

108TH CONGRESS
2D SESSION

H. R. 4496

To amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2004

Mr. CASTLE (for himself, Mr. BOEHNER, and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Vocational and Tech-
5 nical Education for the Future Act”.

6 **SEC. 2. REFERENCES.**

7 Wherever in this Act an amendment is expressed in
8 terms of an amendment to or repeal of a section or other
9 provision, the amendment or repeal shall be considered to

1 be made to a section or other provision of the Carl D.
2 Perkins Vocational and Technical Education Act of 1998
3 (20 U.S.C. 2301 et seq.)

4 **SEC. 3. PURPOSES AND DEFINITIONS.**

5 (a) **PURPOSES.**—Section 2(2) (20 U.S.C. 2301(2)) is
6 amended by inserting “rigorous and challenging” after
7 “integrate”.

8 (b) **DEFINITIONS.**—Section 3 of the Carl D. Perkins
9 Vocational and Technical Education Act of 1998 (20
10 U.S.C. 2302) is amended—

11 (1) by redesignating paragraphs (4) through
12 (20) as paragraphs (5) through (21) and paragraphs
13 (21) through (30) as paragraphs (23) through (31),
14 respectively;

15 (2) by inserting after paragraph (3) the fol-
16 lowing:

17 “(4) **ARTICULATION AGREEMENT.**—The term
18 ‘articulation agreement’ means a written commit-
19 ment to a program designed to provide students with
20 a nonduplicative sequence of progressive achieve-
21 ments leading to degrees or certificates in a tech-
22 prep education program provided by secondary
23 schools and postsecondary educational institutions
24 linked through credit transfer agreements. ”;

1 (3) in paragraph (5) (as so redesignated), by
2 inserting “to students (and parents, as appro-
3 priate)” after “providing access”;

4 (4) in paragraph (6) (as so redesignated), by
5 striking “section 5206” and inserting “section
6 5210”;

7 (5) in paragraph (7) (as so redesignated)—

8 (A) by striking “method of instruction”
9 and inserting “method”; and

10 (B) by inserting “rigorous and chal-
11 lenging” after “required”;

12 (6) in paragraph (11)(A) (as so redesignated),
13 by striking “an” and inserting “a public or non-
14 profit private”;

15 (7) in paragraph (18) (as so redesignated)—

16 (A) in the paragraph heading, by striking
17 “TRAINING AND EMPLOYMENT” and inserting
18 “FIELDS”; and

19 (B) by striking “training and employment”
20 and inserting “fields”;

21 (8) in paragraph (19) (as so redesignated), by
22 striking “the Commonwealth of the Northern” and
23 all that follows, and inserting “and the Common-
24 wealth of the Northern Mariana Islands.”;

1 (9) by inserting after paragraph (21) (as so re-
2 designated) the following:

3 “(22) SCIENTIFICALLY BASED RESEARCH.—
4 The term ‘scientifically based research’ has the
5 meaning given that term in section 9101(37) of the
6 Elementary and Secondary Education Act of 1965
7 (20 U.S.C. 780137).”;

8 (10) in paragraph (25) (as so redesignated)—

9 (A) in subparagraph (C), by striking
10 “training and employment” and inserting
11 “fields”;

12 (B) in subparagraph (E), by striking
13 “and”;

14 (C) in subparagraph (F)—

15 (i) by striking “individuals with other
16 barriers to educational achievement, in-
17 cluding”; and

18 (ii) by striking the period and insert-
19 ing “; and”; and

20 (D) by inserting after subparagraph (F)
21 the following:

22 “(G) individuals with other barriers to edu-
23 cational achievement, as determined by the
24 State.”.

1 (11) in paragraph (28) (as so redesignated), by
2 striking “section 2” and inserting “section 2(a)(4)”;

3 (12) in paragraph (29) (as so redesignated)—

4 (A) by inserting “of subsection (a)” after
5 “paragraph (2)”;

6 (B) by striking “paragraph (5)(A) of such
7 section” and inserting “paragraph (5)(A) of
8 such subsection”;

9 (13) by amending paragraph (30)(A) (as so re-
10 designated) to read as follows:

11 “(A) offer a sequence of course that—

12 “(i) provides individuals with the rig-
13 orous and challenging academic and tech-
14 nical knowledge and skills the individuals
15 need to prepare for further education and
16 for careers (other than careers requiring a
17 master’s or doctoral degree) in current or
18 emerging employment sectors; and

19 “(ii) provides, at the postsecondary
20 level, for a 1-year certificate, an associate
21 degree, or industry recognized credential;
22 and”.

23 **SEC. 4. TRANSITION PROVISIONS.**

24 Section 4 (20 U.S.C. 2303) is amended—

1 (1) by striking “Applied Technology” and in-
2 serting “Technical”; and

3 (2) by striking “the Carl D. Perkins Vocational
4 and Applied Technology Education Amendments of
5 1998” and inserting “the Vocational and Technical
6 Education for the Future Act”.

7 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 8 (20 U.S.C. 2307) is amended by striking
9 “, and title II) such sums” and all that follows and insert-
10 ing “) \$1,307,000,000 for fiscal year 2005 and such sums
11 as may be necessary for each of fiscal years 2006 through
12 2010.”.

13 **SEC. 6. PROHIBITIONS.**

14 The Carl D. Perkins Vocational and Technical Edu-
15 cation Act of 1998 (20 U.S.C. 2301 et seq.) is amended
16 by adding after section 8 the following new section:

17 **“SEC. 9. PROHIBITIONS.**

18 “(a) LOCAL CONTROL.—Nothing in this Act shall be
19 construed to authorize an officer or employee of the Fed-
20 eral government to mandate, direct, or control a State,
21 local educational agency, or school’s curriculum, program
22 of instruction, or allocation of State or local resources, or
23 mandate a State or any subdivision thereof to spend any
24 funds or incur any costs not paid for under this Act.

1 “(b) NO PRECLUSION OF OTHER ASSISTANCE.—Any
2 State that declines to submit an application to the Sec-
3 retary for assistance under this Act shall not be precluded
4 from applying for assistance under any other program ad-
5 ministered by the Secretary.

6 “(c) PROHIBITION ON REQUIRING FEDERAL AP-
7 PROVAL OR CERTIFICATION OF STANDARDS.—

8 “(1) IN GENERAL.—Notwithstanding any other
9 provision of Federal law, no State shall be required
10 to have academic content or student academic
11 achievement standards approved or certified by the
12 Federal government, in order to receive assistance
13 under this Act.

14 “(2) RULE OF CONSTRUCTION.—Nothing in
15 this subsection shall be construed to affect require-
16 ments under section 113.”.

17 **SEC. 7. ALLOTMENT AND ALLOCATION TO STATES.**

18 (a) ALLOTMENT FOR NATIONAL ACTIVITIES FOR
19 2005.—Section 111(a)(C) is amended to read as follows:

20 “(C) 0.54 percent to carry out section
21 114(d).”.

22 (b) TECHNICAL AMENDMENTS.—Section 111(a)(3)
23 (20 U.S.C. 2321(a)(3)) is amended by striking “(or in the
24 case of fiscal year 1999” and all that follows through “Ap-
25 plied Amendments of 1998)” each place it appears.

1 (c) WITHIN STATE ALLOCATION.—Section 112 (20
2 U.S.C. 2322) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (1)—

5 (i) by striking “85 percent” and in-
6 serting “88 percent” both places it ap-
7 pears;

8 (ii) by striking “10 percent” and in-
9 serting “18.3 percent”; and

10 (iii) by inserting “, except as specified
11 in subsection (d)” before the period; and

12 (B) in paragraph (3), by striking “5 per-
13 cent” and inserting “2 percent”;

14 (2) in subsection (c)(1), by amending subpara-
15 graph (D) to read as follows:

16 “(D) situations in which eligible recipients
17 desire additional funding to carry out effectively
18 the activity described in section 135(b)(3).”;
19 and

20 (3) by amending paragraph (2) of subsection
21 (c) to read as follows:

22 “(2) SPECIAL RULE.—Each eligible agency
23 shall distribute grant funds described in paragraph
24 (1) to eligible recipients for activities described in
25 subparagraph (D) of such paragraph in an amount

1 at least equal to the amount allotted to the eligible
2 agency for fiscal year 2004 under section 203 of this
3 Act as such section was in effect on the day before
4 the date of enactment of the Vocational and Tech-
5 nical Education for the Future Act.”.

6 **SEC. 8. ACCOUNTABILITY.**

7 (a) PURPOSE.—Section 113(a) (20 U.S.C. 2323(a))
8 is amended—

9 (1) by striking “establish a State” and insert-
10 ing “support a State and local”; and

11 (2) by inserting “and its eligible recipients”
12 after “effectiveness of the State”.

13 (b) STATE PERFORMANCE MEASURES.—Section
14 113(b) (20 U.S.C. 2323(b)) is amended—

15 (1) in paragraph (2)—

16 (A) by redesignating subparagraphs (B)
17 through (D) as subparagraphs (C) through (E),
18 respectively;

19 (B) in subparagraph (A)—

20 (i) in the subparagraph heading, by
21 inserting “FOR SECONDARY STUDENTS”
22 after “PERFORMANCE”;

23 (ii) by inserting “of secondary stu-
24 dents that are, to the extent practicable,

1 valid and reliable and” after “indicators of
2 performance”;

3 (iii) in clause (i)—

4 (I) by striking “State established
5 academic,” and inserting “academic
6 content and achievement standards,
7 as established by the State under sec-
8 tion 1111(b)(1) of the Elementary
9 and Secondary Education Act of 1965
10 (20 U.S.C. 6311(b)(1)),”; and

11 (II) by inserting “, including sec-
12 ondary school student attainment of
13 postsecondary credits”;

14 (iv) in clause (ii)—

15 (I) by striking “or its recognized
16 equivalent” and inserting “or the
17 General Equivalency Diploma (GED)
18 (including recognized alternative
19 standards for individuals with disabil-
20 ities),”; and

21 (II) by striking “, or a postsec-
22 ondary degree or credential”;

23 (v) in clause (iii), by striking “Place-
24 ment” and inserting “Student graduation
25 rates (as described in section

1 1111(b)(2)(C)(vi) of the Elementary and
2 Secondary Education Act of 1965 (20
3 U.S.C. 6311(b)(2)(C)(vi)), placement”;
4 and

5 (vi) by striking clause (iv);

6 (C) by inserting after subparagraph (A)

7 the following:

8 “(B) CORE INDICATORS OF PERFORMANCE
9 FOR POSTSECONDARY STUDENTS.—Each eligi-
10 ble agency shall identify in the State plan core
11 indicators of performance of postsecondary stu-
12 dents that include, at a minimum, measures of
13 each of the following:

14 “(i) Student attainment of challenging
15 academic and vocational and technical skill
16 proficiencies.

17 “(ii) Student attainment of a postsec-
18 ondary degree or credential.

19 “(iii) Placement in, retention in, and
20 completion of, postsecondary education or
21 advanced training, placement in military
22 service, or placement or retention in em-
23 ployment.

24 “(iv) Student participation in and
25 completion of vocational and technical edu-

1 cation programs in nontraditional fields.”;

2 and

3 (D) in subparagraph (D) (as so redesignated) by inserting “vocational and technical
4 education” after “has developed State”; and

5
6 (2) in paragraph (3)—

7 (A) by amending the paragraph heading to
8 read as follows:

9 “(3) STATE LEVELS OF PERFORMANCE.—”;

10 (B) in subparagraph (A)(i)—

11 (i) by striking “paragraph (2)(A)”
12 and inserting “paragraphs (2)(A) and
13 (B)”; and

14 (ii) in subclause (II), by striking “to
15 continually” and all that follows through
16 “performance”, and inserting “to make
17 continuous and substantial improvement in
18 the academic and vocational and technical
19 achievement”;

20 (C) in subparagraph (A)(v)—

21 (i) in the clause heading by striking
22 “AND 5TH” and inserting “5TH, AND 6TH”;
23 and

24 (ii) by striking “and fifth” and insert-
25 ing, “fifth, and sixth”;

1 (D) in subparagraph (A)(vi)(II), by insert-
2 ing “and substantial” after “continuous”; and

3 (E) in subparagraph (A)(vii), by striking
4 “under clause (iii) or (iv)” and inserting “under
5 clause (iii) or (v)”.

6 (c) LOCAL LEVELS OF PERFORMANCE.—Section
7 113(b) is further amended by adding at the end the fol-
8 lowing:

9 “(4) LOCAL LEVELS OF PERFORMANCE.—

10 “(A) LOCAL ADJUSTED LEVELS OF PER-
11 FORMANCE FOR CORE INDICATORS OF PER-
12 FORMANCE.—

13 “(i) IN GENERAL.—Each eligible re-
14 cipient shall establish in the local plan sub-
15 mitted under section 134, levels of per-
16 formance for each of the core indicators of
17 performance described in paragraphs
18 (2)(A) and (B) for vocational and technical
19 education activities authorized under this
20 title. The levels of performance established
21 under this subparagraph shall, at a min-
22 imum—

23 “(I) be expressed in a percentage
24 or numerical form, so as to be objec-

1 tive, quantifiable, and measurable;
2 and

3 “(II) require the eligible recipient
4 to make continuous and substantial
5 improvement in the academic and vo-
6 cational and technical achievement of
7 vocational and technical education
8 students.

9 “(ii) IDENTIFICATION IN THE LOCAL
10 PLAN.—Each eligible recipient shall iden-
11 tify, in the local plan submitted under sec-
12 tion 134, levels of performance for each of
13 the core indicators of performance for the
14 first 2 program years covered by the local
15 plan.

16 “(iii) AGREEMENT ON LOCAL AD-
17 JUSTED LEVELS OF PERFORMANCE FOR
18 THE FIRST 2 YEARS.—The eligible agency
19 and each eligible recipient shall reach
20 agreement on the levels of performance for
21 each of the core indicators of performance,
22 for the first 2 program years covered by
23 the local plan, taking into account the lev-
24 els identified in the local plan under clause
25 (ii) and the factors described in clause (v).

1 The levels of performance agreed to under
2 this clause shall be considered to be the
3 local adjusted level of performance for the
4 eligible recipient for such years and shall
5 be incorporated into the local plan prior to
6 the approval of such plan.

7 “(iv) AGREEMENT ON LOCAL AD-
8 JUSTED LEVELS OF PERFORMANCE FOR
9 3RD, 4TH, 5TH, AND 6TH YEARS.—Prior to
10 the third program year covered by the local
11 plan, the eligible agency and each eligible
12 recipient shall reach agreement on the
13 local adjusted levels of performance for
14 each of the core indicators of performance
15 for the third, fourth, fifth, and sixth pro-
16 gram years covered by the local plan, tak-
17 ing into account the factors described in
18 clause (v). The local adjusted levels of per-
19 formance agreed to under this clause shall
20 be considered to be the local adjusted lev-
21 els of performance for the eligible recipient
22 for such years and shall be incorporated
23 into the local plan.

1 “(v) FACTORS.—The agreement de-
2 scribed in clause (iii) or (iv) shall take into
3 account—

4 “(I) how the levels of perform-
5 ance involved compare with the local
6 adjusted levels of performance estab-
7 lished for other eligible recipients tak-
8 ing into account factors including the
9 characteristics of participants when
10 the participants entered the program
11 and the services or instruction to be
12 provided; and

13 “(II) the extent to which such
14 levels of performance promote contin-
15 uous improvement on the indicators of
16 performance by such eligible recipient.

17 “(vi) REVISIONS.—If unanticipated
18 circumstances arise with respect to an eli-
19 gible recipient resulting in a significant
20 change in the factors described in clause
21 (v)(II), the eligible recipient may request
22 that the local adjusted levels of perform-
23 ance agreed to under clause (iii) or (iv) be
24 revised. The eligible agency shall issue ob-

1 jective criteria and methods for making
2 such revisions.

3 “(B) LEVELS OF PERFORMANCE FOR AD-
4 DITIONAL INDICATORS.—Each eligible recipient
5 may identify in the local plan, local levels of
6 performance for any additional indicators of
7 performance. Such levels shall be considered to
8 be the local levels of performance for purposes
9 of this title.

10 “(C) REPORT.—Each eligible recipient
11 shall publicly report, on an annual basis, its
12 progress in achieving its levels of performance
13 on the core indicators of performance.”.

14 **SEC. 9. NATIONAL ACTIVITIES.**

15 (a) PROGRAM PERFORMANCE INFORMATION.—Sec-
16 tion 114(a)(3) (20 U.S.C. 2324(a)(3)) is amended by in-
17 serting “in the aggregate” after “international compari-
18 sons”.

19 (b) EVALUATION AND ASSESSMENT.—Section 114(c)
20 (20 U.S.C. 2324(c)) is amended—

21 (1) by amending paragraph (2) to read as fol-
22 lows:

23 “(2) INDEPENDENT ADVISORY PANEL.—The
24 Secretary shall appoint an independent advisory
25 panel, consisting of academic and vocational and

1 technical education educators, administrators, ex-
2 perts in evaluation, research, and assessment, rep-
3 resentatives of labor organizations, businesses, par-
4 ents, guidance and counseling professionals, and
5 other individuals with relevant expertise, to advise
6 the Secretary on the implementation of the assess-
7 ment described in paragraph (3), including the
8 issues to be addressed and the methodology of the
9 studies involved to ensure the assessment adheres to
10 the highest standards of quality. The advisory panel
11 shall transmit to the Secretary and to Congress an
12 independent analysis of the findings and rec-
13 ommendations resulting from such assessment. The
14 Federal Advisory Committee Act (5 U.S.C. App.)
15 shall not apply to the panel established under this
16 subsection.”.

17 (2) in paragraph (3)—

18 (A) in subparagraph (B)—

19 (i) by inserting “but shall not be lim-
20 ited to” after “paragraph (1) shall in-
21 clude”;

22 (ii) by striking clauses (i), (ii), (iv),
23 (vi) and (vii) and redesignating clauses (iii)
24 and (v) as clauses (i) and (ii), and clause
25 (viii) as clause (iii), respectively;

1 (iii) in clause (i) (as so redesignated),
2 by striking “, and academic, curricula in
3 vocational and technical education pro-
4 grams,” and inserting “education”; and

5 (iv) in clause (ii) (as so redesign-
6 nated)—

7 (I) by striking “and employment
8 outcomes” and all that follows
9 through “including analyses of” and
10 inserting “and vocational and tech-
11 nical education achievement and em-
12 ployment outcomes of vocational and
13 technical education students, includ-
14 ing analyses of”;

15 (II) in subclause (I), by striking
16 “and tech-prep students”;

17 (III) in subclause (II), by insert-
18 ing “rigorous and challenging” after
19 “integration of”; and

20 (IV) in subclause (III), by insert-
21 ing “particularly those in which math
22 and science skills are critical,” after
23 “high-skill careers”; and

24 (C) in subparagraph (C)—

1 (i) by striking “Committees on Edu-
2 cation and the Workforce of the House of
3 Representatives and the Committee on
4 Labor and Human Resources of the Sen-
5 ate” and inserting “Congress”;

6 (ii) in clause (i), by striking “2002”
7 and inserting “2008” both places it ap-
8 pears;

9 (3) in paragraph (5)(A)—

10 (A) by striking “to carry out research”
11 each place it appears, and inserting “to carry
12 out scientifically based research”;

13 (B) in clause (i), by inserting “scientif-
14 ically based” after “programs, including”;

15 (C) in clause (ii), by inserting “that are in-
16 tegrated with rigorous and challenging aca-
17 demic education” after “implementation of vo-
18 cational and technical education programs”;
19 and

20 (D) in clause (iii)(I), by inserting “and the
21 integration of those systems with the academic
22 education system” after “technical education
23 systems”;

24 (4) in paragraph (6)—

25 (A) by striking:

1 “(6) DEMONSTRATION AND DISSEMINATION.—
2 “(A) DEMONSTRATION PROGRAM.—The”,
3 and inserting:
4 “(6) DEMONSTRATION PROGRAM.—The”; and
5 (B) by striking subparagraph (B); and
6 (5) in paragraph (8), by striking “this section”
7 and all that follows and inserting “subsections (a),
8 (b), and (c) of this section, such sums as may be
9 necessary for each of fiscal years 2005 through
10 2010.”

11 (c) INCENTIVE GRANTS FOR ELIGIBLE AGENCIES.—
12 Section 114 is further amended by adding at the end the
13 following new subsection:

14 “(d) INCENTIVE GRANTS FOR ELIGIBLE AGEN-
15 CIES.—

16 “(1) IN GENERAL.—From funds reserved under
17 section 111(a)(1)(C), the Secretary may award
18 grants to eligible agencies for exemplary perform-
19 ance in carrying out programs under this Act. Such
20 awards shall be based on an eligible agency exceed-
21 ing challenging performance measures established
22 under section 113(b) that reflect sustained or sig-
23 nificant improvement.

24 “(2) SPECIAL CONSIDERATION.—In awarding
25 these grants, the Secretary may consider—

1 “(A) an eligible agency effectively devel-
2 oping connections between secondary education
3 and postsecondary education and training; and

4 “(B) an agency’s adoption and integration
5 of rigorous and challenging academic and tech-
6 nical coursework.

7 “(3) USE OF FUNDS.—The funds awarded to
8 an eligible agency under this subsection may be used
9 to carry out any activities authorized under section
10 124, including demonstrations of innovative pro-
11 grams.”.

12 **SEC. 10. OUTLYING AREAS, NATIVE AMERICAN PROGRAMS,**
13 **AND TRIBALLY CONTROLLED INSTITUTIONS.**

14 (a) ASSISTANCE FOR THE OUTLYING AREAS.—Sec-
15 tion 115 (20 U.S.C. 2325) is amended by striking sub-
16 sections (b), (c), and (d).

17 (b) NATIVE AMERICAN PROGRAM.—Section 116 (20
18 U.S.C. 2326) is amended—

19 (1) in subsection (a), by inserting a period at
20 the end of paragraph (5);

21 (2) in subsection (b)—

22 (A) in paragraph (1), by striking “sub-
23 section (d)” and inserting “subsection (c)”;

24 (B) in paragraph (2), by striking “(other
25 than in subsection (i))”; and

1 (C) by amending paragraph (5) to read as
2 follows:

3 “(5) REGULATIONS.—If the Secretary promul-
4 gates any regulations applicable to subsection (b)(2),
5 the Secretary shall confer with, and allow participa-
6 tion by, representatives of Indian tribes, tribal orga-
7 nizations, and individual tribal members.”; and

8 (3) in subsection (c)(2)(A), by inserting “post-
9 secondary” after “enrolled in”.

10 (c) NEEDS ESTIMATE FOR TRIBALLY CONTROLLED
11 INSTITUTIONS.—Section 117 (20 U.S.C. 2327) is amend-
12 ed—

13 (1) by striking subsection (g) and redesignating
14 subsections (h) and (i) as subsections (g) and (h),
15 respectively; and

16 (2) in subsection (h) (as redesignated)—

17 (A) by striking “1999” and inserting
18 “2005”; and

19 (B) by striking “4 succeeding fiscal years”
20 and inserting “5 succeeding fiscal years”.

21 (d) OCCUPATIONAL AND EMPLOYMENT INFORMA-
22 TION.—Section 118 (20 U.S.C. 2328) is amended—

23 (1) in subsection (b)—

24 (A) in paragraph (1), by striking “individ-
25 uals” and all that follows and inserting “stu-

1 dents (and parents, as appropriate) regarding
2 postsecondary education and training and prep-
3 aration for high wage, high skill occupations;”;

4 (B) in paragraph (2), by inserting “aca-
5 demic and vocational and technical” after “re-
6 sources that relate”;

7 (C) in paragraph (3),

8 (i) by striking “knowledge and skills”
9 and inserting “knowledge, skills, and occu-
10 pational information”; and

11 (ii) by striking the period at the end
12 and inserting a semicolon; and

13 (D) in paragraph (4), by inserting “post-
14 secondary” after “career-related”; and

15 (2) in subsection (f), by striking “1999 through
16 2003” and inserting “2005 through 2010”.

17 **SEC. 11. STATE ADMINISTRATION.**

18 Section 121 (20 U.S.C. 2341) is amended to read as
19 follows:

20 **“SEC. 121. STATE ADMINISTRATION.**

21 “(a) **ELIGIBLE AGENCY RESPONSIBILITIES.**—The re-
22 sponsibilities of an eligible agency under this title shall
23 include—

24 “(1) coordination of the development, submis-
25 sion, and implementation of the State plan, and the

1 evaluation of the program, services, and activities as-
2 sisted under this title, including preparation for non-
3 traditional fields;

4 “(2) consultation with the Governor and appro-
5 priate agencies, groups, and individuals including
6 parents, students, teachers, representatives of busi-
7 nesses, labor organizations, eligible recipients, State
8 and local officials, and local program administrators,
9 involved in the planning, administration, evaluation,
10 and coordination of programs funded under this
11 title;

12 “(3) convening and meeting as an eligible agen-
13 cy (consistent with State law and procedure for the
14 conduct of such meetings) at such time as the eligi-
15 ble agency determines necessary to carry out the eli-
16 gible agency’s responsibilities under this title, but
17 not less than four times annually; and

18 “(4) the adoption of such procedures as the eli-
19 gible agency considers necessary to—

20 “(A) implement State level coordination
21 with the activities undertaken by the State
22 boards under section 111 of Public Law 105-
23 220; and

24 “(B) make available to the service delivery
25 system under section 121 of Public Law 105-

1 220 within the State a listing of all school drop-
2 out, postsecondary, and adult programs assisted
3 under this title.

4 “(b) EXCEPTION.—Except with respect to the re-
5 sponsibilities set forth in subsection (a), the eligible agen-
6 cy may delegate any of the other responsibilities of the
7 eligible agency that involve the administration, operation,
8 supervision of activities assisted under this title, in whole
9 or in part, to one or more appropriate State agencies.”.

10 **SEC. 12. STATE PLAN.**

11 Section 122 (20 U.S.C. 2342) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “5-year
14 period” and inserting “6-year period”;

15 (B) in paragraph (2)(B), by striking “5
16 year State plan” and inserting “6-year period”;
17 and

18 (C) in paragraph (3), by striking “(includ-
19 ing employers, labor organizations, and par-
20 ents)” and inserting “(including charter school
21 authorizers and organizers, employers, labor or-
22 ganizations, parents, students, and community
23 organizations)”;

24 (2) in subsection (b)(1), by striking “teachers,
25 eligible recipients, parents, students, interested com-

1 community members” and inserting “academic and vo-
2 cational and technical education teachers, eligible re-
3 cipients, charter school authorizers and organizers,
4 parents, students, interested community members
5 (including parent and community organizations)”;

6 (3) in subsection (c)—

7 (A) in paragraph (1)—

8 (i) by redesignating subparagraphs

9 (A) through (D) as subparagraphs (B)

10 through (E), respectively, and inserting be-

11 fore such subparagraphs (as so redesign-

12 nated) the following:

13 “(A) the development of model sequences
14 of courses for vocational and technical content
15 areas that—

16 “(i) incorporate both secondary and
17 postsecondary education elements;

18 “(ii) include rigorous and challenging
19 academic content and vocational and tech-
20 nical content in a coordinated, nonduplica-
21 tive progression of courses;

22 “(iii) lead to a postsecondary 1-year
23 certificate, associate’s or baccalaureate de-
24 gree, or a proficiency credential in conjunc-
25 tion with a secondary school diploma; and

1 “(iv) may be adopted by local edu-
2 cational agencies and postsecondary insti-
3 tutions to be offered as an option to stu-
4 dents (and their parents as appropriate),
5 when choosing future coursework.”;

6 (ii) in subparagraph (B) (as so redes-
7 ignated), by inserting “and how the eligible
8 agency will distribute information identi-
9 fying eligible recipients that offer elements
10 of the model sequences of courses” before
11 the semicolon;

12 (iii) by amending subparagraph (C)
13 (as so redesignated) to read as follows:

14 “(C) the criteria that will be used by the
15 eligible agency to evaluate and approve eligible
16 recipients for funds under this title, including
17 criteria to assess the extent to which the local
18 plan will promote—

19 “(i) levels of high academic achieve-
20 ment; and

21 “(ii) levels of high technical skill at-
22 tainment;”;

23 (iv) in subparagraph (D) (as so redes-
24 ignated)—

1 (I) by inserting “, both academi-
2 cally and technically,” after “stu-
3 dents”; and

4 (II) by striking “; and” and in-
5 serting “, and how participating stu-
6 dents will be made aware of such op-
7 portunities;”;

8 (v) in subparagraph (E) (as so reded-
9 igned), by striking the period and insert-
10 ing “aligned with challenging and rigorous
11 academic content;”; and

12 (vi) by inserting after subparagraph
13 (E) (as so redesignated) the following:

14 “(F) the process by which the eligible
15 agency will ensure that all vocational and tech-
16 nical education programs carried out under this
17 Act include either the secondary or postsec-
18 ondary elements of the model sequences of
19 courses identified by the eligible agency, with
20 an emphasis on challenging academic and tech-
21 nical content and, through a progression of
22 courses, leads to a postsecondary 1-year certifi-
23 cate, associate’s or baccalaureate degree, or a
24 proficiency credential in conjunction with a sec-
25 ondary school diploma;

1 “(G) the role that any Tech-Prep consortia
2 (established under title II of this Act before its
3 repeal by section 18 of the Vocational and
4 Technical Education for the Future Act and
5 supported by the eligible agency under this Act)
6 will play in assisting local educational agencies
7 and postsecondary educational institutions in
8 establishing agreements and plans for offering
9 model sequences of courses to students at both
10 the secondary and postsecondary levels; and

11 “(H) how funds will be used effectively to
12 link secondary and postsecondary academic and
13 vocational and technical education in a manner
14 that increases student academic and vocational
15 and technical achievement.”;

16 (B) by amending paragraph (2) to read as
17 follows:

18 “(2) describes how comprehensive professional
19 development (including initial teacher preparation)
20 for vocational and technical, academic, guidance,
21 and administrative personnel will be provided, espe-
22 cially professional development that—

23 “(A) promotes the integration of rigorous
24 and challenging academic and vocational and

1 technical education curriculum development;
2 and

3 “(B) increases the academic and vocational
4 and technical knowledge of vocational and tech-
5 nical education teachers.”;

6 (C) in paragraph (3), by inserting “aca-
7 demic and technical” after “parents,”;

8 (D) in paragraph (5)(A)—

9 (i) by inserting “(especially as per-
10 taining to math, science, and technology)”
11 after “academic and technical skills”; and

12 (ii) by striking “core academic, and
13 vocational and technical, subjects” and in-
14 serting “core academic subjects (as defined
15 in section 9101(11) of the Elementary and
16 Secondary Education Act of 1965 (20
17 U.S.C. 7801(11))), and vocational and
18 technical subjects”; and

19 (E) by striking paragraph (19) and redesi-
20 gnating paragraphs (20) and (21) as para-
21 graphs (19) and (20), respectively; and

22 (4) by striking subsections (d) and (f) and re-
23 designating subsection (e) as subsection (d).

1 **SEC. 13. IMPROVEMENT PLANS.**

2 Section 123 (20 U.S.C. 2343) is amended to read as
3 follows:

4 **“SEC. 123. IMPROVEMENT PLANS.**

5 “(a) STATE PROGRAM IMPROVEMENT.—

6 “(1) PLAN.—If a State fails to meet the State
7 adjusted levels of performance described in the re-
8 port submitted under section 113(c), the eligible
9 agency shall develop and implement a program im-
10 provement plan in consultation with the appropriate
11 agencies, individuals, and organizations for the first
12 program year succeeding the program year in which
13 the eligible agency failed to meet the State adjusted
14 levels of performance, in order to avoid a sanction
15 under paragraph (3).

16 “(2) TECHNICAL ASSISTANCE.—If the Sec-
17 retary determines that an eligible agency is not
18 properly implementing the eligible agency’s respon-
19 sibilities under section 122, or is not making sub-
20 stantial progress in meeting the purpose of this Act,
21 based on the State’s adjusted levels of performance,
22 the Secretary shall work with the eligible agency to
23 implement improvement activities consistent with the
24 requirements of this Act.

25 “(3) FAILURE.—

1 “(A) IN GENERAL.—If an eligible agency
2 fails to meet the State adjusted levels of per-
3 formance, has not implemented an improvement
4 plan as described in paragraph (1), has shown
5 no improvement within 1 year after imple-
6 menting an improvement plan as described in
7 paragraph (1), or has failed to meet the State
8 adjusted levels of performance for 2 or more
9 consecutive years, the Secretary may, after no-
10 tice and opportunity for a hearing, withhold
11 from the eligible agency all, or a portion of, the
12 eligible agency’s allotment under this title.

13 “(B) WAIVER FOR EXCEPTIONAL CIR-
14 CUMSTANCES.—The Secretary may waive the
15 sanction in subparagraph (A) due to exceptional
16 or uncontrollable circumstances such as a nat-
17 ural disaster or a precipitous and unforeseen
18 decline in the financial resources of the State.

19 “(4) FUNDS RESULTING FROM REDUCED AL-
20 LOTMENTS.—

21 “(A) IN GENERAL.—The Secretary shall
22 use funds withheld under paragraph (3) for a
23 State served by an eligible agency, to provide
24 (through alternative arrangements) services and

1 activities within the State to meet the purposes
2 of this Act.

3 “(B) REDISTRIBUTION.—If the Secretary
4 cannot satisfactorily use funds withheld under
5 paragraph (3), then the amount of funds re-
6 tained by the Secretary as a result of a reduc-
7 tion in an allotment made under paragraph (3)
8 shall be redistributed to other eligible agencies
9 in accordance with section 111.

10 “(b) LOCAL PROGRAM IMPROVEMENT.—

11 “(1) LOCAL EVALUATION.—Each eligible agen-
12 cy shall evaluate annually, using the local adjusted
13 levels of performance described in section 113(b)(4),
14 the vocational and technical education activities of
15 each eligible recipient receiving funds under this
16 title.

17 “(2) PLAN.—

18 “(A) IN GENERAL.—If, after reviewing the
19 evaluation, the eligible agency determines that
20 an eligible recipient is not making substantial
21 progress in achieving the local adjusted levels of
22 performance, the eligible agency shall—

23 “(i) conduct an assessment of the
24 educational needs that the eligible recipient

1 shall address to overcome local perform-
2 ance deficiencies;

3 “(ii) enter into an improvement plan
4 agreement with an eligible recipient based
5 on the results of the assessment, for the
6 first program year succeeding the program
7 year in which the eligible recipient failed to
8 meet the local adjusted levels of perform-
9 ance, which plan shall demonstrate how
10 the local performance deficiencies will be
11 corrected and include instructional and
12 other programmatic innovations of dem-
13 onstrated effectiveness, and where nec-
14 essary, strategies for appropriate staffing
15 and professional development; and

16 “(iii) conduct regular evaluations of
17 the progress being made toward reaching
18 the local adjusted levels of performance as
19 described in section 113(b)(4) and
20 progress on the improvement plan itself.

21 “(B) CONSULTATION.—The eligible agency
22 shall conduct the activities described in para-
23 graph (2) in consultation with teachers, par-
24 ents, other school staff, appropriate agencies,

1 and other appropriate individuals and organiza-
2 tions.

3 “(3) TECHNICAL ASSISTANCE.—If the eligible
4 agency determines that an eligible recipient is not
5 properly implementing the eligible recipient’s respon-
6 sibilities under section 134, or is not making sub-
7 stantial progress in meeting the purpose of this Act,
8 based on the local adjusted levels of performance,
9 the eligible agency shall provide technical assistance
10 to the eligible recipient to assist such recipient in
11 carrying out the improvement activities consistent
12 with the requirements of this Act.

13 “(4) FAILURE.—

14 “(A) IN GENERAL.—If an eligible recipient
15 fails to meet the local adjusted levels of per-
16 formance as described in section 113(b)(4), has
17 not implemented an improvement plan as de-
18 scribed in paragraph (2), has shown no im-
19 provement within 1 year after implementing an
20 improvement plan as described in paragraph
21 (2), or has failed to meet the local adjusted lev-
22 els of performance for 2 or more consecutive
23 years, the eligible agency may, after notice and
24 opportunity for a hearing, withhold from the el-

1 eligible recipient all, or a portion of, the eligible
2 recipient's allotment under this title.

3 “(B) WAIVER FOR EXCEPTIONAL CIR-
4 CUMSTANCES.—The eligible agency may waive
5 the sanction under this paragraph due to excep-
6 tional or uncontrollable circumstances such as a
7 natural disaster or a precipitous and unforeseen
8 decline in the financial resources of the State.

9 “(5) FUNDS RESULTING FROM REDUCED AL-
10 LOTMENTS.—The eligible agency shall use funds
11 withheld under paragraph (4) to provide (through
12 alternative arrangements) services and activities to
13 students within the area served by such recipient to
14 meet the purpose of this Act.”.

15 **SEC. 14. STATE LEADERSHIP ACTIVITIES.**

16 Section 124 (20 U.S.C. 2344) is amended—

17 (1) in subsection (b)—

18 (A) in paragraph (1), by striking “learn-
19 ing” and inserting “education”;

20 (B) in paragraph (2)—

21 (i) by inserting “, and the required
22 math and science education,” after “use of
23 technology in vocational and technical edu-
24 cation”; and

25 (ii) in subparagraph (B)—

1 (I) by inserting “(including the
2 math and science knowledge that pro-
3 vides a strong basis for such skills)”
4 after “technical skills”; and

5 (II) by striking “and tele-
6 communications field” and inserting
7 “fields”;

8 (C) in paragraph (3)—

9 (i) by inserting “at the secondary and
10 postsecondary levels” after “academic,
11 guidance, and administrative personnel”;

12 (ii) by redesignating subparagraphs
13 (A) through (D) as subparagraphs (C)
14 through (F), respectively, and inserting be-
15 fore such subparagraphs (as so redesi-
16 ginated) the following:

17 “(A) will provide inservice and preservice
18 training for vocational and technical education
19 teachers in the integration and use of rigorous
20 and challenging academics with vocational and
21 technical subjects;

22 “(B) are high quality, sustained, intensive,
23 and classroom-focused in order to have a posi-
24 tive and lasting impact on classroom instruction
25 and the teacher’s performance in the classroom,

1 and are not 1 day or short-term workshops or
2 conferences;”;

3 (iii) in subparagraph (C) (as so redesi-
4 gnated)—

5 (I) by inserting “scientifically
6 based” after “based on”; and

7 (II) by striking “; and” and in-
8 serting a semicolon;

9 (iv) in subparagraph (D) (as so redesi-
10 gnated), by striking “assist students in
11 meeting” and inserting “improve student
12 achievement in order to meet”; and

13 (v) by amending subparagraph (E)
14 (as so redesignated) to read as follows:

15 “(E) will support education programs for
16 teachers of vocational and technical education
17 in public schools and other public school per-
18 sonnel who are involved in the direct delivery of
19 educational services to vocational and technical
20 education students to ensure that teachers and
21 personnel—

22 “(i) stay current with the needs, ex-
23 pectations, and methods of industry;

24 “(ii) meet teacher certification or li-
25 censing requirements, especially in core

1 academic subjects as defined in section
2 9101(11) of the Elementary and Sec-
3 ondary Education Act of 1965 (20 U.S.C.
4 7801(11));

5 “(iii) can effectively develop inte-
6 grated rigorous and challenging academic
7 and vocational and technical education cur-
8 riculum; and

9 “(iv) develop a high level of academic
10 and industry knowledge and skills of voca-
11 tional and technical education.”;

12 (D) in paragraph (4), by striking “integra-
13 tion of academics” and all that follows through
14 “core academic,” and inserting “provision of
15 rigorous and challenging academics that are in-
16 tegrated with vocational and technical education
17 to ensure achievement in the core academic sub-
18 jects (as defined in section 9101(11) of the Ele-
19 mentary and Secondary Education Act of 1965
20 (20 U.S.C. 7801(11))),”;

21 (E) in paragraph (6), by inserting “and
22 complete a sequence of courses, as described in
23 section 122(c)(1)(A)” after “technical skills”;

24 (F) in paragraph (7), by striking “; and”
25 and inserting a semicolon;

1 (G) in paragraph (8), by striking the pe-
2 riod and inserting “; and”; and

3 (H) by inserting after paragraph (8) the
4 following:

5 “(9) technical assistance for eligible recipients”;
6 and

7 (2) in subsection (c)—

8 (A) by striking paragraph (1), and redesign-
9 ating paragraphs (2) through (10) as para-
10 graphs (1) through (9), respectively;

11 (B) in paragraph (9) (as so redesignated),
12 by inserting “that prepare individuals academi-
13 cally and technically for current and emerging
14 occupations in demand” after “education
15 courses”; and

16 (C) by inserting after paragraph (9) (as so
17 redesignated) the following:

18 “(10) awarding incentive grants to eligible re-
19 cipients for exemplary performance in carrying out
20 programs under this Act, which awards shall be
21 based on—

22 “(A) eligible recipients exceeding chal-
23 lenging performance measures established
24 under section 113(b) that reflect sustained or
25 significant improvement;

1 “(B) eligible recipients effectively devel-
2 oping connections between secondary education
3 and postsecondary education and training;

4 “(C) the adoption and integration of rig-
5 orous academic and technical coursework and
6 other such factors relating to the performance
7 of the eligible recipient under this Act as the el-
8 igible agency determines are appropriate; or

9 “(D) other factors relating to the perform-
10 ance of the eligible recipient under this Act as
11 the eligible agency determines are appro-
12 priate.”.

13 **SEC. 15. DISTRIBUTION OF FUNDS TO SECONDARY SCHOOL**
14 **PROGRAMS.**

15 Section 131 (20 U.S.C. 2351) is amended—

16 (1) by striking subsection (a) and redesignating
17 subsections (b) through (i) as subsections (a)
18 through (h), respectively; and

19 (2) in subsection (a) (as so redesignated)—

20 (A) in the subsection heading, by striking
21 “SPECIAL” and “FOR SUCCEEDING FISCAL
22 YEARS”; and

23 (B) by striking “for fiscal year 2000 and
24 succeeding fiscal years”; and

25 (3) in subsection (b)—

1 (A) by striking “subsection (b)” and in-
2 serting “subsection (a)”; and

3 (B) by striking “(42 U.S.C. 9902(2))” and
4 inserting “(42 U.S.C. 9902(2))”.

5 **SEC. 16. LOCAL PLAN FOR VOCATIONAL AND TECHNICAL**
6 **EDUCATION PROGRAMS.**

7 Section 134(b) (20 U.S.C. 2354(b)) is amended—

8 (1) in paragraph (2), by inserting “and local”
9 after “State”;

10 (2) in paragraph (3)—

11 (A) by redesignating subparagraphs (A)
12 through (C) as subparagraphs (B) through (D),
13 respectively, and inserting before such subpara-
14 graphs the following:

15 “(A) offer the appropriate courses of at
16 least one of the model curricula described in
17 section 124(c)(1), as appropriate to the eligible
18 recipient responsible for that element of the se-
19 quence;”;

20 (B) in subparagraph (B) (as so redesign-
21 ated)—

22 (i) by inserting “rigorous and chal-
23 lenging” after “integration of”; and

24 (ii) by inserting “subjects (as defined
25 by section 9101(11) of the Elementary and

1 Secondary Education Act of 1965 (20
2 U.S.C. 7801(11)))” after “core academic”;
3 and

4 (C) in subparagraph (D) (as so redesign-
5 nated), by inserting “rigorous and” after
6 “taught to the same”;

7 (3) by redesignating paragraphs (4) through
8 (10) as paragraphs (5) through (11), respectively,
9 and inserting after paragraph (3) the following:

10 “(4) describe how comprehensive professional
11 development (including initial teacher preparation)
12 for vocational and technical, academic, guidance,
13 and administrative personnel will be provided that
14 promotes the integration of rigorous and challenging
15 academic and technical education (including cur-
16 riculum development);” and

17 (4) in paragraph (5) (as so redesignated)—

18 (A) by inserting “academic and vocational
19 and technical” after “students,”; and

20 (B) by inserting “, including the eligible
21 recipients that offer elements of the model se-
22 quence of courses” after “of this title”.

23 **SEC. 17. LOCAL USE OF FUNDS.**

24 Section 135 (20 U.S.C. 2355) is amended—

25 (1) in subsection (b)—

1 (A) in paragraph (1), by striking “to en-
2 sure learning in the core academic” and insert-
3 ing “as established in the State-developed
4 model sequences of courses described in section
5 122(c)(1)(A) to ensure learning in the core aca-
6 demic subjects (as defined by section 9101(11)
7 of the Elementary and Secondary Education
8 Act of 1965 (20 U.S.C. 7801(11)))”;

9 (B) by striking paragraph (8);

10 (C) by redesignating paragraphs (2)
11 through (7) as paragraphs (4) through (9), re-
12 spectively, and inserting after paragraph (1) the
13 following:

14 “(2) link secondary vocational and technical
15 education and postsecondary vocational and tech-
16 nical education, including offering model sequences
17 of courses and implementing Tech-Prep programs;

18 “(3) support tech-prep programs (if the eligible
19 recipient receives the funds from the eligible agency
20 under section 112(a)(1) that—

21 “(A) are carried out under an articulation
22 agreement between the participants in the con-
23 sortium, which shall include—

24 “(i) a local educational agency, an in-
25 termediate educational agency or area vo-

1 cational and technical education school
2 serving secondary school students, or a
3 secondary school funded by the Bureau of
4 Indian Affairs; and

5 “(ii)(I) a nonprofit institution of high-
6 er education that offers—

7 “(aa) a 2 or 4-year degree pro-
8 gram, or a 2-year certificate program,
9 and is qualified as institutions of
10 higher education pursuant to section
11 102 of the Higher Education Act of
12 1965 (20 U.S.C. 1002) (except those
13 institutions described in section
14 102(a)(1)(C) of such Act), including
15 an institution receiving assistance
16 under the Tribally Controlled College
17 or University Assistance Act of 1978
18 (25 U.S.C. 1801 et seq.) and a trib-
19 ally controlled postsecondary voca-
20 tional and technical institution; or

21 “(bb) a 2-year apprenticeship
22 program that follows secondary in-
23 struction, if such nonprofit institution
24 of higher education is not prohibited
25 from receiving assistance under part

1 B of title IV of the Higher Education
2 Act of 1965 (20 U.S.C. 1071 et seq.)
3 pursuant to the provisions of section
4 435(a)(3) of such Act (20 U.S.C.
5 1083(a)); or

6 “(II) a proprietary institution of
7 higher education that offers a 2-year
8 associate degree program and is quali-
9 fied as an institution of higher edu-
10 cation pursuant to section 102 of the
11 Higher Education Act of 1965 (20
12 U.S.C. 1002), if such proprietary in-
13 stitution of higher education is not
14 subject to a default management plan
15 required by the Secretary,

16 and may include employers and labor orga-
17 nizations;

18 “(B) consist of a minimum of 2 years of
19 secondary school preceding graduation and a
20 minimum of 2 years of higher education, or an
21 apprenticeship program of at least 2 years fol-
22 lowing secondary instruction;

23 “(C) meet academic standards developed
24 by the State, including standards developed
25 under section 1111 of the Elementary and Sec-

1 ondary Education Act of 1965 (20 U.S.C.
2 6311) for secondary students, and support pro-
3 ficiency in mathematics, science, reading, writ-
4 ing, communications, and technologies;

5 “(D) are comprised of model sequences of
6 courses that integrate rigorous and challenging
7 academics and vocational and technical edu-
8 cation;

9 “(E) provide technical preparation in a ca-
10 reer field such as engineering technology, ap-
11 plied science, a mechanical, industrial, or prac-
12 tical art or trade, agriculture, health occupa-
13 tions, business, or applied economics;

14 “(F) that use, if appropriate and available,
15 work-based or worksite learning in conjunction
16 with academic and vocational and technical edu-
17 cation;

18 “(G) that use educational technology and
19 distance learning, as appropriate, to involve all
20 the consortium partners more fully in the devel-
21 opment and operation of programs; and

22 “(H) that facilitate and promote close
23 working relationships among eligible recipients
24 to ensure that programs within a geographic

1 area are closely integrated with Tech-Prep pro-
2 gram activities.”;

3 (D) in paragraph (5) (as so redesign-
4 nated)—

5 (i) by inserting “, and the related
6 math and science education,” after “use of
7 technology in vocational and technical edu-
8 cation”;

9 (ii) in subparagraph (B)—

10 (I) by inserting “(including the
11 math and science knowledge that pro-
12 vides a strong basis for such skills)”
13 after “technical skills”; and

14 (II) by striking “and tele-
15 communications field” and inserting
16 “fields”; and

17 (iii) in subparagraph (C)—

18 (I) by striking “work” and in-
19 serting “collaborate”; and

20 (II) by inserting “that improve
21 the math and science knowledge of
22 students” after “mentoring pro-
23 grams”;

24 (E) in paragraph (6) (as so redesign-
25 nated)—

1 (i) by striking “teachers” and insert-
2 ing “secondary and postsecondary teach-
3 ers, instructors,”; and

4 (ii) in subparagraph (A), by striking
5 “in effective teaching skills based on re-
6 search” and inserting “in effective integra-
7 tion of rigorous and challenging academic
8 and vocational and technical education, in
9 effective teaching skills based on scientif-
10 ically based research”;

11 (F) in paragraph (8) (as so redesignated),
12 by inserting “and” after the semicolon; and

13 (G) in paragraph (9) (as so redesignated),
14 by striking “; and” and inserting a period;

15 (2) in subsection (c)—

16 (A) in paragraph (2), by inserting “, re-
17 garding postsecondary options, including for
18 adult students who are changing careers or up-
19 dating skills” before the semicolon;

20 (D) in paragraph (5), by inserting “includ-
21 ing the establishment and operation of special
22 arrangements with industry partners that allow
23 qualified industry professionals to serve as fac-
24 ulty in postsecondary programs” before the
25 semicolon;

1 (F) in paragraph (9), by inserting “that
2 address the integration of academic and voca-
3 tional and technical education and” after
4 “teacher preparation programs”;

5 (E) by redesignating paragraphs (10)
6 through (15) as paragraphs (11) through (16);
7 and inserting after paragraph (9) the following:
8 “(10) to develop and expand postsecondary pro-
9 gram offerings at times and in formats accessible by
10 students, including the use of distance education;”;
11 and

12 (G) in paragraph (11) (as so redesign-
13 ated), by inserting “, including development of
14 new proposed model sequence of courses for
15 consideration by the eligible agency” before the
16 semicolon; and

17 (3) in subsection (d), by striking “5 percent”
18 and inserting “2 percent”.

19 **SEC. 18. REPEAL OF TECH-PREP EDUCATION ACT.**

20 Title II of the Carl D. Perkins Vocational and Tech-
21 nical Education Act of 1998 (20 U.S.C. 2071 et seq.) is
22 repealed.

23 **SEC. 19. GENERAL PROVISIONS.**

24 (a) **FISCAL REQUIREMENTS.**—Section 311(b) (20
25 U.S.C. 2391(b)) is amended—

1 (1) in paragraph (1)—

2 (A) by amending subparagraph (A) to read
3 as follows:

4 “(A) IN GENERAL.—Except as provided in
5 subparagraphs (B), (C), and (D), a State shall
6 receive its full allotment of funds under this Act
7 for any fiscal year only if the Secretary deter-
8 mines that the fiscal effort per student or the
9 aggregate expenditures of the State for voca-
10 tional and technical education programs for the
11 fiscal year preceding the fiscal year for which
12 the determination is made was not less than 90
13 percent of the greatest such effort or expendi-
14 tures for any fiscal year after 2004.”;

15 (B) in subparagraph (C), by striking “sub-
16 paragraph (B)” and inserting “subparagraph
17 (A)”; and

18 (C) by inserting after subparagraph (C)
19 the following:

20 “(D) REDUCTION OF FUNDS.—The Sec-
21 retary shall reduce the amount of the allotment
22 of funds under this Act for any fiscal year in
23 the exact proportion by which the State fails to
24 meet the requirements of subparagraph (A).”;

1 (2) in paragraph (2), by striking “1 percent”
2 and inserting “5 percent”; and

3 (3) by inserting after paragraph (2) the fol-
4 lowing:

5 “(3) DEFINITION.—For purposes of this sub-
6 section, the term ‘preceding fiscal year’ means the
7 Federal fiscal year or the 12-month fiscal period
8 used by a State for official reporting purposes, prior
9 to the beginning of the Federal fiscal year in which
10 funds are available for obligation by the Secretary.”.

11 (b) AUTHORIZATION OF SECRETARY.—Section 317
12 (20 U.S.C. 2397) is repealed.

○