsection, the Secretary shall give priority
14 to designing and implementing new models of professional development for educators, and
15 preparing educators to use innovative forms of instruction, such as worksite learning and the
16 integration of academic and vocational instruction.

17 “NATIONAL ASSESSMENT

18 “Sec. 203. (a) GENERAL AUTHORITY.--(1) The Secretary shall conduct a national
19 assessment of services and activities assisted under this Act, through independent studies and
20 analyses, including, when appropriate, studies based on data from longitudinal surveys, that are
21 conducted through one or more competitive awards.

1 “(2) The Secretary shall appoint an independent advisory panel, consisting of
2 administrators, educators, researchers, and representatives of employers, parents, counselors,
3 special populations, labor, and other relevant groups, as well as representatives of Governors and
4 other State and local officials, to advise the Secretary on the implementation of such assessment,
5 including the issues to be addressed, the methodology of the studies, and the findings and
6 recommendations. The panel, at its discretion, may submit to the Congress an independent
7 analysis of the findings and recommendations of the assessment.

8 “(b) CONTENTS.--The assessment required under subsection (a) shall examine the extent
9 to which services and activities assisted under this Act have achieved their intended purposes and
10 results, including the extent to which--

11 “(1) State and local services and activities have developed, implemented, or
12 improved systems established under the School-to-Work Opportunities Act of 1994;

13 “(2) services and activities assisted under this Act succeed in preparing students,
14 including students who are members of special populations, for postsecondary education, further
15 learning, and entry into high-skill, high-wage careers;

16 “(3) students who participate in services and activities supported under this Act
17 succeed in meeting challenging State academic standards and industry-recognized skill standards;
18 and

19 “(4) services and activities assisted under this Act are integrated with, and further,
20 broad-based education reform;

21 “(5) the program improvement, participation, local and State assessment, and
22 accountability provisions of this Act, including the performance goals and indicators established

under section 106, are effective.

“(c) REPORT.--The Secretary shall submit to the Congress an interim report on or before July 1, 2001, and a final report on or before July 1, 2002.

“NATIONAL RESEARCH CENTER

“Sec. 204. (a) GENERAL AUTHORITY.--(1) The Secretary may, through grants, contracts, or cooperative agreements, establish one or more national centers in the areas of--

Career preparation education

“(A) applied research and development; and

“(B) dissemination and training.

“(2) The Secretary shall consult with States prior to establishing one or more such centers.

“(3) Entities eligible to receive funds under this section are institutions of higher education, other public or private nonprofit organizations or agencies, and consortia of such institutions, organizations, or agencies.

“(b) ACTIVITIES.--(1) The national center or centers shall carry out such activities as the Secretary determines to be appropriate to assist State and local recipients of funds under this Act to achieve the purpose of this Act, which may include activities in such areas as--

“(A) the integration of vocational and academic instruction, secondary and postsecondary instruction, and work-based and classroom-based instruction and connecting activities;

“(B) effective inservice and preservice teacher education that assists career

1 preparation education systems at the elementary, secondary, and postsecondary levels;

2 “(C) performance goals and indicators that serve to improve career
3 preparation education programs and student outcomes;

4 “(D) effects of economic changes on the kinds of knowledge and skills
5 required for employment;

6 “(E) longitudinal studies of student achievement; and

7 “(F) dissemination and training activities related to the applied research and
8 demonstration activities described in this subsection, which may also include--

9 “(i) serving as a repository for industry-recognized skill standards,
10 State academic standards, and related materials; and

11 “(ii) developing and maintaining national networks of educators
12 who facilitate the development of career preparation education systems.

13 “(2) The center or centers conducting the activities described in paragraph (1) shall
14 annually prepare a summary of key research findings of such center or centers and shall submit
15 copies of the summary to the Secretaries of Education, Labor, and Health and Human Services.
16 The Secretary shall submit that summary to the Committee on Labor and Human Resources of the
17 Senate, and the Committee on Education and the Workforce of the House of Representatives.

18 “(c) REVIEW.--From funds available for this title, the Secretary shall--

19 (1) consult at least annually with the national center or centers and with experts in
20 education to ensure that the activities of the national center or centers meet the needs of career
21 preparation education programs; and

22 “(2) undertake an independent review of award recipients under this section prior

1 to extending an award to such recipient beyond 5 years.

2 "DATA SYSTEMS

3 "SEC. 205. (a) IN GENERAL.--The Secretary shall maintain a data system to collect
4 information about, and report on, the condition of career preparation education and on the
5 effectiveness of State and local programs, services, and activities carried out under this Act in
6 order to provide the Secretary and the Congress, as well as Federal, State, local, and tribal
7 agencies, with information relevant to improvement in the quality and effectiveness of career
8 preparation. The Secretary shall periodically report to the Congress on the Secretary's analysis of
9 performance data collected each year pursuant to this Act.

10 "(b) CONTENTS.--The data system shall--

11 "(1) provide information on the participation and performance of students,
12 including students who are members of special populations;

13 "(2) include data that are at least nationally representative;

— ? meaning

14 "(3) report on career preparation in the context of education reform; and

15 "(4) be based, to the extent feasible, on data from general purpose data systems of
16 the Department or other Federal agencies, augmented as necessary with data from additional
17 surveys focusing on career preparation education.

18 "(c) COORDINATION.--(1) The Secretary shall consult with a wide variety of experts in
19 academic and occupational education, including individuals with expertise in the development and
20 implementation of career preparation education, in the development of data collections and

1 reports under this section.

2 “(2) In maintaining the data system, the Secretary shall--

3 “(A) ensure that the system, to the extent practicable, uses comparable
4 information elements and uniform definitions common to State plans, performance indicators, and
5 State and local assessments; and

6 “(B) cooperate with the Secretaries of Commerce and Labor to ensure that
7 the data system is compatible with other Federal information systems regarding occupational data,
8 and to the extent feasible, allow for international comparisons.

9 “(d) ASSESSMENTS.--(1) As a regular part of its assessments, the National Center for
10 Education Statistics shall, as appropriate, collect and report information on career preparation
11 education for a nationally representative sample of students, including, to the extent feasible, fair
12 and accurate assessments of the educational achievement of special populations. Such assessment
13 may include international comparisons.

14 “(2) The Commissioner of Education Statistics may authorize a State educational
15 agency, or consortium of such agencies, to use items and data from the National Assessment of
16 Educational Progress for the purpose of evaluating a course of study related to services and
17 activities under title I, if the Commissioner has determined in writing that such use will not--

18 “(A) result in the identification of characteristics or performance of
19 individual schools or students;

20 “(B) result in the ranking or comparing of schools or local educational
21 agencies;

22 “(C) be used to evaluate the performance of teachers, principals, or other

1 local educators for reward or punishment; or

2 “(D) corrupt the use or value of data collected for the National
3 Assessment.

4 “NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

5 “SEC. 206. (a) IN GENERAL.--There is established a National Occupational Information
6 Coordinating Committee (in this section referred to as the ‘Committee’) which shall consist of the
7 Assistant Secretary for Vocational and Adult Education, the Commissioner of the Rehabilitation
8 Services Administration, the Director of the Office of Bilingual Education and Minority
9 Languages Affairs, the Assistant Secretary for Postsecondary Education, the Assistant Secretary for
10 Elementary and Secondary Education, the Commissioner of the National Center for Education
11 Statistics of the Department of Education, the Commissioner of Labor Statistics and the Assistant
12 Secretary for Employment and Training of the Department of Labor, the Under Secretary for
13 Research, Education, and Economics of the Department of Agriculture, the Assistant Secretary for
14 Economic Development of the Department of Commerce, and the Assistant Secretary of Defense
15 (Force Management and Personnel). The Committee shall provide funds, on an annual basis, to
16 State occupational information coordinating committees and to eligible recipients and shall--

17 “(1) in the use of program and employment data, improve coordination and
18 communication among administrators and planners of education and employment and training
19 programs, including corrections and welfare programs, at the Federal, State, and local levels;

20 “(2) coordinate the efforts of Federal, State, and local agencies and tribal agencies
21 with respect to such programs.

22 “(3) develop and implement, in cooperation with State and local agencies, an

1 occupational information system to meet the common occupational information needs of
2 education programs and employment and training programs at the national, State, and local levels;

3 “(4) conduct studies to improve the quality and delivery of occupational and career
4 information; and

5 “(5) develop curricula and career information resources and provide training and
6 technical assistance consistent with section 453(b)(2) of the Job Training Partnership Act in
7 support of comprehensive guidance and counseling programs designed to promote improved
8 career decision making by individuals.

9 “(b) STATE COMMITTEES --Each State receiving assistance under this Act shall
10 establish a State occupational information coordinating committee composed of representatives of
11 the State education, vocational education, and postsecondary education agencies, the State
12 employment security agency, the State economic development agency, the State job training
13 coordinating council, and the agency administering the vocational rehabilitation program. Such
14 committee shall, with funds available to it from the National Occupational Information
15 Coordinating Committee established under subsection (a)--

16 “(1) implement an occupational information system in the State that will meet the
17 common needs for the planning for, and the operation of, education and employment and training
18 programs, including corrections and welfare;

19 “(2) implement a career information delivery system; and,

20 “(3) conduct training and technical assistance in support of personnel delivering
21 career development services.

22 “(c) ALLOCATION --Of amounts made available by the Secretary to carry out the

1 provisions of this section, the Committee shall use not less than 75 percent of such funds to
2 support State occupational information coordinating committees for the purpose of operating State
3 occupational information systems and career information delivery systems.

4 “(d) GIFTS, BEQUESTS, AND DEVICES.--(1) The Committee may accept, administer,
5 and use gifts or donations of services, money, or property, whether real or personal, tangible or
6 intangible.

7 “(2) The responsible official shall establish written rules setting forth the criteria to
8 be used by the Committee in determining whether the acceptance of contributions of services,
9 money, or property would reflect unfavorably upon the ability of the Institute or any employee to
10 carry out its responsibilities or official duties in a fair and objective manner, or would compromise
11 the integrity, or the appearance of the integrity, of its programs or any official involved in those
12 programs.

13 “(e) EXPERTS AND CONSULTANTS.--The Committee may procure temporary and
14 intermittent services under section 3109(b) of title 5, United States Code.

15 “CAREER PREPARATION EDUCATION FOR INDIANS AND NATIVE HAWAIIANS

16 “SEC. 207. (a) ALLOTMENT FOR INDIANS AND NATIVE HAWAIIANS.--In each
17 fiscal year, from the amount the Secretary reserves under section 3(b)(2)--

18 “(1) 1.5 percent shall be available for carrying out subsections (b) and (c); and

19 “(2) 0.25 percent shall be available for carrying out subsection (d).
20

1 “(b) ASSISTANCE TO TRIBES OR BUREAU-FUNDED SCHOOLS.--(1)(A) From
2 funds reserved under subsection (a)(1) for each fiscal year, the Secretary shall make grants to, or
3 enter into cooperative agreements with, tribal organizations of eligible Indian tribes or Bureau-
4 funded schools to develop and provide services and activities that are consistent with the purpose
5 of this Act and conducted in accordance with the priorities described in section 101.

6 “(B) Any tribal organization or Bureau-funded school that receives
7 assistance under this subsection shall--

8 “(i) establish performance goals and indicators to define the level of
9 performance to be achieved by students served under this subsection;

10 “(ii) evaluate the quality and effectiveness of services and activities
11 provided under this subsection;

12 “(iii) provide guidance and counseling services to students; and

13 “(iv) help to ensure that students served under this subsection have
14 an opportunity to achieve to challenging academic and industry recognized skill standards, receive
15 high school diplomas, skill certificates, and postsecondary certificates or degrees, and enter
16 employment related to their course work.

17 “(2)(A) The Secretary shall make such a grant or cooperative agreement--

18 “(i) upon the request of any Indian tribe that is eligible to contract
19 with the Secretary of the Interior for programs under the Indian Self-Determination Act or the
20 Act of April 16, 1934; or

21 “(ii) upon the application (filed under such conditions as the
22 Secretary may require) of any Bureau-funded school that offers secondary programs.

1 “(B)(i) A grant or cooperative agreement under this subsection with any
2 tribal organization shall be subject to the terms and conditions of section 102 of the Indian Self-
3 Determination Act, except section 102(b), and shall be conducted in accordance with the
4 provisions of sections 4, 5, and 6 of the Act of April 16, 1934 that are relevant to the services and
5 activities administered under this subsection. An eligible applicant that receives written
6 notification that the Secretary will not award it a grant or cooperative agreement may submit
7 written objections to that notice in accordance with regulations of the Secretary.

8 “(ii) A grant or cooperative agreement under this subsection with
9 any Bureau-funded school shall not be subject to the requirements of the Indian Self-
10 Determination Act or the Act of April 16, 1934.

11 “(C) Any tribal organization or Bureau-funded school eligible to receive
12 assistance under this subsection may apply individually or as part of a consortium with another
13 tribal organization or school.

14 “(D) The Secretary may not place upon such grants or cooperative
15 agreements any restrictions relating to programs or results other than those that apply to grants or
16 cooperative agreements to States under this Act.

17 “(3) Any tribal organization or Bureau-funded school receiving assistance under
18 this subsection may provide stipends to students who are undertaking career preparation
19 education and who have acute economic needs that cannot be met through work-study programs.

20 “(4) In making grants or cooperative agreements under this subsection, the
21 Secretary shall give special consideration to awards that involve, are coordinated with, or
22 encourage, tribal economic development plans.

1 “(c) ASSISTANCE TO TRIBALLY CONTROLLED POSTSECONDARY

2 VOCATIONAL INSTITUTIONS.--(1) The Secretary may make 4-year grants to tribally
3 controlled postsecondary vocational institutions to provide to Indian students services and
4 activities that are consistent with the purpose of this Act and conducted in accordance with the
5 priorities described in section 101(b), including support for the operation, maintenance, and
6 capital expenses of such institutions.

7 “(2) To be eligible for assistance under this subsection, a tribally controlled
8 postsecondary vocational institution shall--

9 “(A) be governed by a board of directors or trustees, a majority of whom
10 are Indians;

11 “(B) demonstrate adherence to stated goals, a philosophy, or a plan of
12 operation that fosters individual Indian economic self-sufficiency;

13 “(C) have been in operation for at least 3 years;

14 “(D) hold accreditation with, or be a candidate for accreditation by, a
15 nationally recognized accrediting authority for postsecondary vocational education;

16 “(E) offer technical degrees or certificate- granting programs; and

17 “(F) enroll the full-time equivalent of not less than 100 students, of whom a
18 majority are Indians.

19 “(3) To receive assistance under this subsection, a tribally controlled
20 postsecondary vocational institution shall apply to the Secretary in such manner and at such time
21 as the Secretary may require.

22 “(4) The Secretary shall, based on the availability of appropriations, distribute to

1 each tribally controlled vocational institution having an approved application an amount based on
2 full-time equivalent Indian students at each such institution.

3 “(d) ASSISTANCE TO NATIVE HAWAIIANS.--(1) From the funds reserved under
4 subsection (a)(2) for each fiscal year, the Secretary shall make one or more grants to, or enter into
5 one or more cooperative agreements with, organizations, institutions, or agencies with experience
6 providing educational and related services to Native Hawaiians to develop and provide, for the
7 benefit of Native Hawaiians, services and activities that are consistent with the purpose of this Act
8 and conducted in accordance with the priorities described in section 101(b).

9 “(2) To receive assistance under this subsection, the organization, institution, or
10 agency shall apply to the Secretary in such manner and at such time as the Secretary may require.

11 “(e) ACCOUNTABILITY.--The Secretary shall require from each institution assisted
12 under this section such information regarding fiscal control and program quality and effectiveness
13 as is reasonable.

14 “(f) DEFINITIONS.--For the purposes of this section:

15 “(1) The term ‘Bureau-funded school’ has the same meaning given ‘Bureau funded
16 school’ in section 1146(3) of the Education Amendments of 1978 (25 U.S.C. 2026(3)).

17 “(2) The term ‘full-time equivalent Indian students’ means the sum of the number
18 of Indian students enrolled full time at an institution, plus the full-time equivalent of the number of
19 Indian students enrolled part time (determined on the basis of the quotient of the sum of the credit
20 hours of all part-time students divided by 12) at such institution.

21 “(3) The terms ‘Indian’ and ‘Indian tribe’ have the meaning given such terms in
22 section 2 of the Tribally Controlled Community College Assistance Act of 1978.

1 "TITLE III--GENERAL PROVISIONS

2 "WAIVERS

3 "SEC. 301. (a) REQUEST FOR WAIVER.--Any State may request, on its own behalf or
4 on behalf of a local recipient, a waiver by the Secretary of one or more statutory or regulatory
5 provisions described in this section in order to carry out more effectively State efforts to reform
6 education and develop, implement, or improve career preparation education, including tech-prep
7 education, in the State.

8 "(b) GENERAL AUTHORITY.--(1) Except as provided in subsection (d), the Secretary
9 may waive any requirement of any statute listed in subsection (c), or of the regulations issued
10 under that statute, for a State that requests such a waiver--

11 "(A) if, and only to the extent that the Secretary determines that such
12 requirement impedes the ability of the State to carry out State efforts to ^{improve}~~reform~~ education and
13 develop, implement, or improve career preparation education in the State;

14 "(B) if the State waives, or agrees to waive, any similar requirements of
15 State law;

16 "(C) if, in the case of a statewide waiver, the State--

17 "(i) has provided all local recipients of assistance under this Act in
18 the State with notice of, and an opportunity to comment on, the State's proposal to request a
19 waiver; and

20 "(ii) has submitted the comments of such recipients to the

1 Secretary; and

2 “(D) if the State provides such information as the Secretary reasonably
3 requires in order to make such determinations.

4 “(2) The Secretary shall act promptly on any request submitted under
5 paragraph (1).

6 “(3) Each waiver approved under this subsection shall be for a period not to
7 exceed five years, except that the Secretary may extend such period if the Secretary determines
8 that the waiver has been effective in enabling the State to carry out the purpose of this Act.

9 “(c) PROGRAMS.--(1) The statutes subject to the waiver authority of the Secretary under
10 this section are--

11 “(A) this Act;

12 “(B) part A of title I of the Elementary and Secondary Education Act of
13 1965 (authorizing programs and activities to help disadvantaged children meet high standards);

14 “(C) part B of title II of the Elementary and Secondary Education Act of
15 1965 (Dwight D. Eisenhower Professional Development Program);

16 “(D) title IV of the Elementary and Secondary Education Act of 1965
17 (Safe and Drug-Free Schools and Communities Act of 1994);

18 “(E) title VI of the Elementary and Secondary Education Act of 1965
19 (Innovative Education Program Strategies);

20 “(F) part C of title VII of the Elementary and Secondary Education Act of
21 1965 (Emergency Immigrant Education Program); and

22 “(G) the School-to-Work Opportunities Act of 1994.

1 “(2) The Secretary may not waive any requirement under paragraph (1)(G)
2 without the concurrence of the Secretary of Labor.

3 “(d) WAIVERS NOT AUTHORIZED. The Secretary may not waive any statutory or
4 regulatory requirement of the programs listed in subsection (c) relating to--

5 “(1) the basic purposes or goals of the affected programs;

6 “(2) maintenance of effort;

7 “(3) comparability of services;

8 “(4) the equitable participation of students attending private schools;

9 “(5) parental participation and involvement;

10 “(6) the distribution of funds to States or to local recipients,

11 “(7) the eligibility of an individual for participation in the affected programs;

12 “(8) public health or safety, labor standards, civil rights, occupational safety and
13 health, or environmental protection; or

14 “(9) prohibitions or restrictions relating to the construction of buildings or
15 facilities.

16 “(e) TERMINATION OF WAIVERS. --The Secretary shall periodically review the
17 performance of any State for which the Secretary has granted a waiver under this section and shall
18 terminate such waiver if the Secretary determines that the performance of the State affected by
19 the waiver has been inadequate to justify a continuation of the waiver, or the State fails to waive
20 similar requirements of State law in accordance with subsection (b)(1)(B).

1 "EFFECT OF FEDERAL PAYMENTS

2 "SEC. 302. (a) STUDENT FINANCIAL ASSISTANCE.--(1) The portion of any student
3 financial assistance received under this Act that is made available for attendance costs described in
4 paragraph (2) shall not be considered as income or resources in determining eligibility for
5 assistance under any program of welfare benefits, including the Temporary Assistance to Needy
6 Families program, that is funded in whole or in part with Federal funds.

7 "(2) For purposes of this subsection, attendance costs are--

8 "(A) tuition and fees normally assessed a student carrying the same
9 academic workload, as determined by the institution, including costs for rental or purchase of any
10 equipment, materials, or supplies required of all students in the same course of study; and

11 "(B) an allowance for books, supplies, transportation, dependent care, and
12 miscellaneous personal expenses for a student attending the institution on at least a half-time
13 basis, as determined by the institution.

14 "(b) INSTITUTIONAL AID.--No State shall take into consideration payments under this
15 Act in determining, for any educational agency or institution in that State, the eligibility for State
16 aid, or the amount of State aid, with respect to public education within the State.

17 "MAINTENANCE OF EFFORT

18 "SEC. 303. (a) Except as provided in subsection (b), a State may receive its full allotment
19 of funds under part A and part B for any fiscal year only if the Secretary finds that either the fiscal
20 effort per student or the aggregate expenditures of such State for career preparation education,
21 including tech-prep education programs, for the fiscal year preceding the fiscal year for which the

1 determination is made was not less than 90 percent of such fiscal effort or aggregate expenditures
2 for career preparation education for the second fiscal year preceding the fiscal year for which the
3 determination is made.

4 (b) The Secretary shall reduce the amount of allotments of funds under part A and part B
5 for any fiscal year in the exact proportion by which the State fails to meet the requirements of
6 subsection (a) by falling below 90 percent of either the fiscal effort per student or aggregate
7 expenditures (using the measure most favorable to the State), and no such lesser amount shall be
8 used for computing the effort required under subsection (a) for subsequent years.

9 (c) The Secretary may waive, for one fiscal year only, the requirements of this section if
10 the Secretary determines that such a waiver would be equitable due to exceptional or
11 uncontrollable circumstances such as a natural disaster or precipitous and unforeseen decline in
12 the financial resources of the State.

13 "IDENTIFICATION OF STATE-IMPOSED REQUIREMENTS

14 "SEC. 304. Any State rule or policy imposed on the provision of services or activities
15 funded by this Act, including any rule or policy based on State interpretation of any Federal law,
16 regulation, or guideline, shall be identified as a State-imposed requirement.

17 "OUT-OF-STATE RELOCATIONS

18 "SEC. 305. No funds provided under this Act shall be used for the purpose of directly
19 providing incentives or inducements to an employer to relocate a business enterprise from one
20 State to another if such relocation would result in a reduction in the number of jobs available in

1 the State where the business enterprise is located before such incentives or inducements are
2 offered.

3 "ENTITLEMENT"

4 "SEC. 306. Nothing in this Act shall be construed to provide any individual with an
5 entitlement to services under this Act.

7 "DEFINITIONS"

8 "SEC. 307. As used in this Act, unless otherwise noted:

9 "(1) The term 'all aspects of an industry' has the same meaning as given that term
10 under section 4(1) of the School-to-Work Opportunities Act of 1994.

11 "(2) The term 'area vocational education school' means--

12 "(A) a specialized public high school that provides vocational education to
13 students who are preparing to earn a high school diploma or its equivalency and to enter the labor
14 market; or

15 "(B) a public technical institute or vocational school that provides
16 vocational education to individuals who have completed or left high school and who are preparing
17 to enter the labor market.

18 "(3) The term 'career guidance and counseling' has the same meaning as given that
19 term under section 4(4) of the School-to-Work Opportunities Act of 1994.

20 "(4) The term 'community-based organization' means any such organization of
21 demonstrated effectiveness described in section 4(5) of the Job Training Partnership Act.

1 “(5) The term ‘institution of higher education’ has the same meaning as given that
2 term under section 1201(a) of the Higher Education Act of 1965.

3 “(6) The term ‘intermediate educational agency’ means a combination of school
4 districts or counties (as defined in section 14101(9) of the Elementary and Secondary Education
5 Act of 1965) as are recognized in a State as an administrative agency for the State’s career
6 preparation education schools or for career preparation education programs within its public
7 elementary or secondary schools.”

8 “(7) The term ‘limited English proficiency’ has the meaning given such term in
9 section 7501(8) of the Elementary and Secondary Education Act of 1965.

10 “(8) The term ‘local educational agency’ has the same meaning as given that term
11 under section 4(10) of the School-to-Work Opportunities Act of 1994.

12 “(9) The term ‘postsecondary educational institution’ means--

13 “(A) an institution of higher education, as defined in section 1201(a) of the
14 Higher Education Act of 1965, that provides not less than a 2-year program which is acceptable for
15 full credit toward a bachelor’s degree;

16 “(B) a tribally controlled community college; or

17 “(C) a not-for-profit educational institution offering apprenticeship
18 programs of at least 2 years beyond the completion of secondary school.

19 “(10) The term ‘school dropout’ has the same meaning as given that term under
20 section 4(17) of the School-to-Work Opportunities Act of 1994.

21 “(11) The term ‘Secretary’ means the Secretary of Education.

22 “(12) The term ‘skill certificate’ has the same meaning as given that term under

1 section 4(22) of the School-to-Work Opportunities Act of 1994.

2 “(13) The term ‘special populations’ includes students with disabilities,
3 educationally or economically disadvantaged students, students of limited English proficiency,
4 displaced homemakers, teen parents, single pregnant women, foster children, migrant children,
5 school dropouts, students who are identified as being at-risk of dropping out of secondary school,
6 students who are seeking to prepare for occupations that are not traditional for their gender, and,
7 to the extent feasible, individuals younger than age 25 in correctional institutions.

8 “(14) Except as otherwise provided, the term ‘State’ includes, in addition to each
9 of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin
10 Islands, Guam, American Samoa, and the Northern Mariana Islands.

11 “(15) The term ‘State educational agency’ has the same meaning as given that term
12 under section 4(24) of the School-to-Work Opportunities Act of 1994.

13 “(16) The term ‘students with disabilities’ means students who have a disability or
14 disabilities, as such term is defined in section 3(2) of the Americans With Disabilities Act of 1990.

15 “(17) The term ‘tribally controlled community college’ means an institution that
16 receives assistance under the Tribally Controlled Community College Assistance Act of 1976 or
17 the Navajo Community College Act.”.

1 TITLE II--EFFECTIVE DATES; TRANSITION

2 EFFECTIVE DATE

3 SEC. 201. This Act shall take effect on July 1, 1998.

4 TRANSITION

5 SEC. 202. Notwithstanding any other provisions of law--

6 (1) upon enactment of the Career Preparation Education Reform Act of 1997, a
7 State or local recipient of funds under the Carl D. Perkins Vocational and Applied Technology
8 Education Act may use any such unexpended funds to carry out services and activities that are
9 authorized by either such Act or the Carl D. Perkins Career Preparation Education Act; and

10 (2) a State or local recipient of funds under the Carl D. Perkins Career Preparation
11 Education Act for the fiscal year 1998 may use such funds to carry out services and activities that
12 are authorized by either such Act or were authorized by the Carl D. Perkins Vocational and
13 Applied Technology Education Act prior to its amendment.

1 TITLE III--AMENDMENTS TO OTHER ACTS

2 AMENDMENTS TO THE JOB TRAINING PARTNERSHIP ACT

3 SEC. 301. The Job Training Partnership Act (29 U.S.C. 1501 et seq.) is amended--

4 (1) in section (4)--

5 (A) in paragraph (14), by striking “in section 521(22) of the Carl D.
6 Perkins Vocational Education Act” and inserting in lieu thereof “section 4(10) of the School-to-
7 Work Opportunities Act of 1994”; and

8 (B) in paragraph (28), by striking “Vocational Education Act” and inserting
9 in lieu thereof “Vocational and Applied Technology Education Act as in effect on the day prior to
10 the date of enactment of the Career Preparation Education Reform Act of 1997”;

11 (2) in section 121(a)(2), by adding at the end thereof the following sentence: “The
12 State may submit such plan as part of a State plan, or amendment to a State plan, under the Carl
13 D. Perkins Career Preparation Education Act or the School-to-Work Opportunities Act of
14 1994.”;

15 (3) in section 122(b)--

16 (A) by amending paragraph (8) to read as follows:

17 “(8) consult with the appropriate State agency under section 105 of
18 the Carl D. Perkins Career Preparation Education Act to obtain a summary of activities and an
19 analysis of results in training women in nontraditional employment under such Act, and annually
20 disseminate such summary to service delivery areas, service providers throughout the State, and
21 the Secretary;”;

1 (B) in paragraph (11)(B), by striking “section 113(b)(14) of the Carl D.
2 Perkins Vocational Education Act” and inserting in lieu thereof “section 105(e)(2) of the Carl D.
3 Perkins Career Preparation Education Act”;

4 (4) in section 123(c)--

5 (A) in paragraph (1)(E)(iii), by striking “Carl D. Perkins Vocational and
6 Applied Technology Education Act (20 U.S.C. 2301 et seq.)” and inserting in lieu thereof “Carl
7 D. Perkins Career Preparation Education Act”; and

8 (B) in paragraph (2)(D)(iii), by striking “Vocational and Applied
9 Technology” and inserting in lieu thereof “Career Preparation”;

10 (5) in section 125--

11 (A) in subsection (a), by inserting after “coordinating committee” a comma
12 and “as described in section 422(b) of the Carl D. Perkins Vocational and Applied Technology
13 Education Act as in effect on the day prior to the date of enactment of the Career Preparation
14 Education Reform Act of 1997,”;

15 (B) in subsection (b)(1), by striking out “Vocational” and inserting in lieu
16 thereof “Career Preparation”; and

17 (C) in subsection (c), by inserting after “Coordinating Committee” a
18 comma and “as established in section 422(a) of the Carl D. Perkins Vocational and Applied
19 Technology Education Act as in effect on the day prior to the date of enactment of the Career
20 Preparation Education Reform Act of 1997,”;

21 (6) in section 205(a)(2), by striking “Carl D. Perkins Vocational and Applied
22 Technology Education Act (20 U.S.C. 2301 et seq.)” and inserting in lieu thereof “Carl D.

1 Perkins Career Preparation Education Act”;

2 (7) in section 265(b)(3), by striking “Carl D. Perkins Vocational and Applied
3 Technology Education Act (20 U.S.C. 2301 et seq.)” and inserting in lieu thereof “Carl D.
4 Perkins Career Preparation Education Act”;

5 (8) in section 314(g)(2), by striking out “Vocational and Applied Technology” and
6 inserting in lieu thereof “Career Preparation”;

7 (9) in section 427(a)(1), by striking “local agencies, including a State board or
8 agency designated pursuant to section 111(a)(1) of the Carl D. Perkins Vocational Act which
9 operates or wishes to develop area vocational education school facilities or residential vocational
10 schools (or both) as authorized by such Act, or private organizations” and inserting in lieu thereof
11 “local agencies, or private organizations”;

12 (10) in section 455(b), by striking “Carl D. Perkins Vocational and Applied
13 Technology Education Act (20 U.S.C. 2301 et seq.)” and inserting in lieu thereof “Carl D.
14 Perkins Career Preparation Education Act”;

15 (11) in section 461(c), by striking out “Vocational” and inserting in lieu thereof
16 “Career Preparation”;

17 (12) in section 464--

18 (A) in subsection (a), by striking out “Carl D. Perkins Vocational
19 Education Act)” and inserting in lieu thereof “Carl D. Perkins Vocational and Applied
20 Technology Education Act as in effect on the day prior to the date of enactment of the Career
21 Preparation Education Reform Act of 1997)”;

22 (B) in subsection (b), by striking out “In addition to its responsibilities

1 under the Carl D. Perkins Vocational Education Act, the” and inserting in lieu thereof “The”; and

2 (C) in subsection (c), by striking out “this Act, under section 422 of the
3 Carl D. Perkins Vocational Education Act, and” and inserting in lieu thereof “this Act and”;

4 (13) in section 605(c), by striking out “Vocational Education Act)” and inserting in
5 lieu thereof “Vocational and Applied Technology Education Act as in effect on the day prior to
6 the date of enactment of the Career Preparation Education Reform Act of 1995”;

7 (14) in section 701(b)--

8 (A) by amending paragraph (1) to read as follows:

9 “(1) IN GENERAL.--For purposes of this title, the term 'applicable
10 Federal human resource program' includes any program authorized under the provisions of law
11 described under paragraph (2)(A) that the Governor and the head of the State agency or agencies
12 responsible for the administration of such program jointly agree to include within the jurisdiction
13 of the State Council.”; and

14 (B) in paragraph (2)(A)(ii), by striking “Carl D. Perkins Vocational and
15 Applied Technology Education Act (20 U.S.C. 2301 et seq.)” and inserting in lieu thereof “Carl
16 D. Perkins Career Preparation Education Act”; and

17 (15) in section 703(a)(2), by striking the comma after “section 123(a)(2)(D)” and
18 “except that, with respect to the Carl D. Perkins Vocational and Applied Technology Education
19 Act (20 U.S.C. 2301 et seq.), such State may use funds only to the extent provided under
20 section 112(g) of such Act”.

1 AMENDMENTS TO THE ADULT EDUCATION ACT

2 SEC. 302. The Adult Education Act (20 U.S.C. 1201 et seq.) is amended--

3 (1) in section 322(a)(4), by striking "Vocational and Applied Technology" and
4 inserting in lieu thereof "Career Preparation";

5 (2) in section 342--

6 (A) in subsection (c)(11), by striking "Carl D. Perkins Vocational
7 Education Act of 1963" and inserting in lieu thereof "Carl D. Perkins Career Preparation
8 Education Act"; and

9 (B) in subsection (d), by striking "Vocational" and inserting in lieu thereof
10 "Career Preparation"; and

11 (3) by amending section 384(d)(1)(D)(ii) to read as follows:

12 "(ii) be coordinated with activities conducted by other educational and
13 training entities that provide relevant technical assistance;".

14 AMENDMENTS TO THE SCHOOL-TO-WORK OPPORTUNITIES ACT OF 1994

15 SEC. 303. The School-to-Work Opportunities Act (20 U.S.C. 1601 et seq.) is amended--

16 (1) in section 202(a)(3), by striking "Vocational and Applied Technology" and
17 inserting in lieu thereof "Career Preparation";

18 (2) in section 203(b)(2), by striking clause (I) and redesignating clauses (J) and (K)
19 as clauses (I) and (J), respectively;

20 (3) in section 213--

21 (A) in subsection (d)(6)(B), by striking "Vocational and Applied

1 Technology” and inserting in lieu thereof “Career Preparation”; and

2 (B) in subsection (b)(4), by striking clause (I) and redesignating clauses (J)
3 and (K) as clauses (I) and (J), respectively;

4 (4) in section 403(a), by striking “the individuals assigned under section 111(b)(1)
5 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C.
6 2321(b)(1)),”;

7 (5) in section 404--

8 (A) by inserting “and” after “(29 U.S.C. 1733(b)),”; and

9 (B) by striking “and the National Network for Curriculum Coordination in
10 Vocational Education under section 402(c) of the Carl D. Perkins Vocational and Applied
11 Technology Education Act (20 U.S.C. 2402(c)),”;

12 (6) in section 502(b)(6), by striking “Vocational and Applied Technology” and
13 inserting in lieu thereof “Career Preparation”; and

14 (7) in section 505--

15 (A) in subsection (a)(2)(B)(i), by striking “section 102(a)(3) of the Carl D.
16 Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2312(a)(3))” and inserting
17 in lieu thereof “section 112(c) of the Carl D. Perkins Career Preparation Education Act”; and

18 (B) in subsection (e), by striking “section 201(b) of the Carl D. Perkins
19 Vocational and Applied Technology Education Act (20 U.S.C. 2312(a)(3))” and inserting in lieu
20 thereof “section 102 of the Carl D. Perkins Career Preparation Education Act”.

1 AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

2 SEC. 304. The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et
3 seq.) is amended--

4 (1) in section 1114(b)(2)(C)(v), by striking "Vocational and Applied Technology"
5 and inserting in lieu thereof "Career Preparation";

6 (2) in section 9115(b)(5), by striking "Vocational and Applied Technology" and
7 inserting in lieu thereof "Career Preparation";

8 (3) by amending section 14302(a)(2)(C) to read as follows: "(C) services and
9 activities under section 102 of the Carl D. Perkins Career Preparation Education Act;" and

10 (4) in section 14307(a)(1), by striking "Vocational and Applied Technology" and
11 inserting in lieu thereof "Career Preparation".

12 AMENDMENTS TO THE GOALS 2000: EDUCATE AMERICA ACT

13 SEC. 305. The Goals 2000: Educate America Act (20 U.S.C. 5801 et seq.) is amended--

14 (1) in section 306--

15 (A) in subsection (c)(1)(A), by inserting before the semicolon at the end
16 thereof a comma and "as in effect on the day prior to the date of enactment of the Career
17 Preparation Education Reform Act of 1997, until not later than July 1, 2000, and the performance
18 goals and indicators developed pursuant to section 107 of the Carl D. Perkins Career Preparation
19 Education Act thereafter"; and

20 (B) in subsection (l), by striking out "Vocational and Applied Technology"
21 and inserting in lieu thereof "Career Preparation"; and

1 (2) in section 311(b)(6), by striking out “Vocational and Applied Technology” and
2 inserting in lieu thereof “Career Preparation”.

3 OTHER TECHNICAL AND CONFORMING AMENDMENTS

4 SEC. 306. (a) HIGHER EDUCATION ACT OF 1965.--The Higher Education Act of
5 1965 (20 U.S.C. 1001 et seq.) is amended--

6 (1) by amending section 127(2) to read as follows:

7 “(2) have, as one of the partners participating in an articulation agreement,
8 an entity that uses funds under title I of the Carl D. Perkins Career Preparation Education Act to
9 support tech-prep education services and activities;”;

10 (2) in section 481(a)(3)(A), by striking “section 521(4)(C) of the Carl D. Perkins
11 Vocational and Applied Technology Education Act” and inserting in lieu thereof
12 “section 305(3)(B) of the Carl D. Perkins Career Preparation Education Act”;

13 (3) in section 484(l)(l), by striking “section 521(4)(C) of the Carl D. Perkins
14 Vocational and Applied Technology Education Act” and inserting in lieu thereof
15 “section 305(3)(B) of the Carl D. Perkins Career Preparation Education Act”; and

16 (4) in section 503(b)(2)(B)(vi), by striking “in a Tech-Prep program under
17 section 344 of the Carl D. Perkins Vocational and Applied Technology Education Act” and
18 inserting in lieu thereof “in a tech-prep program supported through services and activities under
19 the Carl D. Perkins Career Preparation Education Act”.

20 (b) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.--Section 626(g) of the
21 Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) is amended by striking out

1 “Vocational and Applied Technology” and inserting in lieu thereof “Career Preparation”.

2 (c) REHABILITATION ACT OF 1973.--Section 101(a)(11)(A) of the Rehabilitation Act
3 of 1973 (29 U.S.C. 701 et seq.) is amended by striking out “Vocational and Applied Technology
4 Education Act (20 U.S.C. 2301 et seq.)” and inserting in lieu thereof “Career Preparation
5 Education Act”.

6 (d) DISPLACED HOMEMAKERS SELF-SUFFICIENCY ASSISTANCE ACT.--
7 Section 9(a)(2) of the Displaced Homemakers Self-Sufficiency Assistance Act (29 U.S.C. 2301 et
8 seq.) is amended by inserting “as in effect on the day prior to the date of enactment of the Career
9 Preparation Education Reform Act of 1997 or the State agency or agencies designated under
10 section 102(a) of the Carl D. Perkins Career Preparation Education Act,”.

11 (e) WAGNER-PEYSER ACT.--Section 7(c)(2)(A) of the Act of June 6, 1933 (29 U.S.C.
12 49 et seq.) is amended by striking out “Vocational and Applied Technology” and inserting in lieu
13 thereof “Career Preparation”.

14 (f) EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.--
15 Section 533(c)(4)(A) of the Equity in Education Land-Grant Status Act of 1994 (7 U.S.C. 301
16 note; part C of title V of the Improving America’s Schools Act) is amended by inserting after
17 “(20 U.S.C. 2397h(3))” a comma and “as in effect on the day prior to the date of enactment of the
18 Career Preparation Education Reform Act of 1997,”.

19 (g) TITLE 31, CHAPTER 67, OF THE UNITED STATES CODE.--Section 6703(a)(12)
20 of title 31, United States Code (as added by section 31001 of the Violent Crime Control and Law
21 Enforcement Act of 1994) is amended by striking out “Vocational and Applied Technology” and
22 inserting in lieu thereof “Career Preparation”.

1 (h) NONTRADITIONAL EMPLOYMENT FOR WOMEN ACT.--Section 2(b)(3) of the
2 Nontraditional Employment for Women Act (29 U.S.C. 1501 note) is amended by striking out
3 “Vocational and Applied Technology” and inserting in lieu thereof “Career Preparation”.

4 (i) TRAINING TECHNOLOGY TRANSFER ACT OF 1988.--Section 6107(6) of the
5 Training Technology Transfer Act of 1988 (20 U.S.C. 5091 et seq.) is amended by inserting
6 before the semicolon at the end thereof a comma and “as in effect on the day prior to the date of
7 enactment of the Career Preparation Education Reform Act of 1997”.

8 (j) GENERAL REDESIGNATION.--Any other references to the Carl D. Perkins
9 Vocational and Applied Technology Education Act shall be deemed to refer to the Carl D.
10 Perkins Career Preparation Education Act.

11 # # #

DRAFT

Honorable Newt Gingrich
Speaker of the House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Enclosed for consideration of the Congress is the "Career Preparation Education Reform Act of 1997," the Administration's proposal for restructuring the Carl D. Perkins Vocational and Applied Technology Education Act. This Act would comprehensively amend the current Perkins law, and re-title it the "Carl D. Perkins Career Preparation Education Act." Also enclosed is a section-by-section analysis summarizing the contents of the bill. I am sending an identical letter to the President of the Senate.

✓ The central theme of the enclosed bill is the restructuring of Perkins Act programs to improve student achievement in academic and technical skills and make vocational education an integral part of efforts to reform secondary schools and improve postsecondary education. These reforms and improvements will help ensure that students obtain the skills and knowledge that they will need they will need in order to compete in the information age of the 21st century.

STW The bill would support the development, implementation, and improvement of school-to-work opportunities systems now being planned and implemented in the States. The development of these systems is based on evidence showing that young people: (1) need both the advanced academic knowledge and technical skills in order to succeed in high-skill, high-wage jobs; (2) learn in both classroom and workplace settings; and (3) need preparation to continue learning in postsecondary programs. As States are demonstrating through their school-to-work systems building, student achievement is enhanced by the integration of academic and vocational instruction, linkages between secondary and postsecondary education, and opportunities for both classroom-based and work-based learning, with full involvement of employers and parents. The enclosed bill would provide the support necessary to ensure that these changes are further developed and sustained through Federal investments in career preparation education. The Act is based on the following major principles.

educational program
links to high
First, the Act would support ~~quality, broad-based career~~ *that meets* ~~preparation that meets~~ *challenges* ~~high academic standards and links~~ *link* ~~vocational education with other education programs~~ *that connects*, as part of a larger education ~~reform~~ strategy. *These programs* would include *state/local* school-to-work opportunities systems building, secondary school *development* reform, and postsecondary education improvement and access initiatives.

Second,
need?
of
Voc 90/CP
activities
supported
or
state/local
activities
support
work
include
reduce
~~Our second principle is program consolidation.~~ *Our proposal* would consolidate 23 separate set-asides and categorical authorities in the current Perkins Act in order to give States, school districts, and postsecondary institutions maximum flexibility to design services and activities best suited to the needs of their students and to ~~free funding recipients from the~~ administrative requirements entailed in operating multiple ~~categorical programs~~. The enclosed bill would include a consolidated State formula grant, and a single authority for national programs that supports research, demonstrations, data systems (including the National Occupational Information Coordinating Committee), and other national leadership activities. The bill would also include a State formula grant program for Tech-Prep education, recognizing that this program has served as a catalyst for the reform of vocational education and the development of school-to-work systems. In addition, separate programs for Indians and Native Hawaiians would be maintained because of their unique needs.

Third,
In addition to consolidating programs, the bill would enhance State and local flexibility by eliminating many of the administrative and governance requirements of current law. It would significantly reduce, and in many cases eliminate entirely, the very prescriptive requirements for planning, State governance, and program operations in current law. States and localities could receive waivers of *the revised/primary* other requirements if those requirements impede their ability to provide services most likely to help achieve the purposes of the Act. They would also enjoy the flexibility to integrate Perkins Act funds with those flowing from other programs in a manner that most effectively provides for an integrated career preparation system serving every student.

Fourth
While the Administration believes that more flexibility in Perkins Act programs is essential, this flexibility must be accompanied by strong accountability for results and greater incentives for grant recipients to achieve successful outcomes. This need for accountability is underscored by the requirements placed on the Department of Education under the Government Performance Results Act (GPRA). *(The Department is working to develop performance goals and indicators for vocational education programs.)* [These measures form the foundation of the accountability provisions in the proposed Act.]

*confirming
exists
consultation
include*
Under the proposed career preparation bill, the Department would consult with States, local educational agencies, employers, parents, and other parties to develop a set of core performance goals and indicators that States would then use to ensure accountability and guide ~~program~~ ^{measures} improvements. ~~These indicators~~ ^{These measures} would gauge such ~~program outcomes~~ ^{results} as students' attainment of academic and occupational skills, high school or postsecondary completion, and successful entrance into employment. States would work with local recipients to improve programs that fail to achieve successful ~~outcomes~~ and would have the authority to take corrective action against recipients whose activities repeatedly fail to demonstrate adequate progress. The bill would also give States the authority to make incentive awards to recipients that make outstanding progress, as gauged by the State's own performance measures, and the Department would have a ~~parallel~~ authority to reward ~~with additional funds~~ States demonstrating exemplary ~~outcomes~~ ^{results}.

*Full
Priority*
One important objective of Federal support for vocational education has been to ensure that members of special-needs populations, including students who are disabled, disadvantaged, and limited English proficient, have the full opportunity to participate in and benefit from vocational programs. *However* The current Perkins Act includes set-asides for programs for certain special populations as well as provisions governing services to those groups and others. These provisions have had only mixed results. While at-risk populations are now well represented in vocational programs, they frequently have access to only low-level instruction that does not lead to high-skill, high-wage occupations. Our bill is based on *[solid]* evidence that *all* ^{every} students, including members of special populations, can achieve *more* to challenging standards. Therefore, we propose to hold States

and localities accountable for educating special populations and other students, while eliminating most of the prescriptions and administrative requirements in current law. We would ~~also~~ continue to channel formula grant funds to the communities and postsecondary institutions with the highest concentrations of disadvantaged students, because those communities and institutions have the greatest need for assistance in providing high-quality career [education] preparation programs.

awkward
move to
(A)

I urge Congress to act favorably and expeditiously on this proposal. Its enactment would consolidate or eliminate duplicative and over-lapping program authorities, enhance State and local flexibility, hold service providers more accountable for program quality and give them greater incentives for achieving successful outcomes, ^{Overall, the bill would} and, ~~in all~~, create a true partnership between the Federal, State, and local governments and the private sector for the development of high-quality career preparation systems to prepare students with the academic and technical skills they will need for the 21st century.

The effect of this draft bill on the deficit is:

	Fiscal Years					
	(in millions of dollars)					
	1998	1999	2000	2001	2002	1998-2002
Outlays	-1	-6	-7	-7	-7	-28

The Omnibus Budget Reconciliation Act (OBRA) requires that all revenue and direct spending legislation meet a pay-as-you-go requirement. That is, no such bill should result in an increase in the deficit, and, if it does, it must trigger a sequester if not fully offset. The proposed Career Preparation Education Reform Act, because it includes the repeal of a permanent appropriation under the Smith-Hughes Act of 1917, would decrease direct spending. Considered alone, it meets the pay-as-you-go requirement of OBRA.

The Office of Management and Budget advises that there is no objection to the submission of this proposal to Congress and that its adoption would be in accord with the program of the President.

Page 5 - Honorable Newt Gingrich

Yours sincerely,

Richard W. Riley

Enclosures

LRM ID: CJB44
Act of 1997

SUBJECT: EDUCATION Draft Bill on Career Preparation Education Reform

RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

(1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or

(2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Constance J. Bowers Phone: 395-3803 Fax: 395-6148
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: 5/28/97 (Date)
Bill Kincaid (Name)
DPC (Agency)
6-2857 (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

☐ Concur

☐ No Objection

☐ No Comment

☒ See proposed edits on pages _____ ⊕ Comments e-mailed last night.

☐ Other: _____

☒ FAX RETURN of _____ pages, attached to this response sheet

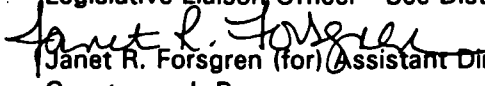
LRM ID: CJB44

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Friday, May 16, 1997

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM:  Janet R. Forsgren (for) Assistant Director for Legislative Reference

OMB CONTACT: Constance J. Bowers
PHONE: (202)395-3803 FAX: (202)395-6148

SUBJECT: EDUCATION Draft Bill on Career Preparation Education Reform Act of 1997


DEADLINE: 4:00 p.m. Friday, May 23, 1997

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

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CAREER PREPARATION EDUCATION REFORM ACT OF 1997

SECTION-BY-SECTION ANALYSIS

TITLE I--AMENDMENTS TO THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

Section 101. Amendment to the Act. Section 101 of the bill would amend the Carl D. Perkins Vocational and Applied Technology Education Act (current law) in its entirety, as described below, in order to assist States to develop, implement, and improve career preparation education in secondary and postsecondary schools.

CARL D. PERKINS CAREER PREPARATION EDUCATION ACT

Section 1 Short title, table of contents. This section would provide that the proposed Act may be cited as the "Carl D. Perkins Career Preparation Education Act" (Perkins). This section would also set forth a table of contents for Perkins.

Section 2 Declaration of policy, findings, and purpose. Section 2 of Perkins would set forth the policy, findings, and purpose underlying proposed changes to current law.

planned { Subsection (a) would state congressional policy that, in order to meet new economic challenges brought about by changing technologies, increasing international economic competition, and changes in production technologies and the organization of work, the Nation must enable every student to obtain the academic, technical and other skills needed for postsecondary education, further learning, and high-skill, high-wage careers. ?

Subsection (b) would set forth the following congressional findings:

(1) In order to be successful workers, citizens, and learners in the 21st century, individuals will need a combination of strong basic and academic skills; computer and other technical skills; theoretical knowledge; communications, problem-solving, and teamwork skills; and the ability to acquire additional knowledge throughout a lifetime.

(2) Although employment and earnings increasingly depend on educational attainment and the ability to acquire and transfer skills among jobs in broad clusters of occupations or industry sectors, a majority of high school graduates in the United States do not complete a rigorous course of study that prepares them for completing a two-year or four-year college degree or for entering careers with high-skill, high-wage potential.

(3) Community colleges are an important component of our Nation's system of life-long learning, offering students a gateway to higher education, access to quality occupational certificates and degrees that help increase their skills and earnings, and continuing education opportunities necessary for professional growth.

often (4) Today's community colleges face a number of challenges: serving a diverse group of adult students who enter unprepared for academic and technical work without first completing remedial and developmental education; ensuring that the academic and occupational skills gained by students adequately prepare them for the workforce; and enhancing connections with employers and obtaining sufficient resources so that students have access to state-of-the-art programs, equipment, and support services necessary for completion of their chosen courses of study.

Many (5) Certain individuals (including students who are members of special populations) often face great challenges in acquiring the academic knowledge and occupational skills needed for successful employment and thus may need additional assistance and services to allow them to participate fully in career preparation activities.

(6) State initiatives to develop challenging State academic standards for all students are helping to establish a new framework for education reform.

and community (7) States have begun to develop [statewide] school-to-work opportunity systems that offer opportunities for all students to participate in school-based, work-based, and connecting activities leading to postsecondary education, furthering learning, and first jobs in high-skill, high-wage careers.

(8) Students in the United States can achieve challenging academic and technical skills, and may learn better, and retain more, when they learn in context, learn by doing, and have an opportunity to learn and understand how academic and technical skills are used outside the classroom;

(9) Local, State, and national programs supported under the current law have assisted many students in obtaining occupational and academic skills, as well as employment, but can be more effective when these programs are a part of the larger reforms taking place in States and localities.
are integrated with large education improvements

(10) Education reform efforts at the secondary level are creating [new American high schools] that are committed to high academic standards for all students, and that--with the active support of business and parents--ensure that all students have the academic and technical knowledge and skills needed to pursue postsecondary education, provide students with opportunities to explore careers, use technology to enhance learning, and create safe, supportive learning environments.

(11) Technical preparation (tech-prep) education has promoted the integration of academic and vocational education, reinforced and stimulated improvements in classroom instruction, and forged strong secondary-postsecondary connections that serve as a catalyst for reforming vocational education and the development of school-to-work systems.

(12) The active involvement of employers, parents, and labor and community organizations in planning, developing, and implementing career preparation education increases its effectiveness.

(13) When aligned with broader State and local education reforms, this Act can enhance the capacity of States, communities, and postsecondary institutions to enable every student to achieve to challenging State academic standards and industry-recognized skill standards and prosper in a highly competitive, technological economy.

(14) While current law has promoted important reforms in vocational education, it contains numerous set sides and special programs and requirements that may inhibit further *improvements* reforms as well as proper implementation of performance management systems needed to ensure accountability for results.

(15) The Federal Government can -- through a performance partnership with States and localities based on clear programmatic goals, increased State and local flexibility, improved accountability, and performance goals, indicators, and incentives -- provide to States and localities financial assistance for the improvement and expansion of career preparation education ~~in all States~~, as well as for services and activities that ensure that every student, including students with special needs, has the opportunity to achieve the academic and technical knowledge and skills needed to prepare for postsecondary education, further learning, and a wide range of careers.

(16) The Federal Government can also assist States and localities by carrying out nationally significant research, program development, demonstrations, dissemination, evaluation, capacity-building, data collection, professional development, and technical assistance activities that support State and local efforts to implement successfully programs, services, and activities that are funded under this Act, as well as those supported with their own resources.

Subsection (c) would state that the purpose of Perkins would be to assist all students, through a performance partnership with States and localities, to acquire the knowledge and skills they need to meet challenging State academic standards and industry-recognized skill standards, and to prepare for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers.

Using Perkins funds, States and localities would build on their efforts to develop and implement education reforms based on academic standards, to integrate reforms of vocational education with State reforms of academic preparation in schools, and promote, in particular, the development of services and activities that: (1) integrate academic and occupational instruction; (2) link secondary and postsecondary education; and (3) promote school-based and work-based

learning. Perkins provisions would increase State and local flexibility in providing services and activities designed to develop, implement, and improve career preparation education, including tech-prep education, and to integrate these services and activities with services and activities supported with other Federal, State, and local educational funds, in exchange for clear accountability of results.

State and local efforts under Perkins would focus on providing all students, including students who are members of special populations, with the opportunity to participate in the full range of career preparation programs, services, and activities, and would integrate career guidance and counseling into the educational process. Finally, these efforts would benefit from national research, program development, demonstration, dissemination, evaluation, capacity-building, data collection, professional development, implementation, and improvement of career preparation education programs, services, and activities.

Section 3. Authorization of appropriations. Section 3 of Perkins would authorize \$1,064,047,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 through 2002 to carry out the State and local services and activities under part A of title I, relating to career preparation education. This section would also authorize \$105,000,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 through 2002 to carry out part B of title I relating to technical preparation. From the amount appropriated for part A for any fiscal year, no more than 7% may be reserved to carry out the national programs under title II of Perkins, except section 207, relating to career preparation education for Indians and Native Hawaiians, of which not more than 2% of the amount appropriated for part A for any fiscal year after the fiscal year 2000 shall be available to carry out activities under section 201, relating to awards for excellence. In addition, 1.75% of the amount appropriated for part A for any fiscal year would be reserved to carry out activities under section 207(b) and 207(c), relating to career preparation education for Indians, and section 207(d), relating to career preparation for Native Hawaiians.

PERKINS, TITLE I--PREPARING STUDENTS FOR CAREERS

PART A--CAREER PREPARATION EDUCATION

Section 101. Career Preparation Education: Priorities. Section 101 of Perkins would require that, in order to enable every student to obtain the academic, technical, and other knowledge and skills needed to make a successful transition to postsecondary education and a wide range of careers and future learning, as well as to support, to the maximum extent possible, the integration of vocational education with broader reforms underway in States and secondary and postsecondary schools, funds under part A must be used to support career preparation education programs, services, and activities. For the purpose of the Perkins Act, career preparation education programs, services, and activities are those that: (1) support the

7, development, implementation, or improvement of State School-to-Work systems, as set forth in title I of the School-to-Work Opportunities act of 1994; or (2) otherwise prepare students for employment and further learning in technical fields.

In using Perkins funds, States and local recipients, as described in 105(a), would be required to give priority to services and activities designed to: (1) ensure that every student, including those who are members of special populations, has the opportunity to achieve the skills and knowledge needed to meet challenging State academic standards and industry-based skill standards; (2) promote the integration of academic and vocational education; (3) support the development and implementation of courses of study in broad occupational clusters or industry sectors; (4) effectively link secondary and postsecondary education; (5) provide students, to the extent possible, with strong experience in, and understanding of, all aspects of an industry; (6) provide students with work-related experiences that link to classroom learning; (7) provide school-site and workplace mentoring; (8) provide instruction in general workplace competencies and instruction needed for students to earn a skill certificate; (9) provide career guidance and counseling for students, including the provision of career awareness, exploration, and planning services and financial aid information to students and their parents; (10) ensure continuing parent and employer involvement in program design and implementation; and (11) provide needed support services, such as mentoring, curriculum modification, transportation, and child care.

Section 102. State leadership activities. Section 102 of Perkins would set forth provisions for state leadership activities under Perkins.

Subsection (a) would require any State desiring to receive a grant under this part, as well as a grant under part B, to designate consistent with State law, an educational agency or agencies to be responsible for the administration of services and activities under this Act including: (1) the development, submission, and implementation of the State plan; (2) the efficient and effective performance of the State's duties under this Act; and (3) consultation with other appropriate agencies, group and individuals that are involved in the development and implementation of services and activities assisted under this Act, such as business, industry, parents, students, teachers, labor organizations, community-based organizations, State and local elected officials, and local program administrators, including State agencies responsible for administering the State's implementation grant under the School-toWork Opportunities Act of 1994.

Subsection (b) would require States to use their State leadership assistance funds to conduct activities that further the development, implementation, and improvement of career preparation education programs, services, and activities within the State and that are integrated, to the maximum extent possible, with broader education reforms underway in the State.

State leadership activities could include such activities as providing comprehensive professional development for vocational, academic, career guidance, and administrative personnel that would help them to meet the State's goals established under section 106 of Perkins, would reflect the State's assessment of its needs for professional development, as determined under section 2205(b)(2)(C) of the ESEA, and would be integrated with the professional development

activities that the State carries out under title II of the ESEA. State leadership activities could also include: (1) developing and disseminating curricula that are aligned, as appropriate, with challenging State academic standards and industry-based skill standards; and (3) monitoring and evaluating the quality of, and improvement in, services and activities conducted with Perkins funds. ② ?

why? { Further, these activities could include: (1) promoting equity in secondary and postsecondary career preparation education and, to the maximum extent possible, ensuring opportunities for all students, including students who are members of special populations, as well as single parents and single, pregnant women, to participate in career preparation education activities that are free from sexual and other harassment and that lead to high-skill, high-wage careers; (2) supporting tech-prep education activities, including, as appropriate, activities described under part B of this title; (3) improving and expanding career guidance and counseling for students, and (4) improving and expanding the use of technology in instruction.

These activities could also include: (1) supporting partnerships of local educational agencies (LEAs), institutions of higher education (IHEs), and, as appropriate, other entities, such as employers, labor organizations, parents, and community-based organizations, for enabling all students, including students who are members of special populations, to achieve to challenging State academic standards and industry-recognized skill standards; (2) promoting the dissemination and use of occupational information; (3) providing financial incentives or awards to one or more local recipients in recognition of exemplary quality or innovation in education services and activities, or exemplary services and activities for students who are members of special populations, as determined by the State through a peer review process, using performance goals and indicators described in section 106 or other appropriate criteria; (4) supporting vocational student organizations, especially with respect to efforts to increase the participation of students who are members of special populations in these organizations; and (5) serving individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities. Support for vocational student organizations is intended to be for activities that are an integral part of development, implementation, or improvement of school-to-work opportunities systems.

Subsection (c) would require States to work to eliminate bias and stereotyping in education at the secondary and postsecondary levels by (1) gathering and disseminating data on the effectiveness of services and activities related to the State's career preparation education programs, services, and activities in meeting the educational and employment needs of women and students who are members of special populations; (2) reviewing proposed actions on applications, grants, contracts, and policies of the State to help ensure that the needs of women and students who are members of special populations are addressed in the administration of this part; (3) recommending outreach and other activities that inform women and students who are members of special populations about their educational employment opportunities; and (4) advising local educational agencies, postsecondary educational institutions, and other interested parties in the State on expanding career preparation opportunities for women and students who are members of

special populations and ensuring that the needs of men and women in training for nontraditional jobs are met.

Subsection (d) would require States to report annually to the Secretary of Education on the quality and effectiveness of its programs, services, and activities provided through its grants under parts A and B, based on the performance goals and indicators and the expected level of performance included in its State plan. The State report would also include such other information as the Secretary may reasonably require in order to ensure uniform national data and would be available to the public.

Section 103. State plans. Section 103 of Perkins would set forth provisions for State plans under Perkins. In general, these provisions would reduce the administrative requirements in current law and would introduce more flexibility in the development, implementation, and improvement of career preparation education at the State and local levels.

Subsection (a) would require any State desiring a Perkins grant under parts A, as well as a grant under part B, for any fiscal year to submit to, or have on file with, the Secretary of Education (Secretary) a five-year State plan in accordance with this section. The agency or agencies designated under section 102(a) would be authorized to submit its State plan as part of a comprehensive plan that could include State plan provisions under Goals 2000, School-to-Work, and section 14302 of the Elementary and Secondary Education Act (ESEA). If the State has an implementation grant under subpart B of title II of the School-to-Work Opportunities Act, it would be required to make the plan it submits under this section consistent with that already approved plan.

Subsection (b) would provide that the State plan be approved by the State educational agency and the State agency responsible for community colleges. This combination of governance responsibilities reflects the focus of Perkins on the need to forge links between secondary and postsecondary education for all students.

Subsection (b) would also require the Secretary to approve a State plan (or a revision to an approved State plan) only if the Secretary determines that it meets the requirements of this section and the State's performance goals and expected level of performance are sufficiently rigorous as to meet the purpose of Perkins. The Secretary would be required to establish a peer review process to make recommendations regarding approval of the State plan and revisions to the plan, and would be prohibited from finally disapproving a State plan before giving the State reasonable notice and an opportunity for a hearing.

Subsection (c) would provide that, in developing its plans and revisions, the designated agency or agencies would be required to consult widely with employers, labor organizations, parents, and others in the State that have an interest in education and training, including the State agencies responsible for activities under the School-to-Work Opportunities Act, as well as individuals, employers, and organizations that have an interest in education and training for students who are members of special populations. This subsection would also require the

designated agency or agencies to submit the State plan under this section, and any revisions to the State plan under subsection (f), to the Governor for review and comment and to ensure that any comments the Governor may have are included with the State plan or revision when the State plan or revision is submitted to the Secretary.

Subsection (d) would require each State plan to describe how the State will use part A funds to improve student achievement of academic, technical, and other knowledge and skills and address the priorities described in section 101(b) of Perkins. Each State plan would also describe how the State will help ensure that every student, including those who are members of special populations, has the opportunity to achieve to challenging State academic standards and industry-recognized skill standards, and will be prepared for postsecondary education, further learning, and high-skill, high-wage careers. As in the School-to-Work Act, nothing in Perkins would provide any individual with an entitlement to Perkins services.

redundant?

The State plan would describe how the State will use part A funds to further the State's education reform efforts and school-to-work opportunities system and how the State would carry out State leadership activities under section 102 of Perkins.

The State plan would also: (1) describe how the State will integrate its services and activities under part A with broad education reforms in the State and with relevant employment, training, technology, and welfare programs; (2) include a statement, expressed in terms of the performance indicators published by the Secretary under section 106(b), and any other performance indicators the State may choose, of the State's performance goals and the level of performance the State expects to achieve in progressing toward those goals during the life of the State plan; (3) describe how the State will ensure that the data reported to it from local recipients and the data it reports to the Secretary are complete, accurate, and reliable; (4) describe how the State will provide incentives or rewards for exemplary programs, services, or activities; (5) describe how funds will be allocated and used at the secondary and postsecondary level and the consortia that will be formed among secondary and postsecondary schools and institutions; and (6) be made available to the public.

Subsection (e) would provide that the State plan would contain assurances that the State will comply with Perkins requirements and the provisions of the State plan, and would provide for the fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, Perkins funds paid to the State.

Subsection (f) would provide that, when changes in conditions or other factors require substantial revision to an approved State plan, the State would submit to the Secretary revisions to the plan, after they have been approved by the State educational agency and each of the State agencies responsible for higher education that approved the State plan.

Section 104. Local activities. Section 104 of Perkins would set forth the services and activities local recipients would undertake with part A funds.

Subsection (a) would require each local recipient of a part A subgrant to use these funds to: (1) conduct career preparation education programs, services, and activities that further student achievement of academic, technical, or other knowledge and skills; (2) provide services and activities that are of sufficient size, scope, and quality to be effective; (3) focus assistance under part A of Perkins on schools or campuses that serve the highest numbers or percentages of students who are members of special populations; and (4) promote equity in career preparation education and, to the maximum extent possible, ensure opportunities for every student to participate in education activities that are free from sexual and other harassment and that lead to high-skill, high-wage careers.

Subsection (b) would authorize local recipients to use part A funds for programs, services, and activities that promote the priorities described in section 101 of Perkins. These services and activities could include: (1) developing curricula and assessments that are aligned, as appropriate, with challenging State academic standards, as well as industry-recognized skill standards, and that integrate academic and vocational instruction, school-based and work-based instruction and connecting activities, and secondary and postsecondary instruction; (2) acquiring and adapting equipment, including instructional aids; (3) providing professional development activities, such as activities for teachers, mentors, counselors, administrators, and board members; (4) providing services, either directly or through community-based or other organizations that are needed to meet the needs of students who are members of special populations, such as mentoring, opportunities to participate in student organizations, tutoring, curriculum modification, equipment modification, classroom modification, supportive personnel, instructional aids and devices, guidance, career information, English language instruction, transportation, and child care; and (5) supporting tech-prep education services and activities and career academies, or public charter, pilot, or magnet schools with a career focus. These services and activities would also include: (1) carrying out activities that ensure active and continued involvement of parents, business, and labor in the development, implementation, and improvement of a career preparation education system in the State; (2) providing assistance in the reform of secondary schools, including schoolwide reforms and the schoolwide programs authorized under section 1114 of the ESEA; (3) supporting vocational student organizations; (4) providing assistance to students who have participated in services and activities under Perkins in finding an appropriate job and continuing their education and training; and (5) developing and implementing performance management systems and evaluations. Subsection (b) would also authorize local recipients to use funds to carry out other career preparation education services and activities that meet the purpose of Perkins.

Subsection (c) would provide that equipment acquired or adapted with part A funds could be used for other instructional purposes when not being used to carry out part A purposes, if the acquisition or adaptation were reasonable and necessary for providing services or activities under part A of Perkins and the other use was incidental to, did not interfere with, and did not add to the cost of, the use of the equipment under part A.

Section 105. Local applications. Section 105 of Perkins would set forth provisions for applications by local agencies, schools, and institutions for part A funds.

Subsection (a) would list the following entities that are eligible to apply, individually or as consortia, to a State for a subgrant under part A of Perkins. These would be: (1) local educational agencies (LEAs); (2) area vocational education schools (AVEs) that provide education at the postsecondary level; (3) intermediate educational agencies; (4) institutions of higher education (IHEs); and (5) postsecondary institutions controlled by the Bureau of Indian Affairs or operated by or on behalf of any Indian tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or the Act of April 16, 1934.

Subsection (b) would require local applicants to submit an application to the designated State agency or agencies according to State-established requirements. In addition to including such information as the State may require and identifying the results the applicant seeks to achieve, each application would be required to describe how the applicant would: (1) develop, implement, or improve career preparation education programs, services, or activities in secondary and postsecondary schools, and address the priorities described in section 101(b) of Perkins; (2) evaluate progress toward the results it seeks to achieve, consistent with the performance goals and indicators described in section 106; (3) coordinate its services and activities with related services and activities offered by community-based organizations, employers, and labor organizations, and, to the extent possible, integrate its Perkins services and activities with broad educational reforms in the State and with relevant employment, training, and welfare programs carried out in the State; and; (4) consult with students, their parents, employers, and other interested individuals or groups in developing their services and activities.

Section 106. Performance goals and indicators. Section 106 of Perkins would focus on performance goals and indicators needed to help ensure an effective use of Perkins funds.

Subsection (a) would require any State desiring to receive a part A grant, as well as a grant under part B, to (in consultation with employers, parents, labor organizations, and others in the State interested in education and training): (1) establish performance goals to define the level of performance to be achieved by students served under title I of Perkins and to evaluate the quality and effectiveness of programs, services, and activities under that title; (2) express these goals in an objective, quantifiable, and measurable form. This subsection would also provide that any State may use its State leadership funds under section 109(c) to evaluate its entire career preparation education program, regardless of which part of that program was developed, implemented, or improved using Perkins funds, and to develop and establish State goals.

Subsection (b) would require the Secretary, after consultation with States, local educational agencies, institutions of higher education, representatives of business and industry, and other interested parties, to publish in the Federal Register performance indicators (including the definition of relevant terms) that States and local recipients must use in measuring and assessing progress toward achieving the State's performance goals under subsection (a). The Secretary would be required to publish performance indicators in the following areas: (1) achievement to challenging State academic standards, such as those established under Goals 2000, and industry-recognized skill standards; (2) receipt of a high school diploma, skills certificate, and

postsecondary certificate or degree; (3) job placement, retention, and earnings, particularly in the student's field of study; and (4) such other indicators as the Secretary deems necessary in accordance with the requirements for uniform national performance data.

Subsection (c) would require States to use the performance goals and indicators established under this section not later than July 1, 1997. In order to provide a transition for State evaluation activities, each State receiving funds under this title shall use the system of standards and measures the State developed under section 115 of current law as in effect prior to the enactment of this Act during the period that the State is establishing performance goals described in subsection (a).

Subsection (d) would require the Secretary to provide technical assistance to the States regarding the development of the State's performance goals, as well as use of uniform national performance data, and the Secretary would be authorized to use funds appropriated for title II of Perkins to provide this assistance.

Section 107. Evaluation, improvement, and accountability. Section 107 of Perkins would set forth provisions that would help to ensure the effectiveness of services and activities carried out by States or local entities under part A.

Subsection (a) would require each local recipient of a subgrant under part A to annually evaluate, using performance goals and indicators described in section 106 of Perkins, and report to the State regarding its use of part A funds to develop, implement, or improve its career preparation education programs, services, or activities. Each local recipient would also be required to biennially evaluate, and report to the State regarding, the effectiveness of its programs, services, and activities in achieving the priorities in section 101(b), including the participation, progress, and outcomes of students who are members of special populations. This subsection also clarifies that, although they are not required to do so, local recipients may evaluate portions of their career preparation education program that are not supported with part A funds, including their entire career preparation education program. Moreover, if a local recipient does do the broader evaluation, it need not evaluate separately that portion of its career preparation education program supported with part A funds. Whether local recipients conduct a broad evaluation would be left to States and local recipients to decide.

Subsection (b) would provide that, if a State determines, based on the evaluation by a local recipient and applicable performance goals and indicators, that the local recipient is not making substantial progress in achieving the purpose of Perkins in accordance with the priorities described in section 101, the State would work jointly with the recipient to develop a plan, in consultation with teachers, counselors, parents, students, employers, and representatives of organized labor, for improvement for succeeding school years. If, after not more than two years of implementation of the improvement plan, the State determines that the local recipient is not making sufficient progress, the State would be required to take whatever corrective action it deems necessary, consistent with State law. However the State's corrective action could be taken only after the State provided technical assistance to the recipient and ensured that any corrective

action would allow for continued career preparation education services and activities to the recipient's students.

Subsection (c) would provide that, if the Secretary determines that the State is not properly implementing its responsibilities under subsection (b), or is not making substantial progress in meeting the purpose of Perkins, the Secretary would work with the State to implement improvement activities.

Subsection (d) would provide that, if, after a reasonable time, but not earlier than one year after the implementation of the State's improvement activities, the Secretary determines that the State is not making sufficient progress, the Secretary would be required to withhold from the State, after notice and opportunity for a hearing, all or a portion of the State's allotment under part A of Perkins. The Secretary would be authorized to use the amount withheld to implement alternative administrative arrangements to carry out Perkins services and activities within the State.

Section 108. Allotments. Section 108 of Perkins would set forth the allotment provisions that govern allocation of part A funds to States.

Subsection (a) would allot part A funds to States on a population-based formula. Half of the allotment would be based on the ratio of the product of a State's population aged 15 to 19, inclusive, and its "allotment ratio" to the sum of the corresponding products for all the States. The remaining half of the allotment would be based on the ratio of the product of a State's population aged 20 to 24, inclusive, and its "allotment ratio" to the sum of the corresponding products for all the States. These age cohorts reflect the focus of Perkins on the youth component of the GI Bill for America's Workers. The allotment ratio, which is defined in subsection (c), is based on relative per capita income among the States. Thus, the allotment formula focuses on both the relative number of youth and relative wealth of each State compared with that of other States.

Subsection (b) would also provide that, notwithstanding the allotment formula, for any fiscal year through fiscal year 2002 no State would receive for services and activities authorized by part A of Perkins an allotment that is less than 90 percent of the amount for the preceding year. However, the Secretary would ratably reduce the payments to all States for part A services and activities as necessary, if the amount appropriated for these services and activities and available for allotment to States were insufficient to satisfy this "hold-harmless" provision. Finally, the allotment for part A of Perkins for American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands would have a floor of \$200,000.

Subsection (c) would set the allotment ratio of any State as 1.00 minus the product of 0.50 and the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, and the Virgin Islands). However, the allotment ratio would in no case be more

than 0.60 or less than 0.40, and the allotment ratio for American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, and the Virgin Islands would be 0.60.

Subsection (d) would require the Secretary, if the Secretary determines that any amount of any State's allotment would not be required for carrying out the services and activities for which such amount has been allotted, to make that amount available for reallocation to one or more other States. Any amount reallocated to a State under this subsection would be deemed to be part of its allotment for the fiscal year in which it is obligated.

Subsection (e) would require the Secretary to make a grant for each fiscal year, from that State's allotment under subsection (a), to each State that has an approved State plan under section 103 of Perkins. This subsection would also authorize the Secretary to promulgate regulations with regard to indirect cost rates used in grants and subgrants awarded to implement programs under title I of Perkins.

Subsection (f) would provide that, for purposes of this section: (1) allotment ratios would be computed on the basis of the average of the appropriate per capita incomes for the three most recent consecutive fiscal years for which satisfactory data are available; (2) "per capita income" would mean, with respect to a fiscal year, the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year; and (3) population would be determined by the Secretary on the basis of the latest estimates available to the Department that are satisfactory to the Secretary.

Section 109. Within-State allocation and distribution of funds. Section 109 of Perkins would set forth the provisions guiding allocation of part A funds at the local level.

Subsection (a) would require each State to award as subgrants to local recipients at least 80 percent of its grant for each of fiscal years 1998 and 1999 and at least 85 percent of its grant for each of fiscal years 2000 through 2002. This would increase the required proportion of Perkins funds allocated for localities from the current level of at least 75 percent.

Subsection (b) would allow a State to use not more than five percent of its part A grant for each fiscal year for administering its State plan. These administrative activities could include developing the plan, reviewing local applications, supporting activities to ensure the active participation of interested individuals and organizations, and ensuring compliance with applicable Federal laws. Funds used for State administration would have to be matched by the State from non-Federal sources on a dollar-for-dollar basis.

Subsection (c) would require a State to use the remainder of its part A grant for State leadership activities described in section 102 of Perkins.

Subsection (d) would set forth the general requirement that each fiscal year States distribute to LEAs, or consortia of LEAs, within the State part A funds available for secondary school education programs, services, and activities that are conducted in accordance with the

priorities described in section 101(b) of Perkins. This distribution to LEAs and consortia would be based on their allocation under subpart 2 of part A of title I of the ESEA in the preceding fiscal year.

In applying the distribution formula at the secondary level, States would be required to distribute those funds that would have gone to an LEA serving only elementary schools to the LEA that provides secondary school services to secondary school students in the same attendance area. Further, States would have to distribute to an LEA that has jurisdiction over only secondary schools funds based on the number of students that entered those secondary schools in the previous year from the elementary schools involved. Finally, States would be required to distribute funds to an area vocational education school or intermediate educational agency in any case in which that school and the LEA, or LEAs, concerned have an agreement to use part A funds to provide services and activities in accordance with the priorities described in section 101 of Perkins and the school serves an equal or greater proportion of students with disabilities or economically disadvantaged students than the proportion of these students under the jurisdiction of the LEAs sending students to the school.

Subsection (e) would, in general, require States to distribute, each fiscal year, to eligible institutions, or consortia of these institutions, within the State part A funds available for postsecondary school education services and activities that are in accordance with the priorities described in section 101(b) of Perkins. Each eligible institution or consortium would be allocated an amount that bears the same relationship to the amount of funds available as the number of Pell Grant recipients and recipients of assistance from the Bureau of Indian Affairs enrolled in the preceding fiscal year by that institution or consortium in a career preparation education program that does not exceed two years bears to the number of these recipients enrolled in these programs within the State in that year.

For the purposes of this section, the term "eligible institution" would mean an IHE, an LEA providing education at the postsecondary level, an area vocational education school providing education at the postsecondary level, and a postsecondary educational institution controlled by the Bureau of Indian Affairs or operated by or on behalf of any Indian tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or the Act of April 16, 1934. The term "Pell Grant recipient" would mean a recipient of financial aid under title IV, part A, subpart 1 of the Higher Education Act of 1965. An eligible institution may use funds distributed in this manner to provide postsecondary level services and activities for students enrolled in a career preparation education program that exceeds two years through a written articulation agreement between the eligible institution and the administrators of the program.

Subsection (f) would authorize States to distribute funds at the secondary and postsecondary levels using an alternative formula if the State demonstrates to the Secretary's satisfaction that: (1) the alternative formula better meets the purpose of Perkins; (2) the alternative formula is in accord with the priorities in section 101 of Perkins; and (3) the formula does not result in a distribution of funds to the eligible recipients that have the highest numbers or

percentages of economically disadvantaged students, and the alternative formula would result in such a distribution. Given this flexibility, Perkins would no longer contain the provision in current law that States distributing less than fifteen percent of available funds to the secondary or postsecondary level could do so through an alternative formula.

Subsection (g) would require that, in general, an LEA would be ineligible for a Perkins subgrant under part A unless the amount allocated to that agency equals or exceeds \$15,000. However, the State would be authorized to waive this requirement in any case in which the LEA: (1) enters into a consortium with one or more other LEAs to provide services and activities promoting career preparation education and the aggregate amount allocated to the consortium equals or exceeds \$15,000; or (2) is located in a rural, sparsely populated area and demonstrates that the agency is unable to enter into a consortium for purposes of providing part A services and activities, but that the agency is able to provide services and activities that meet the purposes of Perkins.

Subsection (g) would also require that, in general, no eligible institution would be eligible for a Perkins subgrant under part A unless the amount allocated to that institution equals or exceeds \$50,000. However, the State would be authorized to waive this requirement in any case in which the eligible institution: (1) enters into a consortium with one or more other eligible institutions to provide services and activities in accordance with priorities described in section 101 of Perkins and the aggregate amount allocated to the consortium equals or exceeds \$50,000; or (2) is a tribally controlled community college.

Subsection (h) would authorize States to distribute funds available in any fiscal year for secondary and postsecondary schools, as applicable, to one or more LEAs and one or more eligible institutions that enter into a consortium in any case in which the consortium has been formed to provide services and activities in accordance with the priorities described in section 101 of Perkins and the aggregate amount allocated and awarded to the consortium under subsections (a), (b), and (c) of this section equals or exceeds \$50,000.

Subsection (i) would provide that States would reallocate to one or more LEAs, eligible institutions, and consortia any amounts that are allocated in accordance with subsections (d) through (f) of this section, but that would not be used by an LEA or eligible institution, in a manner the State determines will best serve the purpose of Perkins and be in accord with the priorities described in section 101 of Perkins.

Subsection (j) would provide that, for the purposes of this section, the State may determine the number of economically disadvantaged students on the basis of: (1) eligibility for free or reduced-price meals under the National School Lunch Act or for assistance under the Temporary Assistance for Needy Families program; (2) the number of children counted for allocation purposes under title I of the ESEA; or (3) any other index of disadvantaged economic status if the State demonstrates to the satisfaction of the Secretary that the index is more representative of the number of low-income students than the indices described in items (1) and (2).

Thus, Perkins would direct part A resources to schools with high concentrations of students who are members of special populations, but would no longer require narrow targeting within these schools. This is in keeping with the general approach of Perkins, which stresses the preparation of all students for success in employment, while continuing to authorize additional services to students who are members of special populations to ensure their success.

PART B--TECH-PREP EDUCATION

Section 111. Program elements. Section 111 of Perkins would require that funds under this part be used only to develop, implement, and improve technical preparation (tech-prep) education programs that include: (1) a non-duplicative sequence of study, with a common core of required proficiency in mathematics, science, communications, and technology, consisting of at least two years of secondary school preceding graduation and leading to an associate degree, an industry-recognized certificate, completion of a registered apprenticeship program, or a bachelor's degree in a specific career field; and (2) an integrated academic and technical curriculum appropriate to the needs of the students enrolled in the secondary schools and postsecondary education institutions participating in a consortium.

This section would also require tech-prep education programs to include curriculum and professional development to train academic, vocational, and technical teachers to use strategies and techniques effectively to support the tech-prep education program as well as to train counselors to advise students effectively, and to help ensure that students successfully complete their tech-prep education program and enter into appropriate employment.

Further, tech-prep programs would have to include: (1) preparatory services, including outreach, career counseling, assessment, and testing, that assist students to enter into tech-prep education, as well as career awareness, exploration, and planning activities that help students in tech-prep education programs to make informed choices; (2) equal access for students who are members of special populations; and (3) work-based learning opportunities, for both students and educators, that are tied to the tech-prep curriculum. Tech-prep programs would have to be conducted by a consortium of at least one public secondary school or LEA and at least one postsecondary educational institution that displays strong, comprehensive institutional links within the consortium.

Section 112. State leadership responsibilities. Section 112 of Perkins would set forth State leadership responsibilities under part B.

Subsection (a) would authorize that each State that receives a grant under part B to use funds reserved for leadership activities under section 109(c) of Perkins to conduct services and activities that further the development, implementation, and improvement of tech-prep education programs throughout the State in accordance with the purposes of Perkins.

Subsection (b) would require that any State desiring to receive a grant under part B for any fiscal year have an approved State plan under section 103 of Perkins for that fiscal year. Included in such plan must be: (1) a description of how the State will use part B funds only to make competitive subgrants to consortia to conduct services and activities that further the development, implementation, and improvement of tech-prep education programs throughout the State in accordance with the purposes of Perkins; and (2) a description of how tech-prep education programs under this part will relate to, and be integrated with, the career preparation education programs, services, and activities supported in the State under part A of Perkins.

Subsection (c) would require any State receiving a grant under part B to report annually to the Secretary on the quality and effectiveness of its services and activities provided under the grant, based on the performance goal and indicators, as appropriate, established under section 106 of Perkins. This report would be part of the report that the State submits in accordance with section 102(d) of Perkins.

Section 113. Local activities. Section 113 of Perkins would set forth the services and activities local recipients would undertake with part B funds in order to promote tech-prep education programs at the local level.

Subsection (a) would require each recipient of a subgrant under part B to use such funds to develop, implement, or improve a tech-prep education program described in section 111 of Perkins.

Subsection (b) would specifically authorize a local recipient to use funds to acquire tech-prep education equipment, subject to subsection (c), and to obtain technical assistance from State or local entities that have successfully designed, established, and operated tech-prep programs.

Subsection (c) would provide that equipment acquired or adapted with part B funds could be used for other instructional purposes when not being used to carry out Perkins provisions, if the acquisition or adaptation is reasonable and necessary for providing services or activities under part B and the other use was incidental to, did not interfere with, and did not add to the cost of, the use of such equipment under Perkins.

Section 114. Local applications. Section 114 of Perkins would set forth provisions for applications by a consortium desiring to receive tech-prep funding under part B.

Subsection (a) would require a consortium that desires to receive a tech-prep grant to submit to the agency or agencies designated under section 102(a) of Perkins a written articulation agreement among the consortium participants that describes each participant's role in carrying out the tech-prep education program.

Subsection (b) would require a consortium that desires to receive a tech-prep grant, according to requirements established by the State, to submit an application to the agency or agencies designated under section 102(a). Each application would include such information as the

State may require, as well as identifying the results the consortium seeks to achieve. In addition, each application would also describe how the consortium would: (1) use part B funds to develop, improve, or implement a tech-prep education program; (2) evaluate progress toward the results it seeks to achieve, consistent with the performance goals and indicators established under section 106 of Perkins; (3) coordinate its services and activities with related services and activities offered by community-based organizations, and, to the extent possible, integrate its services and activities with career preparation education programs, services, and activities, broad education reforms, and relevant employment, training, and welfare programs carried out in the State; and (4) consult with students, their parents, and other interested individuals or groups (including employers and labor organizations), in developing their services and activities. In addition, this subsection would also allow for a consortium to submit its application as part of the application for funds under part A of Perkins.

Subsection (c) would require the agency or agencies designated under section 102(a) of Perkins to approve applications based on their potential to create an effective tech-prep education program as described in section 111 of Perkins. The designated agency or agencies would give special consideration to applications that: (1) provide for effective employment placement activities or for the transfer of students to four year baccalaureate degree programs; (2) are developed in consultation with business, industry, labor organizations, and institutions of higher education that award bachelor's degrees; (3) address effectively the needs of special populations; and (4) demonstrate the use of tech-prep education programs as a primary strategy for systemic educational reform.

Section 115. Evaluation, improvement, and accountability. Section 115 of Perkins would set forth provisions that would help to ensure the effectiveness of services and activities carried out by local entities receiving tech-prep education funds.

Subsection (a) would require each recipient of a tech-prep subgrant to annually evaluate, using the performance goals and indicators described in section 106 of Perkins, and report to the State regarding its use of part B funds to develop, implement, or improve tech-prep education programs described in section 111. Subsection (a) would also require each recipient to biennially evaluate, and report to the State regarding the effectiveness of its tech-prep services and activities in achieving the purposes of Perkins, including the progress of students who are members of special populations. As under part A, a recipient may evaluate its entire tech-prep education program, and need not evaluate only its components funded by part B.

Subsection (b) would provide that, if a State determines, based on the evaluation by a local recipient and applicable performance goals and indicators, that the local recipient is not making substantial progress in achieving the purpose of Perkins, the State would work jointly with the recipient to develop a plan, in consultation with teachers, parents, and students, for improvement for succeeding school years. If, after not more than two years of implementation of the improvement plan, the State determines that the local recipient is not making sufficient progress, the State would be required to take whatever corrective action it deems necessary, consistent with State law. However, the State's corrective action could be taken only after the

State provided technical assistance to the recipient and ensured that any corrective action would allow for continued tech-prep services and activities to the recipient's students.

Subsection (c) would provide that, if the Secretary determines that the State is not properly implementing its responsibilities under subsection (b), or is not making substantial progress, based on the performance goals and indicators and expected level of performance included in its State plan, in meeting the purposes of the Perkins Act, the Secretary would work with the State to implement improvement activities.

Subsection (d) would require that, if, after a reasonable time, but not earlier than one year after the implementation of the State's improvement activities, the Secretary determines that the State is not making sufficient progress, the Secretary would be required to withhold from the State, after notice and opportunity for a hearing, all or a portion of the State's allotment under part B of Perkins. The Secretary would be authorized to use the amount withheld to implement alternative arrangements to carry out tech-prep services and activities within the State.

Section 116. Allotment and distribution. Section 116 of Perkins would set forth the allotment and distribution provisions that govern the allocation and distribution of tech-prep funds to States.

Subsection (a) would require the Secretary to allot funds, from the amount appropriated under section 3(a)(2) of Perkins for each fiscal year, to each State for tech-prep programs based on the relation that its allotment under section 108 of Perkins bears to the sum of State allotments under part A for that fiscal year. From this allotment the Secretary would make a grant for each fiscal year to each State that has an approved plan in accordance with section 112(b).

Subsection (b) would require the Secretary, if the Secretary determines that any amount of any State's allotment would not be required for carrying out the tech-prep education services and activities for which such amount has been allotted, to make that amount available for reallocation to one or more other States to support tech-prep education services and activities. Any amount reallocated to a State under this subsection would be deemed to be part of its allotment for the fiscal year in which it is obligated.

Subsection (c) would require that the State agency or agencies designated in section 102(a) of Perkins to award tech-prep subgrants to consortia of educational institutions on a competitive basis.

Subsection (d) would require that in making subgrants, the agency or agencies designated under section 102(a) of Perkins must ensure an equitable distribution of assistance between urban and rural areas of the State.

PERKINS, TITLE II--NATIONAL SUPPORT FOR STATE AND LOCAL REFORMS

Section 201. Awards for excellence. Section 201 of Perkins would authorize the Secretary, using funds reserved under section 108 of Perkins, for any fiscal year after fiscal year 2000, and through a peer review process, to make awards for excellence. These awards would be made to States that have exceeded in an outstanding manner their performance goals or expected levels of performance, implemented exemplary career preparation education programs, services, or activities in secondary and postsecondary schools in accordance with the priorities described in section 101(b) of Perkins, or provided exemplary services and activities for students who are members of special populations.

Section 202. National activities. Section 202 of Perkins would set forth provisions for activities at the national level that would support the development, implementation, and improvement of career preparation education systems.

Subsection (a) would authorize the Secretary, directly, or through grants, contracts, or cooperative agreements, to carry out research, development, dissemination, evaluation, capacity-building, and technical assistance activities in accord with the purposes of the Perkins Act. Such activities could relate to : (1) challenging State academic standards and industry-recognized skill standards; (2) the improvement in academic, technical, communications, and other skills of students; (3) best practices in career preparation education; (4) effective career guidance and counseling practices; (5) the use of community-and work-based learning; (6) the use of technology to enhance learning; (7) the preparation of students for new and advanced technologies and industries; (8) enhancing employer-school partnerships; (9) the development of effective performance management systems; (10) the creation of innovative learning environments with a career focus; (11) whole school reforms, in which students are expected to gain academic and computer and other technical skills, and be prepared for postsecondary education and career opportunities; and (12) improvements in technical education at the postsecondary level. The Secretary would be required to coordinate activities carried out under this section with related activities under School-to-Work, Goals 2000, and the ESEA. Research and development activities carried out under this section could include support for States in their development and implementation of performance goals and indicators under section 106 of Perkins.

This subsection would also require the Secretary to disseminate broadly information resulting from research and development activities carried out under Perkins and to ensure broad access at the State and local levels to the information disseminated. It would further provide that activities carried out under this section could include support for occupational and career information systems, such as the system described in section 206 of Perkins.

Subsection (b) would authorize the Secretary, directly, or through grants, contracts, or cooperative agreements, to support professional development activities for educators (including teachers, administrators, counselors, mentors, and board members) to help to ensure that all students receive an education that prepares them for postsecondary education, further learning, and high-skill, high-wage careers.

Professional development activities would be required to: (1) be tied to challenging State academic standards and industry-recognized skill standards; (2) take into account recent research on teaching and learning; (3) be of sufficient intensity and duration to have a positive and lasting impact on the educator's performance; (4) include strong academic and technical skills content and pedagogical components; and (5) be designed to improve educators' skills in such areas as integrating academic and vocational instruction, articulating secondary and postsecondary education, combining school-based and work-based instruction and connecting activities, using occupational and career information, computer literacy, innovative uses of educational technology, and all aspects of an industry. Professional development funds could also be used for such activities as pre-service and inservice training, including internships at employer sites, training of work-site supervisors, and support for the development of local, regional, and national educator networks that facilitate the exchange of information relevant to the development of career preparation education programs.

Further, this subsection would require the Secretary to give priority to designing and implementing new models of professional development for educators and preparing educators to use innovative forms of instruction, such as worksite learning and the integration of academic and vocational instruction.

Section 203. National assessment. Section 203 of Perkins would set forth provisions for national assessment of Perkins services and activities.

Subsection (a) would require the Secretary to conduct a national assessment of services and activities assisted under Perkins through independent studies and analyses, including, when appropriate, studies based on data from longitudinal surveys, that are conducted through one or more competitive awards. The Secretary would appoint an independent advisory panel (consisting of administrators, educators, researchers, and representatives of employers, parents, counselors, special populations, labor, and other relevant groups, as well as representatives of Governors and other State and local officials) to advise the Secretary on the implementation of the assessment, including the issues to be addressed, the methodology of the studies, and the findings and recommendations. The panel, at its discretion, would be authorized to submit to the Congress an independent analysis of the findings and recommendations of the assessment.

Subsection (b) would require the assessment to examine the extent to which services and activities under Perkins have achieved their intended purposes and results, including the extent to which: (1) State and local services and activities have developed, improved, or expanded systems established under School-to-Work; (2) services and activities under Perkins succeed in preparing students, including students who are members of special populations, for postsecondary education, further learning, and entry into high-skill, high-wage careers; (3) students who participate in services and activities supported under Perkins succeed in meeting challenging State academic standards and industry-recognized skill standards; and (4) the program improvement, participation, local and State assessment, and accountability provisions of Perkins, including the performance goals and indicators established under section 106 of Perkins, are effective.

Subsection (c) would require the Secretary to submit to the Congress an interim report on the assessment on or before July 1, 2001, and a final report on or before July 1, 2002.

Section 204. National research center. Section 204 of Perkins would set forth provisions relating to research that focuses on career preparation education systems.

Subsection (a) would authorize the Secretary, through grants, contracts, or cooperative agreement to establish one or more national centers in the areas of: (1) applied research and development; and (2) dissemination and training. The Secretary would be required to consult with States prior to establishing one or more of these centers. Entities eligible to receive funds under this section would be IHEs, other public or private nonprofit organizations or agencies, and consortia of these institutions, organizations, or agencies.

Subsection (b) would require that the national center or centers carry out such activities as the Secretary determines to be appropriate to assist State and local recipients of funds under Perkins to achieve the purposes of Perkins. Such activities may include: (1) the integration of vocational and academic instruction, secondary and postsecondary instruction, and work-based and classroom-based instruction and connecting activities; (2) effective inservice and preservice teacher education that assists career preparation education systems at the elementary, secondary, and postsecondary levels; (3) performance goals and indicators that serve to improve career preparation education programs and student outcomes; (4) effects of economic changes on the kinds of knowledge and skills required for employment; (5) longitudinal studies of student achievement; and (6) dissemination and training activities related to the applied research and demonstration activities described above, which could include serving as a repository for industry-recognized skill standards, State academic standards, and related materials and developing and maintaining national networks of educators who facilitate the development of career preparation education systems.

The center or centers would be required to prepare an annual summary of their key research findings and to submit copies of the summary to the Secretaries of Education, Labor, and Health and Human Services; the Secretary would submit this summary to the House Committee on Education and the Workforce.

Subsection (c) would require the Secretary, from funds available for title I to consult at least annually with the national center or centers and with experts in education to ensure that the activities of the national center or centers meet the needs of career preparation education programs. In addition, the Secretary would be required to undertake an independent review of award recipients under this section prior to extending an award to such recipient beyond a period of five years.

Section 205. Data systems. Section 205 of Perkins would set forth provisions for a national data system focusing on career preparation education systems.

Subsection (a) would require the Secretary to maintain a data system to collect information about, and report on, the condition of career preparation education and on the effectiveness of State and local programs, services, and activities under Perkins in order to inform the Secretary and the Congress, as well as Federal, State, local, and tribal agencies. The Secretary would be required to report periodically to the Congress on the Secretary's analysis of performance data collected each year pursuant to Perkins.

Subsection (b) would require that this data system: (1) provide information on the participation and performance of students, including students who are members of special populations; (2) include data that are at least nationally representative; (3) report on career preparation in the context of education reform; and (4) be based, to the extent feasible, on data from general purpose data systems of the Department of Education or other Federal agencies, augmented as necessary with data from additional surveys focusing on career preparation education.

Subsection (c) would require the Secretary to consult with a wide variety of experts in academic and occupational education, including individuals with expertise in the development and implementation of career preparation education, in the development of data collections and reports under this section. In maintaining the data system, the Secretary would be required to ensure that the system, to the extent practicable, uses comparable information elements and uniform definitions common to State plans, performance indicators, and State and local assessments.

Subsection (d) would require the National Center for Education Statistics, as a regular part of its assessments, to collect and report information on career preparation education for a nationally representative sample of students, including students who are members of special populations, that would allow for fair and accurate assessment and comparison of the educational achievement of students in the areas assessed. This assessment could also include international comparisons.

Subsection (d) would also allow the Commissioner of Education Statistics to authorize a State educational agency, or consortium of such agencies, to use items and data from the National Assessment of Educational Progress (NAEP) for the purpose of evaluating a course of study related to Perkins services and activities, if the Commissioner has determined in writing that this use would not: (1) result in the identification of characteristics or performance of individual schools or students; (2) result in the ranking or comparing of schools or LEAs; (3) be used to evaluate the performance of teachers, principals, or other local educators for reward or punishment; or (4) corrupt the use or value of data collected for the NAEP.

Section 206. National Occupational Information Coordinating Committee. Section 206 of Perkins would set forth provisions governing the National Occupational Information Coordinating Committee.

Subsection (a) would establish a National Occupational Information Coordinating Committee ("Committee"), to consist of the Assistant Secretary for Vocational and Adult Education, the Commissioner of the Rehabilitation Services Administration, the Director of the Office of Bilingual Education and Minority Language Affairs, the Assistant Secretary for Postsecondary Education, the Assistant Secretary for Elementary and Secondary Education, the Commissioner of the National Center for Education Statistics of the Department of Education, the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training of the Department of Labor, the Under Secretary for Rural Economic and Community Development of the Department of Agriculture, the Assistant Secretary for Economic Development of the Department of Commerce, and the Assistant Secretary of Defense (Force Management and Personnel).

This Committee would provide funds, on an annual basis, to State occupational information coordinating committees and other eligible recipients and would, in the use of program and employment data, improve coordination and communication among administrators and planners of education and employment and training programs, including corrections and welfare programs, at the federal, State, and local levels. The Committee would also: (1) coordinate the efforts of Federal, State, and local agencies and tribal agencies with respect to such programs; (2) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of education programs and employment and training programs at the national, State, and local levels; (3) conduct studies to improve the quality and delivery of occupational and career information; and (4) develop curricula and career information resources and provide training and technical assistance consistent with the JTPA in support of comprehensive guidance and counseling programs designed to promote improved career decision making by individuals.

Subsection (b) would require that each State receiving assistance under Perkins establish a State occupational information coordinating committee composed of representatives of the State education, vocational education, and postsecondary education agencies, the State employment security agency, the State economic development agency, the State job training coordinating council, and the agency administering the vocational rehabilitation program. This committee would use funds available to it from the National Occupational Information Coordinating Committee to: (1) implement an occupational information system in the State that meets the common planning and operational needs of education and employment and training programs, including correctional and welfare programs; (2) implement a career information delivery system; and (3) conduct training and technical assistance in support of personnel delivering career development services.

Subsection (c) would require the Committee to use not less than 75 percent of the funds made available to carry out this section to support State occupational information coordinating committees for the purpose of operating State occupational information systems and career information delivery systems.

Subsection (d) would allow the Committee to accept, administer, and use gifts or donations of services, money, or property, whether real or personal, tangible or intangible. These gifts or donations would be subject to the written rules established by the responsible Committee official setting forth the criteria to be used by the Committee in determining whether the acceptance or contribution of services, money, or property, would reflect unfavorably upon the ability of the Institute or any employee to carry out its responsibilities or official duties in a fair and objective manner, or would compromise the integrity, or the appearance of the integrity, of its programs or any official involved in those programs.

Subsection (e) would allow the Committee to procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

Section 207. Career preparation education for Indians and Native Hawaiians.

Section 207 of Perkins would authorize Perkins services and activities for Indian tribes, tribal institutions, and Native Hawaiians. Since Perkins focuses in part on skill development and enhancement of job opportunities, assistance to Indian tribes under Perkins could be integrated with other programs under the Indian Employment, Training, and Related Services Demonstration Act of 1992.

Subsection (a) would require the Secretary, in each fiscal year, and from the amount reserved under section 3(b)(2), to reserve 1.5 percent for carrying out programs for Indian tribes and tribally controlled postsecondary vocational institutions under subsection (b) and (c). In addition .25 percent would be reserved for carrying out activities for Native Hawaiians under subsection (d) of this section.

Subsection (b) would require the Secretary, from funds reserved under Section 207(a)(1) of Perkins for each fiscal year, to make grants to, or enter into cooperative agreements with, tribal organizations of eligible Indian tribes or Bureau-funded schools to develop and provide services and activities that are consistent with the purpose of Perkins and are conducted in accordance with the priorities described in section 101 of Perkins. Any tribal organization or Bureau-funded school that receives assistance under this subsection would be required to: (1) establish performance goals and indicators to define the level of performance to be achieved by students served under this subsection; (2) evaluate the quality and effectiveness of services and activities provided under this subsection; (3) provide guidance and counseling services to students; and (4) help to ensure that students served under this subsection have an opportunity to achieve to challenging academic and skill standards, receive high school diplomas, skill certificates, and postsecondary certificates or degrees, and enter employment related to their course work. The Secretary would make a grant or cooperative agreement upon the request of any Indian tribe that is eligible to contract with the Secretary of the Interior for programs under the Indian Self-Determination Act or the Act of April 16, 1934, or upon the application (filed under conditions the Secretary may require) of any Bureau-funded school that offers secondary programs.

This subsection would also provide that a grant or cooperative agreement under this subsection with any tribal organization would be subject to the terms and conditions of section 102 of the Indian Self-Determination Act (except section 102(b)), and conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934 that are relevant to Perkins services and activities administered under this subsection. An eligible applicant that receives written notice that the Secretary will not award it a grant or cooperative agreement may submit written objections to that notice in accordance with regulations of the Secretary. A grant or cooperative agreement under this subsection with any Bureau-funded school would not be subject to the requirements of the Indian Self-Determination Act or the Act of April 16, 1934. Further, any tribal organization or Bureau-funded school eligible to receive assistance under this subsection could apply individually or as part of a consortium with another tribal organization or school. The Secretary would be prohibited from placing on these grants or cooperative agreements any restrictions relating to programs or results other than those that apply to grants or cooperative agreements to States under Perkins.

Finally, any tribal organization or Bureau-funded school receiving assistance under this subsection could provide stipends to students undertaking career preparation education who have acute economic needs that cannot be met through work-study programs. In making grants or cooperative agreements under this subsection, the Secretary would give special consideration to awards that involve, are coordinated with, or encourage, tribal economic development plans.

Subsection (c) would authorize the Secretary to make five-year grants to tribally controlled postsecondary vocational institutions to provide to Indian students services and activities that are consistent with the purposes of Perkins and are conducted in accordance with the priorities described in section 102(b) of Perkins, including support for the operation, maintenance, and capital expenses of such institutions. To be eligible for assistance under this subsection, a tribally controlled postsecondary vocational institution would be required to: (1) be governed by a board of directors or trustees, a majority of whom are Indians; (2) demonstrate adherence to stated goals, a philosophy, or a plan of operation that fosters individual Indian economic self-sufficiency; (3) have been in operation for at least three years; (4) hold accreditation with, or be a candidate for accreditation by, a nationally recognized accrediting authority for postsecondary vocational education; (5) offer technical degrees or certificate-granting programs; and (6) enroll the full-time equivalent of not less than 100 students, of whom a majority are Indians. To receive assistance under this subsection, a tribally controlled postsecondary vocational institution would apply to the Secretary in such a manner and at such a time as the Secretary may require. The Secretary would, based on the availability of appropriations, distribute to each tribally controlled vocational institution having an approved application an amount based on full-time equivalent Indian students at each institution.

Subsection (d) would require the Secretary, from funds reserved under section 207 (a)(2) for each fiscal year, to make one or more grants to, or enter into one or more cooperative agreements with, organizations, institutions, or agencies with experience providing educational and related services to Native Hawaiians to develop and provide, for the benefit of Native

Hawaiians, services and activities that are consistent with the purpose of Perkins and conducted in accordance with the priorities described in section 101(b) of Perkins.

Subsection (e) would require the Secretary to require from each institution assisted under this section such information regarding fiscal control and program quality and effectiveness as would be reasonable.

Subsection (f) would define the terms "Bureau-funded school," "full-time equivalent Indian students," "Indian," and "Indian tribe."

PERKINS, TITLE III--GENERAL PROVISIONS

Section 301. Waivers. Section 301 of Perkins would set forth waiver provisions, in order to ease administrative burden on States and localities and to facilitate the development of comprehensive education systems.

Subsection (a) would provide that any State may request, on its own behalf or on behalf of a local recipient, a waiver by the Secretary of one or more statutory or regulatory provisions in order to carry out more effectively efforts to reform education and develop, implement, or improve career preparation education, including tech-prep education, in the State.

Subsection (b) would, with some exceptions, authorize the Secretary to waive any requirement of any statute listed in subsection (c), or of the regulations issued under that statute. The Secretary would be authorized to grant a waiver to a State that requests one: (1) if, and only to the extent that, the Secretary determines that the requirement impedes the State's ability to carry out efforts to reform education and develop, implement, or improve career preparation education in the State; (2) if the State waives, or agrees to waive, any similar requirements of State law; (3) if, in the case of a statewide waiver, the State has provided all local recipients of Perkins funds in the State with notice of, and an opportunity to comment on, the State's proposal to request a waiver and has submitted these comments to the Secretary; and (4) if the State provides such information as the Secretary reasonably requires in order to make such determinations.

Subsection (b) would also require the Secretary to act promptly on any waiver request. This subsection would provide that each waiver shall be for no longer than five years. However, the Secretary would be authorized to extend this period if the Secretary determines that the waiver has been effective in enabling the State to carry out the purpose of Perkins.

Subsection (c) would list programs subject to the waiver authority of the Secretary, as follows: (1) Perkins; (2) title I, part A of the ESEA (authorizing programs and activities to help disadvantaged children meet high standards); (3) title II, part B of the ESEA (Dwight D. Eisenhower Professional Development Program); (4) title IV of the ESEA (Safe and Drug-Free

Schools and Communities Act of 1994); (5) title VI of the ESEA (Innovative Education Program Strategies); (6) part C of title VII of the ESEA (Emergency Immigrant Education Program); and (7) School-to-Work. However, the Secretary could waive requirements under School-to-Work only after concurrence by the Secretary of Labor, since that Act is jointly administered by both Secretaries.

Subsection (d) would prohibit the Secretary from waiving any statutory or regulatory requirement of the programs and statutes listed above that relate to: (1) the basic purposes or goals of the affected programs; (2) maintenance of effort; (3) comparability of services; (4) the equitable participation of students attending private schools; (5) parental participation and involvement; (6) the distribution of funds to States or to LEAs; (7) the eligibility of an individual for participation in the affected programs; (8) public health or safety, labor standards, civil rights, occupational safety and health, or environmental protection; or (9) prohibitions or restrictions relating to the construction of buildings or facilities.

Subsection (e) would require the Secretary to review periodically the performance of any State for which the Secretary has granted a waiver and to terminate the waiver, if the Secretary determines that the performance of the State affected by the waiver has been inadequate to justify a continuation of the waiver, or the State fails to waive similar requirements of State law.

Section 302. Effect of Federal payments. Section 302 of Perkins would describe the effect of Perkins payments on other Federal or State programs.

Subsection (a) would provide that the portion of any student financial assistance received under Perkins would not be considered as income or resources in determining eligibility for assistance under any program of welfare benefits, including the Temporary Assistance to Needy Families program, that is funded in whole or in part with Federal funds. Attendance costs would be: (1) tuition and fees normally assessed a student carrying the same academic workload, as determined by the institution, including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and (2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

Subsection (b) would prohibit any State from taking into consideration payments under Perkins in determining, for any educational agency or institution in that State, the eligibility for State aid, or the amount of State aid, with respect to public education within the State.

Section 303. Maintenance of Effort. Section 303 would provide for state maintenance of effort for career preparation education.

Subsection (a) would permit a State, except as provided in subsection (b), to receive its full allotment of part A and part B funds under Perkins for any fiscal year only if the Secretary finds that either the fiscal effort per student or the aggregate expenditures of such State for career preparation education, including tech-prep education programs, for the fiscal year preceding the

fiscal year for which the determination is made was not less than 90 percent of such fiscal effort or aggregate expenditures for career preparation education for the second fiscal year preceding the fiscal year for which the determination is made.

Subsection (b) would require the Secretary to reduce the amount of allotments under part A and part B of Perkins in any fiscal year in the exact proportion by which the State fails to meet the requirements of subsection (a) by falling below 90 percent of either the fiscal effort per student or aggregate expenditures (using the measure most favorable to the State), and no such lesser amount would be used for computing the effort required under subsection (a) for subsequent years.

Subsection (c) would allow the Secretary to waive, for one fiscal year only, the requirements of this section if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.

Section 304. Identification of State-imposed requirements. Section 304 of Perkins would require that any State rule or policy imposed on the provision of services or activities funded by Perkins, including any rule or policy based on State interpretation of any Federal law, regulation, or guideline, be identified as a State-imposed requirement.

Section 305. Out-of-State relocations. Section 305 of Perkins would prohibit Perkins funds from being used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one State to another if that relocation would result in a reduction in the number of jobs available in the State where the business enterprise is located before the incentives or inducements.

Section 306. Entitlement. Section 306 of Perkins would make clear that nothing in the Act is intended to provide any individual with an entitlement to services in the Act.

Section 307. Definitions. Section 306 of Perkins would set forth definitions of Perkins terms. In general, a term used under Perkins would be defined to have the same meaning as the same term under School-to-Work, thus facilitating the use of Perkins funds to develop career preparation education systems. Several terms specific to Perkins would be defined as follows:

"Area vocational education school" would mean a specialized public high school that provides vocational education to students who are preparing to earn a high school diploma or its equivalency and to enter the labor market, or a public technical institute or vocational school that provides vocational education to individuals who have completed or left high school and who are preparing to enter the labor market.

"Intermediate educational agency" would mean a combination of school districts or counties as are recognized in a State as an administrative agency for the State's career preparation

education schools or for career preparation education programs within its public elementary or secondary schools.

"Special populations" would include students with disabilities, educationally or economically disadvantaged students, students of limited English proficiency, displaced homemakers, teen parents, single pregnant women, foster children, migrant children, school dropouts, students who are identified as being at-risk of dropping out of secondary school, students who are seeking to prepare for occupations that are not traditional for their gender, and, to the extent feasible, individuals younger than age 25 in correctional institutions.

"Students with disabilities" would mean students who have a disability or disabilities, as such term is defined in section 3(2) of the Americans With Disabilities Act of 1990.

"State," except as otherwise provided, would include, in addition to each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

TITLE II--EFFECTIVE DATES; TRANSITION

Section 201. Effective dates. Section 201 of the bill would provide that Perkins would take effect on July 1, 1998.

Section 202. Transition. Section 202 of the bill would provide that, notwithstanding any other provisions of law, upon enactment of the Career Preparation Education Reform Act of 1997, a State or local recipient of funds under current law could use any unexpended funds to carry out services and activities that are authorized in either current law or by Perkins. A State or local recipient of funds under Perkins for fiscal year 1998 could use those funds to carry out services and activities that are authorized by either Perkins or in current law (prior to its amendment).

TITLE III--AMENDMENTS TO OTHER ACTS

Section 301. Amendments to the Job Training Partnership Act. Section 301 of the bill would make conforming and technical amendments to the JTPA. This section of the bill would clarify that the National Occupational Information Coordinating Committee, established in section 422 of current law, as well as State occupational coordinating committees described in that section, would remain authorized through the JTPA. It would also authorize any State to submit its State plan under the JTPA as part of the plan under Perkins or School-to-Work.

Section 302. Amendments to the Adult Education Act. Section 302 of the bill would make technical and conforming amendments to the Adult Education Act.

Section 303. Amendments to the School-to-Work Opportunities Act of 1994.

Section 303 of the bill would make technical and conforming amendments to School-to-Work provisions.

Section 304. Amendments to the Elementary and Secondary Education Act of 1965.

Section 304 of the bill would make technical and conforming amendments to the ESEA.

Section 305. Amendments to the Goals 2000: Educate America Act.

Section 305 of the bill would make technical and conforming amendments to Goals 2000.

Section 306. Other technical and conforming amendments.

Section 306 of the bill would make technical and conforming amendments to the Higher Education Act of 1965, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Displaced Homemakers Self-Sufficiency Assistance Act, the Wagner-Peyser Act, the Equity in Educational Land-Grant Status Act of 1994, title 31 of the United States Code (relating to Federal payments to local governments for crime prevention), the Nontraditional Employment for Women Act, and the Training Technology Transfer Act of 1988. This section would also provide that any other references to current law shall be deemed to refer to the Carl D. Perkins Career Preparation Education Act.