

108TH CONGRESS  
2D SESSION

# S. 2686

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

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## IN THE SENATE OF THE UNITED STATES

JULY 19, 2004

Mr. ENZI (for himself, Mr. GREGG, Mr. KENNEDY, Mr. DODD, Mr. ALEXANDER, Mr. JEFFORDS, Mr. SESSIONS, Mr. BINGAMAN, Mrs. MURRAY, Mr. REED, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Carl D. Perkins Career and Technical Education Im-  
6 provement Act of 2004”.

7 (b) TABLE OF CONTENTS.—The table of contents for  
8 this Act is as follows:

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

- Sec. 3. Purpose.
- Sec. 4. Definitions.
- Sec. 5. Transition provisions.
- Sec. 6. Limitation.
- Sec. 7. Authorization of appropriations.

#### TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

- Sec. 101. Career and technical education assistance to the States.
- Sec. 102. Reservations and State allotment.
- Sec. 103. Within State allocation.
- Sec. 104. Accountability.
- Sec. 105. National activities.
- Sec. 106. Assistance for the outlying areas.
- Sec. 107. Native American program.
- Sec. 108. Tribally controlled postsecondary career and technical institutions.
- Sec. 109. Occupational and employment information.
- Sec. 110. State administration.
- Sec. 111. State plan.
- Sec. 112. Improvement plans.
- Sec. 113. State leadership activities.
- Sec. 114. Distribution of funds to secondary school programs.
- Sec. 115. Distribution of funds for postsecondary career and technical education programs.
- Sec. 116. Special rules for career and technical education.
- Sec. 117. Local plan for career and technical education programs.
- Sec. 118. Local uses of funds.
- Sec. 119. Tech-prep education.

#### TITLE II—GENERAL PROVISIONS

- Sec. 201. Redesignation of title.
- Sec. 202. Fiscal requirements.
- Sec. 203. Voluntary selection and participation.
- Sec. 204. Limitation for certain students.
- Sec. 205. Authorization of secretary; participation of private school personnel.
- Sec. 206. Student assistance and other Federal programs.
- Sec. 207. Table of contents.

### 1 **SEC. 2. REFERENCES.**

2       Except as otherwise expressly provided, wherever in  
3 this Act an amendment or repeal is expressed in terms  
4 of an amendment to, or repeal of, a section or other provi-  
5 sion, the reference shall be considered to be made to a  
6 section or other provision of the Carl D. Perkins Vocational and  
7 Technical Education Act of 1998 (20 U.S.C.  
8 2301 et seq.).

1 **SEC. 3. PURPOSE.**

2 Section 2 (20 U.S.C. 2301) is amended—

3 (1) by striking “vocational” each place the term  
4 appears and inserting “career”;

5 (2) in paragraph (1), by striking “standards”  
6 and inserting “and technical standards, and to assist  
7 students in meeting such standards, especially in  
8 preparation for high skill, high wage, or high de-  
9 mand occupations in emerging or established profes-  
10 sions”;

11 (3) in paragraph (2), by inserting “challenging”  
12 after “integrate”;

13 (4) in paragraph (3), by striking “and” after  
14 the semicolon;

15 (5) in paragraph (4)—

16 (A) by inserting “conducting and” before  
17 “disseminating national”;

18 (B) by inserting “disseminating informa-  
19 tion on best practices,” after “national re-  
20 search,”; and

21 (C) by striking the period at the end and  
22 inserting a semicolon; and

23 (6) by adding at the end the following:

24 “(5) promoting leadership and professional de-  
25 velopment at the State and local levels, and devel-  
26 oping research and best practices for improving the

1 quality of career and technical education teachers,  
2 faculty, principals, administrators, and counselors;

3 “(6) supporting partnerships among secondary  
4 schools, postsecondary institutions, area career tech-  
5 nical centers, business and industry, professional as-  
6 sociations, and intermediaries; and

7 “(7) developing a highly skilled workforce need-  
8 ed to keep America competitive in the global econ-  
9 omy in conjunction with other Federal education and  
10 training programs, including workforce investment  
11 programs, that provide lifelong learning for the  
12 workforce of today and tomorrow.”.

13 **SEC. 4. DEFINITIONS.**

14 Section 3 (20 U.S.C. 2302) is amended—

15 (1) in paragraph (2), by inserting “, including  
16 employment statistics and information relating to  
17 national, regional, and local labor market areas, as  
18 provided pursuant to section 118, and career ladder  
19 information, where appropriate” after “to enter”;

20 (2) in paragraph (3)—

21 (A) in the paragraph heading, by striking  
22 “VOCATIONAL” and inserting “CAREER”; and

23 (B) by striking “vocational” each place the  
24 term appears and inserting “career”;

25 (3) by striking paragraph (4);

1           (4) by redesignating paragraphs (5) through  
2           (30) as paragraphs (10) through (35), respectively;  
3           (5) by inserting after paragraph (3) the fol-  
4           lowing:

5           “(4) ARTICULATION AGREEMENT.—The term  
6           ‘articulation agreement’ means a written commit-  
7           ment, approved annually by the relevant administra-  
8           tors of the secondary and postsecondary institutions,  
9           to a program that is designed to provide students  
10          with a nonduplicative sequence of progressive  
11          achievement leading to technical skill proficiency, a  
12          credential, a certificate, or a degree, and linked  
13          through credit transfer agreements.

14          “(5) CAREER AND TECHNICAL EDUCATION.—  
15          The term ‘career and technical education’ means or-  
16          ganized educational activities that—

17                 “(A) offer a sequence of courses (which  
18                 may include technical learning experiences)  
19                 that—

20                         “(i) provides individuals with the chal-  
21                         lenging academic and technical knowledge  
22                         and skills the individuals need to prepare  
23                         for further education and for careers in  
24                         emerging and established professions; and

1                   “(ii) may lead to technical skill pro-  
2                   ficiency, a credential, a certificate, or a de-  
3                   gree; and

4                   “(B) include competency-based applied  
5                   learning that contributes to the academic  
6                   knowledge, higher-order reasoning and problem-  
7                   solving skills, work attitudes, general employ-  
8                   ability skills, technical skills, and occupation-  
9                   specific skills, of an individual.

10                  “(6) CAREER AND TECHNICAL EDUCATION STU-  
11                  DENT.—The term ‘career and technical education  
12                  student’ means a student who enrolls in a clearly de-  
13                  fined sequence of career and technical education  
14                  courses leading to attainment of technical skill pro-  
15                  ficiency, a credential, a certificate, or a degree.

16                  “(7) CAREER AND TECHNICAL STUDENT ORGA-  
17                  NIZATION.—

18                         “(A) IN GENERAL.—The term ‘career and  
19                         technical student organization’ means an orga-  
20                         nization for individuals enrolled in a career and  
21                         technical education program that engages in ca-  
22                         reer and technical education activities as an in-  
23                         tegral part of the instructional program.

24                         “(B) STATE AND NATIONAL UNITS.—An  
25                         organization described in subparagraph (A)

1           may have State and national units that aggre-  
 2           gate the work and purposes of instruction in ca-  
 3           reer and technical education at the local level.

4           “(8) CAREER GUIDANCE AND ACADEMIC COUN-  
 5           SELING.—The term ‘career guidance and academic  
 6           counseling’ means providing access to information  
 7           regarding career awareness and planning with re-  
 8           spect to an individual’s occupational and academic  
 9           future that shall involve guidance and counseling  
 10          with respect to career options, financial aid, and  
 11          postsecondary options.

12          “(9) CAREER PATHWAY.—The term ‘career  
 13          pathway’ means a coordinated and nonduplicative  
 14          sequence of courses (which may include technical  
 15          learning experiences) and associated credits that—

16                 “(A) shall identify both secondary and  
 17                 postsecondary education elements;

18                 “(B) shall include challenging academic  
 19                 and career and technical education content;

20                 “(C) may include the opportunity for sec-  
 21                 ondary students to participate in dual or con-  
 22                 current enrollment programs or other ways to  
 23                 acquire postsecondary credits; and

1           “(D) may culminate in technical skill pro-  
2           ficiency, a credential, a certificate, or a de-  
3           gree.”;

4           (6) in paragraph (10) (as redesignated by para-  
5           graph (4) of this section), by striking “5206” and  
6           inserting “5210”;

7           (7) by redesignating paragraphs (11) through  
8           (35) (as redesignated by paragraph (4) of this sec-  
9           tion) as paragraphs (12) through (36), respectively;

10          (8) by inserting after paragraph (10) (as redesi-  
11          gnated by paragraph (4) of this section) the fol-  
12          lowing:

13                 “(11) COMMUNITY COLLEGE.—The term ‘com-  
14                 munity college’—

15                         “(A) means an institution of higher edu-  
16                         cation, as defined in section 101 of the Higher  
17                         Education Act of 1965, that provides not less  
18                         than a 2-year program that is acceptable for  
19                         full credit toward a baccalaureate degree; and

20                                 “(B) includes tribally controlled colleges or  
21                                 universities.”;

22           (9) in paragraph (12) (as redesignated by para-  
23           graph (7) of this section)—

24                         (A) by striking “method of instruction”  
25                         and inserting “method”; and



1 (B) by striking “vocational” and inserting  
2 “career”;

3 (10) by redesignating paragraphs (13) through  
4 (36) (as redesignated by paragraph (7) of this sec-  
5 tion) as paragraphs (14) through (37), respectively;

6 (11) by inserting after paragraph (12) the fol-  
7 lowing:

8 “(13) CORE ACADEMIC SUBJECTS.—The term  
9 ‘core academic subjects’ has the meaning given the  
10 term in section 9101 of the Elementary and Sec-  
11 ondary Education Act of 1965, except that under  
12 this Act such subjects included in such term shall be  
13 only those subjects in a secondary school context.”;

14 (12) in paragraph (16) (as redesignated by  
15 paragraph (10) of this section), by striking “voca-  
16 tional” both places the term appears and inserting  
17 “career”;

18 (13) in paragraph (17) (as redesignated by  
19 paragraph (10) of this section)—

20 (A) in subparagraph (A), by striking “an  
21 institution of higher education” and inserting  
22 “a public or nonprofit private institution of  
23 higher education that offers career and tech-  
24 nical education courses that lead to technical

1 skill proficiency, an industry-recognized creden-  
2 tial, a certificate, or a degree”; and

3 (B) in subparagraph (C), by striking “vo-  
4 cational” and inserting “career”;

5 (14) in paragraph (18)(A) (as redesignated by  
6 paragraph (10) of this section), by striking “agency,  
7 an area vocational” and inserting “agency (including  
8 a public charter school that operates as a local edu-  
9 cational agency), an area career”;

10 (15) by redesignating paragraphs (20) through  
11 (37) (as redesignated by paragraph (10) of this sec-  
12 tion) as paragraphs (21) through (38), respectively;

13 (16) by inserting after paragraph (19) (as re-  
14 designated by paragraph (10) of this section) the  
15 following:

16 “(20) GRADUATION AND CAREER PLAN.—The  
17 term ‘graduation and career plan’ means a written  
18 plan for a secondary career and technical education  
19 student, that—

20 “(A) is developed with career guidance and  
21 academic counseling or other professional staff,  
22 and in consultation with parents, not later than  
23 in the first year of secondary school or upon en-  
24 rollment in career and technical education;

1           “(B) is reviewed annually and modified as  
2 needed;

3           “(C) includes relevant information on—

4               “(i) secondary school requirements for  
5 graduating with a diploma;

6               “(ii) postsecondary education admis-  
7 sion requirements; and

8               “(iii) high skill, high wage, or high de-  
9 mand occupations and nontraditional fields  
10 in emerging and established professions,  
11 and labor market indicators; and

12           “(D) states the student’s secondary school  
13 graduation goals, postsecondary education and  
14 training, or employment goals, and identifies 1  
15 or more career pathways that correspond to the  
16 goals.”;

17           (17) in paragraph (25) (as redesignated by  
18 paragraph (15) of this section)—

19               (A) in the paragraph heading, by striking  
20 “TRAINING AND EMPLOYMENT” and inserting  
21 “FIELDS”; and

22               (B) by striking “training and employment”  
23 and inserting “fields”;

24           (18) in paragraph (26) (as redesignated by  
25 paragraph (15) of this section), by striking “the

1 Commonwealth” and all that follows through the pe-  
2 riod and inserting “and the Commonwealth of the  
3 Northern Mariana Islands.”;

4 (19) by redesignating paragraphs (31) through  
5 (38) (as redesignated by paragraph (15) of this sec-  
6 tion) as paragraphs (32) through (39), respectively;

7 (20) by inserting after paragraph (30) (as re-  
8 designated by paragraph (15) of this section) the  
9 following:

10 “(31) SELF-SUFFICIENCY.—The term ‘self-suf-  
11 ficiency’ means a standard that is adopted, cal-  
12 culated, or commissioned by a local area or State,  
13 and which adjusts for local factors, in specifying the  
14 income needs of families, by family size, the number  
15 and ages of children in the family, and sub-State  
16 geographical considerations.”;

17 (21) in paragraph (32) (as redesignated by  
18 paragraph (19) of this section)—

19 (A) in subparagraph (C), by striking  
20 “training and employment” and inserting  
21 “fields”; and

22 (B) in subparagraph (F), by striking “indi-  
23 viduals with other barriers to educational  
24 achievement, including”;

1           (22) in paragraph (34) (as redesignated by  
2 paragraph (19) of this section) by striking “, and in-  
3 structional aids and devices” and inserting “instruc-  
4 tional aids, and work supports”;

5           (23) by striking paragraph (35) (as redesign-  
6 ated by paragraph (19) of this section) and insert-  
7 ing the following:

8           “(35) TECH-PREP PROGRAM.—The term ‘tech-  
9 prep program’ means a program of study that—

10           “(A) combines at a minimum 2 years of  
11 secondary education (as determined under State  
12 law) with a minimum of 2 years of postsec-  
13 ondary education in a nonduplicative, sequential  
14 course of study;

15           “(B) integrates academic and career and  
16 technical education instruction, and utilizes  
17 work-based and worksite learning where appro-  
18 priate and available;

19           “(C) provides technical preparation in a  
20 career field, including high skill, high wage, or  
21 high demand occupations;

22           “(D) builds student competence in tech-  
23 nical skills and in core academic subjects, as  
24 appropriate, through applied, contextual, and

1 integrated instruction, in a coherent sequence  
2 of courses;

3 “(E) leads to technical skill proficiency, a  
4 credential, a certificate, or a degree, in a spe-  
5 cific career field;

6 “(F) leads to placement in appropriate em-  
7 ployment or to further education; and

8 “(G) utilizes career pathways, to the extent  
9 practicable.”;

10 (24) in paragraph (37) (as redesignated by  
11 paragraph (19) of this section)—

12 (A) in the paragraph heading, by striking  
13 “VOCATIONAL” and inserting “CAREER”;

14 (B) in the matter preceding subparagraph  
15 (A)—

16 (i) by striking “vocational” and in-  
17 serting “career”;

18 (ii) by striking “paragraph (2)” and  
19 inserting “subsection (a)(2)”; and

20 (iii) by striking “paragraph (5)(A)”  
21 and inserting “subsection (a)(5)”; and

22 (C) in subparagraph (F), by striking “vo-  
23 cational” and inserting “career”; and

24 (25) by striking paragraphs (38) and (39) (as  
25 redesignated by paragraph (19) of this section).

1 **SEC. 5. TRANSITION PROVISIONS.**

2 Section 4 (20 U.S.C. 2303) is amended by striking  
 3 “the Carl D. Perkins Vocational and Applied Technology  
 4 Education Act” and all that follows through the period  
 5 and inserting “this Act, as this Act was in effect on the  
 6 day before the date of enactment of the Carl D. Perkins  
 7 Career and Technical Education Improvement Act of  
 8 2004. Each eligible agency shall be assured a full fiscal  
 9 year for transition to plan for and implement the require-  
 10 ments of this Act.”.

11 **SEC. 6. LIMITATION.**

12 Section 6 (20 U.S.C. 2305) is amended by striking  
 13 the second sentence.

14 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 8 (20 U.S.C. 2307) is amended—

16 (1) by striking “title II” and inserting “part D  
 17 of title I”; and

18 (2) by striking “1999 through 2003” and in-  
 19 serting “2005 through 2010”.

20 **TITLE I—CAREER AND TECH-**  
 21 **NICAL EDUCATION ASSIST-**  
 22 **ANCE TO THE STATES**

23 **SEC. 101. CAREER AND TECHNICAL EDUCATION ASSIST-**  
 24 **ANCE TO THE STATES.**

25 Title I (20 U.S.C. 2321 et seq.) is amended by strik-  
 26 ing the title heading and inserting the following:

1 **“TITLE I—CAREER AND TECH-**  
2 **NICAL EDUCATION ASSIST-**  
3 **ANCE TO THE STATES”.**

4 **SEC. 102. RESERVATIONS AND STATE ALLOTMENT.**

5 Section 111(a) (20 U.S.C. 2321(a)) is amended—

6 (1) in paragraph (1)(C), by striking “2001  
7 through 2003,” and inserting “2005 through 2010,  
8 not more than”;

9 (2) in paragraph (2), in the matter preceding  
10 subparagraph (A), by striking “paragraph (1)” and  
11 inserting “paragraph (1), that are not allotted under  
12 paragraph (5),”;

13 (3) in paragraph (3)—

14 (A) in subparagraph (B), by striking “(or  
15 in the case” and all that follows through  
16 “1998)”; and

17 (B) in subparagraph (C)—

18 (i) in clause (i)(I), by striking “(or in  
19 the case” and all that follows through  
20 “1998)”; and

21 (ii) in clause (ii)(II), by striking “(or  
22 in the case” and all that follows through  
23 “1998)”; and

24 (4) by adding at the end the following:



1           “(5) FORMULA FOR AMOUNTS IN EXCESS OF  
2 THE FISCAL YEAR 2004 FUNDING LEVEL.—

3           “(A) IN GENERAL.—For any fiscal year  
4 for which the remainder of the sums appro-  
5 priated under section 8 and not reserved under  
6 paragraph (1) exceeds the remainder of the  
7 sums appropriated under section 8 and not re-  
8 served under paragraph (1) for fiscal year  
9 2004, such excess amount shall be allotted to  
10 the States according to the formula under sub-  
11 paragraphs (A) through (D) of paragraph (2).

12           “(B) MINIMUM ALLOTMENT.—

13           “(i) IN GENERAL.—Notwithstanding  
14 any other provision of law and subject to  
15 clause (ii), no State shall receive for a fis-  
16 cal year under this paragraph less than  $\frac{1}{2}$   
17 of 1 percent of the excess amount de-  
18 scribed in subparagraph (A).

19           “(ii) REQUIREMENT.—No State, by  
20 reason of the application of clause (i), shall  
21 be allotted under this paragraph for a fis-  
22 cal year more than the amount determined  
23 by multiplying—

1                   “(I) the number of individuals in  
2                   the State counted under paragraph  
3                   (2); by

4                   “(II) 185 percent of the national  
5                   average per pupil payment made with  
6                   the excess amount described in sub-  
7                   paragraph (A) for that year.”.

8 **SEC. 103. WITHIN STATE ALLOCATION.**

9           Section 112 (20 U.S.C. 2322) is amended—

10                   (1) in subsection (a)—

11                           (A) in paragraph (1), by adding “and”  
12                           after the semicolon; and

13                           (B) by striking paragraphs (2) and (3) and  
14                           inserting the following:

15                           “(2) not more than 15 percent for—

16                                   “(A) State leadership activities described  
17                                   in section 124, of which—

18   “(i) an amount determined by the eli-  
19   gible agency shall be made available to  
20   serve individuals in State institutions, such  
21   as State correctional institutions and insti-  
22   tutions that serve individuals with disabil-  
23   ities; and

1           “(ii) not less than \$60,000 shall be  
2           available for services that prepare individ-  
3           uals for nontraditional fields; and

4           “(B) administration of the State plan,  
5           which may be used for the costs of—

6                   “(i) developing the State plan;

7                   “(ii) reviewing the local plans;

8                   “(iii) monitoring and evaluating pro-  
9                   gram effectiveness;

10                   “(iv) assuring compliance with all ap-  
11                   plicable Federal laws;

12                   “(v) providing technical assistance;

13                   and

14                   “(vi) supporting and developing State  
15                   data systems relevant to the provisions of  
16                   this Act.”;

17           (2) in subsection (b), by striking “subsection  
18           (a)(3)” both places the term appears and inserting  
19           “subsection (a)(2)(B)”; and

20           (3) by striking subsection (c) and inserting the  
21           following:

22           “(c) RESERVE.—From amounts made available  
23           under subsection (a)(1) to carry out this subsection, an  
24           eligible agency may—

1           “(1) award grants to eligible recipients, or con-  
2           sortia of eligible recipients, for career and technical  
3           education activities described in section 135 in—

4                   “(A) rural areas; or

5                   “(B) areas with high percentages or high  
6           numbers of career and technical education stu-  
7           dents;

8           “(2) reserve funds, with the approval of partici-  
9           pating eligible recipients, for—

10                   “(A) innovative statewide initiatives that  
11           demonstrate benefits for eligible recipients,  
12           which may include—

13                   “(i) developing and implementing  
14           technical assessments;

15                   “(ii) improving the professional devel-  
16           opment of career and technical education  
17           teachers, faculty, principals, and adminis-  
18           trators; and

19                   “(iii) establishing, enhancing, and  
20           supporting systems for accountability data  
21           collection or reporting purposes; or

22                   “(B) the development and implementation  
23           of career pathways or career clusters; and

24           “(3) carry out activities described in para-  
25           graphs (1) and (2).”.

1 **SEC. 104. ACCOUNTABILITY.**

2 Section 113 (20 U.S.C. 2323) is amended—

3 (1) by striking “vocational” each place the term  
4 appears and inserting “career”;

5 (2) in subsection (a)—

6 (A) by striking “a State performance ac-  
7 countability system” and inserting “and sup-  
8 port State and local performance accountability  
9 systems”; and

10 (B) by inserting “and its eligible recipi-  
11 ents” after “of the State”;

12 (3) in subsection (b)—

13 (A) in paragraph (1)—

14 (i) in subparagraph (A), by striking  
15 “paragraph (2)(A)” and inserting “sub-  
16 paragraphs (A) and (B) of paragraph (2)”;  
17 and

18 (ii) in subparagraph (B), by striking  
19 “(2)(B)” and inserting “(2)(C)”;

20 (B) in paragraph (2)—

21 (i) by striking subparagraph (A) and  
22 inserting the following:

23 “(A) CORE INDICATORS OF PERFORMANCE  
24 FOR SECONDARY CAREER AND TECHNICAL EDU-  
25 CATION STUDENTS.—Each eligible agency shall  
26 identify in the State plan core indicators of per-

1 formance for secondary career and technical  
2 education students that include, at a minimum,  
3 measures of each of the following:

4 “(i) Student achievement on technical  
5 assessments and attainment of career and  
6 technical skill proficiencies that are aligned  
7 with nationally recognized industry stand-  
8 ards, if available and appropriate.

9 “(ii) Student attainment of chal-  
10 lenging academic content standards and  
11 student academic achievement standards,  
12 as adopted by the State under section  
13 1111(b)(1) of the Elementary and Sec-  
14 ondary Education Act of 1965 and meas-  
15 ured by the academic assessments de-  
16 scribed in section 1111(b)(3) of such Act,  
17 consistent with State requirements.

18 “(iii) Student rates of attainment  
19 of—

20 “(I) a secondary school diploma;

21 “(II) the recognized equivalent of  
22 a secondary school diploma;

23 “(III) technical skill proficiency;

24 “(IV) a credential;

25 “(V) a certificate; and

1 “(VI) a degree.

2 “(iv) Placement in postsecondary edu-  
3 cation, military service, apprenticeship pro-  
4 grams, or employment.

5 “(v) Student participation in, and  
6 completion of, career and technical edu-  
7 cation programs that lead to employment  
8 in nontraditional fields.”;

9 (ii) by redesignating subparagraphs  
10 (B) through (D) as subparagraphs (C)  
11 through (E);

12 (iii) by inserting after subparagraph  
13 (A) the following:

14 “(B) CORE INDICATORS OF PERFORMANCE  
15 FOR POSTSECONDARY CAREER AND TECHNICAL  
16 STUDENTS.—Each eligible agency shall identify  
17 in the State plan core indicators of performance  
18 for postsecondary career and technical edu-  
19 cation students that include, at a minimum,  
20 measures of each of the following:

21 “(i) Student achievement on technical  
22 assessments and attainment of career and  
23 technical skill proficiencies that are aligned  
24 with nationally recognized industry stand-  
25 ards, if available and appropriate.

1           “(ii) Student attainment of technical  
2 skill proficiency, a credential, a certificate,  
3 or a degree, or retention in postsecondary  
4 education, including transfer to a bacca-  
5 laurate degree program.

6           “(iii) Placement in military service,  
7 apprenticeship programs, or employment.

8           “(iv) Student participation in, and  
9 completion of, career and technical edu-  
10 cation programs that lead to employment  
11 in nontraditional fields.

12           “(v) Increase in earnings, where avail-  
13 able.”;

14           (iv) in subparagraph (C) (as redesign-  
15 ated by clause (ii) of this subparagraph),  
16 by striking “the title.” and inserting “this  
17 title, such as attainment of self-suffi-  
18 ciency.”;

19           (v) in subparagraph (D) (as redesign-  
20 ated by clause (ii) of this subparagraph),  
21 by inserting “career and technical edu-  
22 cation” after “developed State”;

23           (vi) in subparagraph (E) (as redesign-  
24 ated by clause (ii) of this subpara-  
25 graph)—



1 (I) by striking “this paragraph”  
2 and inserting “subparagraphs (A) and  
3 (B)”;

4 (II) by striking “recipients.” and  
5 inserting “recipients, and shall meet  
6 the requirements of this section.”; and

7 (vii) by adding at the end the fol-  
8 lowing:

9 “(F) ALIGNMENT OF PERFORMANCE INDI-  
10 CATORS.—In the course of identifying core indi-  
11 cators of performance and additional indicators  
12 of performance, States shall, to the greatest ex-  
13 tent possible, define the indicators so that sub-  
14 stantially similar information gathered for other  
15 State and Federal programs, or any other pur-  
16 pose, is used to meet the requirements of this  
17 section.”;

18 (C) in paragraph (3)—

19 (i) in the paragraph heading, by strik-  
20 ing “LEVELS” and inserting “STATE LEV-  
21 ELS”;

22 (ii) in subparagraph (A)—

23 (I) in clause (i)—

24 (aa) by striking “paragraph  
25 (2)(A)” and inserting “subpara-

1 graphs (A) and (B) of paragraph  
2 (2)”;

3 (bb) by inserting “after tak-  
4 ing into account the local ad-  
5 justed levels of performance and”  
6 after “eligible agency, ; and

7 (cc) by striking subclause  
8 (II) and inserting the following:

9 “(II) require the eligible recipi-  
10 ents to make continuous and signifi-  
11 cant improvement in career and tech-  
12 nical achievement of career and tech-  
13 nical education students, including  
14 special populations.”;

15 (II) in clause (v)—

16 (aa) in the clause heading,  
17 by striking “3RD, 4TH, AND 5TH”  
18 and inserting “SUBSEQUENT”;

19 (bb) by striking “third pro-  
20 gram year” and inserting “third  
21 and fifth program years”; and

22 (cc) by striking “third,  
23 fourth, and fifth” and inserting  
24 “corresponding subsequent”;

1 (III) in clause (vi)(II), by insert-  
2 ing “and significant” after “contin-  
3 uous”; and

4 (IV) in clause (vii), by striking  
5 “or (vi)” and inserting “or (v)”; and  
6 (iii) in subparagraph (B), by striking  
7 “(2)(B)” and inserting “(2)(C)”; and  
8 (D) by adding at the end the following:

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 accept the State adjusted lev-  
15 els of performance established under para-  
16 graph (3) as local adjusted levels of per-  
17 formance, or negotiate with the State to  
18 reach agreement on new local adjusted lev-  
19 els of performance, for each of the core in-  
20 dicators of performance described in sub-  
21 paragraphs (A) and (B) of paragraph (2)  
22 for career and technical education activi-  
23 ties authorized under this title. The levels  
24 of performance established under this sub-  
25 paragraph shall, at a minimum—

1                   “(I) be expressed in a percentage  
2                   or numerical form, so as to be objec-  
3                   tive, quantifiable, and measurable;  
4                   and

5                   “(II) require the eligible recipient  
6                   to make continuous and significant  
7                   improvement in career and technical  
8                   achievement of career and technical  
9                   education students.

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

17                   “(iii) AGREEMENT ON LOCAL AD-  
18                   JUSTED LEVELS OF PERFORMANCE FOR  
19                   FIRST 2 YEARS.—The eligible agency and  
20                   each eligible recipient shall reach agree-  
21                   ment on the eligible recipient’s levels of  
22                   performance for each of the core indicators  
23                   of performance for the first 2 program  
24                   years covered by the local plan, taking into  
25                   account the levels identified in the local

1 plan under clause (ii) and the factors de-  
2 scribed in clause (v). The levels of perform-  
3 ance agreed to under this clause shall be  
4 considered to be the local adjusted levels of  
5 performance for the eligible recipient for  
6 such years and shall be incorporated into  
7 the local plan prior to the approval of such  
8 plan.

9 “(iv) AGREEMENT ON LOCAL AD-  
10 JUSTED LEVELS OF PERFORMANCE FOR  
11 SUBSEQUENT YEARS.—Prior to the third  
12 and fifth program years covered by the  
13 local plan, the eligible agency and each eli-  
14 gible recipient shall reach agreement on  
15 the local adjusted levels of performance for  
16 each of the core indicators of performance  
17 for the corresponding subsequent program  
18 years covered by the local plan, taking into  
19 account the factors described in clause (v).  
20 The local adjusted levels of performance  
21 agreed to under this clause shall be consid-  
22 ered to be the local adjusted levels of per-  
23 formance for the eligible recipient for such  
24 years and shall be incorporated into the  
25 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 the  
14                   local adjusted levels of performance  
15                   involved promote continuous and sig-  
16                   nificant improvement on the core indi-  
17                   cators of performance by the eligible  
18                   recipient.

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

1 revised. The eligible agency shall issue ob-  
2 jective criteria and methods for making  
3 such revisions.

4 “(B) LEVELS OF PERFORMANCE FOR AD-  
5 DITIONAL INDICATORS.—Each eligible recipient  
6 may identify, in the local plan, local levels of  
7 performance for any additional indicators of  
8 performance described in paragraph (2)(C).  
9 Such levels shall be considered to be the local  
10 levels of performance for purposes of this title.

11 “(C) REPORT.—Each eligible recipient  
12 that receives an allocation under section 131  
13 shall publicly report, on an annual basis, its  
14 progress in achieving the local adjusted levels of  
15 performance on the core indicators of perform-  
16 ance.”; and

17 (4) by striking subsection (e)(1)(B) and insert-  
18 ing:

19 “(B) information on the levels of perform-  
20 ance achieved by the State with respect to the  
21 additional indicators of performance, including  
22 the levels of performance disaggregated for  
23 postsecondary institutions, by special popu-  
24 lations, and for secondary institutions, by spe-  
25 cial populations and by the categories described

1 in section 1111(h)(1)(C)(i) of the Elementary  
2 and Secondary Education Act of 1965, except  
3 that such disaggregation shall not be required  
4 in a case in which the number of individuals  
5 in a category is insufficient to yield statistically  
6 reliable information or the results would reveal  
7 personally identifiable information about an in-  
8 dividual.”.

9 **SEC. 105. NATIONAL ACTIVITIES.**

10 Section 114 (20 U.S.C. 2324) is amended—

11 (1) by striking “vocational” each place the term  
12 appears and inserting “career”;

13 (2) in subsection (a)(1), by striking “, including  
14 an analysis of performance data regarding special  
15 populations” and inserting “, including an analysis  
16 of performance data that is disaggregated for post-  
17 secondary institutions, by special populations, and  
18 for secondary institutions, by special populations and  
19 by the categories described in section  
20 1111(h)(1)(C)(i) of the Elementary and Secondary  
21 Education Act of 1965, except that such  
22 disaggregation shall not be required in a case in  
23 which the number of individuals in a category is in-  
24 sufficient to yield statistically reliable information or



1 the results would reveal personally identifiable infor-  
2 mation about an individual”;

3 (3) in subsection (c)—

4 (A) by striking paragraph (2) and insert-  
5 ing the following:

6 “(2) INDEPENDENT ADVISORY PANEL.—

7 “(A) IN GENERAL.—The Secretary shall  
8 appoint an independent advisory panel to advise  
9 the Secretary on the implementation of the as-  
10 sessment described in paragraph (3), including  
11 the issues to be addressed and the methodology  
12 of the studies involved to ensure that the as-  
13 sessment adheres to the highest standards of  
14 quality.

15 “(B) MEMBERS.—The advisory panel shall  
16 consist of—

17 “(i) educators, principals, and admin-  
18 istrators (including State directors of ca-  
19 reer and technical education), with exper-  
20 tise in the integration of academic and ca-  
21 reer and technical education;

22 “(ii) experts in evaluation, research,  
23 and assessment;

1           “(iii) representatives of labor organi-  
2           zations and businesses, including small  
3           businesses;

4           “(iv) parents;

5           “(v) career guidance and academic  
6           counseling professionals; and

7           “(vi) other individuals and inter-  
8           mediaries with relevant expertise.

9           “(C) INDEPENDENT ANALYSIS.—The advi-  
10          sory panel shall transmit to the Secretary and  
11          to the relevant committees of Congress an inde-  
12          pendent analysis of the findings and rec-  
13          ommendations resulting from the assessment  
14          described in paragraph (3).

15          “(D) FACA.—The Federal Advisory Com-  
16          mittee Act (5 U.S.C. App.) shall not apply to  
17          the panel established under this paragraph.”;

18          (B) in paragraph (3)—

19                 (i) by striking subparagraph (A) and  
20                 inserting the following:

21                 “(A) IN GENERAL.—From amounts made  
22                 available under subsection (d), the Secretary  
23                 shall provide for the conduct of an independent  
24                 evaluation and assessment of career and tech-  
25                 nical education programs under this Act, in-

1 including the implementation of the Carl D. Per-  
2 kins Career and Technical Education Improve-  
3 ment Act of 2004, to the extent practicable,  
4 through studies and analyses conducted inde-  
5 pendently through grants, contracts, and coop-  
6 erative agreements that are awarded on a com-  
7 petitive basis.”;

8 (ii) in subparagraph (B)—

9 (I) by striking clause (iii) and in-  
10 sserting the following:

11 “(iii) the preparation and qualifica-  
12 tions of teachers and faculty of career and  
13 technical education, as well as shortages of  
14 such teachers and faculty;”;

15 (II) by striking clause (v) and in-  
16 sserting the following:

17 “(v) academic and career and tech-  
18 nical education achievement and employ-  
19 ment outcomes of career and technical  
20 education students, including analyses of—

21 “(I) the number of career and  
22 technical education students and tech-  
23 prep students who meet the State ad-  
24 justed levels of performance estab-  
25 lished under section 113;

1           “(II) the extent and success of  
2 integration of challenging academic  
3 and career and technical education for  
4 students participating in career and  
5 technical education programs;

6           “(III) the extent to which career  
7 and technical education programs pre-  
8 pare students, including special popu-  
9 lations, for subsequent employment in  
10 high skill, high wage occupations, or  
11 participation in postsecondary edu-  
12 cation; and

13           “(IV) the number of career and  
14 technical education students receiving  
15 a high school diploma;”;

16           (III) in clause (vi), by inserting  
17 “, and career and technical education  
18 students’ preparation for employ-  
19 ment” after “programs”; and

20           (IV) in clause (viii), by inserting  
21 “and local” after “State” both places  
22 such term appears; and

23           (iii) in subparagraph (C)—

24           (I) in clause (i)—

1 (aa) by striking “Committee  
2 on Education” and all that fol-  
3 lows through “Senate” and in-  
4 serting “relevant committees of  
5 Congress”; and

6 (bb) by striking “2002”  
7 both places it appears and insert-  
8 ing “2008”; and

9 (II) in clause (ii), by striking  
10 “Committee on Education” and all  
11 that follows through “Senate” and in-  
12 serting “relevant committees of Con-  
13 gress”;

14 (C) in paragraph (4)(B), by striking  
15 “Committee on Education” and all that follows  
16 through “Senate” and inserting “relevant com-  
17 mittees of Congress”;

18 (D) in paragraph (5)—

19 (i) in subparagraph (A)—

20 (I) in the matter preceding clause  
21 (i), by striking “higher education”  
22 and all that follows through “centers”  
23 and inserting “higher education offer-  
24 ing comprehensive graduate programs  
25 in career and technical education that

1 shall be the primary recipient and  
2 shall collaborate with a public or pri-  
3 vate nonprofit organization or agency,  
4 or a consortium of such institutions,  
5 organizations, or agencies, to establish  
6 a national research center”;

7 (II) in clause (i)—

8 (aa) by inserting “and eval-  
9 uation” after “to carry out re-  
10 search”; and

11 (bb) by inserting “, includ-  
12 ing special populations,” after  
13 “participants”;

14 (III) by redesignating clause (ii),  
15 (iii), and (iv), as clauses (iii), (iv), and  
16 (v), respectively;

17 (IV) by inserting after clause (i)  
18 the following:

19 “(ii) to carry out research for the pur-  
20 pose of developing, improving, and identi-  
21 fying the most successful methods for suc-  
22 cessfully addressing the needs of employers  
23 in high skill, high wage business and in-  
24 dustry, including evaluation and scientif-  
25 ically based research of—

1                   “(I) collaboration between career  
2                   and technical education programs and  
3                   business and industry;

4                   “(II) academic and technical  
5                   skills required to respond to the chal-  
6                   lenge of a global economy and rapid  
7                   technological changes; and

8                   “(III) technical knowledge and  
9                   skills required to respond to needs of  
10                  a regional or sectoral workforce, in-  
11                  cluding small business;”;

12                  (V) in clause (iii) (as redesign-  
13                  ated by subclause (III) of this  
14                  clause), by inserting “that are inte-  
15                  grated with challenging academic in-  
16                  struction” before “, including”; and

17                  (VI) by striking clause (iv) (as  
18                  redesignated by subclause (III) of this  
19                  clause) and inserting the following:

20                  “(iv) to carry out scientifically based  
21                  research, where appropriate, that can be  
22                  used to improve preparation and profes-  
23                  sional development of teachers, faculty,  
24                  principals, and administrators and student

1 learning in the career and technical edu-  
2 cation classroom, including—

3 “(I) effective in-service and pre-  
4 service teacher and faculty education  
5 that assists career and technical edu-  
6 cation programs in—

7 “(aa) integrating those pro-  
8 grams with academic content  
9 standards and student academic  
10 achievement standards, as adopt-  
11 ed by States under section  
12 1111(b)(1) of the Elementary  
13 and Secondary Education Act of  
14 1965; and

15 “(bb) promoting technical  
16 education aligned with industry-  
17 based standards and certifi-  
18 cations to meet regional industry  
19 needs;

20 “(II) dissemination and training  
21 activities related to the applied re-  
22 search and demonstration activities  
23 described in this subsection, which  
24 may also include serving as a reposi-  
25 tory for information on career and



1 technical education skills, State aca-  
2 demic standards, and related mate-  
3 rials; and

4 “(III) the recruitment and reten-  
5 tion of career and technical education  
6 teachers, faculty, counselors, prin-  
7 cipals, and administrators, including  
8 individuals in groups underrep-  
9 resented in the teaching profession;  
10 and”;

11 (ii) in subparagraph (B)—

12 (I) by striking “or centers” both  
13 places the term appears; and

14 (II) by striking “Committee on  
15 Education” and all that follows  
16 through “Senate” and inserting “rel-  
17 evant committees of Congress”;

18 (iii) in subparagraph (C), by striking  
19 “or centers”; and

20 (iv) by adding at the end the fol-  
21 lowing:

22 “(D) INDEPENDENT GOVERNING BOARD.—

23 “(i) IN GENERAL.—An institution of  
24 higher education that desires a grant, con-  
25 tract, or cooperative agreement under this

1 paragraph shall identify, in its application,  
2 an independent governing board for the  
3 center established pursuant to this para-  
4 graph.

5 “(ii) MEMBERS.—The independent  
6 governing board shall consist of the fol-  
7 lowing:

8 “(I) Two representatives of sec-  
9 ondary career and technical education.

10 “(II) Two representatives of  
11 postsecondary career and technical  
12 education.

13 “(III) Two representatives of eli-  
14 gible agencies.

15 “(IV) Two representatives of  
16 business and industry.

17 “(V) Two representatives of ca-  
18 reer and technical teacher preparation  
19 institutions.

20 “(VI) Two nationally recognized  
21 researchers in the field of career and  
22 technical education.

23 “(iii) COORDINATION.—The inde-  
24 pendent governing board shall ensure that  
25 the research and dissemination activities

1 carried out by the center are coordinated  
2 with the research activities carried out by  
3 the Secretary.”;

4 (E) in paragraph (6)(B)(ii), by striking  
5 “or centers”; and

6 (F) by striking paragraph (8); and  
7 (4) by adding at the end the following:

8 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
9 are authorized to be appropriated to carry out this section  
10 such sums as may be necessary for each of fiscal years  
11 2005 through 2010.”.

12 **SEC. 106. ASSISTANCE FOR THE OUTLYING AREAS.**

13 Section 115 (20 U.S.C. 2325) is amended—

14 (1) by striking “vocational” each place the term  
15 appears and inserting “career”;

16 (2) in subsection (b)—

17 (A) in the matter preceding paragraph (1),  
18 by striking “the Republic of the Marshall Is-  
19 lands, the Federated States of Micronesia,”;

20 (B) in paragraph (1), by striking “training  
21 and retraining;” and inserting “preparation;”;

22 (C) by redesignating paragraphs (2) and  
23 (3) as paragraphs (3) and (4), respectively; and

24 (D) by inserting after paragraph (1) the  
25 following:

1           “(2) professional development for teachers, fac-  
2           ulty, principals, and administrators;” and

3           (3) in subsection (d)—

4                 (A) by striking “the Republic of the Mar-  
5                 shall Islands, the Federated States of Micro-  
6                 nesia, and”; and

7                 (B) by striking “2001” and inserting  
8                 “2007”.

9   **SEC. 107. NATIVE AMERICAN PROGRAM.**

10          Section 116 (20 U.S.C. 2326) is amended—

11                 (1) by striking “vocational” each place the term  
12                 appears and inserting “career”;

13                 (2) in subsection (a)(5), by adding a period at  
14                 the end;

15                 (3) in subsection (b)—

16                         (A) in paragraph (1), by striking “(d)”  
17                         and inserting “(c)”; and

18                         (B) in paragraph (2), by striking “(other  
19                         than in subsection (i))”;

20                 (4) in subsection (d), by striking “section an”  
21                 and inserting “section, an”;

22                 (5) in subsection (e), by striking “paragraph”  
23                 and inserting “section”; and

24                 (6) in subsection (h), by striking “which are  
25                 recognized by the Governor of the State of Hawaii”.

1 **SEC. 108. TRIBALLY CONTROLLED POSTSECONDARY CA-**  
2 **REER AND TECHNICAL INSTITUTIONS.**

3 Section 117 (20 U.S.C. 2327) is amended—

4 (1) by striking the section heading and insert-  
5 ing the following:

6 **“SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CA-**  
7 **REER AND TECHNICAL INSTITUTIONS.”;**

8 (2) by striking “vocational” each place the term  
9 appears and inserting “career”;

10 (3) in subsection (g)—

11 (A) in paragraph (1), by striking “The  
12 Secretary” and inserting “On an annual basis,  
13 the Secretary”;

14 (B) in paragraph (2)(B), by striking  
15 “2000” and inserting “2006”; and

16 (C) in paragraph (3)(C), by striking “be-  
17 ginning” and all that follows through the period  
18 and inserting “beginning on the date of enact-  
19 ment of the Carl D. Perkins Career and Tech-  
20 nical Education Improvement Act of 2004.”;

21 (4) by redesignating subsections (h) and (i) as  
22 subsections (i) and (j), respectively;

23 (5) by inserting after subsection (g) the fol-  
24 lowing:

25 “(h) APPEALS.—

1           “(1) IN GENERAL.—Subject to paragraph (2),  
2           the Secretary shall provide a tribally controlled post-  
3           secondary career and technical institution with a  
4           hearing on the record before an administrative law  
5           judge with respect to the following determinations:

6                   “(A) A determination that such institution  
7                   is not eligible for a grant under this section.

8                   “(B) A determination regarding the cal-  
9                   culation of the amount of a grant awarded  
10                  under this section.

11           “(2) PROCEDURE FOR APPEAL.—To appeal a  
12           determination described in paragraph (1), a tribally  
13           controlled postsecondary career and technical insti-  
14           tution shall—

15                   “(A) in the case of an appeal based on a  
16                   determination that such institution is not eligi-  
17                   ble for a grant under this section, file a notice  
18                   of appeal with the Secretary not later than 30  
19                   days after receipt of such determination; and

20                   “(B) in the case of an appeal based on a  
21                   determination regarding the calculation of the  
22                   amount of a grant awarded under this sec-  
23                   tion—

24                           “(i) file a notice of appeal with the  
25                           Secretary not later than 30 days after re-

1 receipt of the Secretary's notification of the  
2 grant amount; and

3 “(ii) identify the amount of funding  
4 that gives rise to such appeal.

5 “(3) WITHHOLDING OF AMOUNT.—If a tribally  
6 controlled postsecondary career and technical insti-  
7 tution appeals a determination described in para-  
8 graph (1), the Secretary shall withhold the amount  
9 in dispute from the award of grant funds under this  
10 section until such time as the administrative law  
11 judge has issued a written decision on the appeal.”;  
12 and

13 (6) by striking subsection (j) (as redesignated  
14 by paragraph (4) of this section) and inserting the  
15 following:

16 “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
17 are authorized to be appropriated to carry out this section  
18 \$10,000,000 for fiscal year 2005 and such sums as may  
19 be necessary for each of the 5 succeeding fiscal years.”.

20 **SEC. 109. OCCUPATIONAL AND EMPLOYMENT INFORMA-**  
21 **TION.**

22 Section 118 (20 U.S.C. 2328) is amended—

23 (1) in subsection (a)—

24 (A) in the matter preceding paragraph (1),  
25 by striking “(f)” and inserting “(g)”;

- 1 (B) in paragraph (1)—
- 2 (i) in subparagraph (A), by striking
- 3 “(b)” both places it appears and inserting
- 4 “(c)”;
- 5 (ii) in subparagraph (B), by striking
- 6 “(b)” and inserting “(c)”;
- 7 (iii) in subparagraph (C), by striking
- 8 “(b)” and inserting “(c)”;
- 9 (C) in paragraph (2), by striking “(b)”
- 10 both places it appears and inserting “(c)”;
- 11 (2) by redesignating subsections (b) through (f)
- 12 as subsections (c) through (g), respectively;
- 13 (3) by inserting after subsection (a) the fol-
- 14 lowing:
- 15 “(b) STATE APPLICATION.—
- 16 “(1) IN GENERAL.—Each State desiring assist-
- 17 ance under this section shall submit an application
- 18 to the Secretary at the same time the State submits
- 19 its State plan under section 122, in such manner,
- 20 and accompanied by such additional information, as
- 21 the Secretary may reasonably require.
- 22 “(2) CONTENTS.—Each application submitted
- 23 under paragraph (1) shall include—
- 24 “(A) a description of how the State entity
- 25 designated in subsection (c) will provide infor-



1           mation based on labor market trends to inform  
2           program development; and

3           “(B) information about the academic con-  
4           tent standards and student academic achieve-  
5           ment standards adopted by the State under sec-  
6           tion 1111(b)(1) of the Elementary and Sec-  
7           ondary Education Act of 1965.”;

8           (4) in subsection (c) (as redesignated by para-  
9           graph (2) of this section)—

10           (A) in paragraph (1), by striking “individ-  
11           uals” and all that follows through the semicolon  
12           and inserting “students and parents, including  
13           postsecondary education and training, including  
14           preparation for high skill, high wage, or high  
15           demand occupations and nontraditional fields in  
16           emerging or established professions;”;

17           (B) in paragraph (2), by inserting “aca-  
18           demic and career and technical” after “relate”;

19           (C) by striking paragraph (3) and insert-  
20           ing the following:

21           “(3) to equip teachers, faculty, administrators,  
22           and counselors with the knowledge, skills, and occu-  
23           pational information needed to assist parents and all  
24           students, especially special populations underrep-  
25           resented in certain careers, with career exploration,

1 educational opportunities, education financing, and  
2 exposure to high skill, high wage, or high demand  
3 occupations and nontraditional fields;”;

4 (D) in paragraph (4), by striking “such  
5 entities;” and inserting “such entities, with an  
6 emphasis on high skill, high wage, or high de-  
7 mand occupations in emerging or established  
8 professions;”;

9 (E) in paragraph (5), by striking “and”  
10 after the semicolon;

11 (F) in paragraph (6), by striking the pe-  
12 riod and inserting “; and”; and

13 (G) by adding at the end the following:

14 “(7) to provide information, if available, for  
15 each occupation, on—

16 “(A) the average earnings of an individual  
17 in the occupation at entry level and after 5  
18 years of employment;

19 “(B) the expected lifetime earnings; and

20 “(C) and the expected future demand for  
21 the occupation, based on employment projec-  
22 tions.”;

23 (5) in subsection (d)(1) (as redesignated by  
24 paragraph (2) of this section), by striking “(b)”  
25 both places it appears and inserting “(c)”;

1           (6) in subsection (e)(1) (as redesignated by  
2 paragraph (2) of this section), by striking “(b)” and  
3 inserting “(c)”;

4           (7) in subsection (f)(1) (as redesignated by  
5 paragraph (2) of this section), by striking “an iden-  
6 tification” and inserting “a description of”; and

7           (8) in subsection (g) (as redesignated by para-  
8 graph (2) of this section), by striking “1999 through  
9 2003” and inserting “2005 through 2010”.

10 **SEC. 110. STATE ADMINISTRATION.**

11 Section 121 (20 U.S.C. 2341) is amended—

12           (1) by redesignating subsection (a)(2) as sub-  
13 section (b) and indenting appropriately;

14           (2) by redesignating subparagraphs (A) through  
15 (D) of subsection (a)(1) as paragraphs (1) through  
16 (4), respectively, and indenting appropriately;

17           (3) by redesignating clauses (i) and (ii) of para-  
18 graph (4) (as redesignated by paragraph (2) of this  
19 section) as subparagraphs (A) and (B), respectively,  
20 and indenting appropriately;

21           (4) by striking the following:

22           “(a) ELIGIBLE AGENCY RESPONSIBILITIES.—

23           “(1) IN GENERAL.—The responsibilities” and  
24 inserting the following:

1 “(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The re-  
2 sponsibilities”;

3 (5) in subsection (a)(1) (as redesignated by  
4 paragraph (2) of this section), by striking “training  
5 and employment” and inserting “fields”;

6 (6) in subsection (a)(2) (as redesignated by  
7 paragraph (2) of this section)—

8 (A) by inserting “teacher and faculty prep-  
9 aration programs,” after “teachers,”; and

10 (B) by inserting “all types and sizes of”  
11 after “representatives of”; and

12 (7) in subsection (b) (as redesignated by para-  
13 graph (1) of this section), by striking “paragraph  
14 (1)” and inserting “subsection (a)”.

15 **SEC. 111. STATE PLAN.**

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

17 (1) by striking “vocational” each place the term  
18 appears and inserting “career”;

19 (2) in subsection (a)—

20 (A) in paragraph (1)—

21 (i) by striking “5” and inserting “6”;

22 and

23 (ii) by adding at the end the fol-  
24 lowing: “Each eligible agency may submit  
25 a transition plan during the first full year

1 of implementation of this Act after the  
2 date of enactment of the Carl D. Perkins  
3 Career and Technical Education Improve-  
4 ment Act of 2004. The transition plan  
5 shall fulfill the eligible agency’s State plan  
6 submission obligation under this section.”;

7 and

8 (B) in paragraph (2)(B), by striking “5  
9 year State plan” and inserting “6-year period”;  
10 (3) by striking subsection (b)(1) and inserting  
11 the following:

12 “(1) IN GENERAL.—The eligible agency shall  
13 develop the State plan in consultation with academic  
14 and career and technical education teachers, faculty,  
15 principals, and administrators, career guidance and  
16 academic counselors, eligible recipients, parents, stu-  
17 dents, the State tech-prep coordinator and rep-  
18 resentatives of tech-prep consortia (if applicable), in-  
19 terested community members (including parent and  
20 community organizations), representatives of special  
21 populations, representatives of business (including  
22 small business) and industry, and representatives of  
23 labor organizations in the State, and shall consult  
24 the Governor of the State with respect to such devel-  
25 opment.”;

1           (4) by striking subsection (c) and inserting the  
2 following:

3           “(c) PLAN CONTENTS.—The State plan shall include  
4 information that—

5           “(1) describes the career and technical edu-  
6 cation activities to be assisted that are designed to  
7 meet or exceed the State adjusted levels of perform-  
8 ance, including a description of—

9           “(A) how the eligible agency will support  
10 eligible recipients in developing or implementing  
11 career pathways for career and technical edu-  
12 cation content areas that are designed to meet  
13 relevant workforce needs, including how the eli-  
14 gible agency will—

15           “(i) support eligible recipients in de-  
16 veloping articulation agreements between  
17 secondary and postsecondary institutions;

18           “(ii) support eligible recipients in  
19 using labor market information to identify  
20 career pathways that prepare individuals  
21 for high skill, high wage, or high demand  
22 occupations;

23           “(iii) make available information  
24 about career pathways offered by eligible  
25 recipients; and

1                   “(iv) consult with business and indus-  
2                   try and use industry-recognized standards  
3                   and assessments, if appropriate;

4                   “(B) the secondary and postsecondary ca-  
5                   reer and technical education programs to be  
6                   carried out, including programs that will be car-  
7                   ried out by the eligible agency to develop, im-  
8                   prove, and expand access to quality technology  
9                   in career and technical education programs;

10                  “(C) the criteria that will be used by the  
11                  eligible agency to approve eligible recipients for  
12                  funds under this title, including criteria to as-  
13                  sess the extent to which the local plan will—

14                         “(i) promote higher levels of academic  
15                         achievement;

16                         “(ii) promote higher levels of technical  
17                         skill attainment; and

18                         “(iii) identify and address workforce  
19                         needs;

20                  “(D) how programs at the secondary level  
21                  will prepare career and technical education stu-  
22                  dents, including special populations to graduate  
23                  from high school with a diploma;

24                         “(E) how such programs will prepare ca-  
25                         reer and technical education students, including

1 special populations, both academically and tech-  
2 nically, for opportunities in postsecondary edu-  
3 cation or entry into high skill, high wage, or  
4 high demand occupations in emerging or estab-  
5 lished occupations, and how participating stu-  
6 dents will be made aware of such opportunities;  
7 and

8 “(F) how funds will be used to improve or  
9 develop new career and technical education  
10 courses in high skill, high wage, or high de-  
11 mand occupations that are aligned with busi-  
12 ness needs and industry standards, as appro-  
13 priate—

14 “(i) at the secondary level that are  
15 aligned with challenging academic content  
16 standards and student academic achieve-  
17 ment standards adopted by the State  
18 under section 1111(b)(1) of the Elemen-  
19 tary and Secondary Education Act of  
20 1965; and

21 “(ii) at the postsecondary level that  
22 are relevant and challenging;

23 “(2) describes how career and technical edu-  
24 cation teachers, faculty, principals, administrators,  
25 and career guidance and academic counselors will be



1 provided comprehensive initial preparation and pro-  
2 fessional development, including through programs  
3 and activities that—

4 “(A) promote the integration of chal-  
5 lenging academic and career and technical edu-  
6 cation curriculum development, including oppor-  
7 tunities for teachers to jointly develop and im-  
8 plement curriculum and pedagogical strategies  
9 with appropriate academic teachers;

10 “(B) increase the academic and career and  
11 technical education knowledge of career and  
12 technical education teachers and faculty;

13 “(C) are high-quality, sustained, intensive,  
14 focused on instruction, directly related to indus-  
15 try standards, and includes structured induc-  
16 tion and mentoring components for new per-  
17 sonnel, with an emphasis on identifying and ad-  
18 dressing the needs of local businesses, including  
19 small businesses;

20 “(D) ensure an increasing number of ca-  
21 reer and technical education teachers and fac-  
22 ulty meet teacher certification and licensing re-  
23 quirements reflecting the needs of their subject  
24 area or areas;

1           “(E) equip them with the knowledge and  
2 skills needed to work with and improve instruc-  
3 tion for special populations;

4           “(F) assist in accessing and utilizing data,  
5 including labor market indicators, student  
6 achievement, and assessments;

7           “(G) enhance the leadership capacity of  
8 principals and administrators;

9           “(H) are integrated with professional de-  
10 velopment activities that the State carries out  
11 under title II of the Elementary and Secondary  
12 Education Act of 1965 and title II of the High-  
13 er Education Act of 1965; and

14           “(I) include strategies to expose all career  
15 and technical education students to comprehen-  
16 sive information regarding career options that  
17 lead to high skill, high wage, or high demand  
18 occupations and nontraditional fields;

19           “(3) describes efforts to improve—

20           “(A) the recruitment and retention of ca-  
21 reer and technical education teachers, faculty,  
22 counselors, principals, and administrators, in-  
23 cluding individuals in groups underrepresented  
24 in the teaching profession; and

1           “(B) the transition to teaching from busi-  
2           ness and industry, including small business;

3           “(4) describes efforts to improve the capacity of  
4           programs and faculty at postsecondary institutions  
5           to effectively prepare career and technical education  
6           personnel, including, as appropriate, through elec-  
7           tronically delivered distance education, and articula-  
8           tion agreements between 2-year technical programs  
9           and postsecondary education programs;

10          “(5) describes how the eligible agency will ac-  
11          tively involve parents, academic and career and tech-  
12          nical education teachers, faculty, principals, and ad-  
13          ministrators, career guidance and academic coun-  
14          selors, local businesses (including small- and me-  
15          dium-sized businesses and business intermediaries),  
16          and labor organizations in the planning, develop-  
17          ment, implementation, and evaluation of such career  
18          and technical education programs;

19          “(6) describes how funds received by the eligible  
20          agency through the allotment made under section  
21          111 will be allocated—

22                 “(A) among secondary school career and  
23                 technical education, or postsecondary and adult  
24                 career and technical education, or both, includ-  
25                 ing the rationale for such allocation; and

1           “(B) among any consortia that will be  
2           formed among secondary schools and eligible in-  
3           stitutions, and how funds will be allocated  
4           among the members of the consortia, including  
5           the rationale for such allocation;

6           “(7) describes how the eligible agency will—

7           “(A) use funds to improve or develop new  
8           career and technical education courses in high  
9           skill, high wage, or high demand occupations—

10           “(i) at the secondary level that are  
11           aligned with challenging academic content  
12           standards and student academic achieve-  
13           ment standards adopted by the State  
14           under section 1111(b)(1) of the Elemen-  
15           tary and Secondary Education Act of  
16           1965; and

17           “(ii) at the postsecondary level that  
18           are challenging and aligned with business  
19           needs and industry standards, as appro-  
20           priate;

21           “(B) improve the academic and technical  
22           skills of students participating in career and  
23           technical education programs, including  
24           strengthening the academic, and career and  
25           technical, components of career and technical

1 education programs through the integration of  
2 academics with career and technical education  
3 to ensure learning in the core academic subjects  
4 and career and technical education subjects,  
5 and provide students with strong experience in,  
6 and understanding of, all aspects of an indus-  
7 try;

8 “(C) ensure that students who participate  
9 in such career and technical education pro-  
10 grams are taught to the same challenging aca-  
11 demic proficiencies as are taught to all other  
12 students; and

13 “(D) encourage secondary school students  
14 who participate in such career and technical  
15 education programs to enroll in challenging  
16 courses in core academic subjects;

17 “(8) describes how the eligible agency will an-  
18 nually evaluate the effectiveness of such career and  
19 technical education programs, and describes, to the  
20 extent practicable, how the eligible agency is coordi-  
21 nating such programs to promote relevant lifelong  
22 learning and ensure nonduplication with other exist-  
23 ing Federal programs;

24 “(9) describes the eligible agency’s program  
25 strategies for special populations, including a de-

1       description of how individuals who are members of the  
2       special populations—

3               “(A) will be provided with equal access to  
4               activities assisted under this title;

5               “(B) will not be discriminated against on  
6               the basis of their status as members of the spe-  
7               cial populations; and

8               “(C) will be provided with programs de-  
9               signed to enable the special populations to meet  
10              or exceed State adjusted levels of performance,  
11              and prepare special populations for further  
12              learning and for high skill, high wage, or high  
13              demand occupations;

14              “(10) how the eligible agency will collaborate in  
15              developing the State plan with—

16                      “(A) the entity within the State with re-  
17                      sponsibility for elementary and secondary edu-  
18                      cation;

19                      “(B) the entity within the State with re-  
20                      sponsibility for public institutions engaged in  
21                      postsecondary education;

22                      “(C) State institutions such as State cor-  
23                      rectional institutions and institutions that serve  
24                      individuals with disabilities; and

1           “(D) all other relevant State agencies with  
2           responsibility for career and technical education  
3           and training and workforce development;

4           “(11) describes what steps the eligible agency  
5           will take to involve representatives of eligible recipi-  
6           ents in the development of the State adjusted levels  
7           of performance;

8           “(12) provides assurances that the eligible  
9           agency will comply with the requirements of this  
10          title and the provisions of the State plan, including  
11          the provision of a financial audit of funds received  
12          under this title which may be included as part of an  
13          audit of other Federal or State programs;

14          “(13) provides assurances that none of the  
15          funds expended under this title will be used to ac-  
16          quire equipment (including computer software) in  
17          any instance in which such acquisition results in a  
18          direct financial benefit to any organization rep-  
19          resenting the interests of the purchasing entity, the  
20          employees of the purchasing entity, or any affiliate  
21          of such an organization;

22          “(14) describes how the eligible agency will  
23          measure and report data relating to students partici-  
24          pating in and completing career and technical edu-  
25          cation within specific career clusters in order to ade-

1       quately measure the progress of the students, includ-  
2       ing special populations, at—

3               “(A) the secondary level, disaggregated by  
4       the categories described in section  
5       1111(h)(1)(C)(i) of the Elementary and Sec-  
6       ondary Education Act of 1965, except that such  
7       disaggregation shall not be required in a case in  
8       which the number of individuals in a category  
9       is insufficient to yield statistically reliable infor-  
10      mation or the results would reveal personally  
11      identifiable information about an individual;  
12      and

13              “(B) the postsecondary level, disaggregated  
14      by special populations and the categories de-  
15      scribed in section 1111(h)(1)(C)(i) of the Ele-  
16      mentary and Secondary Education Act of 1965,  
17      except that such disaggregation shall not be re-  
18      quired in a case in which the number of individ-  
19      uals in a category is insufficient to yield statis-  
20      tically reliable information or the results would  
21      reveal personally identifiable information about  
22      an individual;

23              “(15) describes how the eligible agency will ade-  
24      quately address the needs of students in alternative  
25      education programs, if appropriate;



1           “(16) describes how the eligible agency will pro-  
2           vide local educational agencies, area career and tech-  
3           nical education schools, and eligible institutions in  
4           the State with technical assistance;

5           “(17) describes how career and technical edu-  
6           cation relates to State and regional occupational op-  
7           portunities;

8           “(18) describes the methods proposed for the  
9           joint planning and coordination of programs carried  
10          out under this title with other Federal education  
11          programs;

12          “(19) describes how funds will be used to pro-  
13          mote preparation for high skill, high wage, or high  
14          demand occupations and nontraditional fields in  
15          emerging and established professions;

16          “(20) describes how funds will be used to serve  
17          individuals in State correctional institutions;

18          “(21) describes how the eligible agency will en-  
19          sure that the data reported to the eligible agency  
20          from local educational agencies and eligible institu-  
21          tions under this title and the data the eligible agency  
22          reports to the Secretary are complete, accurate, and  
23          reliable; and

24          “(22) contains the description and information  
25          specified in sections 112(b)(8) and 121(c) of the

1 Workforce Investment Act of 1998 (29 U.S.C.  
2 2822(b)(8) and 2841(c)) concerning the provision of  
3 services only for postsecondary students and school  
4 dropouts.”;

5 (5) by striking subsection (d) and inserting the  
6 following:

7 “(d) PLAN OPTIONS.—

8 “(1) SINGLE PLAN.—The eligible agency may  
9 fulfill the plan or application submission require-  
10 ments of this section, section 118(b), and section  
11 141(c) by submitting a single State plan. In such  
12 plan, the eligible agency may allow eligible recipients  
13 to fulfill the plan or application submission require-  
14 ments of section 134 and subsections (a) and (b) of  
15 section 143 by submitting a single local plan.

16 “(2) PLAN SUBMITTED AS PART OF 501  
17 PLAN.—The eligible agency may submit the plan re-  
18 quired under this section as part of the plan sub-  
19 mitted under section 501 of the Workforce Invest-  
20 ment Act of 1998 (20 U.S.C. 9271), provided that  
21 the plan submitted pursuant to the requirement of  
22 this section meets the requirements of this Act.”;  
23 and

24 (6) by striking subsection (f).

1 **SEC. 112. 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 PLAN.—

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 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 career and technical education activities of each  
15 eligible recipient receiving funds under this title.

16 “(2) PLAN.—

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

22 “(i) conduct an assessment of the  
23 educational needs that the eligible recipient  
24 shall address to overcome local perform-

1           ance deficiencies, including the perform-  
2           ance of special populations;

3           “(ii) enter into an improvement plan  
4           with an eligible recipient based on the re-  
5           sults of the assessment, for the first pro-  
6           gram year succeeding the program year in  
7           which the eligible recipient failed to meet  
8           the local adjusted levels of performance,  
9           which plan shall demonstrate how the local  
10          performance deficiencies will be corrected  
11          and include instructional and other pro-  
12          grammatic innovations of demonstrated ef-  
13          fectiveness, and where necessary, strategies  
14          for appropriate staffing and professional  
15          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 implementing the improvement  
21          plan.

22          “(B) CONSULTATION.—The eligible agency  
23          shall conduct the activities described in sub-  
24          paragraph (A) in consultation with teachers,  
25          principals, administrators, faculty, parents,

1           other school staff, appropriate agencies, and  
2           other appropriate individuals and organizations.

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 the eligible recipient  
11          in carrying out the improvement activities consistent  
12          with the requirements of this Act. An eligible recipi-  
13          ent, in collaboration with the eligible agency, may re-  
14          quest that the Secretary provide additional technical  
15          assistance.

16          “(4) FAILURE.—

17                 “(A) IN GENERAL.—If an eligible recipient  
18                 fails to meet the local adjusted levels of per-  
19                 formance as described in section 113(b)(4) and  
20                 has not implemented an improvement plan as  
21                 described in paragraph (2), has shown no im-  
22                 provement within 1 year after implementing an  
23                 improvement plan as described in paragraph  
24                 (2), or has failed to meet more than 1 of the  
25                 local adjusted levels of performance for 2 or

1 more consecutive years, the eligible agency may,  
 2 after notice and opportunity for a hearing,  
 3 withhold from the eligible recipient all, or a por-  
 4 tion of, the eligible recipient's allotment under  
 5 this title.

6 “(B) WAIVER FOR EXCEPTIONAL CIR-  
 7 CUMSTANCES.—The eligible agency may waive  
 8 the sanction under this paragraph due to excep-  
 9 tional or uncontrollable circumstances such as  
 10 organizational structure, or a natural disaster  
 11 or a precipitous and unforeseen decline in fi-  
 12 nancial resources of the eligible recipient.

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

19 **SEC. 113. STATE LEADERSHIP ACTIVITIES.**

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

21 (1) by striking “vocational” each place the term  
 22 appears and inserting “career”;

23 (2) in subsection (a), by striking “112(a)(2)”  
 24 and inserting “112(a)(2)(A)”;

25 (3) in subsection (b)—



1           (A) in paragraph (1), by striking “further  
2 learning” and all that follows through the semi-  
3 colon and inserting “further education, further  
4 training, or for high skill, high wage, or high  
5 demand occupations;”;

6           (B) in paragraph (2), by striking subpara-  
7 graphs (A) through (C) and inserting the fol-  
8 lowing:

9           “(A) training of career and technical edu-  
10 cation teachers, faculty, principals, career guid-  
11 ance and academic counselors, and administra-  
12 tors to use technology, including distance learn-  
13 ing;

14           “(B) encouraging schools to work with  
15 technology industries to offer voluntary intern-  
16 ships and mentoring programs; or

17           “(C) encouraging lifelong learning, includ-  
18 ing through partnerships that may involve insti-  
19 tutions of higher education, organizations pro-  
20 viding career and technical education, busi-  
21 nesses, and communications entities;”;

22           (C) by striking paragraph (3) and insert-  
23 ing the following:

24           “(3) professional development programs, includ-  
25 ing providing comprehensive professional develop-

1       ment (including initial teacher preparation) for ca-  
2       reer and technical education teachers, faculty, prin-  
3       cipals, administrators, and career guidance and aca-  
4       demic counselors at the secondary and postsecondary  
5       levels, that support activities described in section  
6       122 and—

7               “(A) provide in-service and pre-service  
8       training in career and technical education pro-  
9       grams and techniques, effective teaching skills  
10      based on promising practices and, where avail-  
11      able and appropriate, scientifically based re-  
12      search, and effective practices to improve pa-  
13      rental and community involvement;

14              “(B) improve student achievement in order  
15      to meet the State adjusted levels of perform-  
16      ance established under section 113;

17              “(C) support education programs for  
18      teachers and faculty of career and technical  
19      education in public schools and other public  
20      school personnel who are involved in the direct  
21      delivery of educational services to career and  
22      technical education students to ensure that  
23      such personnel—

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

1           “(ii) can effectively develop chal-  
2           lenging, integrated academic and career  
3           and technical education curriculum jointly  
4           with academic teachers, to the extent prac-  
5           ticable; and

6           “(iii) develop a higher level of aca-  
7           demic and industry knowledge and skills in  
8           career and technical education; and

9           “(D) are integrated with the teacher cer-  
10          tification or licensing and professional develop-  
11          ment activities that the State carries out under  
12          title II of the Elementary and Secondary Edu-  
13          cation Act of 1965 and title II of the Higher  
14          Education Act of 1965;”;

15          (D) in paragraph (4), by striking “support  
16          for” and inserting “supporting”;

17          (E) in paragraph (5), by striking “non-  
18          traditional training and employment” and in-  
19          serting “nontraditional fields in emerging and  
20          established professions, and other activities that  
21          expose students, including special populations,  
22          to high skill, high wage occupations”;

23          (F) in paragraph (6)—

24                 (i) by inserting “intermediaries,” after  
25                 “labor organizations,”; and

1 (ii) by inserting “, or complete career  
2 pathways, as described in section  
3 122(c)(1)(A)” after “skills”;

4 (G) in paragraph (7), by striking “and”  
5 after the semicolon;

6 (H) in paragraph (8), by striking “wage  
7 careers.” and inserting “wage, or high demand  
8 occupations; and”; and

9 (I) by adding at the end the following:

10 “(9) technical assistance for eligible recipi-  
11 ents.”;

12 (4) by striking subsection (c) and inserting the  
13 following:

14 “(c) PERMISSIBLE USES OF FUNDS.—The leadership  
15 activities described in subsection (a) may include—

16 “(1) improvement of career guidance and aca-  
17 demic counseling programs that assist students in  
18 making informed academic, and career and technical  
19 education, decisions, including encouraging sec-  
20 ondary and postsecondary students to graduate with  
21 a diploma or degree, and expose students to high  
22 skill, high wage occupations and nontraditional fields  
23 in emerging and established professions;

24 “(2) establishment of agreements, including ar-  
25 ticulation agreements, between secondary and post-

1 secondary career and technical education programs  
2 in order to provide postsecondary education and  
3 training opportunities for students participating in  
4 such career and technical education programs, such  
5 as tech-prep programs;

6 “(3) support for career and technical student  
7 organizations, especially with respect to efforts to in-  
8 crease the participation of students who are mem-  
9 bers of special populations;

10 “(4) support for public charter schools oper-  
11 ating secondary career and technical education pro-  
12 grams;

13 “(5) support for career and technical education  
14 programs that offer experience in, and under-  
15 standing of, all aspects of an industry for which stu-  
16 dents are preparing to enter;

17 “(6) support for family and consumer sciences  
18 programs;

19 “(7) support for partnerships between edu-  
20 cation and business or business intermediaries, in-  
21 cluding cooperative education and adjunct faculty  
22 arrangements at the secondary and postsecondary  
23 levels;

24 “(8) support to improve or develop new career  
25 and technical education courses and initiatives, in-

1 including career clusters, career academies, and dis-  
2 tance learning, that prepare individuals academically  
3 and technically for high skill, high wage, or high de-  
4 mand occupations;

5 “(9) awarding incentive grants to eligible recipi-  
6 ents for exemplary performance in carrying out pro-  
7 grams under this Act, which awards shall be based  
8 on local performance indicators, as described in sec-  
9 tion 113, in accordance with previously publicly dis-  
10 closed priorities;

11 “(10) providing career and technical education  
12 programs for adults and school dropouts to complete  
13 their secondary school education;

14 “(11) providing assistance to individuals, who  
15 have participated in services and activities under  
16 this title, in finding an appropriate job and con-  
17 tinuing their education or training through collabo-  
18 ration with the workforce investment system estab-  
19 lished under the Workforce Investment Act of 1998  
20 (29 U.S.C. 2801 et seq.);

21 “(12) developing valid and reliable assessments  
22 of technical skills that are integrated with industry  
23 certification assessments where available;

1           “(13) developing and enhancing data systems to  
2 collect and analyze data on secondary and postsec-  
3 ondary academic and employment outcomes;

4           “(14) improving—

5                 “(A) the recruitment and retention of ca-  
6 reer and technical education teachers, faculty,  
7 principals, administrators, and career guidance  
8 and academic counselors, including individuals  
9 in groups underrepresented in the teaching pro-  
10 fession; and

11                “(B) the transition to teaching from busi-  
12 ness and industry, including small business; and

13           “(15) adopting, calculating, or commissioning a  
14 self-sufficiency standard.”; and

15           (5) in subsection (d), by striking “112(a)(2)”  
16 and inserting “112(a)(2)(A)”.

17 **SEC. 114. DISTRIBUTION OF FUNDS TO SECONDARY**  
18 **SCHOOL PROGRAMS.**

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

20           (1) by striking “vocational” each place the term  
21 appears and inserting “career”;

22           (2) by striking subsection (a);

23           (3) by redesignating subsections (b) through (i)  
24 as subsections (a) through (h), respectively;

1 (4) in subsection (a) (as redesignated by para-  
2 graph (3) of this section)—

3 (A) in the subsection heading, by striking  
4 “SPECIAL DISTRIBUTION RULES FOR SUC-  
5 CEEDING FISCAL YEARS” and inserting “DIS-  
6 TRIBUTION RULES”; and

7 (B) by striking “for fiscal year 2000 and  
8 succeeding fiscal years”;

9 (5) in subsection (b) (as redesignated by para-  
10 graph (3) of this section)—

11 (A) by striking “subsection (b)” and in-  
12 serting “subsection (a)”; and

13 (B) in paragraph (1), by striking  
14 “9902(2))” and inserting “9902(2))”;

15 (6) in subsection (e) (as redesignated by para-  
16 graph (3) of this section), in the subsection heading,  
17 by striking “VOCATIONAL” and inserting “CAREER”;  
18 and

19 (7) in subsection (g) (as redesignated by para-  
20 graph (3) of this section), by striking “subsections  
21 (a), (b), (c), and (d)” and inserting “subsections (a),  
22 (b), and (c)”.



1 **SEC. 115. DISTRIBUTION OF FUNDS FOR POSTSECONDARY**  
 2 **CAREER AND TECHNICAL EDUCATION PRO-**  
 3 **GRAMS.**

4 Section 132 (20 U.S.C. 2352) is amended by striking  
 5 the section heading and inserting the following:

6 **“SEC. 132. DISTRIBUTION OF FUNDS FOR POSTSECONDARY**  
 7 **CAREER AND TECHNICAL EDUCATION PRO-**  
 8 **GRAMS.”.**

9 **SEC. 116. SPECIAL RULES FOR CAREER AND TECHNICAL**  
 10 **EDUCATION.**

11 Section 133 (20 U.S.C. 2353) is amended—

12 (1) by striking the section heading and insert-  
 13 ing the following:

14 **“SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL**  
 15 **EDUCATION.”;**

16 and

17 (2) by striking “vocational” each place such  
 18 term appears and inserting “career”.

19 **SEC. 117. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**  
 20 **CATION PROGRAMS.**

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

22 (1) by striking the section heading and insert-  
 23 ing the following:

24 **“SEC. 134. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**  
 25 **CATION PROGRAMS.”;**

26 and

1           (2) in subsection (b), by striking paragraphs  
2 (1) through (10) and inserting the following:

3           “(1) describe how the career and technical edu-  
4 cation programs required under section 135(b) will  
5 be carried out with funds received under this title;

6           “(2) describe how the career and technical edu-  
7 cation activities will be carried out with respect to  
8 meeting State and local adjusted levels of perform-  
9 ance established under section 113;

10          “(3) describe how the eligible recipient will—

11           “(A) offer the appropriate courses of not  
12 less than 1 of the career pathways described in  
13 section 122(c)(1)(A);

14           “(B) improve the academic and technical  
15 skills of students participating in career and  
16 technical education programs by strengthening  
17 the academic and career and technical edu-  
18 cation components of such programs through  
19 the integration of challenging academics with  
20 career and technical education programs  
21 through a coherent sequence of courses to en-  
22 sure learning in the core academic subjects, and  
23 career and technical education subjects;

1           “(C) provide students with strong experi-  
2           ence in and understanding of all aspects of an  
3           industry; and

4           “(D) ensure that students who participate  
5           in such career and technical education pro-  
6           grams are taught to the same challenging aca-  
7           demic proficiencies as are taught for all other  
8           students;

9           “(4) describe how comprehensive professional  
10          development will be provided that is consistent with  
11          section 122;

12          “(5) describe how parents, students, academic  
13          and career and technical education teachers, faculty,  
14          principals, administrators, career guidance and aca-  
15          demic counselors, representatives of tech-prep con-  
16          sortia (if applicable), representatives of business (in-  
17          cluding small business) and industry, labor organiza-  
18          tions, representatives of special populations, and  
19          other interested individuals are involved in the devel-  
20          opment, implementation, and evaluation of career  
21          and technical education programs assisted under  
22          this title, and how such individuals and entities are  
23          effectively informed about, and assisted in, under-  
24          standing, the requirements of this title, including ca-  
25          reer pathways;

1           “(6) provide assurances that the eligible recipi-  
2           ent will provide a career and technical education  
3           program that is of such size, scope, and quality to  
4           bring about improvement in the quality of career  
5           and technical education programs;

6           “(7) describe the process that will be used to  
7           evaluate and continuously improve the performance  
8           of the eligible recipient;

9           “(8) describe how the eligible recipient—

10           “(A) will review career and technical edu-  
11           cation programs, and identify and adopt strate-  
12           gies to overcome barriers that result in lowering  
13           rates of access to or lowering success in the  
14           programs, for special populations; and

15           “(B) will provide programs that are de-  
16           signed to enable the special populations to meet  
17           the local adjusted levels of performance and  
18           prepare for high skill, high wage, or high de-  
19           mand occupations, including those that will lead  
20           to self-sufficiency;

21           “(9) describe how individuals who are members  
22           of special populations will not be discriminated  
23           against on the basis of their status as members of  
24           the special populations;

1           “(10) describe how funds will be used to pro-  
2           mote preparation for nontraditional fields;

3           “(11) describe how career guidance and aca-  
4           demic counseling will be provided to all career and  
5           technical education students; and

6           “(12) describe efforts to improve the recruit-  
7           ment and retention of career and technical education  
8           teachers, faculty, counselors, principals, and admin-  
9           istrators, including individuals in groups underrep-  
10          resented in the teaching profession, and the transi-  
11          tion to teaching from business and industry.”.

12 **SEC. 118. LOCAL USES OF FUNDS.**

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

14           (1) in subsection (a), by striking “vocational”  
15          and inserting “career”;

16           (2) in subsection (b)—

17           (A) in the matter preceding paragraph (1),  
18           by striking “vocational” and inserting “career”;  
19           and

20           (B) by striking paragraphs (1) through (8)  
21          and inserting the following:

22           “(1) strengthen the academic and career and  
23          technical education skills of students participating in  
24          career and technical education programs by  
25          strengthening the academic and career and technical

1 education components of such programs through the  
2 integration of academics with career and technical  
3 education programs through a coherent sequence of  
4 courses, such as career pathways described in sec-  
5 tion 122(c)(1)(A), to ensure learning in the core  
6 academic subjects and career and technical edu-  
7 cation subjects;

8 “(2) link secondary career and technical edu-  
9 cation and postsecondary career and technical edu-  
10 cation, including by—

11 “(A) offering the relevant elements of not  
12 less than 1 career pathway described in section  
13 122(c)(1)(A);

14 “(B) developing and supporting articula-  
15 tion agreements between secondary and postsec-  
16 ondary institutions; or

17 “(C) supporting tech-prep programs and  
18 consortia;

19 “(3) provide students with strong experience in  
20 and understanding of all aspects of an industry;

21 “(4) develop, improve, or expand the use of  
22 technology in career and technical education, which  
23 may include—

24 “(A) training of career and technical edu-  
25 cation teachers, faculty, principals, and admin-

1           istrators to use technology, including distance  
2           learning; or

3                   “(B) encouraging schools to collaborate  
4           with technology industries to offer voluntary in-  
5           ternships and mentoring programs;

6                   “(5) provide professional development programs  
7           that are consistent with section 122 to secondary  
8           and postsecondary teachers, faculty, principals, ad-  
9           ministrators, and career guidance and academic  
10          counselors who are involved in integrated career and  
11          technical education programs, including—

12                   “(A) in-service and pre-service training—

13                           “(i) in career and technical education  
14                   programs and techniques;

15                           “(ii) in effective integration of chal-  
16                   lenging academic and career and technical  
17                   education jointly with academic teachers,  
18                   to the extent practicable;

19                           “(iii) in effective teaching skills based  
20                   on research that includes promising prac-  
21                   tices; and

22                           “(iv) in effective practices to improve  
23                   parental and community involvement;

1           “(B) support of education programs that  
2           provide information on all aspects of an indus-  
3           try;

4           “(C) internship programs that provide rel-  
5           evant business experience; and

6           “(D) programs dedicated to the effective  
7           use of instructional technology;

8           “(6) develop and implement evaluations of the  
9           career and technical education programs carried out  
10          with funds under this title, including an assessment  
11          of how the needs of special populations are being  
12          met;

13          “(7) initiate, improve, expand, and modernize  
14          quality career and technical education programs, in-  
15          cluding relevant technology;

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

18          “(9) provide activities to prepare special popu-  
19          lations, including single parents and displaced home-  
20          makers, for high skill, high wage, or high demand  
21          occupations, including those that will lead to self-  
22          sufficiency.”; and

23          (3) in subsection (c)—

24                  (A) in paragraph (1), by striking “voca-  
25                  tional” and inserting “career”; and



1 (B) by striking paragraphs (2) through  
2 (15) and inserting the following:

3 “(2) to provide career guidance and academic  
4 counseling that is based on current labor market in-  
5 dicators, as provided pursuant to section 118, for  
6 students participating in career and technical edu-  
7 cation programs that—

8 “(A) improves graduation rates and pro-  
9 vides information on postsecondary and career  
10 options for secondary students, which activities  
11 may include the use of graduation and career  
12 plans; and

13 “(B) provides assistance for postsecondary  
14 students, including for adult students who are  
15 changing careers or updating skills;

16 “(3) for partnerships between the eligible recipi-  
17 ent and businesses, including small businesses and  
18 business intermediaries, including for—

19 “(A) work-related experience for students,  
20 such as internships, cooperative education,  
21 school-based enterprises, entrepreneurship, and  
22 job shadowing that are related to career and  
23 technical education programs;

24 “(B) adjunct faculty arrangements at the  
25 secondary and postsecondary levels; and

1           “(C) industry experience for teachers and  
2           faculty;

3           “(4) to provide programs for special popu-  
4           lations;

5           “(5) to assist career and technical student orga-  
6           nizations;

7           “(6) for mentoring and support services;

8           “(7) for leasing, purchasing, upgrading, or  
9           adapting instructional equipment;

10          “(8) for teacher preparation programs that ad-  
11          dress the integration of academic and career and  
12          technical education and that assist individuals who  
13          are interested in becoming career and technical edu-  
14          cation teachers and faculty, including individuals  
15          with experience in business and industry;

16          “(9) to develop and expand postsecondary pro-  
17          gram offerings at times and in formats that are con-  
18          venient and accessible for working students, includ-  
19          ing through the use of distance education;

20          “(10) for improving or developing new career  
21          and technical education courses, including develop-  
22          ment of new career pathways;

23          “(11) to develop and support small, personal-  
24          ized career-themed learning communities;

1           “(12) to provide support for family and con-  
2           sumer sciences programs;

3           “(13) to provide career and technical education  
4           programs for adults and school dropouts to complete  
5           their secondary school education or upgrade their  
6           technical skills;

7           “(14) to provide assistance to individuals who  
8           have participated in services and activities under  
9           this title in finding an appropriate job and con-  
10          tinuing their education or training through collabo-  
11          ration with the workforce investment system estab-  
12          lished under the Workforce Investment Act of 1998  
13          (29 U.S.C. 2801 et seq.);

14          “(15) to support activities in nontraditional  
15          fields, such as mentoring and outreach; and

16          “(16) to support other career and technical  
17          education activities that are consistent with the pur-  
18          pose of this Act.”.

19 **SEC. 119. TECH-PREP EDUCATION.**

20          (a) REDESIGNATION.—Title II (20 U.S.C. 2371 et  
21          seq.) is amended—

22                  (1) by striking the title heading and inserting  
23          the following:

1           **“PART D—TECH-PREP EDUCATION”;**

2           (2) by striking sections 201, 202, 206, and 207;

3           and

4           (3) by redesignating sections 203, 204, 205,  
5           and 208, as sections 141, 142, 143, and 144, re-  
6           spectively.

7           (b) STATE ALLOTMENT AND APPLICATION.—Section  
8           141 (as redesignated by subsection (a) of this section) is  
9           amended—

10           (1) in subsection (a), by striking “section 206”  
11           and inserting “section 144”; and

12           (2) by striking subsection (c) and inserting the  
13           following:

14           “(c) STATE APPLICATION.—Each eligible agency de-  
15           siring assistance under this part shall submit an applica-  
16           tion to the Secretary at such time, in such manner, and  
17           accompanied by such information as the Secretary may  
18           require. Such application shall describe how activities  
19           under this part will be coordinated, to the extent prac-  
20           ticable, with activities described in section 122.”.

21           (c) TECH-PREP EDUCATION.—Section 142 (as redес-  
22           ignated by subsection (a) of this section) is amended—

23           (1) in subsection (a)—

24           (A) in paragraph (1)—

25           (i) by striking “section 203” and in-  
26           serting “section 141”;

1 (ii) by striking “title” and inserting  
2 “part”;

3 (iii) by striking “vocational” both  
4 places the term appears and inserting “ca-  
5 reer”; and

6 (iv) in subparagraph (A), by inserting  
7 “, educational service agency,” after “in-  
8 termediate educational agency”; and  
9 (B) in paragraph (2)—

10 (i) in subparagraph (A), by striking  
11 “and”;

12 (ii) in subparagraph (B), by striking  
13 the period at the end and inserting a semi-  
14 colon; and

15 (iii) by adding at the end the fol-  
16 lowing:

17 “(C) employers, including small businesses,  
18 or business intermediaries; and

19 “(D) labor organizations.”;

20 (2) in subsection (c)—

21 (A) by striking paragraph (2) and insert-  
22 ing the following:

23 “(2) consist of not less than 2 years of sec-  
24 ondary school with a common core of technical skills  
25 and core academic subjects preceding graduation

1 and 2 years or more of higher education, or an ap-  
2 prenticeship program of not less than 2 years fol-  
3 lowing secondary instruction, designed to lead to  
4 technical skill proficiency, a credential, a certificate,  
5 or a degree, in a specific career field;”;

6 (B) in paragraph (3)(B), by inserting “in-  
7 cluding through the use of articulation agree-  
8 ments, and” after “career fields,”;

9 (C) by striking paragraph (4) and insert-  
10 ing the following:

11 “(4) include in-service professional development  
12 for teachers, faculty, principals, and administrators  
13 that—

14 “(A) supports effective implementation of  
15 tech-prep programs;

16 “(B) supports joint training in the tech-  
17 prep consortium;

18 “(C) supports the needs, expectations, and  
19 methods of business and all aspects of an in-  
20 dustry;

21 “(D) supports the use of contextual and  
22 applied curricula, instruction, and assessment;

23 “(E) supports the use and application of  
24 technology; and

1           “(F) assists in accessing and utilizing  
2 data, including labor market indicators, achieve-  
3 ment, and assessments;”;

4           (D) in paragraph (5)—

5           (i) by striking “training” and insert-  
6 ing “professional development”;

7           (ii) in subparagraph (B), by inserting  
8 “, which may include through the use of  
9 graduation and career plans” after “pro-  
10 grams”;

11           (iii) in subparagraph (D), by striking  
12 “and”;

13           (iv) in subparagraph (E), by inserting  
14 “and” after the semicolon; and

15           (v) by adding at the end the following:  
16           “(F) provide comprehensive career guid-  
17 ance and academic counseling to participating  
18 students, including special populations;”;

19           (E) in paragraph (6)—

20           (i) by inserting “(including pre-ap-  
21 prenticeship programs)” after “programs”;

22           and

23           (ii) by striking “and” after the semi-  
24 colon;

1 (F) in paragraph (7), by striking the pe-  
2 riod at the end and inserting “; and”; and

3 (G) by adding at the end the following:

4 “(8) coordinate with activities conducted under  
5 title I.”; and

6 (3) in subsection (d)—

7 (A) in paragraph (2), by striking “and”  
8 after the semicolon;

9 (B) in paragraph (3), by striking the pe-  
10 riod at the end and inserting a semicolon; and

11 (C) by adding at the end the following:

12 “(4) improve career guidance and academic  
13 counseling for participating students through the de-  
14 velopment and implementation of graduation and ca-  
15 reer plans; and

16 “(5) develop curriculum that supports effective  
17 transitions between secondary and postsecondary ca-  
18 reer and technical education programs.”.

19 (d) CONSORTIUM APPLICATIONS.—Section 143 (as  
20 redesignated by subsection (a) of this section) is amend-  
21 ed—

22 (1) in subsection (a), by striking “title” and in-  
23 serting “part”;

24 (2) in subsection (b)—

25 (A) by striking “5” and inserting “6”; and



1 (B) by striking “title” and inserting  
2 “part”;

3 (3) in subsection (d)—

4 (A) in paragraph (1), by inserting “or ad-  
5 vanced” after “baccalaureate”;

6 (B) by striking paragraph (4) and insert-  
7 ing the following:

8 “(4) provide education and training in areas or  
9 skills, including emerging technology, in which there  
10 are significant workforce shortages based on the  
11 data provided by the entity in the State under sec-  
12 tion 118;”;

13 (C) in paragraph (5), by striking the pe-  
14 riod at the end and inserting “; and”; and

15 (D) by adding at the end the following:

16 “(6) demonstrate success in, or provide assur-  
17 ances of, coordination and integration with eligible  
18 recipients described in part C.”; and

19 (4) in subsection (e), by striking “title” and in-  
20 serting “part”.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
22 144 (as redesignated by subsection (a) of this section) is  
23 amended—

24 (1) by striking “title (other than section 207)”  
25 and inserting “part”; and

1           (2) by striking “1999 and each of the 4” and  
2           inserting “2005 and each of the 5”.

## 3 **TITLE II—GENERAL PROVISIONS**

### 4 **SEC. 201. REDESIGNATION OF TITLE.**

5           (a) FEDERAL ADMINISTRATIVE PROVISIONS.—Title  
6 III (20 U.S.C. 2391 et seq.) is amended by redesignating  
7 sections 311 through 318 as sections 211 through 218,  
8 respectively.

9           (b) STATE ADMINISTRATIVE PROVISIONS.—Title III  
10 (20 U.S.C. 2391 et seq.) is amended by redesignating sec-  
11 tions 321 through 325 as sections 221 through 225, re-  
12 spectively.

13           (c) TITLE HEADING.—The title heading of title III  
14 (20 U.S.C. 2391 et seq.) is amended to read as follows:

## 15                           **“TITLE II—GENERAL** 16   **PROVISIONS”.**

### 17 **SEC. 202. FISCAL REQUIREMENTS.**

18           Section 211 (as redesignated by section 201 of this  
19 Act) is amended—

20                   (1) by striking “vocational” each place the term  
21                   appears and inserting “career”; and

22                   (2) in subsection (b)—

23                           (A) by striking paragraph (1) and insert-  
24                           ing the following:

25                           “(1) DETERMINATION.—

1           “(A) IN GENERAL.—Except as provided in  
2           subparagraphs (B) and (C), no payments shall  
3           be made under this Act for any fiscal year to  
4           a State for career and technical education pro-  
5           grams or tech-prep programs unless the Sec-  
6           retary determines that the average fiscal effort  
7           per student or the aggregate expenditures of  
8           such State for career and technical education  
9           programs for the 3 fiscal years preceding the  
10          fiscal year for which the determination is made,  
11          equaled or exceeded such effort or expenditures  
12          for career and technical education programs,  
13          for the 3 fiscal years preceding the fiscal year  
14          for which the determination is made.

15          “(B) COMPUTATION.—In computing the  
16          average fiscal effort or aggregate expenditures  
17          pursuant to subparagraph (A), the Secretary  
18          shall exclude capital expenditures, special one-  
19          time project costs, and the cost of pilot pro-  
20          grams.

21          “(C) DECREASE IN FEDERAL SUPPORT.—  
22          If the amount made available for career and  
23          technical education programs under this Act for  
24          a fiscal year is less than the amount made  
25          available for career and technical education pro-

1           grams under this Act for the preceding fiscal  
 2           year, then the average fiscal effort per student  
 3           or the aggregate expenditures of a State re-  
 4           quired by subparagraph (A) for the 3 preceding  
 5           fiscal years shall be decreased by the same per-  
 6           centage as the percentage decrease in the  
 7           amount so made available.”; and

8                       (B) in paragraph (2), by striking “fiscal  
 9           effort” both places the term appears and insert-  
 10          ing “average fiscal effort”.

11 **SEC. 203. VOLUNTARY SELECTION AND PARTICIPATION.**

12          Section 214 (as redesignated by section 201 of this  
 13 Act) is amended by striking “vocational” both places the  
 14 term appears and inserting “career”.

15 **SEC. 204. LIMITATION FOR CERTAIN STUDENTS.**

16          Section 215 (as redesignated by section 201 of this  
 17 Act) is amended by striking “vocational” and inserting  
 18 “career”.

19 **SEC. 205. AUTHORIZATION OF SECRETARY; PARTICIPATION**  
 20 **OF PRIVATE SCHOOL PERSONNEL.**

21          Part A of title II (as redesignated by section 201 of  
 22 this Act) is amended—

23                       (1) by striking section 217;

24                       (2) by redesignating section 218 as section 217;

25          and

1 (3) in section 217 (as redesignated by para-  
2 graph (2) of this section)—

3 (A) by inserting “principals,” after “for  
4 vocational and technical education teachers,”;

5 (B) by inserting “principals,” after “of vo-  
6 cational and technical education teachers,”; and

7 (C) by striking “vocational” each place the  
8 term appears and inserting “career”.

9 **SEC. 206. STUDENT ASSISTANCE AND OTHER FEDERAL**  
10 **PROGRAMS.**

11 Section 225(c) (as redesignated by section 201 of this  
12 Act) is amended—

13 (1) in the subsection heading, by striking “VO-  
14 CATIONAL” and inserting “CAREER”; and

15 (2) by striking “vocational” both places the  
16 term appears and inserting “career”.

17 **SEC. 207. TABLE OF CONTENTS.**

18 Section 1(b) (20 U.S.C. 2301 note) is amended to  
19 read as follows:

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

“Sec. 1. Short title; table of contents.

“Sec. 2. Purpose.

“Sec. 3. Definitions.

“Sec. 4. Transition provisions.

“Sec. 5. Privacy.

“Sec. 6. Limitation.

“Sec. 7. Special rule.

“Sec. 8. Authorization of appropriations.

“TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO  
THE STATES

“PART A—ALLOTMENT AND ALLOCATION

- “Sec. 111. Reservations and State allotment.
- “Sec. 112. Within State allocation.
- “Sec. 113. Accountability.
- “Sec. 114. National activities.
- “Sec. 115. Assistance for the outlying areas.
- “Sec. 116. Native American program.
- “Sec. 117. Tribally controlled postsecondary career and technical institutions.
- “Sec. 118. Occupational and employment information.

“PART B—STATE PROVISIONS

- “Sec. 121. State administration.
- “Sec. 122. State plan.
- “Sec. 123. Improvement plans.
- “Sec. 124. State leadership activities.

“PART C—LOCAL PROVISIONS

- “Sec. 131. Distribution of funds to secondary school programs.
- “Sec. 132. Distribution of funds for postsecondary career and technical education programs.
- “Sec. 133. Special rules for career and technical education.
- “Sec. 134. Local plan for career and technical education programs.
- “Sec. 135. Local uses of funds.

“PART D—TECH-PREP EDUCATION

- “Sec. 141. State allotment and application.
- “Sec. 142. Tech-prep education.
- “Sec. 143. Consortium applications.
- “Sec. 144. Authorization of appropriations.

“TITLE II—GENERAL PROVISIONS

“PART A—FEDERAL ADMINISTRATIVE PROVISIONS

- “Sec. 211. Fiscal requirements.
- “Sec. 212. Authority to make payments.
- “Sec. 213. Construction.
- “Sec. 214. Voluntary selection and participation.
- “Sec. 215. Limitation for certain students.
- “Sec. 216. Federal laws guaranteeing civil rights.
- “Sec. 217. Participation of private school personnel.

“PART B—STATE ADMINISTRATIVE PROVISIONS

- “Sec. 221. Joint funding.
- “Sec. 222. Prohibition on use of funds to induce out-of-State relocation of businesses.
- “Sec. 223. State administrative costs.

“Sec. 224. Limitation on Federal regulations.

“Sec. 225. Student assistance and other Federal programs.”.

