

Calendar No. 279

103D CONGRESS
1ST SESSION

S. 1361

[Report No. 103-179]

A BILL

To establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

NOVEMBER 10 (legislative day, NOVEMBER 2), 1993

Reported with an amendment

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To establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5 (legislative day, JUNE 30), 1993

Mr. SIMON (for himself, Mr. KENNEDY, Mr. DURENBERGER, Mr. WOFFORD, Mr. PELL, Mr. METZENBAUM, Mr. DODD, Mr. HATFIELD, Ms. MOSELEY-BRAUN, Mr. BREAUX, Mrs. MURRAY, Mr. SARBANES, Mr. INOUE, Ms. MIKULSKI, Mrs. BOXER, Mr. JOHNSTON, Mr. REID, Mr. CAMPBELL, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

NOVEMBER 10 (legislative day, NOVEMBER 2), 1993

Reported by Mr. KENNEDY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “School-to-Work Opportunities Act of 1993”.

4 (b) **TABLE OF CONTENTS.**—The table of contents is
5 as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes and Congressional intent.
- Sec. 4. Definitions.
- Sec. 5. Federal administration.

TITLE I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM
COMPONENTS

- Sec. 101. General program requirements.
- Sec. 102. Work-based learning component.
- Sec. 103. School-based learning component.
- Sec. 104. Connecting activities component.

TITLE II—SCHOOL-TO-WORK OPPORTUNITIES SYSTEM
DEVELOPMENT AND IMPLEMENTATION GRANTS TO STATES

Subtitle A—State Development Grants

- Sec. 201. Purpose.
- Sec. 202. State development grants.

Subtitle B—State Implementation Grants

- Sec. 211. Purpose.
- Sec. 212. State implementation grants.

TITLE III—FEDERAL IMPLEMENTATION GRANTS TO
PARTNERSHIPS

- Sec. 301. Purpose.
- Sec. 302. Federal implementation grants to partnerships.
- Sec. 303. School-to-Work Opportunities program grants in high poverty areas.

TITLE IV—NATIONAL PROGRAMS

- Sec. 401. Research, demonstration, and other projects.
- Sec. 402. Performance outcomes and evaluation.
- Sec. 403. Training and technical assistance.

TITLE V—GENERAL PROVISIONS

- Sec. 501. State request and responsibilities for a waiver of statutory and regulatory requirements.
- Sec. 502. Waivers of statutory and regulatory requirements by the Secretary of Education.
- Sec. 503. Waivers of statutory and regulatory requirements by the Secretary of Labor.

Sec. 504. Safeguards.
Sec. 505. Authorization of appropriations.
Sec. 506. Acceptance of gifts, and other matters.
Sec. 507. Effective date.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) three-fourths of America's high school stu-
4 dents enter the workforce without baccalaureate de-
5 grees, and many do not possess the academic and
6 entry-level occupational skills necessary to succeed in
7 the changing workplace;

8 (2) unemployment among American youth is in-
9 tolerably high, and earnings of high school graduates
10 have been falling relative to those with more
11 education;

12 (3) the American workplace is changing in re-
13 sponse to heightened international competition and
14 new technologies, and these forces, which are ulti-
15 mately beneficial to the Nation, are shrinking the
16 demand for and undermining the earning power of
17 unskilled labor;

18 (4) the United States is the only industrialized
19 nation that lacks a comprehensive and coherent sys-
20 tem to help its youth acquire knowledge, skills, abili-
21 ties, and information about and access to the labor
22 market necessary to make an effective transition

1 from school to career-oriented work or to further
2 education and training;

3 (5) American students can achieve to high
4 standards, and many learn better and retain more
5 when they learn in context, rather than in the ab-
6 stract;

7 (6) work-based learning, which is modeled after
8 the time-honored apprenticeship concept, integrates
9 theoretical instruction with structured on-the-job
10 training, and this approach, combined with school-
11 based learning, can be very effective in engaging stu-
12 dent interest, enhancing skill acquisition, and pre-
13 paring youth for high-skill, high-wage careers; and

14 (7) Federal resources currently fund a series of
15 categorical, work-related education and training pro-
16 grams that are not administered as a coherent
17 whole.

18 **SEC. 3. PURPOSES AND CONGRESSIONAL INTENT.**

19 (a) PURPOSES.—The purposes of this Act are to—

20 (1) establish a national framework within which
21 all States can create statewide School-to-Work Op-
22 portunities systems that are integrated with the sys-
23 tems developed under the Goals 2000: Educate
24 America Act and that offer young Americans access
25 to a performance-based education and training pro-

1 gram that will enable them to earn portable creden-
2 tials, prepare them for a first job in a high-skill,
3 high-wage career, and increase their opportunities
4 for further education;

5 (2) transform workplace into active learning
6 components by making employers full partners in
7 providing high-quality, work-based learning experi-
8 ences to students;

9 (3) use Federal funds under this Act as venture
10 capital, to underwrite the initial costs of planning
11 and establishing statewide School-to-Work Opportu-
12 nities systems that will be maintained with other
13 Federal, State, and local resources;

14 (4) promote the formation, among secondary
15 and postsecondary educational institutions, private
16 and public employers, labor organizations, govern-
17 ment, community groups, parents, and students, of
18 local education and training systems that are dedi-
19 cated to linking the worlds of school and work;

20 (5) help students attain high academic and oc-
21 cupational standards;

22 (6) build on and advance a range of promising
23 programs, such as tech-prep-education, career aca-
24 demies, school-to-apprenticeship programs, coopera-
25 tive education, youth apprenticeship, and business-

1 education compacts, that can be developed into pro-
2 grams funded under this Act;

3 (7) improve the knowledge and skills of youth
4 by integrating academic and occupational learning
5 integrating school-based and work-based learning,
6 and building effective linkages between secondary
7 and postsecondary education;

8 (8) motivate youth, especially low-achieving
9 youth and dropouts, to stay in or return to school
10 and strive to succeed by providing enriched learning
11 experiences and assistance in obtaining good jobs;
12 and

13 (9) further the National Education Goals set
14 forth in title I of the Goals 2000: Educate America
15 Act.

16 (b) CONGRESSIONAL INTENT.—It is the intent of
17 Congress that the Secretary of Labor and the Secretary
18 of Education jointly administer this Act in a flexible man-
19 ner that—

20 (1) promote State and local discretion in estab-
21 lishing and implementing School-to-Work Opportuni-
22 ties systems and programs; and

23 (2) contributes to reinventing government by
24 building on State and local capacity, eliminating du-
25 plication, supporting locally established initiatives,

1 requiring measurable goals for performance, and
2 offering flexibility in meeting these goals.

3 **SEC. 4. DEFINITIONS.**

4 As used in this Act—

5 (1) the term “elements of an industry” means,
6 with respect to a particular industry that a student
7 is preparing to enter, such elements as planning,
8 management, finances, technical and production
9 skills, underlying principles of technology, labor and
10 community issues, health and safety, and environ-
11 mental issues related to that industry;

12 (2) the term “all students” means students
13 from the broad range of backgrounds and cir-
14 cumstances, including disadvantaged students, stu-
15 dents of diverse racial, ethnic, and cultural back-
16 grounds, students with disabilities, students with
17 limited English proficiency, and academically tal-
18 ented students;

19 (3) the term “approved State plan” or “ap-
20 proved plan” means a School-to-Work Opportunities
21 plan that is submitted by a State, is determined by
22 the Secretaries to include the basic program compo-
23 nents and otherwise meet the requirements of this
24 Act, and is consistent with the State’s plan under
25 the Goals 2000: Educate America Act;

1 (4) the term “career major” means a coherent
2 sequence of courses or fields of study that prepares
3 a student for a first job and that—

4 (A) integrates occupational and academic
5 learning, integrates work-based and school-
6 based learning, and establishes linkages be-
7 tween secondary and postsecondary education;

8 (B) prepares the student for employment
9 in broad occupational clusters or industry
10 sectors;

11 (C) typically includes at least two years of
12 secondary school and one or two years of post-
13 secondary education;

14 (D) results in the award of a high school
15 diploma, a certificate or diploma recognizing
16 successful completion of one or two years of
17 postsecondary education (if appropriate), and a
18 skill certificate; and

19 (E) may lead to further training, such as
20 entry into a registered apprenticeship program;

21 (5) the term “employer” includes both public
22 and private employers;

23 (6) the term “Governor” means the chief execu-
24 tive of a State;

1 (7) the term “local educational agency” shall
2 have the same meaning as provided in paragraph 12
3 of section 1471 of the Elementary and Secondary
4 Education Act of 1965, (20 U.S.C. 2891(12));

5 (8) the term “partnership” means a local entity
6 that is responsible for local School-to-Work Opportu-
7 nities programs and that consists of employers, pub-
8 lic secondary or postsecondary educational institu-
9 tions or agencies, and labor organizations or em-
10 ployee representatives as defined in section
11 403(c)(1)(B) of the Goals 2000: Educate America
12 Act, and may include other entities, such as non-
13 profit or community-based organizations, rehabilita-
14 tion agencies and organizations, registered appren-
15 ticeship agencies, local vocational education entities,
16 local government agencies, parent organizations, pri-
17 vate industry councils established under the Job
18 Training Partnership Act, and federally recognized
19 Indian tribes and Alaska Native villages;

20 (9) the term “postsecondary education institu-
21 tion” means a public or private nonprofit institution
22 that is authorized within a State to provide a pro-
23 gram of education beyond secondary education, and
24 includes a community college, a technical college, a

1 postsecondary vocational institution, or a tribally
2 controlled community college;

3 (10) the term “registered apprenticeship agen-
4 cy” means either the Bureau of Apprenticeship and
5 Training in the United States Department of Labor
6 or a State apprenticeship agency recognized and ap-
7 proved by the Bureau of Apprenticeship and Train-
8 ing as the appropriate body for State registration or
9 approval of local apprenticeship programs and agree-
10 ments for Federal purposes;

11 (11) the term “registered apprenticeship pro-
12 gram” means a program registered by a registered
13 apprenticeship agency;

14 (12) the term “Secretaries” means the Sec-
15 retary of Education and the Secretary of Labor;

16 (13) the term “skill certificate” means a port-
17 able, industry-recognized credential issued by a
18 School-to-Work Opportunities program under an ap-
19 proved plan, that certifies that a student has mas-
20 tered skills at levels that are at least as challenging
21 as skill standards endorsed by the National Skill
22 Standards Board established under the Goals 2000:
23 Educate America Act, except that until such skill
24 standards are developed, the term “skill certificate”

1 means a credential issued under a process described
2 in a State's approved plan;

3 (14) the term "State" means each of the sev-
4 eral States, the District of Columbia, and the Com-
5 monwealth of Puerto Rico; and

6 (15) the term "workplace mentor" means an
7 employee at the workplace who possesses the skills
8 to be mastered by a student, and who instructs the
9 student, critiques the student's performance, chal-
10 lenges the student to perform well, and works in
11 consultation with classroom teachers and the
12 employer.

13 **SEC. 5. FEDERAL ADMINISTRATION.**

14 (a) Notwithstanding the Department of Education
15 Organization Act (20 U.S.C. 3401 et seq.), the General
16 Education Provisions Act (20 U.S.C. 1221 et seq.), the
17 statutory provisions regarding the establishment of the
18 Department of Labor (29 U.S.C. 551 et seq.), and section
19 166 of the Job Training Partnership Act (29 U.S.C.
20 1576), the Secretaries shall jointly provide for the admin-
21 istration of the programs established by this Act, and may
22 issue whatever procedures, guidelines, and regulations, in
23 accordance with 5 United States Code 553, they deem nec-
24 essary and appropriate to administer and enforce the pro-
25 visions of this Act.

1 (b) Section 431 of the General Education Provisions
2 Act (20 U.S.C. 1232), shall not apply to any programs
3 under this Act.

4 **TITLE I—SCHOOL-TO-WORK OP-**
5 **PORTUNITIES BASIC PRO-**
6 **GRAM COMPONENTS**

7 **SEC. 101. GENERAL PROGRAM REQUIREMENTS.**

8 A School-to-Work Opportunities program under this
9 Act shall—

10 (1) integrate work-based learning and school-
11 based learning, as provided for in sections 102 and
12 103;

13 (2) provide a student with the opportunity to
14 complete a career major as defined in section 4 of
15 this Act; and

16 (3) incorporate the basic program components
17 provided in sections 102 through 104.

18 **SEC. 102. WORK-BASED LEARNING COMPONENT.**

19 The work-based learning component of a School-to-
20 Work Opportunities program shall include—

21 (1) a planned program of job training and expe-
22 riences, including skills to be mastered at progres-
23 sively higher levels, that are relevant to a student's
24 career major and lead to the award of a skill certifi-
25 cate;

- 1 (2) paid work experience;
- 2 (3) workplace mentoring;
- 3 (4) instruction in general workplace com-
4 petencies; and
- 5 (5) broad instruction in a variety of elements of
6 an industry.

7 **SEC. 103. SCHOOL-BASED LEARNING COMPONENT.**

8 The school-based learning component of a School-to-
9 Work Opportunities program shall include—

- 10 (1) career exploration and counseling in order
11 to help students who may be interested to identify,
12 and select or reconsider, their interests, goals, and
13 career majors;
- 14 (2) initial selection by interested students of a
15 career major not later than the beginning of the
16 11th grade;
- 17 (3) a program of study designed to meet the
18 same challenging academic standards established by
19 States for all students under the Goals 2000: Edu-
20 cate America Act, and to meet the requirements nec-
21 essary for a student to earn a skill certificate; and
- 22 (4) regularly scheduled evaluations to identify
23 academic strengths and weaknesses of students and
24 the need for additional learning opportunities to
25 master core academic skills.

1 **SEC. 104. CONNECTION ACTIVITIES COMPONENT.**

2 The connecting activities component of a School-to-
3 Work Opportunities program shall include—

4 (1) matching students with employers' work-
5 based learning opportunities;

6 (2) serving as a liaison among the employer,
7 school, teacher, parent, and student;

8 (3) providing technical assistance and services
9 to employers and others in designing work-based
10 learning components and counseling and case man-
11 agement services, and in training teachers, work-
12 place mentors, and counselors;

13 (4) providing assistance to students who have
14 completed the program in finding an appropriate
15 job, continuing their education, or entering into an
16 additional training program;

17 (5) collecting and analyzing information regard-
18 ing post-program outcomes of students who partici-
19 pate in the School-to-Work Opportunities program;
20 and

21 (6) linking youth development activities under
22 this Act with employer strategies for upgrading the
23 skills of their workers.

1 **TITLE II—SCHOOL-TO-WORK OP-**
2 **PORTUNITIES SYSTEM DE-**
3 **VELOPMENT AND IMPLEMEN-**
4 **TATION GRANTS TO STATES**
5 **Subtitle A—State Development**
6 **Grants**

7 **SEC. 210. PURPOSE.**

8 The purpose of this subtitle is to assist States in
9 planning and developing comprehensive, statewide systems
10 for school-to-work opportunities.

11 **SEC. 202. STATE DEVELOPMENT GRANTS.**

12 (a) **IN GENERAL.**—Upon the application of a State,
13 the Secretaries may award a development grant to a State
14 in such amount as the Secretaries determine is necessary
15 to enable the State to complete development (that may
16 have begun with funds awarded under the Job Training
17 Partnership Act (29 U.S.C. 1501 et seq.), and the Carl
18 D. Perkins Vocational and Applied Technology Education
19 Act (20 U.S.C. 2301 et seq.)) of a comprehensive, state-
20 wide School-to-Work Opportunities system, except that a
21 development grant under this subtitle may not exceed
22 \$1,000,000 in any fiscal year.

23 (b) **APPLICATION CONTENTS.**—The application for a
24 development grant shall—

1 (1) include a timetable and an estimate of the
2 amount of funding needed to complete the planning
3 and development necessary to implement a com-
4 prehensive, statewide School-to-Work Opportunities
5 system;

6 (2) describe how the Governor; the chief State
7 school officer; the State agency officials responsible
8 for job training and employment, economic develop-
9 ment, and postsecondary education; and other ap-
10 propriate officials will collaborate in the planning
11 and development of the State School-to-Work Oppor-
12 tunities system;

13 (3) describe how the State will enlist the active
14 and continued participation in the planning and de-
15 velopment of the statewide School-to-Work Opportu-
16 nities system of employers and other interested par-
17 ties such as locally elected officials, secondary and
18 postsecondary educational institutions or agencies,
19 business associations, employees, labor organizations
20 or associations thereof, teachers, students, parents,
21 community-based organizations, rehabilitation agen-
22 cies and organizations, registered apprenticeship
23 agencies, and local vocational educational agencies;

24 (4) describe how the State will coordinate its
25 planning activities with any local School-to-Work

1 Opportunities program that has received a grant
2 under title III of this Act;

3 (5) designate a fiscal agent to receive and be
4 accountable for funds awarded under this subtitle;
5 and

6 (6) include such other information as the Sec-
7 retaries may require.

8 (c) STATE DEVELOPMENT ACTIVITIES.—Funds
9 awarded under this section shall be expended by a State
10 only for activities undertaken to develop a statewide
11 School-to-Work Opportunities system, which may in-
12 clude—

13 (1) identifying or establishing an appropriate
14 State structure to administer the School-to-Work
15 Opportunities system;

16 (2) identifying or establishing broad-based part-
17 nerships among employers, labor, education, govern-
18 ment, and other community organizations to partici-
19 pate in the design, development, and administration
20 of School-to-Work Opportunities programs;

21 (3) developing a marketing plan to build con-
22 sensus and support for School-to-Work Opportuni-
23 ties programs;

1 (4) promoting the active involvement of busi-
2 ness in planning and developing local School-to-
3 Work Opportunities programs;

4 (5) supporting local School-to-Work Opportuni-
5 ties planning and development activities to provide
6 guidance in the development of School-to-work Op-
7 portunities programs;

8 (6) initiating pilot program for testing key com-
9 ponents of State program design;

10 (7) developing a State process for issuing skill
11 certificates that takes into account the work of the
12 National Skill Standards Board and the criteria es-
13 tablished under Goals 2000: Educate America Act;

14 (8) designing challenging curricula;

15 (9) developing a system for labor market analy-
16 sis and strategic planning for local targeting of in-
17 dustry sectors or broad occupational clusters;

18 (10) analyzing the post high school employment
19 experiences of recent high school graduates and
20 dropouts; and

21 (11) preparing the plan required for submission
22 of an application for an Implementation Grant
23 under subtitle B.

1 **Subtitle B—State Implementation**
2 **Grants**

3 **SEC. 211. PURPOSE.**

4 The purpose of this subtitle is to assist States in the
5 implementation of comprehensive, statewide School-to-
6 Work Opportunities systems.

7 **SEC. 212. STATE IMPLEMENTATION GRANTS.**

8 (a) **ELIGIBILITY AND APPLICATION.**—A State may
9 apply to the Secretaries for a competitive implementation
10 grant by submitting an application that contains—

11 (1) a plan for a comprehensive, statewide
12 School-to-Work Opportunities system that meets the
13 content requirements provided in subsection (b);

14 (2) a description of how the State will allocate
15 funds under this Act to local School-to-Work Oppor-
16 tunities partnerships;

17 (3) a request, if the State decides to submit
18 such a request, for one or more waivers of certain
19 statutory or regulatory requirements, as provided for
20 under title V of this Act; and

21 (4) such other information as the Secretaries
22 may require.

23 (b) **CONTENTS OF STATE PLAN.**—A State plan
24 shall—

1 (1) designate the geographical areas to be
2 served by partnerships, which shall, to the extent
3 feasible, reflect local labor market areas;

4 (2) describe how the State will stimulate and
5 support local School-to-Work Opportunities pro-
6 grams that meet the requirements of this Act, and
7 how the State's system will be expanded over time
8 to cover all geographic areas in the State;

9 (3) describe the procedure by which the Gov-
10 ernor; the chief State school officer; the State agen-
11 cy officials responsible for job training and employ-
12 ment, economic development, and postsecondary
13 education; and other appropriate officials will col-
14 laborate in the implementation of the State School-
15 to-Work Opportunities system;

16 (4) describe the procedure for obtaining the ac-
17 tive and continued involvement in the statewide
18 School-to-Work Opportunities system of employers
19 and other interested parties such as locally elected
20 officials, secondary and postsecondary educational
21 institutions or agencies, business associations, em-
22 ployees, labor organizations or associations thereof,
23 teachers, students, parents, community-based orga-
24 nizations, rehabilitation agencies and organizations,

1 registered apprenticeship agencies, and local voca-
2 tional educational agencies;

3 (5) describe how the School-to-Work Opportuni-
4 ties system will coordinate the use of education and
5 training funds from State and private sources with
6 funds available from such related Federal programs
7 as the Adult Education Act (20 U.S.C. 1201 et
8 seq.), the Carl D. Perkins Vocational and Applied
9 Technology Education Act (20 U.S.C. 2301, et seq.),
10 the Elementary and Secondary Education Act of
11 1965 (20 U.S.C. 2701 et seq.), the Family Support
12 Act of 1988 (42 U.S.C. 602 note, 606 note), the
13 Goals 2000: Educate America Act, the Individuals
14 with Disabilities Education Act (20 U.S.C. 1400 et
15 seq.), the Job Training Partnership Act (29 U.S.C.
16 1501 et seq.), the National Apprenticeship Act (29
17 U.S.C. 50 et seq.) and the Rehabilitation Act of
18 1973 (29 U.S.C. 701 et seq.);

19 (6) describe the resources, including private sec-
20 tor resources, the State intends to employ in main-
21 taining the School-to-Work Opportunities system
22 when funds under this Act are no longer available;

23 (7) describe how the State will ensure opportu-
24 nities for all students to participate in School-to-
25 Work Opportunities programs;

1 (8) describe how the State will ensure opportu-
2 nities for young women to participate in School-to-
3 Work Opportunities programs in a manner that
4 leads to employment in high-performance, high-pay-
5 ing jobs, including jobs in which women traditionally
6 have been under-represented;

7 (9) describe how the State will ensure opportu-
8 nities for low achieving students, students with dis-
9 abilities, and former students who have dropped out
10 of school to participate in School-to-Work Opportu-
11 nities programs;

12 (10) describe the State's process for assessing
13 the skills and knowledge required in career majors,
14 and awarding skill certificates that take into account
15 the work of the National Skill Standards Board and
16 the criteria established under Goals 2000: Educate
17 America Act;

18 (11) describe the manner in which the State
19 will, to the extent feasible, continue and incorporate
20 programs funded under section 302 of this Act in
21 the State School-to-Work Opportunities system;

22 (12) describe the performance standards that
23 the State intends to meet; and

1 (13) designate a fiscal agent to receive and be
2 accountable for School-to-Work Opportunities funds
3 awarded under this subtitle.

4 (c) REVIEW OF APPLICATIONS.—The Secretaries
5 shall submit each application to a peer review process, de-
6 termine whether to approve the State's School-to-Work
7 Opportunities plan, and, if such determination is affirma-
8 tive, further determine whether to take one or a combina-
9 tion of the following actions—

10 (1) award an implementation grant;

11 (2) approve the State's request, if any, for a
12 waiver in accordance with the procedures in title V
13 of this Act; and

14 (3) inform the State of the opportunity to apply
15 for further development funds, except that further
16 development funds may not be awarded to a State
17 that receives an implementation grant.

18 (d) AMOUNT OF GRANT.—The Secretaries shall es-
19 tablish the minimum and maximum amounts available for
20 an implementation grant, and shall determine the actual
21 amount granted to any State based on such criteria as
22 the scope and quality of the plan and the number of pro-
23 jected program participants.

24 (e) STATE IMPLEMENTATION ACTIVITIES.—Funds
25 awarded under this section shall be expended by a State

1 only for activities undertaken to implement the State's
2 School-to-Work Opportunities system, which may in-
3 clude—

4 (1) recruiting and providing assistance to em-
5 ployers to provide work-based learning for students;

6 (2) conducting outreach activities to promote
7 and support collaboration in School-to-Work Oppor-
8 tunities programs by businesses, labor organizations,
9 and other organizations;

10 (3) providing training for teachers, employers,
11 workplace mentors, counselors, and others;

12 (4) providing labor market information to local
13 partnerships that is useful in determining which
14 high-skill, high-wage occupations are in demand;

15 (5) designing or adapting model curricula that
16 can be used to integrate academic and vocational
17 learning, school-based and work-based learning, and
18 secondary and postsecondary education;

19 (6) designing or adapting model work-based
20 learning programs and identifying best practices;
21 and

22 (7) conducting outreach activities and providing
23 technical assistance to other States that are develop-
24 ing or implementing School-to-Work Opportunities
25 systems.

1 (f) ALLOCATION OF FUNDS TO PARTNERSHIPS.—A
2 State shall award subgrants to partnerships, according to
3 criteria established by the State, that total no less than
4 65 percent of the sums awarded to it under this section
5 in the first year, 75 percent of such sums in the second
6 year, and 85 percent of such sums in each year thereafter.

7 (g) STATE SUBGRANTS TO PARTNERSHIPS.—

8 (1) APPLICATION.—A partnership that seeks a
9 subgrant to carry out a local School-to-Work Oppor-
10 tunities program shall submit an application to the
11 State that—

12 (A) describes how the program would in-
13 clude the basic program components and other-
14 wise meet the requirements of title I of this
15 Act;

16 (B) sets forth measurable program goals
17 and outcomes;

18 (C) describes the local strategies and time-
19 tables to provide School-to-Work Opportunities
20 program opportunities for all students; and

21 (D) provides such other information as the
22 State may require.

23 (2) ALLOWABLE ACTIVITIES.—A partnership
24 shall expend funds awarded under this section only
25 for activities undertaken to carry out School-to-Work

1 Opportunities programs as defined in this Act, and
2 such activities may include—

3 (A) recruiting and providing assistance to
4 employers to provide the work-based learning
5 components in the School-to-Work Opportuni-
6 ties program;

7 (B) establishing consortia of employers to
8 support the School-to-Work Opportunities pro-
9 gram and provide access to jobs related to stu-
10 dents' career majors;

11 (C) supporting or establishing inter-
12 mediaries to perform the activities described in
13 section 104 and to provide assistance to stu-
14 dents in obtaining jobs and further education
15 and training;

16 (D) designing or adapting school curricula
17 that can be used to integrate academic and vo-
18 cational learning, school-based and work-based
19 learning, and secondary and postsecondary
20 education;

21 (E) providing training to work-based and
22 school-based staff on new curricula, student as-
23 sessments, student guidance, and feedback to
24 the school regarding student performance;

1 (F) establishing in schools participating in
2 a School-to-Work Opportunities program a
3 graduation assistance program to assist at-risk
4 and low-achieving students in graduating from
5 high school, enrolling in postsecondary edu-
6 cation or training, and finding or advancing in
7 jobs;

8 (G) conducting or obtaining an in-depth
9 analysis of the local labor market and the ge-
10 neric and specific skill needs of employers to
11 identify high-demand, high-wage careers to
12 target;

13 (H) integrating work-based and school-
14 based learning into existing job training pro-
15 grams for youth who have dropped out of
16 school;

17 (I) establishing or expanding school-to-ap-
18 prenticeship programs in cooperation with reg-
19 istered apprenticeship agencies and apprentice-
20 ship sponsors; and

21 (J) assisting participating employers, in-
22 cluding small- and medium-size businesses, to
23 identify and train workplace mentors and to de-
24 velop work-based learning components.

1 **TITLE III—FEDERAL IMPLEMEN-**
2 **TATION GRANTS TO PART-**
3 **NERSHIPS**

4 **SEC. 301. PURPOSE.**

5 The purposes of this title are—

6 (1) to authorize the Secretaries to award com-
7 petitive grants to partnerships in States that have
8 not received an implementation grant under section
9 212, in order to provide funding for communities
10 that have built a sound planning and development
11 base for School-to-Work Opportunities programs and
12 are ready to begin implementing a local School-to-
13 Work Opportunities program; and

14 (2) to authorize the Secretaries to award com-
15 petitive grants to implement School-to-Work Oppor-
16 tunities programs in high poverty areas of urban
17 and rural communities to provide support for a com-
18 prehensive range of education, training, and support
19 services for youth residing in designated high pov-
20 erty areas.

21 **SEC. 302. FEDERAL IMPLEMENTATION GRANTS TO PART-**
22 **NERSHIPS.**

23 (a) IN GENERAL.—The Secretaries may award
24 School-to-Work Opportunities implementation grants to
25 partnerships in States that have not received an imple-

1 mentation grant under section 212, according to competi-
 2 tive criteria established by the Secretaries.

3 (b) APPLICATION PROCEDURE.—A partnership that
 4 desires to receive a direct Federal grant under this section
 5 shall submit an application to the Secretaries in accord
 6 with procedures specified by the Secretaries, but before
 7 the partnership submits the application to the Secretaries
 8 it shall first submit the application to the State for review
 9 and comment.

10 (c) APPLICATION CONTENTS.—The grant application
 11 from a partnership shall include a plan for local School-
 12 to-Work Opportunities program that—

13 (1) describes how the partnership will meet the
 14 requirements of this Act;

15 (2) includes the State's comments, if any;

16 (3) contains information that is consistent with
 17 the content requirements for a State plan that are
 18 specified in section 212(b) (4) through (10);

19 (4) designates a fiscal agent to receive and be
 20 accountable for funds under this section; and

21 (5) provides other information that the Sec-
 22 retaries may require.

23 (d) CONFORMITY WITH APPROVED STATE PLAN.—
 24 The Secretaries shall not award a grant under this section
 25 to a partnership in a State that has an approved plan un-

1 less the Secretaries determine, after consultation with the
2 State, that the plan submitted by the partnership is in
3 accord with the approved State plan.

4 (e) IMPLEMENTATION ACTIVITIES.—Funds awarded
5 under this section shall be expended by a partnership only
6 for activities undertaken to implement School-to-Work Op-
7 portunities programs under this Act, including, but not
8 limited to, the activities specified in section 212(g)(2).

9 **SEC. 303. SCHOOL-TO-WORK OPPORTUNITIES PROGRAM**

10 **GRANTS IN HIGH POVERTY AREAS.**

11 (a) IN GENERAL.—From the funds reserved under
12 section 505(b), the Secretaries are authorized to award
13 grants to implement School-to-Work Opportunities pro-
14 grams, that include the basic program components and
15 otherwise meet the requirements of title I of this Act, in
16 high poverty areas, as provided in this section, of urban
17 and rural communities, in order to provide support for a
18 comprehensive range of education, training, and support
19 services for youth residing in such areas. The Secretaries
20 are authorized to award such grants according to criteria
21 established by the Secretaries, except that the Secretaries
22 shall not award a grant under this section to a School-
23 to-Work Opportunities program unless the Secretaries de-
24 termine after consultation with the State and partnership

1 that it is in accord with approved State and local plans,
2 if any.

3 (b) DEFINITION.—For purposes of this section, the
4 term “high poverty area” means an urban census tract,
5 a nonmetropolitan county, a Native American Indian res-
6 ervation, or an Alaska Native village, with a poverty rate
7 of 30 percent or more, as determined by the Bureau of
8 the Census.

9 (c) ALLOWABLE ACTIVITIES.—Funds awarded under
10 this section may be expended for activities such as those
11 that support school-based job specialists to assist students
12 in obtaining employment, and that recruit employers and
13 assist them to develop work-based learning opportunities
14 for students.

15 (d) USE OF FUNDS.—Funds available under this sec-
16 tion may be awarded in combination with funds appro-
17 priated for the Youth Fair Chance Program.

18 **TITLE IV—NATIONAL PROGRAMS**

19 **SEC. 401. RESEARCH, DEMONSTRATION, AND OTHER** 20 **PROJECTS.**

21 (a) IN GENERAL.—With funds reserved under section
22 505(c), the Secretaries shall conduct research and develop-
23 ment and establish a program of experimental and dem-
24 onstration projects, to further the purposes of this Act.

1 (b) ~~ADDITIONAL USE OF FUNDS.~~—Funds reserved
2 under section 505(c) may also be used for programs or
3 services authorized under any other provision of this Act
4 that are most appropriately administered at the national
5 level and that will operate in, or benefit more than, one
6 State.

7 **SEC. 402. PERFORMANCE OUTCOMES AND EVALUATION.**

8 (a) ~~IN GENERAL.~~—The Secretaries, in collaboration
9 with the States, shall by grants, contracts, or otherwise,
10 establish a system of performance measures for assessing
11 State and local programs regarding—

12 (1) progress in the development and implemen-
13 tation of State plans that include the basic program
14 components and otherwise meet the requirements of
15 title I;

16 (2) participation in School-to-Work Opportuni-
17 ties programs by employers, schools, and students;

18 (3) progress in developing and implementing
19 strategies for addressing the needs of in-school and
20 out-of-school, at-risk youth;

21 (4) student outcomes, including—

22 (A) academic learning gains;

23 (B) staying in school and attaining a high
24 school diploma, skill certificate, and college
25 degree;

1 (C) placement and retention in further
2 education or training, particularly in the stu-
3 dent's career major; and

4 (D) job placement, retention, and earnings,
5 particularly in the student's career major; and

6 (5) the extent to which the program has met
7 the needs of employers.

8 (b) EVALUATION.—The Secretaries shall conduct a
9 national evaluation of School-to-Work Opportunities pro-
10 grams funded under this Act that will track and assess
11 the progress of implementation of State and local pro-
12 grams and their effectiveness based on measures such as
13 those described in subsection (a).

14 (c) REPORTS.—Each State shall provide periodic re-
15 ports, at such intervals as the Secretaries determine, con-
16 taining information described in paragraphs (1) through
17 (4) of subsection (a).

18 **SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.**

19 (a) PURPOSE.—The Secretaries shall work in co-
20 operation with the States, employers and their associa-
21 tions, schools, labor organizations, and community organi-
22 zations to increase their capacity to develop and imple-
23 ment effective School-to-Work Opportunities programs.

1 ~~(b) AUTHORIZED ACTIVITIES.—~~The Secretaries shall
2 provide, through grants, contracts, or other arrange-
3 ments—

4 ~~(1) training, technical assistance, and other ac-~~
5 ~~tivities that will:~~

6 ~~(A) enhance the skills, knowledge, and ex-~~
7 ~~pertise of the personnel involved in planning~~
8 ~~and implementing State and local School-to-~~
9 ~~Work Opportunities programs; and~~

10 ~~(B) improve the quality of services pro-~~
11 ~~vided to individuals served under this Act;~~

12 ~~(2) assistance to States and partnerships in~~
13 ~~order to integrate resources available under this Act~~
14 ~~with resources available under other Federal, State,~~
15 ~~and local authorities;~~

16 ~~(3) assistance to States and partnerships to re-~~
17 ~~cruit employers to provide the work-based learning~~
18 ~~component of School-to-Work Opportunities pro-~~
19 ~~grams.~~

20 ~~(c) PEER REVIEW.—~~The Secretaries may use funds
21 under section 505(c) for the peer review of State applica-
22 tions and plans under section 212 and applications under
23 title III of this Act.

1 **TITLE V—GENERAL PROVISIONS**

2 **SEC. 501. STATE REQUEST AND RESPONSIBILITIES FOR A**
3 **WAIVER OF STATUTORY AND REGULATORY**
4 **REQUIREMENTS.**

5 (a) STATE REQUEST FOR WAIVER.—A state with an
6 approved plan may, at any point during the development
7 or implementation of a School-to-Work Opportunities pro-
8 gram, request a waiver of one or more statutory or regu-
9 latory provisions from the Secretaries in order to carry
10 out the purposes of the Act.

11 (b) PARTNERSHIP REQUEST FOR WAIVER.—A part-
12 nership that seeks a waiver of any of the laws specified
13 in sections 502 and 503 shall submit an application for
14 such waiver to the State, and the State shall determine
15 whether to submit the application for a waiver to the
16 Secretaries.

17 (c) WAIVER CRITERIA.—The request by the State
18 shall meet the criteria contained in section 502 or section
19 503 and shall specify the laws or regulations referred to
20 in those sections that the State wants waived.

21 **SEC. 502. WAIVERS OF STATUTORY AND REGULATORY RE-**
22 **QUIREMENTS BY THE SECRETARY OF EDU-**
23 **CATION.**

24 (a) IN GENERAL.—(1) Except as provided in sub-
25 section (c), the Secretary of Education may waive any re-

1 requirement of any statute listed in subsection (b) or of the
2 regulations issued under such statute for a State that re-
3 quests such a waiver—

4 (A) if, and only to the extent that, the Sec-
5 retary of Education determines that such require-
6 ment impedes the ability of the State or a partner-
7 ship to carry out the purposes of this Act;

8 (b) if the State waives, or agrees to waive, simi-
9 lar requirements of State law; and

10 (c) if the State—

11 (i) has provided all partnerships, and local
12 educational agencies participating in a partner-
13 ship, in the State with notice and an oppor-
14 tunity to comment on the State's proposal to
15 seek a waiver; and

16 (ii) has submitted the comments of the
17 partnership and local educational agencies to
18 the Secretary of Education.

19 (2) The Secretary of Education shall act promptly on
20 any request submitted pursuant to paragraph (1).

21 (3) Each waiver approved pursuant to this subsection
22 shall be for a period not to exceed five years, except that
23 the Secretary of Education may extend such period if the
24 Secretary of Education determines that the waiver has

1 been effective in enabling the State or partnership to carry
2 out the purposes of this Act.

3 (b) INCLUDED PROGRAMS.—The statutes subject to
4 the waiver authority of this section are as follows—

5 (1) chapter 1 of title I of the Elementary and
6 Secondary Education Act of 1965, including the
7 Even Start Act;

8 (2) part A of chapter 2 of title I of the Elemen-
9 tary and Secondary Education Act of 1965;

10 (3) the Dwight D. Eisenhower Mathematics and
11 Science Education Act (title II, part A of the Ele-
12 mentary and Secondary Education Act of 1965);

13 (4) the Emergency Immigrant Education Act of
14 1984 (title IV, part D of the Elementary and Sec-
15 ondary Education Act of 1965);

16 (5) the Drug-Free Schools and Communities
17 Act of 1986 (title V of the Elementary and Second-
18 ary Education Act of 1965); and

19 (6) the Carl D. Perkins Vocational and Applied
20 Technology Education Act.

21 (c) WAIVERS NOT AUTHORIZED.—The Secretary of
22 Education may not waive any statutory or regulatory re-
23 quirement of the programs listed in subsection (b) relating
24 to—

- 1 (1) the basic purposes or goals of the affected
- 2 programs;
- 3 (2) maintenance of effort;
- 4 (3) comparability of services;
- 5 (4) the equitable participation of students at-
- 6 tending private schools;
- 7 (5) parental participation and involvement;
- 8 (6) the distribution of funds to State or to local
- 9 educational agencies;
- 10 (7) the eligibility of an individual for participa-
- 11 tion in the affected programs;
- 12 (8) public health or safety, labor standards,
- 13 civil rights, occupational safety and health, or envi-
- 14 ronmental protection; or
- 15 (9) prohibitions or restrictions relating to the
- 16 construction of buildings or facilities.
- 17 (d) TERMINATION OF WAIVERS.—The Secretary of
- 18 Education shall periodically review the performance of any
- 19 State or partnership for which the Secretary of Education
- 20 has granted a waiver and shall terminate the waiver under
- 21 this section if the Secretary determines that the perform-
- 22 ance of the State, partnership, or local educational agency
- 23 affected by the waiver has been inadequate to justify a
- 24 continuation of the waiver, or the State fails to waive simi-

1 lar requirements of State law as required or agreed to in
 2 accord with section 502(a)(1)(B).

3 **SEC. 503. WAIVERS OF STATUTORY AND REGULATORY RE-**
 4 **QUIREMENTS BY THE SECRETARY OF LABOR.**

5 (a) IN GENERAL.—(1) Except as provided in sub-
 6 section (c), the Secretary of Labor may waive any require-
 7 ment of any statutory provisions listed in subsection (b)
 8 or of the regulations issued under such statutory provi-
 9 sions for a State that requests such a waiver—

10 (A) if, and only to the extent that, the Sec-
 11 retary of Labor determines that such requirement
 12 impedes the ability of the State or a partnership to
 13 carry out the purposes of this Act;

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

16 (C) if the State—

17 (i) has provided all partnerships in the
 18 State with notice and an opportunity to com-
 19 ment on the State's proposal to seek a waiver;
 20 and

21 (ii) has submitted the comments of the
 22 partnerships to the Secretary of Labor.

23 (2) The Secretary of Labor shall act promptly on any
 24 request submitted pursuant to paragraph (1).

1 (3) Each waiver approved pursuant to this subsection
2 shall be for a period not to exceed five years, except that
3 the Secretary of Labor may extend such period if the Sec-
4 retary of Labor determines that the waiver has been effec-
5 tive in enabling the State or partnership to carry out the
6 purposes of this Act.

7 (b) INCLUDED PROGRAMS.—The statutory provisions
8 subject to the waiver authority of this section are as fol-
9 lows—

10 (1) section 106(b)(4) (performance standards);
11 section 107 (selection of service providers); section
12 108 (limitation on certain costs); section 141 (gen-
13 eral program requirements), and section 142 (bene-
14 fits) of the Job Training Partnership Act, except
15 that section 141(c) and section 141(q) shall not be
16 waived;

17 (2) section 123 of the Job Training Partnership
18 Act (State education coordination and grants);

19 (3) part B of title II of the Job Training Part-
20 nership Act (Summer Youth Employment and
21 Training Programs);

22 (4) part C, title II of the Job Training Partner-
23 ship Act (Youth Training Program), except that sec-
24 tion 263 (eligibility for services) shall not be waived;
25 and

1 (5) part A (Employment and Training Pro-
2 grams for Native Americans and Migrant and Sea-
3 sonal Farmworkers), part B (Job Corps), and part
4 H (Youth Fair Chance Program) of title IV of the
5 Job Training Partnership Act.

6 (c) ~~WAIVERS NOT AUTHORIZED.~~—The Secretary of
7 Labor may not waive any statutory or regulatory require-
8 ment of the programs listed in subsection (b) relating to—

9 (1) the basic purposes or goals of the affected
10 programs;

11 (2) the eligibility of an individual for participa-
12 tion in the affected programs;

13 (3) the allocation of funds under the affected
14 programs;

15 (4) public health or safety, labor standards,
16 civil rights, occupational safety and health, or envi-
17 ronmental protection;

18 (5) maintenance of effort; or

19 (6) prohibitions or restrictions relating to the
20 construction of buildings or facilities.

21 (d) ~~TERMINATION OF WAIVERS.~~—The Secretary of
22 Labor shall periodically review the performance of any
23 State or partnership for which the Secretary of Labor has
24 granted a waiver and shall terminate the waiver under this
25 section if the Secretary determines that the performance

1 of the State or partnership affected by the waiver has been
2 inadequate to justify a continuation of the waiver, or the
3 State fails to waive similar requirements of State law as
4 required or agreed to in accord with section 503(a)(1)(B)

5 **SEC. 504. SAFEGUARDS.**

6 The following safeguards shall apply to School-to-
7 Work Opportunities programs under this Act:

8 (1) No student shall displace any currently em-
9 ployed worker (including a partial displacement,
10 such as a reduction in the hours of nonovertime
11 work, wages, or employment benefits).

12 (2) No School-to-Work Opportunities program
13 shall impair existing contracts for services or collec-
14 tive bargaining agreements, except that no program
15 under this Act that would be inconsistent with the
16 terms of a collective bargaining agreement shall be
17 undertaken without the written concurrence of the
18 labor organization and employer concerned.

19 (3) No student shall be employed or job open-
20 ing filled—

21 (A) when any other individual is on tem-
22 porary layoff from the participating employer,
23 with the clear possibility of recall, from the
24 same or any substantially equivalent job; or

1 (B) when the employer has terminated the
2 employment of any regular employee or other-
3 wise reduced its workforce with the intention of
4 filling the vacancy so created with a student.

5 (4) Students shall be provided with adequate
6 and safe equipment and a safe and healthful work-
7 place in conformity with all health and safety stand-
8 ards of Federal, State, and local law.

9 (5) Nothing in this Act shall be construed to
10 modify or affect any Federal or State law prohibit-
11 ing discrimination on the basis of race, religion,
12 color, ethnicity, national origin, gender, age, or
13 disability.

14 (6) Funds appropriated under authority of this
15 Act shall not be expended for wages of students.

16 (7) The Secretaries shall provide such other
17 safeguards as they may deem appropriate in order
18 to ensure that School-to-Work Opportunities partici-
19 pants are afforded adequate supervision by skilled
20 adult workers, or, otherwise, to further the purposes
21 of this Act.

22 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) AUTHORIZATION.—There are authorized to be ap-
24 propriated to the Secretaries \$300,000,000 in fiscal year
25 1995, and such sums as may be necessary in each of the

1 seven succeeding fiscal years for allocations to carry out
2 this Act.

3 (b) HIGH POVERTY AREAS.—The Secretaries may re-
4 serve up to \$30,000,000 in fiscal year 1995, and such
5 sums as may be necessary in each of the succeeding seven
6 years under this Act, to carry out section 303, which may
7 be used in conjunction with funds available under the
8 Youth Fair Chance Program, title IV-H of the Job Train-
9 ing Partnership Act (29 U.S.C. 1671, et seq.).

10 (c) NATIONAL PROGRAMS.—The Secretaries may re-
11 serve up to \$30,000,000 in fiscal year 1995 and such
12 sums as they may deem necessary under this Act, in each
13 of the seven succeeding fiscal years to carry out title IV.

14 (d) TERRITORIES.—The Secretaries may reserve up
15 to one quarter of one percent for School-to-Work Opportu-
16 nities programs under this Act for the territories of the
17 United States, which are the Virgin Islands, Guam, the
18 Northern Mariana Islands, American Samoa, the Fed-
19 erated States of Micronesia, and the Republic of the Mar-
20 shall Islands, and which include Palau until the Compact
21 of Free Association is signed.

22 (e) NATIVE AMERICAN PROGRAMS.—(1) The Sec-
23 retaries may reserve up to one quarter of one percent of
24 the funds appropriated for any fiscal year under section
25 505(a) for School-to-Work Opportunities programs for In-

1 dian youth that are consistent with School-to-Work Op-
2 portunities programs carried out under title II of this Act
3 and that involve Bureau funded schools, as defined in sec-
4 tion 1139(3) of the Education Amendments of 1978 (25
5 U.S.C. 2019(3)).

6 (2) The Secretaries may carry out this subsection
7 through such means as they find appropriate, including,
8 but not limited to—

9 (A) the transfer of funds to the Secretary of the
10 Interior; and

11 (B) the provision of financial assistance to In-
12 dian tribes and Indian organizations.

13 (f) AVAILABILITY OF FUNDS.—Funds obligated for
14 any fiscal year for programs authorized under this Act
15 shall remain available until expended.

16 **SEC. 506. ACCEPTANCE OF GIFTS, AND OTHER MATTERS.**

17 The Secretaries are authorized, in carrying out this
18 Act, to accept, purchase, or lease in the name of the De-
19 partment of Labor or the Department of Education, and
20 employ or dispose of in furtherance of the purposes of this
21 Act, any money or property, real, personal, or mixed, tan-
22 gible or intangible, received by gift, devise, bequest, or
23 otherwise, and to accept voluntary and uncompensated
24 services notwithstanding the provisions of section 1342 of
25 title 31.

1 **SEC. 507. EFFECTIVE DATE.**

2 This Act shall take effect on the day of enactment.

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—This Act may be cited as the
5 “School-to-Work Opportunities Act of 1993”.

6 (b) *TABLE OF CONTENTS.*—The table of contents is as
7 follows:

- Sec. 1. Short title; table of contents.*
- Sec. 2. Findings.*
- Sec. 3. Purposes and congressional intent.*
- Sec. 4. Definitions.*
- Sec. 5. Federal administration.*

*TITLE I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM
COMPONENTS*

- Sec. 101. General program requirements.*
- Sec. 102. Work-based learning component.*
- Sec. 103. School-based learning component.*
- Sec. 104. Connecting activities component.*

*TITLE II—SCHOOL-TO-WORK OPPORTUNITIES SYSTEM
DEVELOPMENT AND IMPLEMENTATION GRANTS TO STATES*

Subtitle A—State Development Grants

- Sec. 201. Purpose.*
- Sec. 202. State development grants.*

Subtitle B—State Implementation Grants

- Sec. 211. Purpose.*
- Sec. 212. State implementation grants.*
- Sec. 213. Limitation on administrative costs.*

TITLE III—FEDERAL IMPLEMENTATION GRANTS TO PARTNERSHIPS

- Sec. 301. Purposes.*
- Sec. 302. Federal implementation grants to partnerships.*
- Sec. 303. School-to-work opportunities program grants in high poverty areas.*

TITLE IV—NATIONAL PROGRAMS

- Sec. 401. Research, demonstration, and other projects.*
- Sec. 402. Performance outcomes and evaluation.*
- Sec. 403. Training and technical assistance.*

TITLE V—GENERAL PROVISIONS

Sec. 501. State request and responsibilities for a waiver of statutory and regulatory requirements.

Sec. 502. Waivers of statutory and regulatory requirements by the Secretary of Education.

Sec. 503. Waivers of statutory and regulatory requirements by the Secretary of Labor.

Sec. 504. Requirements.

Sec. 505. Sanctions.

Sec. 506. Authorization of appropriations.

Sec. 507. Acceptance of gifts, and other matters.

Sec. 508. State authority.

Sec. 509. Construction.

Sec. 510. Effective date.

Sec. 511. Sunset.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) three-fourths of America's high school stu-
4 dents enter the work force without baccalaureate de-
5 grees, and many do not possess the academic and
6 entry-level occupational skills necessary to succeed in
7 the changing American workplace;

8 (2) a substantial number of American youth, es-
9 pecially disadvantaged students, students of diverse
10 racial, ethnic, and cultural backgrounds, and students
11 with disabilities, do not complete school;

12 (3) unemployment among American youth is in-
13 tolerably high, and earnings of high school graduates
14 have been falling relative to earnings of persons with
15 more education;

16 (4) the American workplace is changing in re-
17 sponse to heightened international competition and
18 new technologies, and such forces, which are ulti-

1 *mately beneficial to the Nation, are shrinking the de-*
2 *mand for and undermining the earning power of un-*
3 *skilled labor;*

4 *(5) the United States lacks a comprehensive and*
5 *coherent system to help its youth acquire the knowl-*
6 *edge, skills, abilities, and information about and ac-*
7 *cess to the labor market necessary to make an effective*
8 *transition from school to career-oriented work or to*
9 *further education and training;*

10 *(6) American students can achieve to high stand-*
11 *ards, and many learn better and retain more when*
12 *the students learn in context, rather than in the ab-*
13 *stract;*

14 *(7) while many American students have part-*
15 *time jobs, there is infrequent linkage between—*

16 *(A) such jobs; and*

17 *(B) the career planning or exploration, or*
18 *the school-based learning, of such students;*

19 *(8) the work-based learning approach, which is*
20 *modeled after the time-honored apprenticeship con-*
21 *cept, integrates theoretical instruction with structured*
22 *on-the-job training, and this approach, combined with*
23 *school-based learning, can be very effective in engag-*
24 *ing student interest, enhancing skill acquisition, de-*

1 *veloping positive work attitudes, and preparing youth*
2 *for high-skill, high-wage careers; and*

3 *(9) Federal resources currently fund a series of*
4 *categorical, work-related education and training pro-*
5 *grams, many of which serve disadvantaged youth,*
6 *that are not administered as a coherent whole.*

7 **SEC. 3. PURPOSES AND CONGRESSIONAL INTENT.**

8 *(a) PURPOSES.—The purposes of this Act are to—*

9 *(1) establish a national framework within which*
10 *all States can create statewide School-to-Work Oppor-*
11 *tunities systems that—*

12 *(A) are a part of comprehensive education*
13 *reform;*

14 *(B) are integrated with the State education*
15 *systems reformed under the Goals 2000: Educate*
16 *America Act; and*

17 *(C) offer opportunities for all students to*
18 *participate in a performance-based education*
19 *and training program that will—*

20 *(i) enable the students to earn portable*
21 *credentials;*

22 *(ii) prepare the students for first jobs*
23 *in high-skill, high-wage careers; and*

1 (iii) increase their opportunities for
2 further education, including education in a
3 4-year college or university;

4 (2) create a universal, high-quality school-to-
5 work transition system that enables all young Ameri-
6 cans to identify and navigate paths to productive and
7 progressively more rewarding roles in the workplace;

8 (3) utilize workplaces as active learning environ-
9 ments in the educational process by making employ-
10 ers joint partners with educators in providing oppor-
11 tunities for all students to participate in high-qual-
12 ity, work-based learning experiences;

13 (4) use Federal funds under this Act as venture
14 capital, to underwrite the initial costs of planning
15 and establishing statewide School-to-Work Opportuni-
16 ties systems that will be maintained with other Fed-
17 eral, State, and local resources;

18 (5) promote the formation of partnerships that
19 are dedicated to linking the worlds of school and
20 work, among secondary schools and postsecondary
21 education institutions, private and public employers,
22 labor organizations, government, community-based
23 organizations, parents, students, State educational
24 agencies, local educational agencies, and training and
25 human service agencies;

1 (6) help all students attain high academic and
2 occupational standards;

3 (7) build on and advance a range of promising
4 school-to-work transition programs, such as tech-prep
5 education programs, career academies, school-to-ap-
6 prenticeship programs, cooperative education pro-
7 grams, youth apprenticeship programs, school-spon-
8 sored enterprises, and business-education compacts,
9 that can be developed into programs funded under
10 this Act;

11 (8) improve the knowledge and skills of youth by
12 integrating academic and occupational learning, inte-
13 grating school-based and work-based learning, and
14 building effective linkages between secondary and
15 postsecondary education;

16 (9) motivate all youth, including low-achieving
17 youth, youth who have dropped out of school, and
18 youth with disabilities, to stay in or return to school
19 or a classroom setting and strive to succeed, by pro-
20 viding enriched learning experiences and assistance
21 in obtaining good jobs and continuing their education
22 in postsecondary education institutions;

23 (10) expose students to a vast array of career op-
24 portunities, and facilitate the selection of career ma-

1 *jors, based on individual interests, goals, strengths,*
2 *and abilities; and*

3 *(11) further the National Education Goals set*
4 *forth in title I of the Goals 2000: Educate America*
5 *Act.*

6 *(b) CONGRESSIONAL INTENT.—It is the intent of Con-*
7 *gress that the Secretary of Labor and the Secretary of Edu-*
8 *cation jointly administer this Act, in consultation with the*
9 *Secretary of Commerce, in a flexible manner that—*

10 *(1) promotes State and local discretion in estab-*
11 *lishing and implementing School-to-Work Opportuni-*
12 *ties systems and programs; and*

13 *(2) contributes to reinventing government by—*

14 *(A) building on State and local capacity;*

15 *(B) eliminating duplication in education*
16 *and training programs for youth by integrating*
17 *such programs into one comprehensive system;*

18 *(C) maximizing the effective use of re-*
19 *sources;*

20 *(D) supporting locally established initia-*
21 *tives;*

22 *(E) requiring measurable goals for perform-*
23 *ance; and*

24 *(F) offering flexibility in meeting such*
25 *goals.*

1 **SEC. 4. DEFINITIONS.**

2 *As used in this Act—*

3 *(1) the term “all aspects of the industry” means*
4 *all aspects of the industry or industry sector a stu-*
5 *dent is preparing to enter, including planning, man-*
6 *agement, finances, technical and production skills,*
7 *underlying principles of technology, labor and com-*
8 *munity issues, health and safety issues, and environ-*
9 *mental issues, related to such industry or industry*
10 *sector;*

11 *(2) the term “all students” means students from*
12 *a broad range of backgrounds and circumstances, in-*
13 *cluding disadvantaged students, students with diverse*
14 *racial, ethnic, or cultural backgrounds, students with*
15 *disabilities, students with limited-English proficiency,*
16 *students who have dropped out of school, and aca-*
17 *demically talented students;*

18 *(3) the term “approved plan” means a School-*
19 *to-Work Opportunities system plan that is submitted*
20 *by a State under section 212(a), is determined by the*
21 *Secretaries to include the program components de-*
22 *scribed in sections 102 through 104 and otherwise*
23 *meet the requirements of this Act, and is consistent*
24 *with the improvement plan of the State, if any, under*
25 *the Goals 2000: Educate America Act;*

1 (4) the term “career major” means a coherent se-
2 quence of courses or field of study that prepares a stu-
3 dent for a first job and that—

4 (A) integrates academic and occupational
5 learning, integrates school-based and work-based
6 learning, establishes linkages between secondary
7 and postsecondary education, and prepares stu-
8 dents for admission to 2-year or 4-year post-
9 secondary education institutions;

10 (B) prepares the student for employment in
11 broad occupational clusters or industry sectors;

12 (C) typically includes at least 2 years of
13 secondary education and at least 1 or 2 years of
14 postsecondary education;

15 (D) provides the students, to the extent
16 practicable, with strong experience in and under-
17 standing of all aspects of the industry the stu-
18 dents are planning to enter;

19 (E) results in the award of—

20 (i) a high school diploma or its equiva-
21 lent, such as—

22 (I) a general equivalency diploma;

23 or

24 (II) an alternative diploma or
25 certificate for students with disabilities

1 *for whom such alternative diploma or*
2 *certificate is appropriate;*

3 *(ii) a certificate or diploma recogniz-*
4 *ing successful completion of 1 or 2 years of*
5 *postsecondary education (if appropriate);*

6 *and*

7 *(iii) a skill certificate; and*

8 *(F) may lead to further education and*
9 *training, such as entry into a registered appren-*
10 *ticeship program, or may lead to admission to a*
11 *4-year college or university;*

12 *(5) the term “employer” includes both public and*
13 *private employers;*

14 *(6) the term “Governor” means the chief execu-*
15 *tive of a State;*

16 *(7) the term “local educational agency” has the*
17 *meaning given the term in section 1471(12) of the El-*
18 *ementary and Secondary Education Act of 1965 (20*
19 *U.S.C. 2891(12));*

20 *(8) the term “partnership” means a local entity*
21 *that—*

22 *(A) is responsible for carrying out local*
23 *School-to-Work Opportunities programs;*

24 *(B) consists of employers or employer orga-*
25 *nizations, public secondary schools and post-*

1 *secondary educational institutions (or represent-*
2 *atives, such as teachers, counselors, and adminis-*
3 *trators), and labor organizations or*
4 *nonmanagerial employee representatives; and*

5 (C) *may include other entities, such as com-*
6 *munity-based organizations, national trade asso-*
7 *ciations working at local levels, rehabilitation*
8 *agencies and organizations, registered appren-*
9 *ticeship agencies, local vocational education enti-*
10 *tities, proprietary institutions of higher education*
11 *as defined in section 481(b) of the Higher Edu-*
12 *cation Act of 1965 (20 U.S.C. 1088(b)) (so long*
13 *as such institutions meet the requirements speci-*
14 *fied in section 498 of such Act), local government*
15 *agencies, parent organizations and teacher orga-*
16 *nizations, vocational student organizations, pri-*
17 *vate industry councils established under section*
18 *102 of the Job Training Partnership Act (29*
19 *U.S.C. 1512), and Indian tribes, as defined in*
20 *section 1 of the Tribally Controlled Community*
21 *College Assistance Act of 1978 (25 U.S.C. 1801);*

22 (9) *the term “postsecondary education institu-*
23 *tion” means a public or private institution that is*
24 *authorized within a State to provide a program of*
25 *education beyond secondary education, and includes a*

1 *community college, a technical college, a postsecond-*
2 *ary vocational institution, a tribally controlled com-*
3 *munity college, as defined in section 1 of the Tribally*
4 *Controlled Community College Assistance Act of 1978,*
5 *and a 4-year college or university;*

6 (10) *the term “registered apprenticeship agency”*
7 *means the Bureau of Apprenticeship and Training in*
8 *the Department of Labor or a State apprenticeship*
9 *agency recognized and approved by the Bureau of Ap-*
10 *prenticeship and Training as the appropriate body*
11 *for State registration or approval of local apprentice-*
12 *ship programs and agreements for Federal purposes;*

13 (11) *the term “registered apprenticeship pro-*
14 *gram” means a program registered by a registered*
15 *apprenticeship agency;*

16 (12) *the term “related services” includes the*
17 *types of services described in section 602(17) of the*
18 *Individuals with Disabilities Education Act (20*
19 *U.S.C. 1401(17));*

20 (13) *the term “school site mentor” means a pro-*
21 *fessional employed at a school who is designated as*
22 *the advocate for a particular student, and who works*
23 *in consultation with classroom teachers, counselors,*
24 *related services personnel, and the employer of the*

1 *student to design and monitor the progress of the*
2 *School-to-Work Opportunities program of the student;*

3 (14) *the term “School-to-Work Opportunities*
4 *program” means a program that meets the require-*
5 *ments of this Act, other than a program described in*
6 *section 401(a);*

7 (15) *the term “secondary school” has the mean-*
8 *ing given the term in section 1201(d) of the Higher*
9 *Education Act of 1965 (20 U.S.C. 1141(d));*

10 (16) *the term “Secretaries” means the Secretary*
11 *of Education and the Secretary of Labor;*

12 (17) *the term “skill certificate” means a port-*
13 *able, industry-recognized credential issued by a*
14 *School-to-Work Opportunities program under an ap-*
15 *proved plan, that certifies that a student has mastered*
16 *skills at levels that are at least as challenging as skill*
17 *standards endorsed by the National Skill Standards*
18 *Board established under the National Skill Standards*
19 *Act of 1993, except that until such skill standards are*
20 *developed, the term “skill certificate” means a creden-*
21 *tial issued under a process described in the approved*
22 *plan of a State;*

23 (18) *the term “State” means each of the several*
24 *States, the District of Columbia, and the Common-*
25 *wealth of Puerto Rico;*

1 (19) the term “State educational agency” has the
2 meaning given the term in section 1471(23) of the El-
3 ementary and Secondary Education Act of 1965 (20
4 U.S.C. 2891(23)); and

5 (20) the term “workplace mentor” means an em-
6 ployee or other individual, approved by the employer
7 at a workplace, who possesses the skills and knowledge
8 to be mastered by a student, and who instructs the
9 student, critiques the performance of the student, chal-
10 lenges the student to perform well, and works in con-
11 sultation with classroom teachers and the employer of
12 the student.

13 **SEC. 5. FEDERAL ADMINISTRATION.**

14 (a) *JOINT ADMINISTRATION.*—Notwithstanding the
15 Department of Education Organization Act (20 U.S.C.
16 3401 et seq.), the General Education Provisions Act (20
17 U.S.C. 1221 et seq.), the Act entitled “An Act To Create
18 a Department of Labor”, approved March 4, 1913 (29
19 U.S.C. 551 et seq.), and section 166 of the Job Training
20 Partnership Act (29 U.S.C. 1576), the Secretaries shall
21 jointly provide for the administration of the programs es-
22 tablished by this Act. The Secretaries shall jointly issue such
23 uniform procedures, guidelines, and regulations, in accord-
24 ance with section 553 of title 5, United States Code, as the

1 *Secretaries determine to be necessary and appropriate to*
 2 *administer and enforce the provisions of this Act.*

3 (b) *REGULATIONS.*—*Section 431 of the General Edu-*
 4 *cation Provisions Act (20 U.S.C. 1232) shall not apply to*
 5 *regulations issued with respect to any programs under this*
 6 *Act.*

7 (c) *PLAN.*—*Within 120 days after the date of enact-*
 8 *ment of this Act, the Secretaries shall prepare a plan for*
 9 *the joint administration of this Act and submit such plan*
 10 *to the appropriate Committees of Congress for review and*
 11 *comment.*

12 ***TITLE I—SCHOOL-TO-WORK OP-***
 13 ***PORTUNITIES BASIC PRO-***
 14 ***GRAM COMPONENTS***

15 ***SEC. 101. GENERAL PROGRAM REQUIREMENTS.***

16 *A School-to-Work Opportunities program under this*
 17 *Act shall—*

18 (1) *integrate school-based learning and work-*
 19 *based learning, as provided for in sections 102 and*
 20 *103, integrate academic and occupational learning,*
 21 *and establish effective linkages between secondary and*
 22 *postsecondary education;*

23 (2) *provide participating students with the op-*
 24 *portunity to complete career majors;*

1 (3) *incorporate the program components pro-*
2 *vided in sections 102 through 104;*

3 (4) *provide participating students, to the extent*
4 *practicable, with strong experience in and under-*
5 *standing of all aspects of the industry the students are*
6 *preparing to enter; and*

7 (5) *provide all students with equal access to the*
8 *full range of such program components (including*
9 *both school- and work-based learning components)*
10 *and related activities and to recruitment, enrollment,*
11 *and placement activities.*

12 **SEC. 102. WORK-BASED LEARNING COMPONENT.**

13 (a) *MANDATORY ACTIVITIES.*—*The work-based learn-*
14 *ing component of a School-to-Work Opportunities program*
15 *shall include—*

16 (1) *paid work experience;*

17 (2) *a planned program of job training and work*
18 *experiences (including training related to*
19 *preemployment and employment skills to be mastered*
20 *at progressively higher levels) that are coordinated*
21 *with learning in the school-based learning component*
22 *described in section 103 and are relevant to the career*
23 *majors of students and lead to the award of skill cer-*
24 *tificates;*

25 (3) *workplace mentoring; and*

1 (4) *instruction in general workplace com-*
2 *petencies, including instruction and activities devel-*
3 *oping positive work attitudes, and employability and*
4 *participative skills.*

5 (b) *PERMISSIBLE ACTIVITIES.*—*Such component may*
6 *include such activities as job shadowing, school-sponsored*
7 *enterprises, or on-the-job training for academic credit.*

8 **SEC. 103. SCHOOL-BASED LEARNING COMPONENT.**

9 *The school-based learning component of a School-to-*
10 *Work Opportunities program shall include—*

11 (1) *career exploration and counseling, beginning*
12 *prior to the 11th grade year of the students, in order*
13 *to help students who may be interested to identify,*
14 *and select or reconsider, their interests, goals, and ca-*
15 *reer majors;*

16 (2) *initial selection by interested students of ca-*
17 *reer majors not later than the beginning of the 11th*
18 *grade;*

19 (3) *a program of study designed to meet aca-*
20 *demically established standards by the State for all stu-*
21 *dents, including, where applicable, any content stand-*
22 *ards developed under the Goals 2000: Educate Amer-*
23 *ica Act, and to meet the requirements necessary to*
24 *prepare students for postsecondary education and to*
25 *earn skill certificates; and*

1 (4) regularly scheduled evaluations involving on-
2 going consultation and problem solving with students
3 to identify academic strengths and weaknesses, aca-
4 demic progress, workplace knowledge, goals, and the
5 need for additional learning opportunities to master
6 core academic and vocational skills.

7 **SEC. 104. CONNECTING ACTIVITIES COMPONENT.**

8 The connecting activities component of a School-to-
9 Work Opportunities program shall include—

10 (1) matching students with the work-based learn-
11 ing opportunities of employers;

12 (2) serving, with respect to each student, as a li-
13 aison among the student and the employer, school,
14 teacher, and parent of the student, and, if appro-
15 priate, other community partners;

16 (3) providing technical assistance and services to
17 employers, including small- and medium-sized busi-
18 nesses, and other parties in—

19 (A) designing work-based learning compo-
20 nents described in section 102 and counseling
21 and case management services; and

22 (B) training teachers, workplace mentors,
23 school site mentors, and counselors;

24 (4) providing assistance to schools and employers
25 to integrate school-based and work-based learning and

1 *integrate academic and occupational learning in the*
2 *program;*

3 (5)(A) *providing assistance to participants who*
4 *have completed the program in finding an appro-*
5 *priate job, continuing their education, or entering*
6 *into an additional training program; and*

7 (B) *linking the participants with other commu-*
8 *nity services that may be necessary to assure a suc-*
9 *cessful transition from school to work;*

10 (6) *collecting and analyzing information regard-*
11 *ing post-program outcomes of participants in the*
12 *School-to-Work Opportunities program, including dis-*
13 *advantaged students, students with diverse racial, eth-*
14 *nic, or cultural backgrounds, students with disabil-*
15 *ities, students with limited-English proficiency, stu-*
16 *dents who have dropped out of school, and academi-*
17 *cally talented students; and*

18 (7) *linking youth development activities under*
19 *this Act with employer and industry strategies for*
20 *upgrading the skills of their workers.*

1 **TITLE II—SCHOOL-TO-WORK OP-**
2 **PORTUNITIES SYSTEM DEVEL-**
3 **OPMENT AND IMPLEMENTA-**
4 **TION GRANTS TO STATES**
5 **Subtitle A—State Development**
6 **Grants**

7 **SEC. 201. PURPOSE.**

8 *The purpose of this subtitle is to assist States in plan-*
9 *ning and developing comprehensive, statewide systems for*
10 *school-to-work opportunities.*

11 **SEC. 202. STATE DEVELOPMENT GRANTS.**

12 (a) *IN GENERAL.*—

13 (1) *AWARD.*—*On the application of the Governor*
14 *on behalf of a State, the Secretaries may award a de-*
15 *velopment grant to the State in such amount as the*
16 *Secretaries determine to be necessary to enable the*
17 *State to complete development of a comprehensive,*
18 *statewide School-to-Work Opportunities system.*

19 (2) *AMOUNT.*—*The amount of a development*
20 *grant under this subtitle may not exceed \$1,000,000*
21 *for any fiscal year.*

22 (3) *COMPLETION.*—*The Secretaries may award*
23 *such grant to complete development initiated with*
24 *funds awarded under the Job Training Partnership*
25 *Act (29 U.S.C. 1501 et seq.) or the Carl D. Perkins*

1 *Vocational and Applied Technology Education Act*
2 *(20 U.S.C. 2301 et seq.).*

3 *(b) APPLICATION CONTENTS.—To be eligible to receive*
4 *a grant under subsection (a), a State shall submit an appli-*
5 *cation to the Secretaries that shall—*

6 *(1) include a timetable and an estimate of the*
7 *amount of funding needed to complete the planning*
8 *and development necessary to implement a com-*
9 *prehensive, statewide School-to-Work Opportunities*
10 *system, for all students;*

11 *(2) describe the manner in which—*

12 *(A) the Governor;*

13 *(B) the State educational agency;*

14 *(C) the State agency officials responsible for*
15 *job training and employment;*

16 *(D) the State agency officials responsible for*
17 *economic development;*

18 *(E) the State agency officials responsible for*
19 *postsecondary education; and*

20 *(F) other appropriate officials,*

21 *will collaborate in the planning and development of*
22 *the statewide School-to-Work Opportunities system;*

23 *(3) describe the manner in which the State has*
24 *obtained and will continue to obtain the active and*
25 *continued participation, in the planning and develop-*

1 *ment of the statewide School-to-Work Opportunities*
2 *system, of employers and other interested parties such*
3 *as locally elected officials, secondary schools and post-*
4 *secondary educational institutions (or related agen-*
5 *cies), business associations, employees, labor organiza-*
6 *tions or associations of such organizations, teachers,*
7 *related services personnel, students, parents, commu-*
8 *nity-based organizations, rehabilitation agencies and*
9 *organizations, registered apprenticeship agencies, vo-*
10 *cational educational agencies, vocational student or-*
11 *ganizations, and human service agencies;*

12 *(4) describe the manner in which the State will*
13 *coordinate planning activities with any local school-*
14 *to-work programs, including programs that have re-*
15 *ceived a grant under title III, if any;*

16 *(5) designate a fiscal agent to receive and be ac-*
17 *countable for funds awarded under this subtitle;*

18 *(6) include such other information as the Sec-*
19 *retaries may require;*

20 *(7) provide evidence of the support of the officials*
21 *and agencies described in paragraph (2) for the ap-*
22 *plication; and*

23 *(8) be submitted at such time and in such man-*
24 *ner as the Secretaries may require.*

1 (c) *STATE DEVELOPMENT ACTIVITIES.*—Funds award-
2 *ed under this section shall be expended by a State only for*
3 *activities undertaken to develop a statewide School-to-Work*
4 *Opportunities system, which may include—*

5 (1) *identifying or establishing an appropriate*
6 *State structure to administer the School-to-Work Op-*
7 *portunities system;*

8 (2) *identifying secondary and postsecondary*
9 *school-to-work programs that might be incorporated*
10 *into the State system;*

11 (3) *identifying or establishing broad-based part-*
12 *nerships among employers, labor, education, govern-*
13 *ment, and other community and parent organizations*
14 *to participate in the design, development, and admin-*
15 *istration of School-to-Work Opportunities programs;*

16 (4) *developing a marketing plan to build consen-*
17 *sus and support for School-to-Work Opportunities*
18 *programs;*

19 (5) *promoting the active involvement of business,*
20 *including small- and medium-sized businesses, in*
21 *planning, developing, and implementing local School-*
22 *to-Work Opportunities programs;*

23 (6) *identifying ways that local school-to-work*
24 *programs could be coordinated with the statewide*
25 *School-to-Work Opportunities system;*

1 (7) *supporting local planning and development*
2 *activities to provide guidance, training, and technical*
3 *assistance in the development of School-to-Work Op-*
4 *portunities programs;*

5 (8) *identifying or establishing mechanisms for*
6 *providing training and technical assistance to en-*
7 *hance the development of a statewide School-to-Work*
8 *Opportunities system;*

9 (9) *initiating pilot programs for testing key*
10 *components of the program design of programs under*
11 *the system;*

12 (10) *developing a State process for issuing skill*
13 *certificates that is, to the extent feasible, consistent*
14 *with the efforts of the National Skill Standards Board*
15 *and the skill standards endorsed under the National*
16 *Skill Standards Act of 1993;*

17 (11) *designing challenging curricula, in coopera-*
18 *tion with representatives of local partnerships, that*
19 *take into account the diverse learning needs and*
20 *abilities of the student population served by the sys-*
21 *tem;*

22 (12) *developing a system for labor market analy-*
23 *sis and strategic planning for local targeting, of in-*
24 *dustry sectors or broad occupational clusters, that can*

1 *provide students with placements in high-skill work-*
2 *places;*

3 (13) *analyzing the post-high school employment*
4 *experiences of recent high school graduates and stu-*
5 *dents who have dropped out of school;*

6 (14) *preparing the plan described in section*
7 *212(b); and*

8 (15) *developing a training and technical support*
9 *system for teachers, employers, mentors, counselors,*
10 *related services personnel, and other parties.*

11 ***Subtitle B—State Implementation*** 12 ***Grants***

13 ***SEC. 211. PURPOSE.***

14 *The purpose of this subtitle is to assist States in the*
15 *implementation of comprehensive, statewide School-to-Work*
16 *Opportunities systems.*

17 ***SEC. 212. STATE IMPLEMENTATION GRANTS.***

18 (a) *IN GENERAL.*—

19 (1) *ELIGIBILITY.*—*On the application of the*
20 *Governor on behalf of a State, the Secretaries may*
21 *award, on a competitive basis, a 5-year implementa-*
22 *tion grant to the State.*

23 (2) *APPLICATION.*—*To be eligible to receive a*
24 *grant under paragraph (1), a State shall submit an*
25 *application to the Secretaries that shall—*

1 (A) contain—

2 (i) a plan for a comprehensive, state-
3 wide School-to-Work Opportunities system
4 that meets the requirements of subsection
5 (b);

6 (ii) a description of the manner in
7 which the State will allocate funds made
8 available through such a grant to local
9 School-to-Work Opportunities partnerships
10 under subsection (g);

11 (iii) a request, if the State decides to
12 submit such a request, for one or more
13 waivers of certain statutory or regulatory
14 requirements, as provided for under title V;

15 (iv) a description of the manner in
16 which—

17 (I) the Governor;

18 (II) the State educational agency;

19 (III) the State agency officials re-
20 sponsible for job training and employ-
21 ment;

22 (IV) the State agency officials re-
23 sponsible for economic development;

24 (V) the State agency officials re-
25 sponsible for postsecondary education;

1 (VI) *other appropriate officials;*

2 *and*

3 (VII) *the private sector,*

4 *collaborated in the development of the appli-*

5 *cation; and*

6 (v) *such other information as the Sec-*

7 *retaries may require; and*

8 (B) *be submitted at such time and in such*

9 *manner as the Secretaries may require.*

10 (b) *CONTENTS OF STATE PLAN.*—*A State plan referred*

11 *to in subsection (a)(2)(A)(i) shall—*

12 (1) *designate the geographical areas to be served*

13 *by partnerships that receive grants under subsection*

14 *(g), which shall, to the extent feasible, reflect local*

15 *labor market areas;*

16 (2) *describe the manner in which the State will*

17 *stimulate and support local School-to-Work Opportu-*

18 *nities programs that meet the requirements of this*

19 *Act, and the manner in which the statewide School-*

20 *to-Work Opportunities system will be expanded over*

21 *time to cover all geographic areas in the State;*

22 (3) *describe the procedure by which—*

23 (A) *the Governor;*

24 (B) *the State educational agency;*

1 (C) the State agency officials responsible for
2 job training and employment;

3 (D) the State agency officials responsible for
4 economic development;

5 (E) the State agency officials responsible for
6 postsecondary education; and

7 (F) other appropriate officials,
8 will collaborate in the implementation of the state-
9 wide School-to-Work Opportunities system;

10 (4) describe the manner in which the State has
11 obtained and will continue to obtain the active and
12 continued involvement, in the statewide School-to-
13 Work Opportunities system, of employers and other
14 interested parties such as locally elected officials, sec-
15 ondary schools and postsecondary educational institu-
16 tions (or related agencies), business associations, em-
17 ployees, labor organizations or associations of such or-
18 ganizations, teachers, related services personnel, stu-
19 dents, parents, community-based organizations, reha-
20 bilitation agencies and organizations, registered ap-
21 prenticeship agencies, vocational educational agencies,
22 vocational student organizations, State or regional co-
23 operative education associations, and human service
24 agencies;

1 (5) describe the manner in which the School-to-
2 Work Opportunities system will coordinate with or
3 integrate local school-to-work programs, including
4 programs financed from State and private sources,
5 with funds available from such related Federal pro-
6 grams as programs under the Adult Education Act
7 (20 U.S.C. 1201 et seq.), the Carl D. Perkins Voca-
8 tional and Applied Technology Education Act (20
9 U.S.C. 2301, et seq.), the Elementary and Secondary
10 Education Act of 1965 (20 U.S.C. 2701 et seq.), the
11 Higher Education Act of 1965 (20 U.S.C. 1001 et
12 seq.), part F of title IV of the Social Security Act (42
13 U.S.C. 681 et seq.), the Goals 2000: Educate America
14 Act, the National Skills Standards Act of 1993, the
15 Individuals with Disabilities Education Act (20
16 U.S.C. 1400 et seq.), the Job Training Partnership
17 Act (29 U.S.C. 1501 et seq.), the Act of August 16,
18 1937 (commonly known as the “National Apprentice-
19 ship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50
20 et seq.); the Rehabilitation Act of 1973 (29 U.S.C. 701
21 et seq.), and the National and Community Service
22 Act of 1990 (42 U.S.C. 12501 et seq.);

23 (6) describe the strategy of the State for provid-
24 ing training for teachers, employers, mentors, coun-
25 selors, related services personnel, and other parties;

1 (7) describe the strategy of the State for incor-
2 porating project-oriented, experiential learning pro-
3 grams which integrate theory and academic knowl-
4 edge with hands-on skills and applications into the
5 school curriculum for all students in the State;

6 (8) describe the resources, including private sec-
7 tor resources, that the State intends to employ in
8 maintaining the School-to-Work Opportunities system
9 when funds under this Act are no longer available;

10 (9) describe the manner in which the State will
11 ensure effective and meaningful opportunities for all
12 students in the State to participate in School-to-Work
13 Opportunities programs;

14 (10) describe the goals of the State and the meth-
15 ods the State will use, such as awareness and out-
16 reach, to ensure opportunities for young women to
17 participate in School-to-Work Opportunities pro-
18 grams in a manner that leads to employment in high-
19 performance, high-paying jobs, including nontradi-
20 tional employment;

21 (11) describe the manner in which the State will
22 ensure opportunities for low-achieving students, stu-
23 dents with disabilities, and former students who have
24 dropped out of school, to participate in School-to-
25 Work Opportunities programs;

1 (12) describe the process of the State for assessing
2 the skills and knowledge required in career majors,
3 and the process for awarding skill certificates that is
4 consistent with the efforts of the National Skill Stand-
5 ards Board and the skill standards endorsed under
6 the National Skill Standards Act of 1993;

7 (13) describe the manner in which the State will
8 ensure that students participating in the programs
9 are provided, to the greatest extent possible, with
10 flexibility to develop new career goals over time and
11 to change career majors without adverse consequences;

12 (14) describe the manner in which the State will,
13 to the extent feasible, continue programs funded under
14 section 302 in the statewide School-to-Work Opportu-
15 nities system;

16 (15) describe the manner in which local school-
17 to-work programs, including programs funded under
18 section 302, if any, will be integrated into the state-
19 wide School-to-Work Opportunities system;

20 (16) describe the performance standards that the
21 State intends to meet;

22 (17) designate a fiscal agent to receive and be ac-
23 countable for funds awarded under this subtitle; and

1 (18) provide evidence of the support of the offi-
2 cials and agencies described in paragraph (3) for the
3 plan, and their agreement with the plan.

4 (c) REVIEW OF APPLICATIONS.—In reviewing each ap-
5 plication submitted under subsection (a), the Secretaries
6 shall submit the application to a peer review process, deter-
7 mine whether to approve the plan described in subsection
8 (b), and, if such determination is affirmative, further deter-
9 mine whether to take one or more of the following actions:

10 (1) Award an implementation grant described in
11 subsection (a) to the State submitting the application.

12 (2) Approve the request of the State, if any, for
13 a waiver in accordance with the procedures set forth
14 in title V.

15 (3) Inform the State of the opportunity to apply
16 for further development funds under subtitle A, by
17 submitting to the Secretaries an application that in-
18 cludes a timetable and an estimate of the amount of
19 funding needed to complete the planning and develop-
20 ment necessary to implement a comprehensive, state-
21 wide School-to-Work Opportunities system, except
22 that further development funds may not be awarded
23 to a State that receives an implementation grant
24 under subsection (e).

1 (d) *REVIEW CONSIDERATIONS.*—*In evaluating an ap-*
2 *plication submitted under subsection (a), the Secretaries*
3 *shall—*

4 (1) *take into consideration the quality of the ap-*
5 *plication, including the replicability, sustainability,*
6 *and innovation of programs described in the applica-*
7 *tion;*

8 (2) *give priority to applications, based on the ex-*
9 *tent to which the system described in the application*
10 *would limit administrative costs and increase*
11 *amounts spent on delivery of services to students en-*
12 *rolled in programs carried out through the system*
13 *under this Act; and*

14 (3) *give priority to applications that describe*
15 *systems that demonstrate the highest levels of collabo-*
16 *ration among appropriate State agencies and officials*
17 *and the private sector in the planning, development,*
18 *and implementation of the systems.*

19 (e) *GRANT AMOUNT AND DURATION OF GRANT.*—

20 (1) *AMOUNT.*—*The Secretaries shall establish the*
21 *minimum and maximum amounts available for an*
22 *implementation grant under subsection (a), and shall*
23 *determine the actual amount granted to any State*
24 *under such subsection, based on such criteria as the*
25 *scope and quality of the plan described in subsection*

1 **(b)** and the number of projected participants in pro-
2 grams carried out through the system.

3 **(2) DURATION.**—No State shall be awarded more
4 than one implementation grant.

5 **(f) STATE IMPLEMENTATION ACTIVITIES.**—A State
6 shall expend funds awarded through grants under sub-
7 section (a) only for activities undertaken to implement the
8 School-to-Work Opportunities system of the State, which
9 may include—

10 **(1)** recruiting and providing assistance to em-
11 ployers to provide work-based learning for all stu-
12 dents;

13 **(2)** conducting outreach activities to promote
14 and support collaboration, in School-to-Work Oppor-
15 tunities programs, by businesses, labor organizations,
16 and other organizations;

17 **(3)** providing training for teachers, employers,
18 workplace mentors, school site mentors, counselors, re-
19 lated services personnel, and other parties;

20 **(4)** providing labor market information to local
21 partnerships that is useful in determining which
22 high-skill, high-wage occupations are in demand;

23 **(5)** designing or adapting model curricula that
24 can be used to integrate academic and occupational
25 learning, school-based and work-based learning, and

1 *secondary and postsecondary education, for all stu-*
2 *dents in the State;*

3 *(6) designing or adapting model work-based*
4 *learning programs and identifying best practices for*
5 *such programs;*

6 *(7) conducting outreach activities and providing*
7 *technical assistance to other States that are develop-*
8 *ing or implementing School-to-Work Opportunities*
9 *systems;*

10 *(8) reorganizing and streamlining School-to-*
11 *Work Opportunities systems in the State to facilitate*
12 *the development of a comprehensive statewide School-*
13 *to-Work Opportunities system;*

14 *(9) identifying ways that existing local school-to-*
15 *work programs could be integrated with the statewide*
16 *School-to-Work Opportunities system;*

17 *(10) designing career awareness and exploration*
18 *activities, which may begin as early as the elemen-*
19 *tary grades, such as job shadowing, job site visits,*
20 *school visits by individuals in various occupations,*
21 *and mentoring;*

22 *(11) designing and implementing school-spon-*
23 *sored work experiences, such as school-sponsored en-*
24 *terprises and community development projects; and*

1 (12) *providing career exploration and awareness*
2 *services, counseling and mentoring services, college*
3 *awareness and preparation services, and other serv-*
4 *ices to prepare students for the transition from school*
5 *to work.*

6 (g) *ALLOCATION OF FUNDS TO PARTNERSHIPS.—A*
7 *State that receives a grant under subsection (a) shall award*
8 *grants, according to criteria established by the State, to*
9 *partnerships to carry out local School-to-Work Opportuni-*
10 *ties programs. In awarding such grants, the State shall use*
11 *not less than 65 percent of the sums awarded to the State*
12 *under subsection (a) in the first year in which the State*
13 *awards such grants, 75 percent of such sums in the second*
14 *such year, and 85 percent of such sums in each such year*
15 *thereafter.*

16 (h) *STATE SUBGRANTS TO PARTNERSHIPS.—*

17 (1) *APPLICATION.—A partnership that seeks a*
18 *grant to carry out a local School-to-Work Opportuni-*
19 *ties program, including a program initiated under*
20 *section 302, shall submit an application to the State*
21 *that—*

22 (A) *describes how the program would in-*
23 *clude the program components described in sec-*
24 *tions 102, 103, and 104 and otherwise meet the*
25 *requirements of this Act;*

1 (B) sets forth measurable program goals
2 and outcomes;

3 (C) describes the local strategies and time-
4 tables of the partnership to provide School-to-
5 Work Opportunities program opportunities for
6 all students in the area served;

7 (D) provides such other information as the
8 State may require; and

9 (E) is submitted at such time and in such
10 manner as the State may require.

11 (2) *ALLOWABLE ACTIVITIES.*—A partnership
12 shall expend funds awarded through grants under this
13 subsection only for activities undertaken to carry out
14 local School-to-Work Opportunities programs, and
15 such activities may include, for each such program—

16 (A) recruiting and providing assistance to
17 employers, including small- and medium-size
18 businesses, to provide the work-based learning
19 components described in section 102 in the
20 School-to-Work Opportunities program;

21 (B) establishing consortia of employers to
22 support the School-to-Work Opportunities pro-
23 gram and provide access to jobs related to the ca-
24 reer majors of students;

1 (C) supporting or establishing
2 intermediaries (selected from among the members
3 of the partnership) to perform the activities de-
4 scribed in section 104 and to provide assistance
5 to students in obtaining jobs and further edu-
6 cation and training;

7 (D) designing or adapting school curricula
8 that can be used to integrate academic and occu-
9 pational learning, school-based and work-based
10 learning, and secondary and postsecondary edu-
11 cation for all students in the area served;

12 (E) providing training to work-based and
13 school-based staff on new curricula, student as-
14 sessments, student guidance, and feedback to the
15 school regarding student performance;

16 (F) establishing, in schools participating in
17 the School-to-Work Opportunities program, a
18 graduation assistance program to assist at-risk
19 students, low-achieving students, and students
20 with disabilities, in graduating from high school,
21 enrolling in postsecondary education or training,
22 and finding or advancing in jobs;

23 (G) conducting or obtaining an indepth
24 analysis of the local labor market and the generic

1 *and specific skill needs of employers to identify*
2 *high-demand, high-wage careers to target;*

3 *(H) integrating work-based and school-*
4 *based learning into existing job training pro-*
5 *grams for youth who have dropped out of school;*

6 *(I) establishing or expanding school-to-ap-*
7 *prenticeship programs in cooperation with reg-*
8 *istered apprenticeship agencies and apprentice-*
9 *ship sponsors;*

10 *(J) assisting participating employers, in-*
11 *cluding small- and medium-size businesses, to*
12 *identify and train workplace mentors and to de-*
13 *velop work-based learning components;*

14 *(K) designing local strategies to provide*
15 *adequate planning time and staff development*
16 *activities for teachers, school counselors, related*
17 *services personnel, and school site mentors;*

18 *(L) enhancing linkages between—*

19 *(i) after-school, weekend, and summer*
20 *jobs; and*

21 *(ii) opportunities for career explo-*
22 *ration and school-based learning; and*

23 *(M) providing career exploration and*
24 *awareness services, counseling and mentoring*
25 *services, college awareness and preparation serv-*

1 *ices, and other services to prepare students for*
2 *the transition from school to work.*

3 **SEC. 213. LIMITATION ON ADMINISTRATIVE COSTS.**

4 (a) *STATE SYSTEM.*—A State that receives an imple-
5 *mentation grant under section 212 may not use more than*
6 *15 percent of the amounts received through the grant for*
7 *any fiscal year for administrative costs associated with im-*
8 *plementing the School-to-Work Opportunities system of the*
9 *State for such fiscal year.*

10 (b) *LOCAL PROGRAM.*—A partnership that receives a
11 *grant under section 212 may not use more than 15 percent*
12 *of the amounts received through the grant for any fiscal*
13 *year for administrative costs associated with carrying out*
14 *the School-to-Work Opportunities programs of the partner-*
15 *ship for such fiscal year.*

16 **TITLE III—FEDERAL IMPLEMEN-**
17 **TATION GRANTS TO PART-**
18 **NERSHIPS**

19 **SEC. 301. PURPOSES.**

20 *The purposes of this title are—*

21 (1) *to authorize the Secretaries to award com-*
22 *petitive grants to partnerships in States that have not*
23 *received, or have only recently received, implementa-*
24 *tion grants under section 212(a), in order to provide*
25 *funding for communities that have established a*

1 *sound planning and development base for School-to-*
2 *Work Opportunities programs and are ready to begin*
3 *implementing a local School-to-Work Opportunities*
4 *program; and*

5 *(2) to authorize the Secretaries to award com-*
6 *petitive grants to implement School-to-Work Opportu-*
7 *nities programs in high poverty areas of urban and*
8 *rural communities to provide support for a com-*
9 *prehensive range of education, training, and support*
10 *services for youth residing in designated high poverty*
11 *areas.*

12 **SEC. 302. FEDERAL IMPLEMENTATION GRANTS TO PART-**
13 **NERSHIPS.**

14 *(a) IN GENERAL.—The Secretaries may award Federal*
15 *implementation grants, in accordance with competitive cri-*
16 *teria established by the Secretaries, to partnerships in*
17 *States that have not received an implementation grant*
18 *under section 212, or are carrying out activities for an ini-*
19 *tial year of an initial grant under such section, in order*
20 *to enable the partnerships to begin implementing local*
21 *School-to-Work Opportunities programs.*

22 *(b) APPLICATION PROCEDURE.—A partnership that*
23 *desires to receive or extend a Federal implementation grant*
24 *under this section shall submit an application to the Sec-*
25 *retaries at such time and in such manner as the Secretaries*

1 *may require. The partnership shall submit the application*
2 *to the State for review and comment before submitting the*
3 *application to the Secretaries. The Secretaries shall submit*
4 *the application to a peer review process.*

5 (c) *APPLICATION CONTENTS.—The application de-*
6 *scribed in subsection (b) shall include a plan for local*
7 *School-to-Work Opportunities programs that—*

8 (1) *describes the manner in which the partner-*
9 *ship will meet the requirements of this Act;*

10 (2) *includes the comments of the State on the*
11 *plan, if any;*

12 (3) *contains information that is consistent with*
13 *the information required to be submitted as part of*
14 *a State plan in accordance with paragraphs (4)*
15 *through (10) of section 212(b);*

16 (4) *designates a fiscal agent to receive and be ac-*
17 *countable for funds under this section; and*

18 (5) *provides such other information as the Sec-*
19 *retaries may require.*

20 (d) *CONFORMITY WITH APPROVED PLAN.—The Sec-*
21 *retaries shall not award a grant under this section to a*
22 *partnership in a State that has an approved plan unless*
23 *the Secretaries determine, after consultation with the State,*
24 *that the plan submitted by the partnership is in accordance*
25 *with the approved plan.*

1 (e) *IMPLEMENTATION ACTIVITIES.*—A partnership
2 shall expend funds awarded under this section only for ac-
3 tivities undertaken to implement School-to-Work Opportu-
4 nities programs, which may include the activities specified
5 in section 212(f).

6 **SEC. 303. SCHOOL-TO-WORK OPPORTUNITIES PROGRAM**
7 **GRANTS IN HIGH POVERTY AREAS.**

8 (a) *IN GENERAL.*—

9 (1) *AWARD OF GRANTS.*—From the funds re-
10 served under section 506(b), the Secretaries are au-
11 thorized to award grants, in accordance with competi-
12 tive criteria established by the Secretaries, to partner-
13 ships to implement School-to-Work Opportunities pro-
14 grams that include the program components described
15 in sections 102, 103, and 104 and otherwise meet the
16 requirements of title I, in high poverty areas.

17 (2) *DEFINITION.*—For purposes of this sub-
18 section, the term “high poverty area” means an urban
19 census tract, the block number area in a
20 nonmetropolitan county, or an Indian reservation (as
21 defined in section 403(9) of the Indian Child Protec-
22 tion and Family Violence Prevention Act (25 U.S.C.
23 3202(9)), with a poverty rate of 20 percent or more
24 among youth aged 5 to 17, inclusive, as determined
25 by the Bureau of the Census.

1 (b) *APPLICATION PROCEDURE.*—A partnership that
2 desires to receive a grant under this section, in addition
3 to any funds received under section 212 or 302, shall submit
4 an application to the Secretaries at such time and in such
5 manner as the Secretaries may require. The partnership
6 shall submit the application to the State for review and
7 comment before submitting the application to the Secretar-
8 ies. The Secretaries shall submit the application to a peer
9 review process.

10 (c) *APPLICATION CONTENTS.*—The application de-
11 scribed in subsection (b) shall include a plan for local
12 School-to-Work Opportunities programs that—

13 (1) describes the manner in which the partner-
14 ship will meet the requirements of this Act;

15 (2) includes the comments of the State on the
16 plan, if any;

17 (3) contains information that is consistent with
18 the information required to be submitted as part of
19 a State plan in accordance with paragraphs (4)
20 through (10) of section 212(b);

21 (4) designates a fiscal agent to receive and be ac-
22 countable for funds under this section; and

23 (5) provides such other information as the Sec-
24 retaries may require.

1 *authorized under any other provision of this Act that are*
2 *most appropriately administered at the national level and*
3 *that will operate in, or benefit, more than one State.*

4 **SEC. 402. PERFORMANCE OUTCOMES AND EVALUATION.**

5 *(a) IN GENERAL.—Using funds reserved under section*
6 *506(c), the Secretaries, in collaboration with the States,*
7 *shall establish a system of performance measures for assess-*
8 *ing State and local School-to-Work Opportunities programs*
9 *regarding—*

10 *(1) progress in the development and implementa-*
11 *tion of State plans described in section 212(b) with*
12 *respect to programs that include the program compo-*
13 *nents described in sections 102, 103, and 104 and*
14 *otherwise meet the requirements of title I;*

15 *(2) participation in School-to-Work Opportuni-*
16 *ties programs by employers, schools, and students;*

17 *(3) progress in developing and implementing*
18 *strategies for addressing the needs of all students in*
19 *the State;*

20 *(4) progress in meeting the goals of the State to*
21 *ensure opportunities for young women to participate*
22 *in School-to-Work Opportunities programs, including*
23 *participation in nontraditional employment;*

24 *(5) outcomes for students in the programs (in-*
25 *cluding disadvantaged students, students with diverse*

1 *racial, ethnic, or cultural backgrounds, students with*
2 *disabilities, students with limited-English proficiency,*
3 *students who have dropped out of school, and aca-*
4 *demically talented students), which outcomes shall in-*
5 *clude—*

6 (A) *academic learning gains;*

7 (B) *progress in staying in school and at-*
8 *taining—*

9 (i) *a high school diploma or its equiva-*
10 *lent, such as—*

11 (I) *a general equivalency diploma;*

12 *or*

13 (II) *an alternative diploma or*
14 *certificate for students with disabilities*
15 *for whom such alternative diploma or*
16 *certificate is appropriate;*

17 (ii) *a skill certificate; and*

18 (iii) *a postsecondary degree;*

19 (C) *attainment of strong experience in and*
20 *understanding of all aspects of the industry the*
21 *students are preparing to enter;*

22 (D) *placement and retention in further edu-*
23 *cation or training, particularly in the career*
24 *major of the student; and*

1 (E) job placement, retention, and earnings,
2 particularly in the career major of the student;
3 and

4 (6) the extent to which the program has met the
5 needs of employers.

6 (b) EVALUATION.—Using funds reserved under section
7 506(c), the Secretaries shall conduct, through grants, con-
8 tracts, or other arrangements, a national evaluation of
9 School-to-Work Opportunities programs funded under this
10 Act that will track and assess the progress of implementa-
11 tion of State and local School-to-Work Opportunities pro-
12 grams and their effectiveness based on measures such as the
13 measures described in subsection (a).

14 (c) REPORTS TO THE SECRETARIES.—

15 (1) IN GENERAL.—Each State shall prepare and
16 submit to the Secretaries periodic reports, at such in-
17 tervals as the Secretaries may determine, containing
18 information described in paragraphs (1) through (5)
19 of subsection (a).

20 (2) FEDERAL PROGRAMS.—Each State shall pre-
21 pare and submit reports to the Secretaries, at such
22 intervals as the Secretaries may determine, contain-
23 ing information on the extent to which Federal pro-
24 grams implemented at the State and local level may
25 be duplicative, outdated, overly restrictive, or other-

1 *wise counterproductive to the development of com-*
2 *prehensive statewide School-to-Work Opportunities*
3 *systems.*

4 *(d) REPORT TO THE CONGRESS.—Using funds re-*
5 *served under section 506(c), not later than 24 months after*
6 *the date of enactment of this Act, the Secretaries shall sub-*
7 *mit a report to the Congress on School-to-Work Opportuni-*
8 *ties programs and shall, at a minimum, include in such*
9 *report—*

10 *(1) information concerning the programs that re-*
11 *ceive assistance under this Act;*

12 *(2) a summary of the information contained in*
13 *the State reports submitted under subsection (c); and*

14 *(3) information regarding the findings and ac-*
15 *tions taken as a result of any evaluation conducted by*
16 *the Secretaries.*

17 **SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.**

18 *(a) PURPOSE.—The Secretaries shall work in coopera-*
19 *tion with States, employers and associations of employers,*
20 *secondary schools and postsecondary education institutions,*
21 *student and teacher organizations, labor organizations, and*
22 *community-based organizations, to increase their capacity*
23 *to develop and implement effective School-to-Work Opportu-*
24 *nities programs.*

1 (b) *AUTHORIZED ACTIVITIES.*—Using funds reserved
2 under section 506(c), the Secretaries shall provide, through
3 grants, contracts, or other arrangements—

4 (1) *training, technical assistance, and other ac-*
5 *tivities that will—*

6 (A) *enhance the skills, knowledge, and ex-*
7 *pertise of the personnel involved in planning and*
8 *implementing State and local School-to-Work*
9 *Opportunities programs; and*

10 (B) *improve the quality of services provided*
11 *to individuals served under this Act;*

12 (2) *assistance to States and partnerships in-*
13 *volved in carrying out School-to-Work Opportunities*
14 *programs in order to integrate resources available*
15 *under this Act with resources available under other*
16 *Federal, State, and local authorities;*

17 (3) *assistance to States and such partnerships to*
18 *recruit employers to provide the work-based learning*
19 *component, described in section 102, of School-to-*
20 *Work Opportunities programs; and*

21 (4) *assistance to States and such partnerships to*
22 *design and implement school-sponsored enterprises.*

23 (c) *PEER REVIEW.*—The Secretaries may use funds re-
24 served under section 506(c) for the peer review of State ap-

1 *plications and plans under section 212 and applications*
2 *under title III.*

3 *(d) NETWORKS AND CLEARINGHOUSES.—*

4 *(1) ESTABLISHMENT.—To carry out their re-*
5 *sponsibilities under subsection (b), the Secretaries*
6 *shall establish, through grants, contracts, or other ar-*
7 *rangements, a Clearinghouse and Capacity Building*
8 *Network (hereafter referred to in this subsection as the*
9 *“Clearinghouse”).*

10 *(2) FUNCTIONS.—The Clearinghouse shall—*

11 *(A) collect and disseminate information on*
12 *successful school-to-work programs, and innova-*
13 *tive school-based and work-based curricula;*

14 *(B) collect and disseminate information on*
15 *research and evaluation conducted concerning*
16 *activities carried out through School-to-Work*
17 *Opportunities programs;*

18 *(C) collect and disseminate information*
19 *that will assist States and partnerships in un-*
20 *dertaking labor market analysis, surveys, or*
21 *other activities related to economic development;*

22 *(D) collect and disseminate information on*
23 *skill certificates, skill standards, and related as-*
24 *essment technologies;*

1 (E) collect and disseminate information on
2 methods for recruiting and building the capacity
3 of employers to provide work-based learning op-
4 portunities;

5 (F) facilitate communication and the ex-
6 change of information and ideas among States
7 and partnerships carrying out School-to-Work
8 Opportunities programs; and

9 (G) carry out such other activities as the
10 Secretaries determine to be appropriate.

11 (3) COORDINATION.—The Secretaries shall co-
12 ordinate the activities of the Clearinghouse with the
13 activities of other similar entities to avoid duplica-
14 tion and enhance the sharing of relevant information.

15 **TITLE V—GENERAL PROVISIONS**

16 **SEC. 501. STATE REQUEST AND RESPONSIBILITIES FOR A** 17 **WAIVER OF STATUTORY AND REGULATORY** 18 **REQUIREMENTS.**

19 (a) STATE REQUEST FOR WAIVER.—A State with an
20 approved plan may, at any point during the development
21 or implementation of a School-to-Work Opportunities pro-
22 gram, request a waiver of one or more statutory or regu-
23 latory provisions from the Secretaries in order to carry out
24 the purposes of this Act, and such requests for waivers shall

1 *be submitted as part of the plan or as amendments to the*
2 *plan.*

3 **(b) PARTNERSHIP REQUEST FOR WAIVER.**—*A part-*
4 *nership that seeks a waiver of any of the provisions speci-*
5 *fied in sections 502 and 503 shall submit an application*
6 *for such waiver to the State, and the State shall determine*
7 *whether to submit a request for a waiver to the Secretaries,*
8 *as provided in subsection (a).*

9 **(c) WAIVER CRITERIA.**—*Any such request by the State*
10 *shall meet the criteria contained in section 502 or 503 and*
11 *shall specify the provisions or regulations referred to in such*
12 *sections with respect to which the State seeks a waiver.*

13 **(d) SUPPORT BY APPROPRIATE STATE AGENCIES.**—*In*
14 *requesting such a waiver, the State shall provide evidence*
15 *of support for the waiver request by the State agencies or*
16 *officials with jurisdiction over the provisions or regulations*
17 *that would be waived.*

18 **SEC. 502. WAIVERS OF STATUTORY AND REGULATORY RE-**
19 **QUIREMENTS BY THE SECRETARY OF EDU-**
20 **CATION.**

21 **(a) IN GENERAL.**—

22 **(1) WAIVER.**—*Except as provided in subsection*
23 *(c), the Secretary of Education may waive any re-*
24 *quirement of any provisions specified in subsection*

1 **(b)** or of the regulations issued under such provisions
2 for a State that requests such a waiver—

3 **(A)** if, and only to the extent that, the Sec-
4 retary of Education determines that such re-
5 quirement impedes the ability of the State or a
6 partnership to carry out the purposes of this Act;

7 **(B)** if the State waives, or agrees to waive,
8 similar requirements of State law; and

9 **(C)** if the State—

10 **(i)** has provided all partnerships that
11 carry out programs under this Act, and
12 local educational agencies participating in
13 such a partnership, in the State with notice
14 and an opportunity to comment on the pro-
15 posal of the State to seek a waiver; and

16 **(ii)** has submitted the comments of the
17 partnerships and local educational agencies
18 to the Secretary of Education.

19 **(2) ACTION.**—The Secretary of Education shall
20 act promptly on any request submitted pursuant to
21 paragraph (1).

22 **(3) TERM.**—Each waiver approved pursuant to
23 this subsection shall be for a period not to exceed 5
24 years, except that the Secretary of Education may ex-
25 tend such period if the Secretary of Education deter-

1 *mines that the waiver has been effective in enabling*
2 *the State or partnership to carry out the purposes of*
3 *this Act.*

4 *(b) INCLUDED PROGRAMS.—The provisions subject to*
5 *the waiver authority of this section are—*

6 *(1) chapter 1 of title I of the Elementary and*
7 *Secondary Education Act of 1965 (20 U.S.C. 2701 et*
8 *seq.), including the Even Start programs carried out*
9 *under part B of such chapter (20 U.S.C. 2741 et seq.);*

10 *(2) part A of chapter 2 of title I of the Elemen-*
11 *tary and Secondary Education Act of 1965 (20*
12 *U.S.C. 2921 et seq.);*

13 *(3) part A of title II of the Elementary and Sec-*
14 *ondary Education Act of 1965 (20 U.S.C. 2981 et*
15 *seq.);*

16 *(4) part D of title IV of the Elementary and Sec-*
17 *ondary Education Act of 1965 (20 U.S.C. 3121 et*
18 *seq.);*

19 *(5) title V of the Elementary and Secondary*
20 *Education Act of 1965 (20 U.S.C. 3171 et seq.); and*

21 *(6) the Carl D. Perkins Vocational and Applied*
22 *Technology Education Act (20 U.S.C. 2301 et seq.).*

23 *(c) WAIVERS NOT AUTHORIZED.—The Secretary of*
24 *Education may not waive any statutory or regulatory re-*

1 *quirement of the provisions specified in subsection (b) relat-*
2 *ing to—*

3 *(1) the basic purposes or goals of the affected*
4 *programs under such provisions;*

5 *(2) maintenance of effort;*

6 *(3) comparability of services;*

7 *(4) the equitable participation of students at-*
8 *tending private schools;*

9 *(5) student and parental participation and in-*
10 *volvement;*

11 *(6) the distribution of funds to State or to local*
12 *educational agencies;*

13 *(7) the eligibility of an individual for participa-*
14 *tion in the affected programs;*

15 *(8) public health or safety, labor, civil rights, oc-*
16 *cupational safety and health, or environmental pro-*
17 *tection; or*

18 *(9) prohibitions or restrictions relating to the*
19 *construction of buildings or facilities.*

20 *(d) TERMINATION OF WAIVERS.—The Secretary of*
21 *Education shall periodically review the performance of any*
22 *State or partnership for which the Secretary of Education*
23 *has granted a waiver under this section and shall terminate*
24 *the waiver under this section if the Secretary determines*
25 *that the performance of the State, partnership, or local edu-*

1 *cational agency affected by the waiver has been inadequate*
 2 *to justify a continuation of the waiver, or the State fails*
 3 *to waive similar requirements of State law as required or*
 4 *agreed to in accordance with subsection (a)(1)(B).*

5 **SEC. 503. WAIVERS OF STATUTORY AND REGULATORY RE-**
 6 **QUIREMENTS BY THE SECRETARY OF LABOR.**

7 *(a) IN GENERAL.—*

8 *(1) WAIVER.—Except as provided in subsection*
 9 *(c), the Secretary of Labor may waive any require-*
 10 *ment of the Act, or any provisions of the Act, speci-*
 11 *fied in subsection (b) or of the regulations issued*
 12 *under such Act or provisions for a State that requests*
 13 *such a waiver—*

14 *(A) if, and only to the extent that, the Sec-*
 15 *retary of Labor determines that such requirement*
 16 *impedes the ability of the State or a partnership*
 17 *to carry out the purposes of this Act;*

18 *(B) if the State waives, or agrees to waive,*
 19 *similar requirements of State law; and*

20 *(C) if the State—*

21 *(i) has provided all partnerships that*
 22 *carry out programs under this Act in the*
 23 *State with notice and an opportunity to*
 24 *comment on the proposal of the State to seek*
 25 *a waiver; and*

1 (ii) has submitted the comments of the
2 partnerships to the Secretary of Labor.

3 (2) ACTION.—The Secretary of Labor shall act
4 promptly on any request submitted pursuant to para-
5 graph (1).

6 (3) TERM.—Each waiver approved pursuant to
7 this subsection shall be for a period not to exceed 5
8 years, except that the Secretary of Labor may extend
9 such period if the Secretary of Labor determines that
10 the waiver has been effective in enabling the State or
11 partnership to carry out the purposes of this Act.

12 (b) INCLUDED PROGRAMS.—The Act subject to the
13 waiver authority of this section is the Job Training Part-
14 nership Act (29 U.S.C. 1501 et seq.).

15 (c) WAIVERS NOT AUTHORIZED.—The Secretary of
16 Labor may not waive any statutory or regulatory require-
17 ment of the Act, or any provision of the Act, specified in
18 subsection (b) relating to—

19 (1) the basic purposes or goals of the affected
20 programs under such provisions;

21 (2) maintenance of effort;

22 (3) the allocation of funds under the affected pro-
23 grams;

24 (4) the eligibility of an individual for participa-
25 tion in the affected programs;

1 (5) *public health or safety, labor, civil rights, oc-*
2 *cupational safety and health, or environmental pro-*
3 *tection; or*

4 (6) *prohibitions or restrictions relating to the*
5 *construction of buildings or facilities.*

6 (d) *TERMINATION OF WAIVERS.—The Secretary of*
7 *Labor shall periodically review the performance of any*
8 *State or partnership for which the Secretary of Labor has*
9 *granted a waiver under this section and shall terminate the*
10 *waiver under this section if the Secretary determines that*
11 *the performance of the State or partnership affected by the*
12 *waiver has been inadequate to justify a continuation of the*
13 *waiver, or the State fails to waive similar requirements of*
14 *State law as required or agreed to in accordance with sub-*
15 *section (a)(1)(B).*

16 **SEC. 504. REQUIREMENTS.**

17 *The following requirements shall apply to School-to-*
18 *Work Opportunities programs under this Act:*

19 (1) *No student participating in such a program*
20 *shall displace any currently employed worker (includ-*
21 *ing a partial displacement, such as a reduction in the*
22 *hours of nonovertime work, wages, or employment*
23 *benefits).*

24 (2) *No School-to-Work Opportunities program*
25 *shall impair existing contracts for services or collec-*

1 *tive bargaining agreements, and no program under*
2 *this Act that would be inconsistent with the terms of*
3 *a collective bargaining agreement shall be undertaken*
4 *without the written concurrence of the labor organiza-*
5 *tion and employer concerned.*

6 (3) *No student shall be employed or fill a posi-*
7 *tion—*

8 (A) *when any other individual is on tem-*
9 *porary layoff from the participating employer,*
10 *with the clear possibility of recall, from the same*
11 *or any substantially equivalent job; or*

12 (B) *when the employer has terminated the*
13 *employment of any regular employee or other-*
14 *wise reduced the work force of the employer with*
15 *the intention of filling the vacancy so created*
16 *with a student.*

17 (4) *Students participating in such programs*
18 *shall be provided with adequate and safe equipment*
19 *and safe and healthful workplaces in conformity with*
20 *all health and safety standards of Federal, State, and*
21 *local law.*

22 (5) *Nothing in this Act shall be construed to*
23 *modify or affect any Federal or State law prohibiting*
24 *discrimination on the basis of race, religion, color,*
25 *ethnicity, national origin, gender, age, or disability.*

1 (6) *Funds appropriated under authority of this*
2 *Act shall not be expended for wages of students par-*
3 *ticipating in such programs.*

4 (7) *The Secretaries shall establish such other re-*
5 *quirements as the Secretaries may determine to be*
6 *appropriate, in order to ensure that participants in*
7 *such programs are afforded adequate supervision by*
8 *skilled adult workers, or to otherwise further the pur-*
9 *poses of this Act.*

10 **SEC. 505. SANCTIONS.**

11 (a) *IN GENERAL.*—*The Secretaries may terminate or*
12 *suspend financial assistance, in whole or in part, to a re-*
13 *ipient or refuse to extend a grant for a recipient, if the*
14 *Secretaries determine that the recipient has failed to meet*
15 *the requirements of this Act, including requirements under*
16 *section 402(c), or any regulations under this Act, or any*
17 *approved plan submitted pursuant to this Act. The Sec-*
18 *retaries shall provide to the recipient prompt notice of such*
19 *termination, suspension, or refusal to extend a grant and*
20 *the opportunity for a hearing within 30 days after such*
21 *notice.*

22 (b) *NONDELEGATION.*—*The Secretaries shall not dele-*
23 *gate any of the functions or authority specified in this sec-*
24 *tion, other than to an officer whose appointment is required*

1 *to be made by and with the advice and consent of the Sen-*
2 *ate.*

3 **SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) *AUTHORIZATION.*—*There are authorized to be ap-*
5 *propriated to the Secretaries \$300,000,000 for fiscal year*
6 *1995, and such sums as may be necessary for each of the*
7 *7 succeeding fiscal years to carry out this Act.*

8 (b) *HIGH POVERTY AREAS.*—*Of the amounts appro-*
9 *priated under subsection (a), the Secretaries may reserve*
10 *up to \$30,000,000 for fiscal year 1995, and such sums as*
11 *may be necessary for each of the succeeding 7 years to carry*
12 *out section 303, which reserved funds may be used in con-*
13 *junction with funds available under the Youth Fair Chance*
14 *Program set forth in part H of title IV of the Job Training*
15 *Partnership Act (29 U.S.C. 1782 et seq.).*

16 (c) *NATIONAL PROGRAMS.*—*Of the amounts appro-*
17 *priated under subsection (a), the Secretaries may reserve*
18 *up to \$30,000,000 for fiscal year 1995 and such sums as*
19 *may be necessary for each of the 7 succeeding fiscal years*
20 *to carry out title IV.*

21 (d) *TERRITORIES.*—

22 (1) *IN GENERAL.*—*Of the amounts appropriated*
23 *for a fiscal year under subsection (a), the Secretaries*
24 *may reserve up to ¼ of 1 percent to make Federal*
25 *implementation grants to territories under section*

1 *212 on the same basis as the Secretaries make grants*
2 *to States under such section. The territories shall use*
3 *funds made available through such grants to imple-*
4 *ment School-to-Work Opportunities programs in ac-*
5 *cordance with the requirements applicable to States*
6 *under subtitle B of title II.*

7 (2) *DEFINITION.—As used in this subsection, the*
8 *term “territory” means the United States Virgin Is-*
9 *lands, Guam, the Commonwealth of the Northern*
10 *Mariana Islands, American Samoa, the Federated*
11 *States of Micronesia, and the Republic of the Mar-*
12 *shall Islands, and includes the Republic of Palau*
13 *(until the Compact of Free Association is ratified).*

14 (e) *NATIVE AMERICAN PROGRAMS.—*

15 (1) *RESERVATION.—The Secretaries may reserve*
16 *up to ¼ of 1 percent of the funds appropriated for*
17 *any fiscal year under subsection (a) to make Federal*
18 *implementation grants to appropriate entities under*
19 *section 212 on the same basis as the Secretaries make*
20 *grants to States under such section. The territories*
21 *shall use funds made available through such grants to*
22 *implement School-to-Work Opportunities programs,*
23 *for students who are Indians (as defined in section*
24 *1(1) of the Tribally Controlled Community College*
25 *Assistance Act of 1978 (25 U.S.C. 1801(1)), that in-*

1 *volve Bureau funded schools, as defined in section*
2 *1139(3) of the Education Amendments of 1978 (25*
3 *U.S.C. 2019(3)), in accordance with the requirements*
4 *applicable to States under subtitle B of title II.*

5 (2) *IMPLEMENTATION.—The Secretaries may*
6 *carry out this subsection through such means as the*
7 *Secretaries determine to be appropriate, including—*

8 (A) *the transfer of funds to the Secretary of*
9 *the Interior; and*

10 (B) *the provision of financial assistance to*
11 *tribes and Indian organizations, as defined in*
12 *paragraphs (13) and (7), respectively, of section*
13 *1139 of such Act.*

14 (f) *AVAILABILITY OF FUNDS.—Funds obligated for any*
15 *fiscal year for programs authorized under this Act shall re-*
16 *main available until expended.*

17 **SEC. 507. ACCEPTANCE OF GIFTS, AND OTHER MATTERS.**

18 *The Secretaries are authorized, in carrying out this*
19 *Act, to accept, purchase, or lease in the name of the Depart-*
20 *ment of Labor or the Department of Education, and employ*
21 *or dispose of in furtherance of the purposes of this Act, any*
22 *money or property, real, personal, or mixed, tangible or in-*
23 *tangible, received by gift, devise, bequest, or otherwise, and*
24 *to accept voluntary and uncompensated services notwith-*

1 *standing the provisions of section 1342 of title 31, United*
 2 *States Code.*

3 **SEC. 508. STATE AUTHORITY.**

4 *Nothing in this Act shall be construed to supersede the*
 5 *legal authority, under State law or other applicable law,*
 6 *of any State agency or State public official over programs*
 7 *that are under the jurisdiction of the agency or official.*

8 **SEC. 509. CONSTRUCTION.**

9 *Nothing in this Act shall be construed to establish a*
 10 *right for any person to bring an action to obtain services*
 11 *under this Act.*

12 **SEC. 510. EFFECTIVE DATE.**

13 *This Act shall take effect on the date of enactment of*
 14 *this Act.*

15 **SEC. 511. SUNSET.**

16 *The authority provided by this Act shall terminate on*
 17 *October 1 of the ninth calendar year after the date of enact-*
 18 *ment of this Act.*

S 1361 RS—2

S 1361 RS—3

S 1361 RS—4

S 1361 RS—5

S 1361 RS—6

S 1361 RS—7

S 1361 RS—8