

105TH CONGRESS  
1ST SESSION

# S. 993

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

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## IN THE SENATE OF THE UNITED STATES

JULY 8, 1997

Mr. KENNEDY (for himself, and Mr. DODD) (by request) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That this Act may be cited as the “Career Preparation  
4 Education Reform Act of 1997”.

1 TITLE I—AMENDMENTS TO THE CARL D. PER-  
 2 KINS VOCATIONAL AND APPLIED TECH-  
 3 NOLOGY EDUCATION ACT

4 AMENDMENT TO THE ACT

5 SEC. 101. The Carl D. Perkins Vocational and Ap-  
 6 plied Technology Education Act (20 U.S.C. 2301 et seq.,  
 7 hereinafter referred to as “the Act”) is amended in its  
 8 entirety to read as follows:

9 “SHORT TITLE; TABLES OF CONTENTS

10 “SECTION 1. (a) SHORT TITLE.—This Act may be  
 11 cited as the ‘Carl D. Perkins Career Preparation Edu-  
 12 cation Act’.

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

“TABLE OF CONTENTS

- “Sec. 1. Short title; table of contents.
- “Sec. 2. Declaration of policy, findings, and purpose.
- “Sec. 3. Authorization of appropriations.

“TITLE I—PREPARING STUDENTS FOR CAREERS

“PART A—CAREER PREPARATION EDUCATION

- “Sec. 101. Career Preparation Education; Priorities.
- “Sec. 102. State leadership activities.
- “Sec. 103. State plans.
- “Sec. 104. Local activities.
- “Sec. 105. Local applications.
- “Sec. 106. Performance goals and indicators.
- “Sec. 107. Evaluation, improvement, and accountability.
- “Sec. 108. Allotments.
- “Sec. 109. Within-State allocation and distribution of funds.

“PART B—TECH-PREP EDUCATION

- “Sec. 111. Program elements.
- “Sec. 112. State leadership activities.
- “Sec. 113. Local activities.
- “Sec. 114. Local applications.

“Sec. 115. Evaluation, improvement, and accountability.

“Sec. 116. Allotment and distribution.

“TITLE II—NATIONAL SUPPORT FOR STATE AND LOCAL REFORMS

“Sec. 201. Awards for excellence.

“Sec. 202. National activities.

“Sec. 203. National assessment.

“Sec. 204. National research center.

“Sec. 205. Data systems.

“Sec. 206. National Occupational Information Coordinating Committee.

“Sec. 207. Career preparation education for Indians and Native Hawaiians.

“TITLE III—GENERAL PROVISIONS

“Sec. 301. Waivers.

“Sec. 302. Effect of Federal payments.

“Sec. 303. Maintenance of effort.

“Sec. 304. Identification of State-imposed requirements.

“Sec. 305. Out-of-State relocations.

“Sec. 306. Entitlement.

“Sec. 307. Definitions.

1 “DECLARATION OF POLICY, FINDINGS, AND PURPOSE

2 “SEC. 2. (a) DECLARATION OF POLICY.—The Con-

3 gress declares it to be the policy of the United States that,

4 in order to meet new economic challenges brought about

5 by technology, increasing international economic competi-

6 tion, and changes in production technologies and the orga-

7 nization of work, the Nation must enable every student

8 to obtain the academic, technical, and other skills, needed

9 to prepare for, and make a transition to, postsecondary

10 education, further learning, and a wide range of opportu-

11 nities in high-skill, high-wage careers.

12 “(b) DECLARATION OF FINDINGS.—The Congress

13 finds that—

14 “(1) in order to be successful workers, citizens,

15 and learners in the 21st century, individuals will

1 need a combination of strong basic and advanced  
2 academic skills; computer and other technical skills;  
3 theoretical knowledge; communications, problem-  
4 solving, and teamwork skills; and the ability to ac-  
5 quire additional knowledge and skills throughout a  
6 lifetime;

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

13 “(3) a majority of high school graduates in the  
14 United States do not complete a rigorous course of  
15 study that prepares them for completing a two-year  
16 or four-year college degree or for entering high-skill,  
17 high-wage careers; adult students are an increasingly  
18 diverse group and often enter postsecondary edu-  
19 cation unprepared for academic and technical work;  
20 and certain individuals (including students who are  
21 members of special populations) often face great  
22 challenges in acquiring the knowledge and skills  
23 needed for successful employment;

24 “(4) education reform efforts at the secondary  
25 level are creating new American high schools that

1 are committed to high academic standards for all  
2 students, and that ensure that all students have the  
3 academic and technical skills needed to pursue post-  
4 secondary education, provide students with opportu-  
5 nities to explore careers, use technology to enhance  
6 learning, and create safe, supportive learning envi-  
7 ronments;

8 “(5) community colleges are offering adults a  
9 gateway to higher education, access to quality occu-  
10 pational certificates and degrees that increase their  
11 skills and earnings, and continuing education oppor-  
12 tunities necessary for professional growth by ensur-  
13 ing that the academic and technical skills gained by  
14 students adequately prepare them for the workforce,  
15 by enhancing connections with employers, and by ob-  
16 taining sufficient resources so that students have ac-  
17 cess to state-of-the-art programs, equipment, and  
18 support services;

19 “(6) State initiatives to develop challenging  
20 State academic standards for all students are help-  
21 ing to establish a new framework for education re-  
22 form, and States developing school-to-work oppor-  
23 tunity systems are helping to create opportunities  
24 for all students to participate in school-based, work-  
25 based, and connecting activities leading to post-

1 secondary education, further learning, and first jobs  
2 in high-skill, high-wage careers;

3 “(7) local, State, and national programs sup-  
4 ported under the Carl D. Perkins Vocational and  
5 Applied Technology Education Act have assisted  
6 many students in obtaining technical and academic  
7 skills and employment, and technical preparation  
8 (tech-prep) education has promoted the integration  
9 of academic and vocational education, reinforced and  
10 stimulated improvements in classroom instruction,  
11 and forged strong secondary-postsecondary connec-  
12 tions that serve as a catalyst for the reform of voca-  
13 tional education and the development of school-to-  
14 work systems;

15 “(8) career preparation education increases its  
16 effectiveness and better enables every student to  
17 achieve to challenging academic standards and in-  
18 dustry-recognized skill standards and prosper in a  
19 highly competitive, technological economy when it is  
20 aligned with broader State and local education re-  
21 forms and with challenging standards reflecting the  
22 needs of employers and the demands of high-skill,  
23 high-wage careers, and has the active involvement of  
24 employers, parents, and labor and community orga-

1 nizations in planning, developing, and implementing  
2 services and activities;

3 “(9) while current law has promoted important  
4 reforms in vocational education, it contains numer-  
5 ous set-asides and special programs and require-  
6 ments that may inhibit further reforms as well as  
7 the proper implementation of performance manage-  
8 ment systems needed to ensure accountability for re-  
9 sults;

10 “(10) the Federal Government can—through a  
11 performance partnership with States and localities  
12 based on clear programmatic goals, increased State  
13 and local flexibility, improved accountability, and  
14 performance goals, indicators, and incentives—pro-  
15 vide to States and localities financial assistance for  
16 the improvement and expansion of career prepara-  
17 tion education in all States, as well as for services  
18 and activities that ensure that every student, includ-  
19 ing those with special needs, has the opportunity to  
20 achieve the academic and technical skills needed to  
21 prepare for postsecondary education, further learn-  
22 ing, and a wide range of careers; and

23 “(11) the Federal Government can also assist  
24 States and localities by carrying out nationally sig-  
25 nificant research, program development, demonstra-

1       tion, dissemination, evaluation, capacity-building,  
2       data collection, professional development, and tech-  
3       nical assistance activities that support State and  
4       local efforts to implement successfully programs,  
5       services, and activities that are funded under this  
6       Act, as well as those supported with their own re-  
7       sources.

8       “(c) DECLARATION OF PURPOSE.—The purpose of  
9       this Act is to assist all students, through a performance  
10      partnership with States and localities, to acquire the  
11      knowledge and skills they need to meet challenging State  
12      academic standards and industry-recognized skill stand-  
13      ards, and to prepare for postsecondary education, further  
14      learning, and a wide range of opportunities in high-skill,  
15      high-wage careers. This purpose will be pursued through  
16      support for State and local efforts that—

17             “(1) build on the efforts of States and localities  
18             to develop and implement education reforms based  
19             on challenging academic standards;

20             “(2) integrate reforms of vocational education  
21             with State reforms of academic preparation in  
22             schools;

23             “(3) promote, in particular, the development of  
24             services and activities that integrate academic and  
25             occupational instruction, link secondary and post-

1 secondary education, and promote school-based and  
2 work-based learning and connecting activities;

3 “(4) increase State and local flexibility in pro-  
4 viding services and activities designed to develop, im-  
5 plement, and improve career preparation education,  
6 including tech-prep education, and in integrating  
7 these services and activities with services and activi-  
8 ties supported with other Federal, State, and local  
9 education and training funds in exchange for clear  
10 accountability for results;

11 “(5) provide every student, including those who  
12 are members of special populations, with the oppor-  
13 tunity to participate in the full range of career prep-  
14 aration education programs, services, and activities;

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

20 “(7) benefit from national research, program  
21 development, demonstration, dissemination, evalua-  
22 tion, capacity-building, data collection, professional  
23 development, and technical assistance activities sup-  
24 porting the development, implementation, and im-

1       provement of career preparation education pro-  
2       grams, services, and activities.

3               “AUTHORIZATION OF APPROPRIATIONS

4       “SEC. 3. (a) PREPARING STUDENTS FOR CA-  
5 REERS.—(1) There are authorized to be appropriated to  
6 carry out part A of title I, relating to career preparation  
7 education, \$1,064,047,000 for the fiscal year 1998 and  
8 such sums as may be necessary for each of the fiscal years  
9 1999 through 2002.

10              “(2) There are authorized to be appropriated to  
11 carry out part B of title I, relating to technical prep-  
12 aration education, \$105,000,000 for the fiscal year  
13 1998 and such sums as may be necessary for each  
14 of the fiscal years 1999 through 2002.

15       “(b) NATIONAL SUPPORT FOR STATE AND LOCAL  
16 REFORMS.—From the amount appropriated for any fiscal  
17 year under subsection (a) the Secretary shall reserve—

18              “(1) not more than 7 percent to carry out title  
19 II (except section 207, relating to career preparation  
20 education for Indians and Native Hawaiians), of  
21 which not more than 2 percent of the amount appro-  
22 priated under subsection (a) for any fiscal year after  
23 the fiscal year 2000 shall be available to carry out  
24 activities under section 201, relating to awards for  
25 excellence; and



1 set forth in title I of the School-to-Work Opportuni-  
2 ties Act of 1994;

3 “(B) otherwise prepare students for employ-  
4 ment and further learning in technical fields.

5 “(b) PRIORITIES.—In using funds under this part,  
6 States and local recipients, as described in section 105(a),  
7 shall give priority to services and activities designed to—

8 “(1) ensure that every student, including those  
9 who are members of special populations, has the op-  
10 portunity to achieve a combination of strong basic  
11 and advanced academic skills, computer and other  
12 technical skills, theoretical knowledge, communica-  
13 tions, problem-solving, and other skills needed to  
14 meet challenging State academic standards and in-  
15 dustry-recognized skill standards;

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

18 “(3) support the development and implementa-  
19 tion of courses of study in broad occupational clus-  
20 ters or industry sectors;

21 “(4) effectively link secondary and postsecond-  
22 ary education;

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

1           “(6) provide students with work-related experi-  
2           ences, such as internships, work-based learning,  
3           school-based enterprises, entrepreneurship, and job-  
4           shadowing that link to classroom learning;

5           “(7) provide schoolsite and worksite mentoring;

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

9           “(9) provide career guidance and counseling for  
10          students, including the provision of career aware-  
11          ness, exploration, and planning services, and finan-  
12          cial aid information to students and their parents;

13          “(10) ensure continuing parent and employer  
14          involvement in program design and implementation;  
15          and

16          “(11) provide needed support services, such as  
17          mentoring, opportunities to participate in student  
18          organizations, tutoring, the modification of curricu-  
19          lum, classrooms, and equipment, transportation, and  
20          child care.

21                   “STATE LEADERSHIP ACTIVITIES

22           “SEC. 102. (a) RESPONSIBLE AGENCY OR AGEN-  
23          CIES.—Any State desiring to receive a grant under this  
24          part, as well as a grant under part B, shall, consistent  
25          with State law, designate an educational agency or agen-

1 cies that shall be responsible for the administration of  
2 services and activities under this Act, including—

3 “(1) the development, submission, and imple-  
4 mentation of the State plan;

5 “(2) the efficient and effective performance of  
6 the State’s duties under this Act; and

7 “(3) consultation with other appropriate agen-  
8 cies, groups, and individuals that are involved in the  
9 development and implementation of services and ac-  
10 tivities assisted under this Act, such as employers,  
11 industry, parents, students, teachers, labor organiza-  
12 tions, community-based organizations, State and  
13 local elected officials, and local program administra-  
14 tors, including the State agencies responsible for ac-  
15 tivities under the State’s implementation grant  
16 under the School-to-Work Opportunities Act of  
17 1994.

18 “(b) IN GENERAL.—Each State that receives a grant  
19 under this part shall, from amounts reserved for State  
20 leadership activities under section 109(c), conduct pro-  
21 grams, services, and activities that further the develop-  
22 ment, implementation, and improvement of career prepa-  
23 ration education within the State and that are integrated,  
24 to the maximum extent possible, with broader education

1 reforms underway in the State, including such activities  
2 as—

3 “(1) providing comprehensive professional de-  
4 velopment (including initial teacher preparation) for  
5 vocational, academic, career guidance, and adminis-  
6 trative personnel that—

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

10 “(B) reflects the State’s assessment of its  
11 needs for professional development, as deter-  
12 mined under section 2205(b)(2)(C) the Elemen-  
13 tary and Secondary Education Act of 1965, and  
14 is integrated with the professional development  
15 activities that the State carries out under title  
16 II of that Act;

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

21 “(3) monitoring and evaluating the quality of,  
22 and improvement in, services and activities con-  
23 ducted with assistance under this Act;

24 “(4) promoting equity in secondary and post-  
25 secondary education and, to the maximum extent

1 possible, ensuring opportunities for all students, in-  
2 cluding students who are members of special popu-  
3 lations, to participate in education activities that are  
4 free from sexual and other harassment and that lead  
5 to high-skill, high-wage careers;

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

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

12 “(7) improving and expanding the use of tech-  
13 nology in instruction;

14 “(8) supporting partnerships of local edu-  
15 cational agencies, institutions of higher education,  
16 and, as appropriate, other entities, such as employ-  
17 ers, labor organizations, parents, community-based  
18 organizations, and local workforce boards for ena-  
19 bling all students, including students who are mem-  
20 bers of special populations, to achieve to challenging  
21 State academic standards and industry-recognized  
22 skill standards;

23 “(9) promoting the dissemination and use of oc-  
24 cupational information and one-stop career center  
25 resources;

1           “(10) providing financial incentives or awards  
2           to one or more local recipients in recognition of ex-  
3           emplary quality or innovation in education services  
4           and activities, or exemplary services and activities  
5           for students who are members of special populations,  
6           as determined by the State through a peer review  
7           process, using performance goals and indicators de-  
8           scribed in section 106 and any other appropriate cri-  
9           teria;

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

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

17           “(13) serving individuals in State institutions,  
18           such as State correctional institutions and institu-  
19           tions that serve individuals with disabilities.

20           “(c) SPECIAL POPULATIONS.—Any State that re-  
21           ceives a grant under this part shall—

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

24           “(2) disseminate data on the effectiveness of  
25           career preparation education programs, services, and

1 activities in the State in meeting the educational and  
2 employment needs of women and students who are  
3 members of special populations;

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

9 “(4) recommend outreach and other activities  
10 that inform women and students who are members  
11 of special populations about their education and em-  
12 ployment opportunities; and

13 “(5) advise local educational agencies, post-  
14 secondary educational institutions, and other inter-  
15 ested parties in the State on expanding career prep-  
16 aration opportunities for women and students who  
17 are members of special populations and ensuring  
18 that the needs of men and women in training for  
19 nontraditional jobs are met.

20 “(d) STATE REPORT.—(1) The State shall annually  
21 report to the Secretary on the quality and effectiveness  
22 of the programs, services, and activities, provided through  
23 its grant under this part, as well as its grant under part  
24 B, based on the performance goals and indicators and the

1 expected level of performance included in its State plan  
2 under section 103(e)(2)(B).

3 “(2) The State report shall also—

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

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

9 “STATE PLANS

10 “SEC. 103. (a) IN GENERAL.—Any State desiring to  
11 receive a grant under this part, as well as a grant under  
12 part B, for any fiscal year shall submit to, or have on  
13 file with, the Secretary a five year State plan in accord-  
14 ance with this section. The agency or agencies designated  
15 under section 102(a) may submit its State plan as part  
16 of a comprehensive plan that may include State plan provi-  
17 sions under the Goals 2000; Educate America Act, the  
18 School-to-Work Opportunities Act of 1994, and section  
19 14302 of the Elementary and Secondary Education Act  
20 of 1965. Any State that receives an implementation grant  
21 under subpart B of title II of the School-to-Work Opportu-  
22 nities Act of 1994 shall make the plan that it submits  
23 or files under this section consistent with the approved  
24 plan for which it received its implementation grant.

25 “(b) APPROVALS.—(1) Notwithstanding the designa-  
26 tion of the responsible agency or agencies under section

1 102(a), the agencies that shall approve the State plan  
2 under subsection (a) are—

3 “(A) the State educational agency; and

4 “(B) the State agency responsible for commu-  
5 nity colleges.

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

20 “(c) CONSULTATION.—(1) In developing and imple-  
21 menting its plan under subsection (a), and any revisions  
22 under subsection (g), the designated agency or agencies  
23 under section 102(a) shall consult widely with employers,  
24 labor organizations, parents, and other individuals, agen-  
25 cies, and organizations in the State that have an interest

1 in education and training, including the State agencies re-  
2 sponsible for activities under the State's implementation  
3 grant under the School-to-Work Opportunities Act of  
4 1994, as well as individuals, employers, and organizations  
5 that have an interest in education and training for stu-  
6 dents who are members of special populations.

7       “(2) the designated agency or agencies under section  
8 102(a) shall submit the State plan under this section, and  
9 any revisions to the State plan under subsection (g), to  
10 the Governor for review and comment, and shall ensure  
11 that any comments the Governor may have are included  
12 with the State plan or revision when the plan or revision  
13 is submitted to the Secretary.

14       “(d) ASSESSMENT.—(1) The State plan under sub-  
15 section (a), and any revisions to the state plan under sub-  
16 section (a), shall be based upon a recent, objective assess-  
17 ment of—

18               “(A) the academic and technical skills edu-  
19 cation, training, and retraining needs of secondary,  
20 adult, and postsecondary students, including individ-  
21 uals who are members of special populations, that  
22 are necessary to meet the projected skill demands of  
23 high-wage, high-skill careers during the period of the  
24 plan; and

1           “(B) the capacity of programs, services, and ac-  
2           tivities to meet those needs, taking into account the  
3           priorities under section 101(b) and the State’s per-  
4           formance goals under section 106(a).

5           “(2) The assessment shall also include—

6           “(A) an analysis of the State’s performance on  
7           its State and local standards and measures under  
8           Section 115 of the Carl D. Perkins Vocational and  
9           Applied Technology Education Act of 1990; and

10           “(B) an identification of any provisions of the  
11           State plan that have been included based on that  
12           analysis.

13           “(e) CONTENTS.—(1) A State plan under subsection  
14 (a) shall describe how the State will use funds under this  
15 part to—

16           “(A) improve student achievement of academic,  
17           technical, and other knowledge and skills and ad-  
18           dress the priorities described in section 101(b);

19           “(B) help ensure that every student, including  
20           those who are members of special populations, has  
21           the opportunity to achieve to challenging State aca-  
22           demic standards and industry-recognized skill stand-  
23           ards and to be prepared for postsecondary edu-  
24           cation, further learning, and high-skill, high-wage  
25           careers;

1           “(C) further the State’s education reform ef-  
2           forts and school-to-work opportunities system; and

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

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

6           “(A) describe how the State will integrate its  
7           services and activities under this title with the broad  
8           education reforms in the State and with relevant em-  
9           ployment, training, technology, and welfare pro-  
10          grams carried out in the State;

11          “(B) include a statement, expressed in terms of  
12          the performance indicators published by the Sec-  
13          retary under section 106(b), and any other perform-  
14          ance indicators the State may choose, of the State’s  
15          performance goals established under section 106(a)  
16          and the level of performance the State expects to  
17          achieve in progressing toward its performance goals  
18          during the life of the State plan;

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

23          “(D) describe how the State will provide incen-  
24          tives or rewards for exemplary programs, services, or

1 activities under this Act, if the State elects to imple-  
 2 ment the authority under section 102(b)(10);

3 “(E) describe how funds will be allocated and  
 4 used at the secondary and postsecondary level, the  
 5 consortia that will be formed among secondary and  
 6 postsecondary schools and institutions, and how  
 7 funds will be allocated to such consortia; and

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

9 “(f) ASSURANCES.—A State plan under subsection  
 10 (a) shall contain assurances that the State will—

11 “(1) comply with the requirements of this Act  
 12 and the provisions of the State plan; and

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

17 “(g) REVISIONS.—When changes in conditions or  
 18 other factors require substantial revision to an approved  
 19 State plan under subsection (a), the State shall submit  
 20 revisions to the State plan to the Secretary after the State  
 21 plan revisions have been approved by the agencies respon-  
 22 sible for approving the plan under subsection (b).

23 “LOCAL ACTIVITIES

24 “SEC. 104. (a) GENERAL REQUIREMENTS.—Each re-  
 25 cipient of a subgrant under this part shall—

1           “(1) conduct career preparation education pro-  
2           grams, services and activities that further student  
3           achievement of academic, technical, and other knowl-  
4           edge and skills;

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

7           “(3) give priority under this part to assisting  
8           schools or campuses that serve the highest numbers  
9           or percentages of students who are members of spe-  
10          cial populations; and

11          “(4) promote equity in career preparation edu-  
12          cation and, to the maximum extent possible, ensure  
13          opportunities for every student, including those who  
14          are members of special populations, to participate in  
15          education activities that are free from sexual and  
16          other harassment and that lead to high-skill, high-  
17          wage careers.

18          “(b) AUTHORIZED ACTIVITIES.—Each recipient of a  
19          subgrant under this part may use funds to—

20                 “(1) provide programs, services, and activities  
21                 that promote the priorities described in section  
22                 101(b), such as—

23                         “(A) developing curricula and assessments  
24                         that are aligned, as appropriate, with challeng-  
25                         ing State academic standards, as well as indus-

1 try-recognized skill standards, and that inte-  
2 grate academic and vocational instruction,  
3 school-based and work-based instruction and  
4 connecting activities, and secondary and post-  
5 secondary level instruction;

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

8 “(C) providing professional development  
9 activities, including such activities for teachers,  
10 mentors, counselors, and administrators, and  
11 board members;

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

23 “(E) supporting tech-prep education serv-  
24 ices and activities, career academies, and public

1 charter, pilot, or magnet schools that have a ca-  
2 reer focus;

3 “(F) carrying out activities that ensure ac-  
4 tive and continued involvement of employers,  
5 parents, local workforce boards, and labor orga-  
6 nizations in the development, implementation,  
7 and improvement of a career preparation edu-  
8 cation in the State, such as support for local  
9 school-to-work partnerships and intermediary  
10 organizations that support activities that link  
11 school and work;

12 “(G) assisting in the reform of secondary  
13 schools, including schoolwide reforms and  
14 schoolwide programs authorized under section  
15 1114 of the Elementary and Secondary Edu-  
16 cation Act of 1965;

17 “(H) supporting vocational student organi-  
18 zations, especially with respect to efforts to in-  
19 crease the participation of students who are  
20 members of special populations in such organi-  
21 zations;

22 “(I) providing assistance to students who  
23 have participated in services and activities  
24 under this Act in finding an appropriate job

1 and continuing their education and training;  
2 and

3 “(J) developing and implementing per-  
4 formance management systems and evaluations;  
5 and

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

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

16 “LOCAL APPLICATIONS

17 “SEC. 105. (a) ELIGIBILITY.—Schools and other in-  
18 stitutions or agencies eligible to apply, individually or as  
19 consortia, to a State for a subgrant under this part are—

20 “(1) local educational agencies;

21 “(2) area vocational education schools;

22 “(3) intermediate educational agencies;

23 “(4) institutions of higher education; and

24 “(5) postsecondary educational institutions con-  
25 trolled by the Bureau of Indian Affairs or operated  
26 by, or on behalf of, any Indian tribe that is eligible

1 to contract with the Secretary of the Interior for the  
2 administration of programs under the Indian Self-  
3 Determination Act or the Act of April 16, 1934.

4 “(b) APPLICATION REQUIREMENTS.—Any applicant  
5 that is eligible under subsection (a) and that desires to  
6 receive a subgrant under this part shall, according to re-  
7 quirements established by the State, submit an application  
8 to the agency or agencies designated under section 102(a).  
9 In addition to including such information as the State may  
10 require and identifying the results the applicant seeks to  
11 achieve, each application shall also describe how the appli-  
12 cant will use funds under this part to—

13 “(1) develop, improve, or implement career  
14 preparation education programs, services, or activi-  
15 ties in secondary schools and postsecondary institu-  
16 tions and address the priorities described in section  
17 101(b), in accordance with section 103;

18 “(2) evaluate progress toward the results it  
19 seeks to achieve, consistent with the performance  
20 goals and indicators established under section 106;

21 “(3) coordinate its services and activities with  
22 related services and activities offered by community-  
23 based organizations, employers, and labor organiza-  
24 tions, and, to the extent possible, integrate its serv-  
25 ices and activities under this title with broad edu-

1       cational reforms in the State and with relevant em-  
2       ployment, training, and welfare programs carried  
3       out in the State; and

4               “(4) consult with students, their parents, em-  
5       ployers, and other interested individuals or groups  
6       (including labor organizations and organizations rep-  
7       resenting special populations), in developing their  
8       services and activities.

9               “PERFORMANCE GOALS AND INDICATORS

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

16               “(A) establish performance goals to define the  
17       level of performance to be achieved by students  
18       served under this title and to evaluate the quality  
19       and effectiveness of programs, services, and activi-  
20       ties under this title; and

21               “(B) express such goals in an objective, quan-  
22       tifiable, and measurable form.

23       “(2) Any State may also use amounts it receives for  
24       State leadership activities under section 109(c) to evaluate  
25       its entire career preparation education program in second-

1 ary and postsecondary schools and to carry out activities  
2 under paragraph (1).

3       “(b) PERFORMANCE INDICATORS.—(1) After con-  
4 sultation with the Secretary of Labor, States, local edu-  
5 cational agencies, institutions of higher education, rep-  
6 resentatives of business and industry, and other interested  
7 parties, the Secretary shall publish in the Federal Register  
8 performance indicators (including the definition of rel-  
9 evant terms and appropriate data collection methodolo-  
10 gies) described in paragraph (2) that State and local re-  
11 cipients shall use in measuring or assessing progress to-  
12 ward achieving the State’s performance goals under sub-  
13 section (a).

14       “(2) The Secretary shall publish performance indica-  
15 tors for programs, services, and activities under this Act  
16 in the following areas:

17               “(A) achievement to challenging State academic  
18 standards, such as those established under Goals  
19 2000: Educate America Act, and industry-recognized  
20 skills standards;

21               “(B) receipt of a high school diploma, skill cer-  
22 tificate, and postsecondary certificate or degree;

23               “(C) job placement, retention, and earnings,  
24 particularly in the student’s field of study; and

1           “(D) such other indicators as the Secretary de-  
2           termines.

3           “(c) TRANSITION.—A State shall use the perform-  
4           ance goals and indicators established under subsections  
5           (a) and (b) not later than July 1, 1999. In order to pro-  
6           vide a transition for State evaluation activities, each State  
7           receiving funds under this title shall use the system of  
8           standards and measures the State developed under section  
9           115 of the Carl D. Perkins Vocational and Applied Tech-  
10          nology Education Act as in effect prior to the enactment  
11          of this Act during the period that the State is establishing  
12          performance goals under subsection (a).

13          “(d) TECHNICAL ASSISTANCE.—The Secretary shall  
14          provide technical assistance to the States regarding the  
15          development of the State’s performance goals under sub-  
16          section (a), as well as use of uniform national performance  
17          data. The Secretary may use funds appropriated for title  
18          II to provide technical assistance under this section.

19          “EVALUATION, IMPROVEMENT AND ACCOUNTABILITY

20          “SEC. 107. (a) LOCAL EVALUATION.—(1) Each re-  
21          cipient of a subgrant under this part shall—

22                 “(A) annually evaluate, using the performance  
23                 goals and indicators described in section 106, and  
24                 report to the State regarding, its use of funds under  
25                 this part to develop, implement, or improve its ca-

1       reer preparation education program, services, and  
2       activities; and

3               “(B) biennially evaluate, and report to the  
4       State regarding the effectiveness of its programs,  
5       services, and activities under this part in achieving  
6       the priorities described in section 101(b), including  
7       the participation, progress, and outcomes of students  
8       who are members of special populations.

9       “(2) Such recipient may evaluate portions of its en-  
10      tire career preparation education program, including por-  
11      tions that are not supported under this part. If such recip-  
12      ient does so, it need not evaluate separately that portion  
13      of its entire career preparation education program sup-  
14      ported with funds under this part.

15       “(b) IMPROVEMENT ACTIVITIES.—If a State deter-  
16      mines, based on the local evaluation conducted under sub-  
17      section (a) and applicable performance goals and indica-  
18      tors established under section 106, that a recipient of a  
19      subgrant under this part is not making substantial  
20      progress in achieving the purpose of this Act in accordance  
21      with the priorities described in section 101(b), the State  
22      shall work jointly with the recipient to develop a plan, in  
23      consultation with teachers, counselors, parents, students,  
24      employers, and labor organizations, for improvement for  
25      succeeding school years. If, after not more than 2 years

1 of implementation of the improvement plan, the State de-  
2 termines that the local recipient is not making sufficient  
3 progress, the State shall take whatever corrective action  
4 it deems necessary, consistent with State law. The State  
5 shall take corrective action only after it has provided tech-  
6 nical assistance to the recipient and shall ensure that any  
7 corrective action it takes allows for continued career prep-  
8 aration education services and activities for the recipient's  
9 students.

10       “(c) TECHNICAL ASSISTANCE.—If the Secretary de-  
11 termines that the State is not properly implementing its  
12 responsibilities under subsection (b), or is not making sub-  
13 stantial progress in meeting the purpose of this Act or  
14 carrying out services and activities under this part that  
15 are in accord with the priorities described in section  
16 101(b), based on the performance goals and indicators and  
17 expected level of performance included in its State plan  
18 under section 103(e)(2)(B), the Secretary shall work with  
19 the State to implement improvement activities.

20       “(d) WITHHOLDING OF FEDERAL FUNDS.—If, after  
21 a reasonable time, but not earlier than one year after of  
22 implementation of the improvement activities described in  
23 subsection (c), the Secretary determines that the State is  
24 not making sufficient progress, based on the performance  
25 goals and indicators and expected level of performance in-

1 cluded in its State plan under section 103(e)(2)(B), the  
2 Secretary shall, after notice and opportunity for a hearing,  
3 withhold from the State all, or a portion, of the State's  
4 allotment under this part. The Secretary may use funds  
5 withheld under the preceding sentence to provide, through  
6 alternative arrangements, services and activities within the  
7 State that meet the purpose of this Act and are in accord  
8 with the priorities described in section 101(b).

9 "ALLOTMENTS

10 "SEC. 108. (a) ALLOTMENT TO STATES FOR CAREER  
11 PREPARATION EDUCATION.—Subject to subsection (b),  
12 from the remainder of the sums available for this part,  
13 the Secretary shall allot to each State for each fiscal  
14 year—

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

22 "(2) an amount that bears the same ratio to 50  
23 percent of the sum being allotted as the product of  
24 the population aged 20 to 24, inclusive, in the State  
25 in the fiscal year preceding the fiscal year for which  
26 the determination is made and the State's allotment

1 ratio bears to the sum of the corresponding products  
2 for all the States.

3 “(b) HOLD-HARMLESS AMOUNTS.—(1) Notwith-  
4 standing any other provision of law and subject to para-  
5 graph (2), for fiscal year 1998 no State shall receive an  
6 allotment for services and activities authorized under this  
7 part that is less than 90 percent of the sum of the pay-  
8 ments made to the State for fiscal year 1997 for programs  
9 authorized by title II of the Carl D. Perkins Vocational  
10 and Applied Technology Education Act, and for fiscal  
11 years 1998 through 2002 no State shall receive for serv-  
12 ices and activities authorized under this part an allotment  
13 that is less than 90 percent of its allotment under this  
14 part for the preceding fiscal year.

15 “(2) If for any fiscal year the amount appropriated  
16 for services and activities authorized under this part and  
17 available for allotment under this section is insufficient to  
18 satisfy the provisions of paragraph (1), the Secretary shall  
19 ratably reduce the payments to all States for such services  
20 and activities as necessary.

21 “(3) Notwithstanding any other provision of law, the  
22 allotment for this part for each of American Samoa,  
23 Guam, the Northern Mariana Islands, and the Virgin Is-  
24 lands shall not be less than \$200,000.

1       “(c) ALLOTMENT RATIO.—The allotment ratio of any  
2 State shall be 1.00 less the product of—

3               “(1) 0.50; and

4               “(2) the quotient obtained by dividing the per  
5 capita income for the State by the per capita income  
6 for all the States (exclusive of American Samoa,  
7 Guam, Puerto Rico, the Northern Mariana Islands,  
8 and the Virgin Islands), except that—

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

11                      “(B) the allotment ratio for American  
12 Samoa, Guam, Puerto Rico, the Northern Mari-  
13 ana Islands, and the Virgin Islands shall be  
14 0.60.

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

24       “(e) STATE GRANTS.—(1) From the State’s allot-  
25 ment under subsection (a), the Secretary shall make a

1 grant for each fiscal year to each State that has an ap-  
 2 proved State plan under section 103.

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

6 “(f) DEFINITIONS AND DETERMINATIONS.—For pur-  
 7 poses of this section—

8 “(1) allotment ratios shall be computed on the  
 9 basis of the average of the appropriate per capita in-  
 10 comes for the 3 most recent consecutive fiscal years  
 11 for which satisfactory data are available;

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

16 “(3) population shall be determined by the Sec-  
 17 retary on the basis of the latest estimates available  
 18 to the Department that are satisfactory to the Sec-  
 19 retary.

20 “WITHIN-STATE ALLOCATION AND DISTRIBUTION OF  
 21 FUNDS

22 “SEC. 109. (a) IN GENERAL.—(1) For each of the  
 23 fiscal years 1998 and 1999, the State shall award as sub-  
 24 grants to eligible recipients under section 105(a) at least  
 25 80 percent of its grant under section 108(e) for that fiscal  
 26 year.

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

5       “(b) STATE ADMINISTRATION.—(1) The State may  
6 use an amount not to exceed 5 percent of its grant under  
7 section 108(e) for each fiscal year for administering its  
8 State plan, including developing the plan, reviewing local  
9 applications for subgrants under this part and part B,  
10 supporting activities to ensure the active participation of  
11 interested individuals and organizations, and ensuring  
12 compliance with all applicable Federal laws.

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

16       “(c) STATE LEADERSHIP.—The State shall use the  
17 remainder of its grant under section 108(e) for each fiscal  
18 year for State leadership activities described in section  
19 102.

20       “(d) DISTRIBUTION OF PART A FUNDS AT THE SEC-  
21 ONDARY LEVEL.—(1) Except as provided in subsections  
22 (f), (g), and (h), each State shall, each fiscal year, distrib-  
23 ute to local educational agencies, or consortia of such  
24 agencies, within the State funds under this part available  
25 for secondary level education programs, services, and ac-

1 tivities that are conducted in accordance with the prior-  
2 ities described in section 101(b). Each local educational  
3 agency or consortium shall be allocated an amount that  
4 bears the same relationship to the amount available as the  
5 amount that the local educational agency or consortium  
6 was allocated under subpart 2 of part A of title I of the  
7 Elementary and Secondary Education Act of 1965 in the  
8 preceding fiscal year bears to the total amount received  
9 under such subpart by all the local educational agencies  
10 in the State in such fiscal year.

11 “(2) In applying the provisions of paragraph (1), the  
12 State shall—

13 “(A) distribute those funds that, based on the  
14 distribution formula under paragraph (1), would  
15 have gone to a local educational agency serving only  
16 elementary schools, to the local educational agency  
17 that provides secondary school services to secondary  
18 school students in the same attendance area;

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

1           “(C) distribute funds to an area vocational edu-  
2           cation school or intermediate educational agency in  
3           any case in which—

4                   “(i) the area vocational education school or  
5           intermediate educational agency and the local  
6           educational agency or agencies concerned have  
7           an agreement to use such funds to provide serv-  
8           ices and activities in accordance with the prior-  
9           ities described in section 101; and

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

18           “(e) DISTRIBUTION OF PART A FUNDS AT THE  
19           POSTSECONDARY LEVEL.—(1) Except as provided in sub-  
20           sections (f), (g), and (h), each State shall, each fiscal year,  
21           distribute to eligible institutions, or consortia of such insti-  
22           tutions, within the State funds under this part available  
23           for postsecondary level services and activities that are con-  
24           ducted in accordance with the priorities described in sec-  
25           tion 101(b). Each such eligible institution or consortium

1 shall be allocated an amount that bears the same relation-  
2 ship to the amount of funds available as the number of  
3 Pell Grant recipients and recipients of assistance from the  
4 Bureau of Indian Affairs enrolled in the preceding fiscal  
5 year by such institution or consortium in a career prepara-  
6 tion education program that does not exceed two years  
7 bears to the number of such recipients enrolled in such  
8 programs within the State in such fiscal year.

9 “(2) For the purposes of this subsection—

10 “(A) the term ‘eligible institution’ means—

11 “(i) an institution of higher education;

12 “(ii) a local educational agency providing  
13 education at the postsecondary level;

14 “(iii) an area vocational education school  
15 providing education at the postsecondary level;

16 and

17 “(iv) a postsecondary educational institu-  
18 tion controlled by the Bureau of Indian Affairs  
19 or operated by or on behalf of any Indian tribe  
20 that is eligible to contract with the Secretary of  
21 the Interior for the administration of programs  
22 under the Indian Self-Determination Act or the  
23 Act of April 16, 1934; and

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

4           “(3) An eligible institution may use funds distributed  
5           in accordance with paragraph (1) to provide postsecondary  
6           level services and activities for students enrolled in a ca-  
7           reer preparation education program that exceeds two  
8           years through a written articulation agreement between  
9           the eligible institution and the administrators of that pro-  
10          gram.

11          “(f) ALTERNATIVE PART A DISTRIBUTION FOR-  
12          MULA.—The State may distribute funds under subsection  
13          (d) or (e) using an alternative formula if the State dem-  
14          onstrates to the Secretary’s satisfaction that—

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

17                 “(2) the alternative formula is in accord with  
18                 the priorities described in section 1012(b); and

19                 “(3)(A) the formula described in subsection (d)  
20                 or (e) does not result in a distribution of funds to  
21                 the eligible recipients or consortia that have the  
22                 highest numbers or percentages of economically dis-  
23                 advantaged students, as described in subsection (j);  
24                 and

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

3           “(g) MINIMUM SUBGRANT AMOUNTS.—(1)(A) Ex-  
4           cept as provided in subparagraph (B), no local educational  
5           agency shall be eligible for a subgrant under this part un-  
6           less the amount allocated to that agency under subsection  
7           (c) or (d) equals or exceeds \$15,000.

8           “(B) The State may waive the requirement in sub-  
9           paragraph (A) in any case in which the local educational  
10          agency—

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

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

24           “(2)(A) Except as provided in subparagraph (B), no  
25          eligible institution shall be eligible for a subgrant under

1 this part unless the amount allocated to that institution  
2 under subsection (d) or (e) equals or exceeds \$50,000.

3 “(B) The State may waive the requirement in sub-  
4 paragraph (A) in any case in which the eligible institu-  
5 tion—

6 “(i) enters into a consortium with one or more  
7 other eligible institutions to provide services and ac-  
8 tivities conducted in accordance with the priorities  
9 described in section 101 and the aggregate amount  
10 allocated and awarded to the consortium equals or  
11 exceeds \$50,000; or

12 “(ii) is a tribally controlled community college.

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

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

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

1       “(i) REALLOCATIONS.—The State shall reallocate to  
2 one or more local educational agencies, eligible institu-  
3 tions, and consortia any amounts that are allocated in ac-  
4 cordance with subsections (d) through (f), but that would  
5 not be used by a local educational agency or eligible insti-  
6 tution, in a manner the State determines will best serve  
7 the purpose of this Act and be in accord with the priorities  
8 described in section 101(b).

9       “(j) ECONOMICALLY DISADVANTAGED STUDENTS.—  
10 For purposes of this section, the State may determine the  
11 number of economically disadvantaged students on the  
12 basis of—

13               “(1) eligibility for free or reduced-price meals  
14 under the National School Lunch Act or for assist-  
15 ance under part A of title IV of the Social Security  
16 Act;

17               “(2) the number of children counted for alloca-  
18 tion purposes under title I of the Elementary and  
19 Secondary Education Act of 1965; or

20               “(3) any other index of disadvantaged economic  
21 status if the State demonstrates to the satisfaction  
22 of the Secretary that the index is more representa-  
23 tive of the number of low-income students than the  
24 indices described in paragraphs (1) and (2).

## 1                   “PART B—TECH-PREP EDUCATION

## 2                                   “PROGRAM ELEMENTS

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

6                   “(1) include—

7                                   “(A) a non-duplicative sequence of study,  
8 with a common core of required proficiency in  
9 mathematics, science, communications, and  
10 technology, consisting of at least 2 years of sec-  
11 ondary school preceding graduation and leading  
12 to an associate degree, an industry-recognized  
13 skill certificate, completion of a registered ap-  
14 prenticeship program, or a bachelor’s degree in  
15 a specific career field;

16                                   “(B) an integrated academic and technical  
17 curriculum appropriate to the needs of the stu-  
18 dents enrolled in a secondary school and post-  
19 secondary education institutions participating in  
20 a consortium;

21                                   “(C) curriculum and professional develop-  
22 ment to—

23   “(i) train academic, vocational, and  
24 technical teachers to use strategies and

1 techniques effectively to support tech-prep  
2 education; and

3 “(ii) train counselors to advise stu-  
4 dents effectively, and to help ensure that  
5 students successfully complete their tech-  
6 prep education and enter into appropriate  
7 employment;

8 “(D) preparatory services, including out-  
9 reach, career counseling, assessment, and test-  
10 ing, that assist students to enter into tech-prep  
11 education, as well as career awareness, explo-  
12 ration, and planning activities that help stu-  
13 dents in tech-prep education to make informed  
14 choices;

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

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

20 “(2) are conducted by a consortium—

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

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

1           “STATE LEADERSHIP RESPONSIBILITIES

2           “SEC. 112. (a) IN GENERAL.—Each State that re-  
3 ceives a grant under this part may use funds reserved for  
4 leadership activities under section 109(c) to conduct serv-  
5 ices and activities that further the development, implemen-  
6 tation, and improvement of tech-prep education programs  
7 throughout the State in accordance with the purposes of  
8 this Act.

9           “(b) STATE PLAN.—Any State desiring to receive a  
10 grant under this part for any fiscal year shall—

11           “(1) have an approved State plan under section  
12 103 for that fiscal year; and

13           “(2) include in such plan—

14           “(A) a description of how the State will  
15 use funds under this part only to make com-  
16 petitive subgrants to consortia to conduct serv-  
17 ices and activities that further the development,  
18 implementation, and improvement of tech-prep  
19 education programs throughout the State in ac-  
20 cordance with the purposes of this Act; and

21           “(B) a description of how tech-prep edu-  
22 cation programs under this part will relate to,  
23 and be integrated with, the career preparation  
24 education programs, services, and activities sup-  
25 ported in the State under part A of this title.

1       “(c) STATE REPORT.—Any State that receives a  
 2 grant under this part shall annually report to the Sec-  
 3 retary on the quality and effectiveness of its services and  
 4 activities provided under the grant, based on the perform-  
 5 ance goals and indicators, as appropriate, established  
 6 under section 106. Such report shall be part of the report  
 7 that the State submits in accordance with section 102(d).

8                               “LOCAL ACTIVITIES

9       “SEC. 113. (a) GENERAL AUTHORITY.—Each recipi-  
 10 ent of a subgrant under this part shall use such funds  
 11 to develop, implement, or improve a tech-prep education  
 12 program described in section 111.

13       “(b) ADDITIONAL ACTIVITIES.—A recipient of a  
 14 subgrant under this part may use such funds to—

15               “(1) acquire tech-prep education program  
 16 equipment, subject to subsection (c); and

17               “(2) obtain technical assistance from State or  
 18 local entities that have successfully designed, estab-  
 19 lished, and operated tech-prep programs.

20       “(c) EQUIPMENT.—Equipment acquired or adapted  
 21 with funds under this part may be used for other instruc-  
 22 tional purposes when not being used to carry out this part  
 23 if such acquisition or adaptation is reasonable and nec-  
 24 essary for providing services or activities under this part  
 25 and such other use is incidental to, does not interfere with,

1 and does not add to the cost of, the use of such equipment  
2 under this part.

3 “LOCAL APPLICATIONS

4 “SEC. 114. (a) ARTICULATION AGREEMENT.—A con-  
5 sortium that desires to receive a subgrant under this part  
6 shall submit to the agency or agencies designated under  
7 section 102(a) a written articulation agreement among the  
8 consortium participants that describes each participant’s  
9 role in carrying out the tech-prep education program.

10 “(b) APPLICATION REQUIREMENTS.—(1) A consor-  
11 tium that desires to receive a subgrant under this part  
12 shall, according to requirements established by the State,  
13 submit an application to the agency or agencies designated  
14 under section 102(a). In addition to including such infor-  
15 mation as the State may require and identifying the re-  
16 sults the consortium seeks to achieve, each application  
17 shall also describe how the consortium will—

18 “(A) use funds under this part to develop, im-  
19 prove, or implement a tech-prep education program;

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

23 “(C) coordinate its services and activities with  
24 related services and activities offered by community-  
25 based organizations, employers, and labor organiza-  
26 tions, and, to the extent possible, integrate its serv-

1 ices and activities under this part with career prepa-  
2 ration education programs, services, and activities,  
3 broad education reforms, and relevant employment,  
4 training, and welfare programs carried out in the  
5 State; and

6 “(D) consult with students, their parents, and  
7 other interested individuals or groups (including em-  
8 ployers and labor organizations), in developing their  
9 services and activities.

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

12 “(c) APPROVAL AND SPECIAL CONSIDERATION.—(1)  
13 The agency or agencies designated under section 102(a)  
14 shall approve applications based on their potential to cre-  
15 ate an effective tech-prep education program as described  
16 in section 111.

17 “(2) The designated agency or agencies shall give  
18 special consideration to applications that—

19 “(A) provide for effective employment place-  
20 ment activities and for the transfer of students to 4-  
21 year baccalaureate degree programs;

22 “(B) are developed in consultation with busi-  
23 ness, industry, labor organizations, and institutions  
24 of higher education that award bachelor’s degrees;

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

3           “(D) demonstrate the use of tech-prep edu-  
4           cation programs as a primary strategy for systemic  
5           educational reform.

6           “EVALUATION, IMPROVEMENT AND ACCOUNTABILITY

7           “SEC. 115. (a) LOCAL EVALUATION.—(1) Each re-  
8           cipient of a subgrant under this part shall—

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

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

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

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

18       “(c) TECHNICAL ASSISTANCE.—If the Secretary de-  
19 termines that the State is not properly implementing its  
20 responsibilities under subsection (b), or is not making sub-  
21 stantial progress in meeting the purpose of this Act, based  
22 on the performance goals and indicators and expected level  
23 of performance included in its State plan under section  
24 103(e)(2)(B), the Secretary shall work with the State to  
25 implement improvement activities.

1           “(d) WITHHOLDING OF FEDERAL FUNDS.—If, after  
2 a reasonable time, but not earlier than one year after im-  
3 plementation of the improvement activities described in  
4 subsection (c), the Secretary determines that the State is  
5 not making sufficient progress, based on the performance  
6 goals and indicators and expected level of performance in-  
7 cluded in its State plan under section 103(e)(2)(B), the  
8 Secretary shall, after notice and opportunity for a hearing,  
9 withhold from the State all, or a portion, of the State’s  
10 allotment under this part. The Secretary may use funds  
11 withheld under the preceding sentence to provide, through  
12 alternative arrangements, tech-prep services and activities  
13 within the State that meet the purpose of this Act.

14                           “ALLOTMENT AND DISTRIBUTION

15           “SEC. 116. (a) ALLOTMENT TO STATES FOR TECH-  
16 PREP EDUCATION.—(1) From the amount appropriated  
17 for this part under section 3(a)(2) for each fiscal year,  
18 the Secretary shall allot funds to each State for programs  
19 under this part based on the ratio that its allotment under  
20 section 108 bears to the sum of State allotments under  
21 part A for that fiscal year.

22           “(2) From the State’s allotment under paragraph  
23 (1), the Secretary shall make a grant for each fiscal year  
24 to each State that has an approved State plan in accord-  
25 ance with section 112(b).



1 fiscal year 2000, and through a peer review process, make  
2 performance awards to one or more States that have—

3 “(1) exceeded in an outstanding manner their  
4 performance goals or expected level of performance  
5 under section 103(e)(2)(B);

6 “(2) implemented exemplary career preparation  
7 education programs, services, or activities in second-  
8 ary and postsecondary schools in accordance with  
9 the priorities described in section 101(b); or

10 “(3) provided exemplary career preparation  
11 education programs, services, or activities for stu-  
12 dents who are members of special populations.

13 “NATIONAL ACTIVITIES

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

21 “(A) challenging State academic standards and  
22 industry-recognized skill standards, including curric-  
23 ula and assessments aligned with such standards;

24 “(B) the improvement in academic, technical,  
25 communications and other skills of students partici-  
26 pating in career preparation education;

1           “(C) best practices in career preparation edu-  
2           cation, including curricula, assessments, and sup-  
3           portive services;

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

8           “(E) the use of community- and work-based  
9           learning, job shadowing, internships, entrepreneur-  
10          ship, and school-based enterprises to further aca-  
11          demic and technical skills development;

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

14          “(G) the preparation of students for new and  
15          advanced technologies and industries, such as infor-  
16          mation technology and telecommunications, bio-  
17          technology, and robotics;

18          “(H) enhancing employer-school partnerships;

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

21          “(J) the creation of innovative learning environ-  
22          ments with a career focus, such as career academies,  
23          and public charter, magnet, and pilot schools;

24          “(K) “whole school” reforms, in which all stu-  
25          dents are expected to gain academic and computer

1 and other technical skills, and be prepared for post-  
2 secondary education and career opportunities; and

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

5 “(2) The Secretary shall coordinate activities carried  
6 out under this section with related activities under the  
7 School-to-Work Opportunities Act of 1994, the Goals  
8 2000: Educate America Act, the Job Training Partnership  
9 Act, the Higher Education Act of 1965, and the Elemen-  
10 tary and Secondary Education Act of 1965.

11 “(3) Research and development activities carried out  
12 under this section may include support for States in their  
13 development and implementation of performance goals  
14 and indicators established under section 106. The Sec-  
15 retary shall broadly disseminate information resulting  
16 from research and development activities carried out  
17 under this Act, and shall ensure broad access at the State  
18 and local levels to the information disseminated.

19 “(4) Activities carried out under this section may in-  
20 clude support for occupational and career information sys-  
21 tems, such as the system described in section 206.

22 “(b) PROFESSIONAL DEVELOPMENT—(1) The Sec-  
23 retary may, directly, or through grants, contracts, or coop-  
24 erative agreements, support professional development ac-  
25 tivities for educators (including teachers, administrators,

1 counselors, mentors, and board members) to help to en-  
2 sure that all students receive an education that prepares  
3 them for postsecondary education, further learning, and  
4 high-skill, high-wage careers.

5 “(2)(A) Professional development activities supported  
6 under this subsection shall—

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

9 “(ii) take into account recent research on teach-  
10 ing and learning;

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

14 “(iv) include strong academic and technical  
15 skills content and pedagogical components; and

16 “(v) be designed to improve educators’ skills in  
17 such areas as integrating academic and vocational  
18 instruction, articulating secondary and postsecond-  
19 ary education, combining school-based and work-  
20 based instruction and connecting activities, using oc-  
21 cupational and career information, computer lit-  
22 eracy, innovative uses of educational technology, and  
23 all aspects of an industry.

24 “(B) Funds under this subsection may be used for  
25 such activities as preservice and inservice training, includ-

1 ing internships at employer sites, training of work-site su-  
2 pervisors, and support for development of local, regional,  
3 and national educator networks that facilitate the ex-  
4 change of information relevant to the development of ca-  
5 reer preparation education programs.

6 “(3) In supporting activities under this subsection,  
7 the Secretary shall give priority to designing and imple-  
8 menting new models of professional development for edu-  
9 cators, and preparing educators to use innovative forms  
10 of instruction, such as worksite learning and the integra-  
11 tion of academic and vocational instruction.

12 “NATIONAL ASSESSMENT

13 “SEC. 203. (a) GENERAL AUTHORITY.—(1) The Sec-  
14 retary shall conduct a national assessment of services and  
15 activities assisted under this Act, through independent  
16 studies and analyses, including, when appropriate, studies  
17 based on data from longitudinal surveys, that are con-  
18 ducted through one or more competitive awards.

19 “(2) The Secretary shall appoint an independent ad-  
20 visory panel, consisting of administrators, educators, re-  
21 searchers, and representatives of employers, parents,  
22 counselors, students, special populations, labor, and other  
23 relevant groups, as well as representatives of Governors  
24 and other State and local officials, to advise the Secretary  
25 on the implementation of such assessment, including the  
26 issues to be addressed, the methodology of the studies, and

1 the findings and recommendations. The panel, at its dis-  
2 cretion, may submit to the Congress an independent anal-  
3 ysis of the findings and recommendations of the assess-  
4 ment.

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

10 “(1) State and local recipients are meeting the  
11 performance objectives for their programs estab-  
12 lished by the Secretary under the Government Per-  
13 formance and Results Act, using the performance in-  
14 dicators under section 106(b);

15 “(2) State and local services and activities have  
16 developed, implemented, or improved systems estab-  
17 lished under the School-to-Work Opportunities Act  
18 of 1994;

19 “(3) services and activities assisted under this  
20 Act succeed in preparing students, including stu-  
21 dents who are members of special populations, for  
22 postsecondary education, further learning, and entry  
23 into high-skill, high-wage careers;

24 “(4) students who participate in service and ac-  
25 tivities supported under this Act succeed in meeting

1 challenging State academic standards and industry-  
2 recognized skill standards;

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

6 “(6) the program improvement, participation,  
7 local and State assessment, and accountability provi-  
8 sions of this Act, including the performance goals  
9 and indicators established under section 106, are ef-  
10 fective.

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

14 “NATIONAL RESEARCH CENTER

15 “SEC. 204. (a) GENERAL AUTHORITY.—(1) The Sec-  
16 retary may, through grants, contracts, or cooperative  
17 agreements, establish one or more national centers in the  
18 areas of—

19 “(A) applied research and development; and

20 “(B) dissemination and training.

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

23 “(3) Entities eligible to receive funds under this sec-  
24 tion are institutions of higher education, other public or  
25 private nonprofit organizations or agencies, and consortia  
26 of such institutions, organizations, or agencies.

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

6           “(A) the integration of vocational and academic  
7 instruction, secondary and postsecondary instruc-  
8 tion, and work-based and classroom-based instruc-  
9 tion and connecting activities;

10          “(B) effective inservice and preservice teacher  
11 education that assists career preparation education  
12 systems at the elementary, secondary, and post-  
13 secondary levels;

14          “(C) performance goals and indicators that  
15 serve to improve career preparation education pro-  
16 grams and student outcomes;

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

19          “(E) longitudinal studies of student achieve-  
20 ment; and

21          “(F) dissemination and training activities relat-  
22 ed to the applied research and demonstration activi-  
23 ties described in this subsection, which may also in-  
24 clude—

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

4           “(ii) developing and maintaining national  
5           networks of educators who facilitate the devel-  
6           opment of career preparation education sys-  
7           tems.

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

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

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

1           “(2) undertake an independent review of award  
2 recipients under this section prior to extending an  
3 award to such recipient beyond 5 years.

4                           “DATA SYSTEMS

5           “SEC. 205. (a) IN GENERAL.—The Secretary shall  
6 maintain a data system to collect information about, and  
7 report on, the condition of career preparation education  
8 and on the effectiveness of State and local programs, serv-  
9 ices, and activities carried out under this Act in order to  
10 provide the Secretary and the Congress, as well as Fed-  
11 eral, State, local, and tribal agencies, with information rel-  
12 evant to improvement in the quality and effectiveness of  
13 career preparation. The Secretary shall periodically report  
14 to the Congress on the Secretary’s analysis of performance  
15 data collected each year pursuant to this Act.

16           “(b) CONTENTS.—The data system shall—

17                   “(1) provide information on the participation  
18 and performance of students, including students who  
19 are members of special populations;

20                   “(2) include data that are at least nationally  
21 representative;

22                   “(3) report on career preparation in the context  
23 of education reform; and

24                   “(4) be based, to the extent feasible, on data  
25 from general purpose data system of the Depart-  
26 ment or other Federal agencies, augmented as nec-

1        essary with data from additional surveys focusing on  
2        career preparation education.

3        “(c) COORDINATION.—(1) The Secretary shall con-  
4        sult with a wide variety of experts in academic and occupa-  
5        tional education, including individuals with expertise in  
6        the development and implementation of career preparation  
7        education, in the development of data collections and re-  
8        ports under this section.

9        “(2) In maintaining the data system, the Secretary  
10       shall—

11               “(A) ensure that the system, to the extent prac-  
12               ticable, uses comparable information elements and  
13               uniform definitions common to State plans, perform-  
14               ance indicators, and State and local assessments;  
15               and

16               “(B) cooperate with the Secretaries of Com-  
17               merce and Labor to ensure that the data system is  
18               compatible with other Federal information systems  
19               regarding occupational data, and to the extent fea-  
20               sible, allow for international comparisons.

21        “(d) ASSESSMENTS.—(1) As a regular part of its as-  
22        sessments, the National Center for Education Statistics  
23        shall, as appropriate, collect and report information on ca-  
24        reer preparation education for a nationally representative  
25        sample of students, including, to the extent feasible, fair



1 habilitation Services Administration, the Director of the  
2 Office of Bilingual Education and Minority Languages Af-  
3 fairs, the Assistant Secretary for Postsecondary Edu-  
4 cation, the Assistant Secretary for Elementary and Sec-  
5 ondary Education, the Commissioner of the National Cen-  
6 ter for Education Statistics of the Department of Edu-  
7 cation, the Commissioner of Labor Statistics and the As-  
8 sistant Secretary for Employment and Training of the De-  
9 partment of Labor, the Under Secretary for Research,  
10 Education, and Economics of the Department of Agri-  
11 culture, the Assistant Secretary for Economic Develop-  
12 ment of the Department of Commerce, and the Assistant  
13 Secretary of Defense (Force Management and Personnel).  
14 The Committee shall provide funds, on an annual basis,  
15 to State occupational information coordinating committees  
16 and to eligible recipients and shall—

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

23           “(2) coordinate the efforts of Federal, State,  
24           and local agencies and tribal agencies with respect  
25           to such programs;

1           “(3) develop and implement, in cooperation  
2           with State and local agencies, an occupational infor-  
3           mation system to meet the common occupational in-  
4           formation needs of education programs and employ-  
5           ment and training programs at the national, State,  
6           and local levels;

7           “(4) conduct studies to improve the quality and  
8           delivery of occupation and career information; and

9           “(5) develop curricula and career information  
10          resources and provide training and technical assist-  
11          ance consistent with section 453(b)(2) of the Job  
12          Training Partnership Act in support of comprehen-  
13          sive guidance and counseling programs designed to  
14          promote improved career decision making by individ-  
15          uals.

16          “(b) STATE COMMITTEES.—Each State receiving as-  
17          sistance under this Act shall establish a State occupational  
18          information coordinating committee composed of rep-  
19          resentatives of the State education, vocational education,  
20          and postsecondary education agencies, the State employ-  
21          ment security agency, the State economic development  
22          agency, the State job training coordinating council, and  
23          the agency administering the vocational rehabilitation pro-  
24          gram. Such committee shall, with funds available to it

1 from the National Occupational Information Coordinating  
2 Committee established under subsection (a)—

3           “(1) implement an occupational information  
4 system in the State that will meet the common needs  
5 for the planning for, and the operation of, education  
6 and employment and training programs, including  
7 corrections and welfare;

8           “(2) implement a career information delivery  
9 system; and

10           “(3) conduct training and technical assistance  
11 in support of personnel delivering career develop-  
12 ment services.

13           “(c) ALLOCATION.—Of amounts made available by  
14 the Secretary to carry out the provisions of this section,  
15 the Committee shall use not less than 75 percent of such  
16 funds to support State occupational information coordi-  
17 nating committees for the purpose of operating State oc-  
18 cupational information systems and career information de-  
19 livery systems.

20           “(d) GIFTS, BEQUESTS, AND DEVICES.—(1) The  
21 Committee may accept, administer, and use gifts or dona-  
22 tions of services, money, or property, whether real or per-  
23 sonal, tangible or intangible.

24           “(2) The responsible official shall establish written  
25 rules setting forth the criteria to be used by the Commit-

1 tee in determining whether the acceptance of contributions  
 2 of services, money, or property would reflect unfavorably  
 3 upon the ability of the Institute or any employee to carry  
 4 out its responsibilities or official duties in a fair and objec-  
 5 tive manner, or would compromise the integrity, or the  
 6 appearance of integrity, of its programs or any official in-  
 7 volved in those programs.

8 “(e) EXPERTS AND CONSULTANTS.—The Committee  
 9 may procure temporary and intermittent services under  
 10 section 3109(b) of title 5, United States Code.

11 “CAREER PREPARATION EDUCATION FOR INDIANS AND  
 12 NATIVE HAWAIIANS

13 “SEC. 207. (a) ALLOTMENT FOR INDIANS AND NA-  
 14 TIVE HAWAIIANS.—In each fiscal year, from the amount  
 15 the Secretary reserves under section 3(b)(2)—

16 “(1) 1.5 percent shall be available for carrying  
 17 out subsections (b) and (c); and

18 “(2) 0.25 percent shall be available for carrying  
 19 out subsection (d).

20 “(b) ASSISTANCE TO TRIBES OR BUREAU-FUNDED  
 21 SCHOOLS.—(1)(A) From funds reserved under subsection  
 22 (a)(1) for each fiscal year, the Secretary shall make grants  
 23 to, or enter into cooperative agreements with, tribal orga-  
 24 nizations of eligible Indian tribes or Bureau-funded  
 25 schools to develop and provide services and activities that

1 are consistent with the purpose of this Act and conducted  
2 in accordance with the priorities described in section 101.

3 “(B) Any tribal organization or Bureau-funded  
4 school that receives assistance under this subsection  
5 shall—

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

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

12 “(iii) provide guidance and counseling serv-  
13 ices to students; and

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

21 “(2)(A) The Secretary shall make such a grant or  
22 cooperative agreement—

23 “(i) upon the request of any Indian tribe that  
24 is eligible to contract with the Secretary of the Inte-

1       rior for programs under the Indian Self-Determina-  
2       tion Act or the Act of April 16, 1934; or

3           “(ii) upon the application (filed under such con-  
4       ditions as the Secretary may require) of any Bu-  
5       reau-funded school that offers secondary programs.

6       “(B)(i) A grant or cooperative agreement under this  
7       subsection with any tribal organization shall be subject to  
8       the terms and conditions of section 102 of the Indian Self-  
9       Determination Act, except section 102(b), and shall be  
10      conducted in accordance with the provisions of sections 4,  
11      5, and 6 of the Act of April 16, 1934 that are relevant  
12      to the services and activities administered under this sub-  
13      section. An eligible applicant that receives written notifica-  
14      tion that the Secretary will not award it a grant or cooper-  
15      ative agreement may submit written objections to that no-  
16      tice in accordance with regulations of the Secretary.

17      “(ii) A grant or cooperative agreement under this  
18      subsection with any Bureau-funded school shall not be  
19      subject to the requirements of the Indian Self-Determina-  
20      tion Act or the Act of April 16, 1934.

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

1       “(D) The Secretary may not place upon such grants  
2 or cooperative agreements any restrictions relating to pro-  
3 grams or results other than those that apply to grants or  
4 cooperative agreements to States under this Act.

5       “(3) Any tribal organization or Bureau-funded school  
6 receiving assistance under this subsection may provide sti-  
7 pends to students who are undertaking career preparation  
8 education and who have acute economic needs that cannot  
9 be met through work-study programs.

10       “(4) In making grants or cooperative agreements  
11 under this subsection, the Secretary shall give special con-  
12 sideration to awards that involve, are coordinated with, or  
13 encourage, tribal economic development plans.

14       “(c) ASSISTANCE TO TRIBALLY CONTROLLED POST-  
15 SECONDARY VOCATIONAL INSTITUTIONS.—(1) The Sec-  
16 retary may make 4-year grants to tribally controlled post-  
17 secondary vocational institutions to provide to Indian stu-  
18 dents services and activities that are consistent with the  
19 purpose of this Act and conducted in accordance with the  
20 priorities described in section 101(b), including support  
21 for the operation, maintenance, and capital expenses of  
22 such institutions.

23       “(2) To be eligible for assistance under this sub-  
24 section, a tribally controlled postsecondary vocational in-  
25 stitution shall—

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

3           “(B) demonstrate adherence to stated goals, a  
4 philosophy, or a plan of operation that fosters indi-  
5 vidual Indian economic self-sufficiency;

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

7           “(D) hold accreditation with, or be a candidate  
8 for accreditation by, a nationally recognized accredit-  
9 ing authority for postsecondary vocational education;

10          “(E) offer technical degrees or certificate-grant-  
11 ing programs; and

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

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

18          “(4) The Secretary shall, based on the availability of  
19 appropriations, distribute to each tribally controlled voca-  
20 tional institution having an approved application an  
21 amount based on full-time equivalent Indian students at  
22 each such institution.

23          “(d) ASSISTANCE TO NATIVE HAWAIIANS.—(1) In  
24 recognition of the findings and declarations made by Con-  
25 gress in section 9202 of the Elementary and Secondary

1 Education Act of 1965 (20 U.S.C. 7902), the Secretary  
2 shall, from the funds reserved under subsection (a)(2) for  
3 each fiscal year, make one or more grants to, or enter into  
4 one or more cooperative agreements with, organizations,  
5 institutions, or agencies with experience providing edu-  
6 cational and related services to Native Hawaiians to de-  
7 velop and provide, for the benefit of Native Hawaiians,  
8 services and activities that are consistent with the purpose  
9 of this Act and conducted in accordance with the priorities  
10 described in section 101(b).

11 “(2) To receive assistance under this subsection, the  
12 organization, institution, or agency shall apply to the Sec-  
13 retary in such manner and at such time as the Secretary  
14 may require.

15 “(e) ACCOUNTABILITY.—The Secretary shall require  
16 from each institution assisted under this section such in-  
17 formation regarding fiscal control and program quality  
18 and effectiveness as is reasonable.

19 “(f) DEFINITIONS.—For the purposes of this section:

20 “(1) The term ‘Bureau-funded school’ has the  
21 same meaning given ‘Bureau funded school’ in sec-  
22 tion 1146(3) of the Education Amendments of 1978  
23 (25 U.S.C. 2026(3)).

24 “(2) The term ‘full-time equivalent Indian stu-  
25 dents’ means the sum of the number of Indian stu-

1       dents enrolled full time at an institution, plus the  
2       full-time equivalent of the number of Indian stu-  
3       dents enrolled part time (determined on the basis of  
4       the quotient of the sum of the credit hours of all  
5       part-time students divided by 12) at such institu-  
6       tion.

7               “(3) The term ‘Indian’ means a member of an  
8       Indian tribe.

9               “(4) The term ‘Indian tribe’ has the meaning  
10       given that term in section 102(2) of the Federally  
11       Recognized Indian Tribe List Act of 1994 (25  
12       U.S.C. 479a(2)).

13               “TITLE III—GENERAL PROVISIONS

14                       “WAIVERS

15               “SEC. 301. (a) REQUEST FOR WAIVER.—Any State  
16       may request, on its own behalf or on behalf of a local re-  
17       cipient, a waiver by the Secretary of one or more statutory  
18       or regulatory provisions described in this section in order  
19       to carry out more effectively State efforts to reform edu-  
20       cation and develop, implement, or improve career prepara-  
21       tion education, including tech-prep education, in the State.

22               “(b) GENERAL AUTHORITY.—(1) Except as provided  
23       in subsection (d), the Secretary may waive any require-  
24       ment of any statute listed in subsection (c), or of the regu-

1 lations issued under that statute, for a State that requests  
2 such a waiver—

3 “(A) if, and only to the extent that the Sec-  
4 retary determines that such requirement impedes the  
5 ability of the State to carry out State efforts to re-  
6 form education and develop, implement, or improve  
7 career preparation education in the State.

8 “(B) if the State waives, or agrees to waive,  
9 any similar requirements of State law;

10 “(C) if, in the case of a statewide waive, the  
11 State—

12 “(i) has provided all local recipients of as-  
13 sistance under this Act in the State with notice  
14 of, and an opportunity to comment on, the  
15 State’s proposal to request a waiver; and

16 “(ii) has submitted the comments of such  
17 recipients to the Secretary; and

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

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

23 “(3) Each waiver approved under this subsection  
24 shall be for a period not to exceed five years, except that  
25 the Secretary may extend such period if the Secretary de-

1 terminates that the waiver has been effective in enabling the  
2 State to carry out the purpose of this Act.

3 “(c) PROGRAMS.—(1) The statutes subject to the  
4 waiver authority of the Secretary under this section are—

5 “(A) this Act;

6 “(B) part A of title I of the Elementary and  
7 Secondary Education Act of 1965 (authorizing pro-  
8 grams and activities to help disadvantaged children  
9 meet high standards);

10 “(C) part B of title II of the Elementary and  
11 Secondary Education Act of 1965 (Dwight D. Eisen-  
12 hower Professional Development Program);

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

16 “(E) title VI of the Elementary and Secondary  
17 Education Act of 1965 (Innovative Education Pro-  
18 gram Strategies);

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

22 “(G) the School-to-Work Opportunities Act of  
23 1994.

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

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

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

9           “(2) maintenance of effort;

10          “(3) comparability of services;

11          “(4) the equitable participation of students at-  
12 tending private schools;

13          “(5) parental participation and involvement;

14          “(6) the distribution of funds to States or to  
15 local recipients;

16          “(7) the eligibility of an individual for partici-  
17 pation in the affected programs;

18          “(8) public health or safety, labor standards,  
19 civil rights, occupational safety and health, or envi-  
20 ronmental protection; or

21          “(9) prohibitions or restrictions relating to the  
22 construction of buildings or facilities.

23       “(e) TERMINATION OF WAIVER.—The Secretary shall  
24 periodically review the performance of any State for which  
25 the Secretary has granted a waiver under this section and

1 shall terminate such waiver if the Secretary determines  
2 that the performance of the State affected by the waiver  
3 has been inadequate to justify a continuation of the waiv-  
4 er, or the State fails to waive similar requirements of State  
5 law in accordance with subsection (b)(1)(B).

6 “EFFECT OF FEDERAL PAYMENTS

7 “SEC. 302. (a) STUDENT FINANCIAL ASSISTANCE.—

8 (1) The portion of any student financial assistance re-  
9 ceived under this Act that is made available for attendance  
10 costs described in paragraph (2) shall not be considered  
11 as income or resources in determining eligibility for assist-  
12 ance under any program of welfare benefits, including the  
13 Temporary Assistance to Needy Families program, that  
14 is funded in whole or in part with Federal funds.

15 “(2) For purposes of this subsection, attendance  
16 costs are—

17 “(A) tuition and fees normally assessed a stu-  
18 dent carrying the same academic workload, as deter-  
19 mined by the institution, including costs for rental  
20 or purchase of any equipment, materials, or supplies  
21 required of all students in the same course of study;  
22 and

23 “(B) an allowance for books, supplies, transpor-  
24 tation, dependent care, and miscellaneous personal  
25 expenses for a student attending the institution on

1 at least a half-time basis, as determined by the insti-  
2 tution.

3 “(b) INSTITUTIONAL AID.—No State shall take into  
4 consideration payments under this Act in determining, for  
5 any educational agency or institution in that State, the  
6 eligibility for State aid, or the amount of State aid, with  
7 respect to public education within the State.

8 “MAINTENANCE OF EFFORT

9 “SEC. 303. (a) Except as provided in subsection (b),  
10 a State may receive its full allotment of funds under part  
11 A and part B for any fiscal year only if the Secretary finds  
12 that either the fiscal effort per student or the aggregate  
13 expenditures of such State for career preparation edu-  
14 cation, including tech-prep education programs, for the  
15 fiscal year preceding the fiscal year for which the deter-  
16 mination is made was not less than 90 percent of such  
17 fiscal effort or aggregate expenditures for career prepara-  
18 tion education for the second fiscal year preceding the fis-  
19 cal year for which the determination is made.

20 “(b) The Secretary shall reduce the amount of allot-  
21 ments of funds under part A and part B for any fiscal  
22 year in the exact proportion by which the State fails to  
23 meet the requirements of subsection (a) by falling below  
24 90 percent of either the fiscal effort per student or aggre-  
25 gate expenditures (using the measure most favorable to  
26 the State), and no such lesser amount shall be used for

1 computing the effort required under subsection (a) for  
2 subsequent years.

3 “(c) The Secretary may waive, for one fiscal year  
4 only, the requirements of this section if the Secretary de-  
5 termines that such a waiver would be equitable due to ex-  
6 ceptional or uncontrollable circumstances such as a natu-  
7 ral disaster or a precipitous and unforeseen decline in the  
8 financial resources of the State.

9 “IDENTIFICATION OF STATE-IMPOSED REQUIREMENTS

10 “SEC. 304. Any State rule or policy imposed on the  
11 provision of services or activities funded by this Act, in-  
12 cluding any rule or policy based on State interpretation  
13 of any Federal law, regulation, or guideline, shall be iden-  
14 tified as a State-imposed requirement.

15 “OUT-OF-STATE RELOCATIONS

16 “SEC. 305. No funds provided under this Act shall  
17 be used for the purpose of directly providing incentives  
18 or inducements to an employer or relocate a business en-  
19 terprise from one State to another if such relocation would  
20 result in a reduction in the number of jobs available in  
21 the State where the business enterprise is located before  
22 such incentives or inducements are offered.

23 “ENTITLEMENT

24 “SEC. 306. Nothing in this Act shall be construed  
25 to provide any individual with an entitlement to services  
26 under this Act.

## 1 “DEFINITIONS

2 “SEC. 307. As used in this Act, unless otherwise  
3 noted:

4 “(1) The term ‘all aspects of an industry’ has  
5 the same meaning as given that term under section  
6 4(1) of the School-to-Work Opportunities Act of  
7 1994.

8 “(2) The term ‘area vocational education  
9 school’ means—

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

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

20 “(3) The term ‘career guidance and counseling’  
21 has the same meaning as given that term under sec-  
22 tion 4(4) of the School-to-Work Opportunities Act of  
23 1994.

24 “(4) The term ‘community-based organization’  
25 means any such organization of demonstrated effec-

1       tiveness described in section 4(5) of the Job Train-  
2       ing Partnership Act.

3           “(5) The term ‘institution of higher education’  
4       has the same meaning as given that term under sec-  
5       tion 1201(a) of the Higher Education Act of 1965.

6           “(6) The term ‘intermediate educational agen-  
7       cy’ means a combination of school districts or coun-  
8       ties (as defined in section 14101(9) of the Elemen-  
9       tary and Secondary Education Act of 1965) as are  
10      recognized in a State as an administrative agency  
11      for the State’s career preparation education schools  
12      or for career preparation education programs within  
13      its public elementary or secondary schools.

14          “(7) The term ‘limited English proficiency’ has  
15      the meaning given such term in section 7501(8) of  
16      the Elementary and Secondary Education Act of  
17      1965.

18          “(8) The term ‘local educational agency’ has  
19      the same meaning as given that term under section  
20      4(10) of the School-to-Work Opportunities Act of  
21      1994.

22          “(9) The term ‘postsecondary educational insti-  
23      tution’ means—

24           “(A) an institution of higher education, as  
25      defined in section 1201(a) of the Higher Edu-

1            cation Act of 1965, that provides not less than  
2            a 2-year program which is acceptable for full  
3            credit toward a bachelor's degree;

4            “(B) a tribally controlled community col-  
5            lege; or

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

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

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

15           “(12) The term ‘skill certificate’ has the same  
16           meaning as given that term under section 4(22) of  
17           the School-to-Work Opportunities Act of 1994.

18           “(13) The term ‘special populations’ includes  
19           students with disabilities, educationally or economi-  
20           cally disadvantaged students, students of limited  
21           English proficiency, displaced homemakers, teen par-  
22           ents, single pregnant women, foster children, mi-  
23           grant children, school dropouts, students who are  
24           identified as being at-risk of dropping out of second-  
25           ary school, students who are seeking to prepare for

1 occupations that are not traditional for their gender,  
 2 and, to the extent feasible, individuals younger than  
 3 age 25 in correctional institutions.

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

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

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

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

## 22 TITLE II—EFFECTIVE DATES, TRANSITION

### 23 EFFECTIVE DATE

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

## TRANSITION

1

2 SEC. 202. Notwithstanding any other provisions of  
3 law—

4 (1) upon enactment of the Career Preparation  
5 Education Reform Act of 1997, a State or local re-  
6 cipient of funds under the Carl D. Perkins Voca-  
7 tional and Applied Technology Education Act may  
8 use any such unexpended funds to carry out services  
9 and activities that are authorized by either such Act  
10 or the Carl D. Perkins Career Preparation Edu-  
11 cation Act; and

12 (2) A State or local recipient of funds under the  
13 Carl D. Perkins Career Preparation Education Act  
14 for the fiscal year 1998 may use such funds to carry  
15 out services and activities that are authorized by ei-  
16 ther such Act or were authorized by the Carl D.  
17 Perkins Vocational and Applied Technology Edu-  
18 cation Act prior to its amendment.

## 19 TITLE III—AMENDMENTS TO OTHER ACTS

## 20 AMENDMENTS TO THE JOB TRAINING PARTNERSHIP ACT

21 SEC. 301. The Job Training Partnership Act (29  
22 U.S.C. 1501 et seq.) is amended—

23 (1) in section (4)—

24 (A) in paragraph (14), by striking “in sec-  
25 tion 521(22) of the Carl D. Perkins Vocational

1 Education Act” and inserting in lieu thereof  
2 “section 4(10) of the School-to-Work Opportu-  
3 nities Act of 1994”; and

4 (B) in paragraph (28), by striking “Voca-  
5 tional Education Act” and inserting in lieu  
6 thereof “Vocational and Applied Technology  
7 Education Act as in effect on the day prior to  
8 the date of enactment of the Career Prepara-  
9 tion Education Reform Act of 1997”;

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

16 (3) in section 122(b)—

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

19 “(8) consult with the appropriate State agency  
20 under section 105 of the Carl D. Perkins Career  
21 Preparation Education Act to obtain a summary of  
22 activities and an analysis of results in training  
23 women in nontraditional employment under such  
24 Act, and annually disseminate such summary to

1 service delivery areas, service providers throughout  
2 the State, and the Secretary;” and

3 (B) in paragraph (11)(B), by striking  
4 “section 113(b)(14) of the Carl D. Perkins Vo-  
5 cational Education Act” and inserting in lieu  
6 thereof “section 105(e)(2) of the Carl D. Per-  
7 kins Career Preparation Education Act”;

8 (4) in section 123(e)—

9 (A) in paragraph (1)(E)(iii), by striking  
10 “Carl D. Perkins Vocational and Applied Tech-  
11 nology Education Act (20 U.S.C. 2301 et seq.)”  
12 and inserting in lieu thereof “Carl D. Perkins  
13 Career Preparation Education Act”; and

14 (B) in paragraph (2)(D)(iii), by striking  
15 “Vocational and Applied Technology” and in-  
16 serting in lieu thereof “Career Preparation”;

17 (5) in section 125—

18 (A) in subsection (a), by inserting after  
19 “coordinating committee” a comma and “as de-  
20 scribed in section 422(b) of the Carl D. Perkins  
21 Vocational and Applied Technology Education  
22 Act as in effect on the day prior to the date of  
23 enactment of the Career Preparation Education  
24 Reform Act of 1997,”;

1 (B) in subsection (b)(1), by striking out  
2 “Vocational” and inserting in lieu thereof “Ca-  
3 reer Preparation”; and

4 (C) in subsection (c), by inserting after  
5 “Coordinating Committee” a comma and “as  
6 established in section 422(a) of the Carl D.  
7 Perkins Vocational and Applied Technology  
8 Education Act as in effect on the day prior to  
9 the date of enactment of the Career Prepara-  
10 tion Education Reform Act of 1997,”;

11 (6) in section 205(a)(2) by striking “Carl D.  
12 Perkins Vocational and Applied Technology Edu-  
13 cation Act (20 U.S.C. 2301 et seq.)” and inserting  
14 in lieu thereof “Carl D. Perkins Career Preparation  
15 Education Act”;

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

21 (8) in section 314(g)(2), by striking out “Voca-  
22 tional and Applied Technology” and inserting in lieu  
23 thereof “Career Preparation”;

24 (9) in section 427(a)(1), by striking “local  
25 agencies, including a State board or agency designa-

1       tion pursuant to section 111(a)(1) of the Carl D.  
2       Perkins Vocational Act which operates or wishes to  
3       develop area vocational education school facilities or  
4       residential vocational schools (or both) as authorized  
5       by such Act, or private organizations” and inserting  
6       in lieu thereof “local agencies, or private organiza-  
7       tions”;

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

13              (11) in section 461(c), by striking out “Voca-  
14      tional” and inserting in lieu thereof “Career Prepa-  
15      ration”;

16              (12) in section 464—

17                      (A) in subsection (a), by striking out “Carl  
18      D. Perkins Vocational Education Act)” and in-  
19      serting in lieu thereof “Carl D. Perkins Voca-  
20      tional and Applied Technology Education Act  
21      as in effect on the day prior to the date of en-  
22      actment of the Career Preparation Education  
23      Reform Act of 1997)”;

24                      (B) in subsection (b), by striking out “In  
25      addition to its responsibilities under the Carl D.

1 Perkins Vocational Education Act, the” and in-  
2 serting in lieu thereof “The”; and

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

7 (13) in section 605(c), by striking out “Voca-  
8 tional Education Act)” and inserting in lieu thereof  
9 “Vocational and Applied Technology Education Act  
10 as in effect on the day prior to the date of enact-  
11 ment of the Career Preparation Education Act of  
12 1995”;

13 (14) in section 701(b)—

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

16 “(1) IN GENERAL.—For purposes of this title,  
17 the term ‘applicable Federal human resource pro-  
18 gram’ includes any program authorized under the  
19 provisions of law described under paragraph (2)(A)  
20 that the Governor and the head of the State agency  
21 or agencies responsible for the administration of  
22 such program jointly agree to include within the ju-  
23 risdiction of the State Council.”; and

24 (B) in paragraph (2)(A)(ii), by striking  
25 “Carl D. Perkins Vocational and Applied Tech-

1 nology Education Act (20 U.S.C. 2301 et seq.)”  
 2 and inserting in lieu thereof “Carl D. Perkins  
 3 Career Preparation Education Act”; and  
 4 (15) in section 703(a)(2), by striking the  
 5 comma after “section 123(a)(2)(D)” and “except  
 6 that, with respect to the Carl D. Perkins Vocational  
 7 and Applied Technology Education Act (20 U.S.C.  
 8 2301 et seq.), such State may use funds only to the  
 9 extent provided under section 112(g) of such Act”.

10 AMENDMENTS TO THE ADULT EDUCATION ACT

11 SEC. 302. The Adult Education Act (20 U.S.C. 1201  
 12 et seq.) is amended—

13 (1) in section 322(a)(4), by striking “Voca-  
 14 tional and Applied Technology” and inserting in lieu  
 15 thereof “Career Preparation”;

16 (2) in section 342—

17 (A) in subsection (c)(11), by striking “Carl  
 18 D. Perkins Vocational Education Act of 1963”  
 19 and inserting in lieu thereof “Carl D. Perkins  
 20 Career Preparation Education Act”; and

21 (B) in subsection (d), by striking “Voca-  
 22 tional” and inserting in lieu thereof “Career  
 23 Preparation”; and

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



1 (A) by inserting “and” after “(29 U.S.C.  
2 1733(b)),”; and

3 (B) by striking “and the National Network  
4 for Curriculum Coordination in Vocational Edu-  
5 cation under section 402(e) of the Carl D. Per-  
6 kins Vocational and Applied Technology Edu-  
7 cation Act (20 U.S.C. 2402(c)),”;

8 (6) in section 502(b)(6), by striking “Voca-  
9 tional and Applied Technology” and inserting in lieu  
10 thereof “Career Preparation”; and

11 (7) in section 505—

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

18 (B) in subsection (e), by striking “section  
19 201(b) of the Carl D. Perkins Vocational and  
20 Applied Technology Education Act (20 U.S.C.  
21 2312(a)(3))” and inserting in lieu thereof “sec-  
22 tion 102 of the Carl D. Perkins Career Prepa-  
23 ration Educational Act”.

1 AMENDMENTS TO THE ELEMENTARY AND SECONDARY  
2 EDUCATION ACT OF 1965

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

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

8 (2) in section 9115(b)(5), by striking “Voca-  
9 tional and Applied Technology” and inserting in lieu  
10 thereof “Career Preparation”;

11 (3) by amending section 14302(a)(2)(C) to read  
12 as follows: “(C) services and activities under section  
13 102 of the Carl D. Perkins Preparation Education  
14 Act;” and

15 (4) in section 14307(a)(1), by striking “Voca-  
16 tional and Applied Technology” and inserting in lieu  
17 thereof “Career Preparation”.

18 AMENDMENTS TO THE GOALS 2000: EDUCATE AMERICA  
19 ACT

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

22 (1) in section 306—

23 (A) in subsection (c)(1)(A), by inserting  
24 before the semicolon at the end thereof a  
25 comma and “as in effect on the day prior to the  
26 date of enactment of the Career Preparation

1 Education Reform Act of 1997, until not later  
 2 than July 1, 2000, and the performance goals  
 3 and indicators developed pursuant to section  
 4 107 of the Carl D. Perkins Career Preparation  
 5 Education Act thereafter”; and

6 (B) in subsection (l), by striking out “Vo-  
 7 cational and Applied Technology” and inserting  
 8 in lieu thereof “Career Preparation”; and

9 (2) in section 311(b)(6), by striking out “Voca-  
 10 tional and Applied Technology” and inserting in lieu  
 11 thereof “Career Preparation”.

12 OTHER TECHNICAL AND CONFORMING AMENDMENTS

13 SEC. 306. (a) HIGHER EDUCATION ACT OF 1965.—  
 14 The Higher Education Act of 1965 (20 U.S.C. 1001 et  
 15 seq.) is amended—

16 (1) by amending section 127(2) to read as fol-  
 17 lows:

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

23 (2) in section 481(a)(3)(A), by striking “section  
 24 521(4)(C) of the Carl D. Perkins Vocational and  
 25 Applied Technology Education Act” and inserting in

1        lieu thereof “section 305(3)(B) of the Carl D. Per-  
2        kins Career Preparation Education Act”;

3            (3) in section 484(l)(1), by striking “section  
4        521(4)(C) of the Carl D. Perkins Vocational and  
5        Applied Technology Education Act” and inserting in  
6        lieu thereof “section 305(3)(B) of the Carl D. Per-  
7        kins Career Preparation Education Act”; and

8            (4) in section 503(b)(2)(B)(vi), by striking “in  
9        a Tech-Prep program under section 344 of the Carl  
10       D. Perkins Vocational and Applied Technology Edu-  
11       cation Act” and inserting in lieu thereof “in a tech-  
12       prep program supported through services and activi-  
13       ties under the Carl D. Perkins Career Preparation  
14       Education Act”.

15        (b) INDIVIDUALS WITH DISABILITIES EDUCATION  
16       ACT.—Section 626(g) of the Individuals with Disabilities  
17       Education Act (20 U.S.C. 1400 et seq.) is amended by  
18       striking out “Vocational and Applied Technology” and in-  
19       serting in lieu thereof “Career Preparation”.

20        (c) REHABILITATION ACT OF 1973.—Section  
21       101(a)(11)(A) of the Rehabilitation Act of 1973 (29  
22       U.S.C. 701 et seq.) is amended by striking out “Voca-  
23       tional and Applied Technology Education Act (20 U.S.C.  
24       2301 et seq.)” and inserting in lieu thereof “Career Prep-  
25       aration Education Act”.

1 (d) DISPLACED HOMEMAKERS SELF-SUFFICIENCY  
2 ASSISTANCE ACT.—Section 9(a)(2) of the Displaced  
3 Homemakers Self-Sufficiency Assistance Act (29 U.S.C.  
4 2301 et seq.) is amended by inserting “as in effect on the  
5 day prior to the date of enactment of the Career Prepara-  
6 tion Education Reform Act of 1997 or the State agency  
7 or agencies designated under section 102(a) of the Carl  
8 D. Perkins Career Preparation Education Act,”.

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

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

21 (g) TITLE 31, CHAPTER 67, OF THE UNITED STATES  
22 CODE.—Section 6703(a)(12) of the title 31, United States  
23 Code (as added by section 31001 of the Violent Crime  
24 Control and Law Enforcement Act of 1994) is amended

1 by striking out “Vocational and Applied Technology” and  
2 inserting in lieu thereof “Career Preparation”.

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

8 (i) TRAINING TECHNOLOGY TRANSFER ACT OF  
9 1988.—Section 6107(6) of the Training Technology  
10 Transfer Act of 1988 (20 U.S.C. 5091 et seq.) is amended  
11 by inserting before the semicolon at the end thereof a  
12 comma and “as in effect on the day prior to the date of  
13 enactment of the Career Preparation Education Reform  
14 Act of 1997”.

15 (j) GENERAL REDESIGNATION.—Any other ref-  
16 erences to the Carl D. Perkins Vocational and Applied  
17 Technology Education Act shall be deemed to refer to the  
18 Carl D. Perkins Career Preparation Education Act.

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