

Calendar No. 759108TH CONGRESS
2^D SESSION**S. 2686****[Report No. 108-384]**

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

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, Mrs. CLINTON, Mr. DEWINE, Mr. HARKIN, Mr. ROBERTS, Mr. REID, and Mr. BURNS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

OCTOBER 4, 2004

Reported by Mr. GREGG, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]**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,*

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

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

5 (b) **TABLE OF CONTENTS.**—The table of contents for
 6 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 edu-
cation 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 Vocaa-
 7 tional and Technical Education Act of 1998 (20 U.S.C.
 8 2301 et seq.).

9 **SEC. 3. PURPOSE.**

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

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

13 (2) in paragraph (1), by striking “standards”
 14 and inserting “and technical standards, and to assist
 15 students in meeting such standards, especially in
 16 preparation for high skill, high wage, or high de-
 17 mand occupations in emerging or established profes-
 18 sions”;

19 (3) in paragraph (2), by inserting “challenging”
 20 after “integrate”;

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

23 (5) in paragraph (4)—

24 (A) by inserting “conducting and” before
 25 “disseminating national”;

1 (B) by inserting “disseminating informa-
 2 tion on best practices,” after “national re-
 3 search,”; and

4 (C) by striking the period at the end and
 5 inserting a semicolon; and

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

7 “(5) promoting leadership and professional de-
 8 velopment at the State and local levels, and devel-
 9 oping research and best practices for improving the
 10 quality of career and technical education teachers,
 11 faculty, principals, administrators, and counselors;

12 “(6) supporting partnerships among secondary
 13 schools, postsecondary institutions, area career tech-
 14 nical centers, business and industry, professional as-
 15 sociations, and intermediaries; and

16 “(7) developing a highly skilled workforce need-
 17 ed to keep America competitive in the global econ-
 18 omy in conjunction with other Federal education and
 19 training programs, including workforce investment
 20 programs, that provide lifelong learning for the
 21 workforce of today and tomorrow.”.

22 **SEC. 4. DEFINITIONS.**

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

24 (1) in paragraph (2), by inserting “, including
 25 employment statistics and information relating to

1 national, regional, and local labor market areas, as
 2 provided pursuant to section 118, and career ladder
 3 information, where appropriate” after “to enter”;

4 (2) in paragraph (3)—

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

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

9 (3) by striking paragraph (4);

10 (4) by redesignating paragraphs (5) through
 11 (30) as paragraphs (10) through (35), respectively;

12 (5) by inserting after paragraph (3) the fol-
 13 lowing:

14 “(4) ARTICULATION AGREEMENT.—The term
 15 ‘articulation agreement’ means a written commit-
 16 ment, approved annually by the relevant administra-
 17 tors of the secondary and postsecondary institutions,
 18 to a program that is designed to provide students
 19 with a nonduplicative sequence of progressive
 20 achievement leading to technical skill proficiency, a
 21 credential, a certificate, or a degree, and linked
 22 through credit transfer agreements.

23 “(5) CAREER AND TECHNICAL EDUCATION.—

24 The term ‘career and technical education’ means or-
 25 ganized educational activities that—

1 “(A) offer a sequence of courses (which
2 may include technical learning experiences)
3 that—

4 “(i) provides individuals with the chal-
5 lenging academic and technical knowledge
6 and skills the individuals need to prepare
7 for further education and for careers in
8 emerging and established professions; and

9 “(ii) may lead to technical skill pro-
10 ficiency, a credential, a certificate, or a de-
11 gree; and

12 “(B) include competency-based applied
13 learning that contributes to the academic
14 knowledge, higher-order reasoning and problem-
15 solving skills, work attitudes, general employ-
16 ability skills, technical skills, and occupation-
17 specific skills, of an individual.

18 “(6) CAREER AND TECHNICAL EDUCATION STU-
19 DENT.—The term ‘career and technical education
20 student’ means a student who enrolls in a clearly de-
21 fined sequence of career and technical education
22 courses leading to attainment of technical skill pro-
23 ficiency, a credential, a certificate, or a degree.

24 “(7) CAREER AND TECHNICAL STUDENT ORGA-
25 NIZATION.—

1 “(A) IN GENERAL.—The term ‘career and
2 technical student organization’ means an orga-
3 nization for individuals enrolled in a career and
4 technical education program that engages in ca-
5 reer and technical education activities as an in-
6 tegral part of the instructional program.

7 “(B) STATE AND NATIONAL UNITS.—An
8 organization described in subparagraph (A)
9 may have State and national units that aggre-
10 gate the work and purposes of instruction in ca-
11 reer and technical education at the local level.

12 “(S) CAREER GUIDANCE AND ACADEMIC COUN-
13 SELING.—The term ‘career guidance and academic
14 counseling’ means providing access to information
15 regarding career awareness and planning with re-
16 spect to an individual’s occupational and academic
17 future that shall involve guidance and counseling
18 with respect to career options, financial aid, and
19 postsecondary options.

20 “(9) CAREER PATHWAY.—The term ‘career
21 pathway’ means a coordinated and nonduplicative
22 sequence of courses (which may include technical
23 learning experiences) and associated credits that—

24 “(A) shall identify both secondary and
25 postsecondary education elements;

1 “(B) shall include challenging academic
2 and career and technical education content;

3 “(C) may include the opportunity for sec-
4 ondary students to participate in dual or con-
5 current enrollment programs or other ways to
6 acquire postsecondary credits; and

7 “(D) may culminate in technical skill pro-
8 ficiency, a credential, a certificate, or a de-
9 gree.”;

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

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

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

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

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

1 “(B) includes tribally controlled colleges or
2 universities.”;

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

5 (A) by striking “method of instruction”
6 and inserting “method”; and

7 (B) by striking “vocational” and inserting
8 “career”;

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

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

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

20 (12) in paragraph (16) (as redesignated by
21 paragraph (10) of this section); by striking “voca-
22 tional” both places the term appears and inserting
23 “career”;

24 (13) in paragraph (17) (as redesignated by
25 paragraph (10) of this section)—

1 (A) in subparagraph (A), by striking “an
2 institution of higher education” and inserting
3 “a public or nonprofit private institution of
4 higher education that offers career and tech-
5 nical education courses that lead to technical
6 skill proficiency, an industry-recognized creden-
7 tial, a certificate, or a degree”; and

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

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

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

18 (16) by inserting after paragraph (19) (as re-
19 designated by paragraph (10) of this section) the
20 following:

21 “(20) GRADUATION AND CAREER PLAN.—The
22 term ‘graduation and career plan’ means a written
23 plan for a secondary career and technical education
24 student, that—

1 “(A) is developed with career guidance and
2 academic counseling or other professional staff,
3 and in consultation with parents, not later than
4 in the first year of secondary school or upon en-
5 rollment in career and technical education;

6 “(B) is reviewed annually and modified as
7 needed;

8 “(C) includes relevant information on—

9 “(i) secondary school requirements for
10 graduating with a diploma;

11 “(ii) postsecondary education admis-
12 sion requirements; and

13 “(iii) high skill, high wage, or high de-
14 mand occupations and nontraditional fields
15 in emerging and established professions,
16 and labor market indicators; and

17 “(D) states the student’s secondary school
18 graduation goals, postsecondary education and
19 training, or employment goals, and identifies 1
20 or more career pathways that correspond to the
21 goals.”;

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

1 (A) in the paragraph heading, by striking
2 “TRAINING AND EMPLOYMENT” and inserting
3 “FIELDS”; and

4 (B) by striking “training and employment”
5 and inserting “fields”;

6 (18) in paragraph (26) (as redesignated by
7 paragraph (15) of this section), by striking “the
8 Commonwealth” and all that follows through the pe-
9 riod and inserting “and the Commonwealth of the
10 Northern Mariana Islands.”;

11 (19) by redesignating paragraphs (31) through
12 (38) (as redesignated by paragraph (15) of this sec-
13 tion) as paragraphs (32) through (39), respectively;

14 (20) by inserting after paragraph (30) (as re-
15 designated by paragraph (15) of this section) the
16 following:

17 “(31) SELF-SUFFICIENCY.—The term ‘self-suf-
18 ficiency’ means a standard that is adopted, cal-
19 culated, or commissioned by a local area or State,
20 and which adjusts for local factors, in specifying the
21 income needs of families, by family size, the number
22 and ages of children in the family, and sub-State
23 geographical considerations.”;

24 (21) in paragraph (32) (as redesignated by
25 paragraph (19) of this section)—

1 (A) in subparagraph (C), by striking
2 “training and employment” and inserting
3 “fields”; and

4 (B) in subparagraph (F), by striking “indi-
5 viduals with other barriers to educational
6 achievement, including”;

7 (22) in paragraph (34) (as redesignated by
8 paragraph (19) of this section) by striking “, and in-
9 structional aids and devices” and inserting “instruc-
10 tional aids, and work supports”;

11 (23) by striking paragraph (35) (as redesi-
12 gnated by paragraph (19) of this section) and insert-
13 ing the following:

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

16 “(A) combines at a minimum 2 years of
17 secondary education (as determined under State
18 law) with a minimum of 2 years of postsec-
19 ondary education in a nonduplicative, sequential
20 course of study;

21 “(B) integrates academic and career and
22 technical education instruction, and utilizes
23 work-based and worksite learning where appro-
24 priate and available;

1 “(C) provides technical preparation in a
2 career field, including high skill, high wage, or
3 high demand occupations;

4 “(D) builds student competence in tech-
5 nical skills and in core academic subjects, as
6 appropriate, through applied, contextual, and
7 integrated instruction, in a coherent sequence
8 of courses;

9 “(E) leads to technical skill proficiency, a
10 credential, a certificate, or a degree, in a spe-
11 cific career field;

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

14 “(G) utilizes career pathways, to the extent
15 practicable.”;

16 (24) in paragraph (37) (as redesignated by
17 paragraph (19) of this section)—

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

20 (B) in the matter preceding subparagraph
21 (A)—

22 (i) by striking “vocational” and in-
23 serting “career”;

24 (ii) by striking “paragraph (2)” and
25 inserting “subsection (a)(2)”; and

1 (iii) by striking “paragraph (5)(A)”
2 and inserting “subsection (a)(5)”; and
3 (C) in subparagraph (F), by striking “vo-
4 cational” and inserting “career”; and
5 (25) by striking paragraphs (38) and (39) (as
6 redesignated by paragraph (19) of this section).

7 **SEC. 5. TRANSITION PROVISIONS.**

8 Section 4 (20 U.S.C. 2303) is amended by striking
9 “the Carl D. Perkins Vocational and Applied Technology
10 Education Act” and all that follows through the period
11 and inserting “this Act, as this Act was in effect on the
12 day before the date of enactment of the Carl D. Perkins
13 Career and Technical Education Improvement Act of
14 2004. Each eligible agency shall be assured a full fiscal
15 year for transition to plan for and implement the require-
16 ments of this Act.”.

17 **SEC. 6. LIMITATION.**

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

20 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

22 (1) by striking “title H” and inserting “part D
23 of title I”; and

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

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

4 **SEC. 101. CAREER AND TECHNICAL EDUCATION ASSIST-**
 5 **ANCE TO THE STATES.**

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

8 **“TITLE I—CAREER AND TECH-**
 9 **NICAL EDUCATION ASSIST-**
 10 **ANCE TO THE STATES”.**

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

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

13 (1) in paragraph (1)(C), by striking “2001
 14 through 2003,” and inserting “2005 through 2010,
 15 not more than”;

16 (2) in paragraph (2), in the matter preceding
 17 subparagraph (A), by striking “paragraph (1)” and
 18 inserting “paragraph (1), that are not allotted under
 19 paragraph (5),”;

20 (3) in paragraph (3)—

21 (A) in subparagraph (B), by striking “(or
 22 in the case” and all that follows through
 23 “1998)”;

24 (B) in subparagraph (C)—

1 (i) in clause (i)(I), by striking “(or in
2 the ease” and all that follows through
3 “1998)”; and

4 (ii) in clause (ii)(II), by striking “(or
5 in the ease” and all that follows through
6 “1998)”; and

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

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

10 “(A) IN GENERAL.—For any fiscal year
11 for which the remainder of the sums appro-
12 priated under section 8 and not reserved under
13 paragraph (1) exceeds the remainder of the
14 sums appropriated under section 8 and not re-
15 served under paragraph (1) for fiscal year
16 2004, such excess amount shall be allotted to
17 the States according to the formula under sub-
18 paragraphs (A) through (D) of paragraph (2).

19 “(B) MINIMUM ALLOTMENT.—

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

1 “(ii) REQUIREMENT.—No State, by
2 reason of the application of clause (i), shall
3 be allotted under this paragraph for a fis-
4 cal year more than the amount determined
5 by multiplying—

6 “(I) the number of individuals in
7 the State counted under paragraph
8 (2); by

9 “(II) 185 percent of the national
10 average per pupil payment made with
11 the excess amount described in sub-
12 paragraph (A) for that year.”.

13 **SEC. 103. WITHIN STATE ALLOCATION.**

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

15 (1) in subsection (a)—

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

18 (B) by striking paragraphs (2) and (3) and
19 inserting the following:

20 “(2) not more than 15 percent for—

21 “(A) State leadership activities described
22 in section 124, of which—

23 “(i) an amount determined by the eli-
24 gible agency shall be made available to
25 serve individuals in State institutions; such

1 as State correctional institutions and insti-
 2 tutions that serve individuals with disabili-
 3 ties; and

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

7 “(B) administration of the State plan;
 8 which may be used for the costs of—

9 “(i) developing the State plan;

10 “(ii) reviewing the local plans;

11 “(iii) monitoring and evaluating pro-
 12 gram effectiveness;

13 “(iv) assuring compliance with all ap-
 14 plicable Federal laws;

15 “(v) providing technical assistance;
 16 and

17 “(vi) supporting and developing State
 18 data systems relevant to the provisions of
 19 this Act.”;

20 (2) in subsection (b), by striking “subsection
 21 (a)(3)” both places the term appears and inserting
 22 “subsection (a)(2)(B)”; and

23 (3) by striking subsection (c) and inserting the
 24 following:

1 “(e) RESERVE.—From amounts made available
2 under subsection (a)(1) to carry out this subsection, an
3 eligible agency may—

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

7 “(A) rural areas; or

8 “(B) areas with high percentages or high
9 numbers of career and technical education stu-
10 dents;

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

13 “(A) innovative statewide initiatives that
14 demonstrate benefits for eligible recipients,
15 which may include—

16 “(i) developing and implementing
17 technical assessments;

18 “(ii) improving the professional devel-
19 opment of career and technical education
20 teachers, faculty, principals, and adminis-
21 trators; and

22 “(iii) establishing, enhancing, and
23 supporting systems for accountability data
24 collection or reporting purposes; or

1 “(B) the development and implementation
 2 of career pathways or career clusters; and
 3 ~~“(3) carry out activities described in para-~~
 4 ~~graphs (1) and (2).”.~~

5 **SEC. 104. ACCOUNTABILITY.**

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

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

9 (2) in subsection (a)—

10 (A) by striking “a State performance ac-
 11 countability system” and inserting “and sup-
 12 port State and local performance accountability
 13 systems”; and

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

16 ~~(3) in subsection (b)—~~

17 (A) in paragraph (1)—

18 (i) in subparagraph (A), by striking
 19 “paragraph (2)(A)” and inserting “sub-
 20 paragraphs (A) and (B) of paragraph (2)”;
 21 and

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

24 (B) in paragraph (2)—

1 (i) by striking subparagraph (A) and
2 inserting the following:

3 “(A) CORE INDICATORS OF PERFORMANCE
4 FOR SECONDARY CAREER AND TECHNICAL EDU-
5 CATION STUDENTS.—Each eligible agency shall
6 identify in the State plan core indicators of per-
7 formance for secondary career and technical
8 education students that include, at a minimum,
9 measures of each of the following:

10 “(i) Student achievement on technical
11 assessments and attainment of career and
12 technical skill proficiencies that are aligned
13 with nationally recognized industry stand-
14 ards, if available and appropriate.

15 “(ii) Student attainment of chal-
16 lenging academic content standards and
17 student academic achievement standards,
18 as adopted by the State under section
19 1111(b)(1) of the Elementary and Sec-
20 ondary Education Act of 1965 and meas-
21 ured by the academic assessments de-
22 scribed in section 1111(b)(3) of such Act,
23 consistent with State requirements.

24 “(iii) Student rates of attainment
25 of—

1 “(I) a secondary school diploma;

2 “(II) the recognized equivalent of

3 a secondary school diploma;

4 “(III) technical skill proficiency;

5 “(IV) a credential;

6 “(V) a certificate; and

7 “(VI) a degree.

8 “(iv) Placement in postsecondary edu-
9 cation, military service, apprenticeship pro-
10 grams, or employment.

11 “(v) Student participation in, and
12 completion of, career and technical edu-
13 cation programs that lead to employment
14 in nontraditional fields.”;

15 (ii) by redesignating subparagraphs
16 (B) through (D) as subparagraphs (C)
17 through (E);

18 (iii) by inserting after subparagraph
19 (A) the following:

20 “(B) CORE INDICATORS OF PERFORMANCE
21 FOR POSTSECONDARY CAREER AND TECHNICAL
22 STUDENTS.—Each eligible agency shall identify
23 in the State plan core indicators of performance
24 for postsecondary career and technical edu-

1 cation students that include, at a minimum,
2 measures of each of the following:

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

8 “(ii) Student attainment of technical
9 skill proficiency, a credential, a certificate,
10 or a degree, or retention in postsecondary
11 education, including transfer to a baccalaureate degree program.

12 “(iii) Placement in military service,
13 apprenticeship programs, or employment.

14 “(iv) Student participation in, and
15 completion of, career and technical edu-
16 cation programs that lead to employment
17 in nontraditional fields.

18 “(v) Increase in earnings, where avail-
19 able.”;

20 (iv) in subparagraph (C) (as redesignated by clause (ii) of this subparagraph),
21 by striking “the title.” and inserting “this
22 title, such as attainment of self-suffi-
23 ciency.”;
24
25

1 (v) in subparagraph (D) (as redesignated by clause (ii) of this subparagraph),
 2 by inserting “career and technical education” after “developed State”;

3 (vi) in subparagraph (E) (as redesignated by clause (ii) of this subparagraph)—

4 (I) by striking “this paragraph”
 5 and inserting “subparagraphs (A) and
 6 (B)”;

7 (II) by striking “recipients.” and
 8 inserting “recipients, and shall meet
 9 the requirements of this section.”;

10 (vii) by adding at the end the following:

11 “(F) ALIGNMENT OF PERFORMANCE INDICATORS.—In the course of identifying core indicators of performance and additional indicators of performance, States shall, to the greatest extent possible, define the indicators so that substantially similar information gathered for other State and Federal programs, or any other purpose, is used to meet the requirements of this section.”;

12 (C) in paragraph (3)—

1 (i) in the paragraph heading, by strik-
 2 ing “LEVELS” and inserting “STATE LEV-
 3 ELS”;

4 (ii) in subparagraph (A)—

5 (I) in clause (i)—

6 (aa) by striking “paragraph
 7 (2)(A)” and inserting “subpara-
 8 graphs (A) and (B) of paragraph
 9 (2)”;

10 (bb) by inserting “after tak-
 11 ing into account the local ad-
 12 justed levels of performance and”
 13 after “eligible agency, ; and

14 (cc) by striking subclause
 15 (II) and inserting the following:

16 “(II) require the eligible recipi-
 17 ents to make continuous and signifi-
 18 cant improvement in career and tech-
 19 nical achievement of career and tech-
 20 nical education students, including
 21 special populations.”;

22 (II) in clause (v)—

23 (aa) in the clause heading,
 24 by striking “3RD, 4TH, AND 5TH”
 25 and inserting “SUBSEQUENT”;

1 (bb) by striking “third pro-
 2 gram year” and inserting “third
 3 and fifth program years”; and

4 (cc) by striking “third,
 5 fourth, and fifth” and inserting
 6 “corresponding subsequent”;

7 (III) in clause (vi)(H), by insert-
 8 ing “and significant” after “contin-
 9 uous”; and

10 (IV) in clause (vii), by striking
 11 “or (vi)” and inserting “or (v)”; and
 12 (iii) in subparagraph (B), by striking

13 “(2)(B)” and inserting “(2)(C)”; and

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

15 “(4) LOCAL LEVELS OF PERFORMANCE.—

16 “(A) LOCAL ADJUSTED LEVELS OF PER-
 17 FORMANCE FOR CORE INDICATORS OF PER-
 18 FORMANCE.—

19 “(i) IN GENERAL.—Each eligible re-
 20 cipient shall accept the State adjusted lev-
 21 els of performance established under para-
 22 graph (3) as local adjusted levels of per-
 23 formance, or negotiate with the State to
 24 reach agreement on new local adjusted lev-
 25 els of performance, for each of the core in-

1 indicators of performance described in sub-
 2 paragraphs (A) and (B) of paragraph (2)
 3 for career and technical education activi-
 4 ties authorized under this title. The levels
 5 of performance established under this sub-
 6 paragraph shall, at a minimum—

7 “(I) be expressed in a percentage
 8 or numerical form, so as to be objec-
 9 tive, quantifiable, and measurable;
 10 and

11 “(II) require the eligible recipient
 12 to make continuous and significant
 13 improvement in career and technical
 14 achievement of career and technical
 15 education students.

16 “(ii) IDENTIFICATION IN THE LOCAL
 17 PLAN.—Each eligible recipient shall iden-
 18 tify, in the local plan submitted under sec-
 19 tion 134, levels of performance for each of
 20 the core indicators of performance for the
 21 first 2 program years covered by the local
 22 plan.

23 “(iii) AGREEMENT ON LOCAL AD-
 24 JUSTED LEVELS OF PERFORMANCE FOR
 25 FIRST 2 YEARS.—The eligible agency and

1 each eligible recipient shall reach agree-
2 ment on the eligible recipient's levels of
3 performance for each of the core indicators
4 of performance for the first 2 program
5 years covered by the local plan, taking into
6 account the levels identified in the local
7 plan under clause (ii) and the factors de-
8 scribed in clause (v). The levels of perform-
9 ance agreed to under this clause shall be
10 considered to be the local adjusted levels of
11 performance for the eligible recipient for
12 such years and shall be incorporated into
13 the local plan prior to the approval of such
14 plan.

15 “(iv) AGREEMENT ON LOCAL AD-
16 JUSTED LEVELS OF PERFORMANCE FOR
17 SUBSEQUENT YEARS.—Prior to the third
18 and fifth program years covered by the
19 local plan, the eligible agency and each eli-
20 gible recipient shall reach agreement on
21 the local adjusted levels of performance for
22 each of the core indicators of performance
23 for the corresponding subsequent program
24 years covered by the local plan, taking into
25 account the factors described in clause (v).

1 The local adjusted levels of performance
2 agreed to under this clause shall be consid-
3 ered to be the local adjusted levels of per-
4 formance for the eligible recipient for such
5 years and shall be incorporated into the
6 local plan.

7 “(v) FACTORS.—The agreement de-
8 scribed in clause (iii) or (iv) shall take into
9 account—

10 “(I) how the levels of perform-
11 ance involved compare with the local
12 adjusted levels of performance estab-
13 lished for other eligible recipients; tak-
14 ing into account factors including the
15 characteristics of participants when
16 the participants entered the program
17 and the services or instruction to be
18 provided; and

19 “(II) the extent to which the
20 local adjusted levels of performance
21 involved promote continuous and sig-
22 nificant improvement on the core indi-
23 cators of performance by the eligible
24 recipient.

1 “(vi) REVISIONS.—If unanticipated
 2 circumstances arise with respect to an eli-
 3 gible recipient resulting in a significant
 4 change in the factor described in clause
 5 (v)(II), the eligible recipient may request
 6 that the local adjusted levels of perform-
 7 ance agreed to under clause (iii) or (iv) be
 8 revised. The eligible agency shall issue ob-
 9 jective criteria and methods for making
 10 such revisions.

11 “(B) LEVELS OF PERFORMANCE FOR AD-
 12 DITIONAL INDICATORS.—Each eligible recipient
 13 may identify, in the local plan, local levels of
 14 performance for any additional indicators of
 15 performance described in paragraph (2)(C).
 16 Such levels shall be considered to be the local
 17 levels of performance for purposes of this title.

18 “(C) REPORT.—Each eligible recipient
 19 that receives an allocation under section 131
 20 shall publicly report, on an annual basis, its
 21 progress in achieving the local adjusted levels of
 22 performance on the core indicators of perform-
 23 ance.”; and

24 (4) by striking subsection (c)(1)(B) and insert-
 25 ing:

1 “(B) information on the levels of perform-
2 ance achieved by the State with respect to the
3 additional indicators of performance, including
4 the levels of performance disaggregated for
5 postsecondary institutions, by special popu-
6 lations, and for secondary institutions, by spe-
7 cial populations and by the categories described
8 in section 1111(h)(1)(C)(i) of the Elementary
9 and Secondary Education Act of 1965, except
10 that such disaggregation shall not be required
11 in a case in which the number of individuals in
12 a category is insufficient to yield statistically re-
13 liable information or the results would reveal
14 personally identifiable information about an in-
15 dividual.”.

16 **SEC. 105. NATIONAL ACTIVITIES.**

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

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

20 (2) in subsection (a)(1), by striking “, including
21 an analysis of performance data regarding special
22 populations” and inserting “, including an analysis
23 of performance data that is disaggregated for post-
24 secondary institutions, by special populations, and
25 for secondary institutions, by special populations and

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

9 ~~(3)~~ in subsection (c)—

10 (A) by striking paragraph ~~(2)~~ and insert-
 11 ing the following:

12 ~~“(2) INDEPENDENT ADVISORY PANEL.—~~

13 ~~“(A) IN GENERAL.—~~The Secretary shall
 14 appoint an independent advisory panel to advise
 15 the Secretary on the implementation of the as-
 16 sessment described in paragraph ~~(3)~~, including
 17 the issues to be addressed and the methodology
 18 of the studies involved to ensure that the as-
 19 sessment adheres to the highest standards of
 20 quality.

21 ~~“(B) MEMBERS.—~~The advisory panel shall
 22 consist of—

23 ~~“(i) educators, principals, and admin-~~
 24 ~~istrators (including State directors of ea-~~
 25 ~~reer and technical education); with exper-~~

1 tise in the integration of academic and ca-
2 reer and technical education;

3 “~~(ii)~~ experts in evaluation, research,
4 and assessment;

5 “~~(iii)~~ representatives of labor organi-
6 zations and businesses, including small
7 businesses;

8 “~~(iv)~~ parents;

9 “~~(v)~~ career guidance and academic
10 counseling professionals; and

11 “~~(vi)~~ other individuals and inter-
12 mediaries with relevant expertise.

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

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

22 ~~(B)~~ in paragraph ~~(3)~~—

23 (i) by striking subparagraph ~~(A)~~ and
24 inserting the following:

1 “(A) IN GENERAL.—From amounts made
2 available under subsection (d), the Secretary
3 shall provide for the conduct of an independent
4 evaluation and assessment of career and tech-
5 nical education programs under this Act, in-
6 cluding the implementation of the Carl D. Per-
7 kins Career and Technical Education Improve-
8 ment Act of 2004, to the extent practicable,
9 through studies and analyses conducted inde-
10 pendently through grants, contracts, and coop-
11 erative agreements that are awarded on a com-
12 petitive basis.”;

13 (ii) in subparagraph (B)—

14 (I) by striking clause (iii) and in-
15 sserting the following:

16 “(iii) the preparation and qualifica-
17 tions of teachers and faculty of career and
18 technical education, as well as shortages of
19 such teachers and faculty;”;

20 (II) by striking clause (v) and in-
21 sserting the following:

22 “(v) academic and career and tech-
23 nical education achievement and employ-
24 ment outcomes of career and technical
25 education students, including analyses of—

1 “(I) the number of career and
2 technical education students and tech-
3 prep students who meet the State ad-
4 justed levels of performance estab-
5 lished under section 113;

6 “(II) the extent and success of
7 integration of challenging academic
8 and career and technical education for
9 students participating in career and
10 technical education programs;

11 “(III) the extent to which career
12 and technical education programs pre-
13 pare students, including special popu-
14 lations, for subsequent employment in
15 high skill, high wage occupations, or
16 participation in postsecondary edu-
17 cation; and

18 “(IV) the number of career and
19 technical education students receiving
20 a high school diploma;”;

21 (III) in clause (vi), by inserting
22 “; and career and technical education
23 students’ preparation for employ-
24 ment” after “programs”; and

- 1 (IV) in clause (viii), by inserting
2 “and local” after “State” both places
3 such term appears; and
4 (iii) in subparagraph (C)—
5 (I) in clause (i)—
6 (aa) by striking “Committee
7 on Education” and all that fol-
8 lows through “Senate” and in-
9 serting “relevant committees of
10 Congress”; and
11 (bb) by striking “2002”
12 both places it appears and insert-
13 ing “2008”; and
14 (II) in clause (ii), by striking
15 “Committee on Education” and all
16 that follows through “Senate” and in-
17 serting “relevant committees of Con-
18 gress”;
- 19 (C) in paragraph (4)(B), by striking
20 “Committee on Education” and all that follows
21 through “Senate” and inserting “relevant com-
22 mittees of Congress”;
- 23 (D) in paragraph (5)—
24 (i) in subparagraph (A)—

1 (I) in the matter preceding clause
2 (i), by striking “higher education”
3 and all that follows through “centers”
4 and inserting “higher education offer-
5 ing comprehensive graduate programs
6 in career and technical education that
7 shall be the primary recipient and
8 shall collaborate with a public or pri-
9 vate nonprofit organization or agency,
10 or a consortium of such institutions,
11 organizations, or agencies, to establish
12 a national research center”;

13 (II) in clause (i)—

14 (aa) by inserting “and eval-
15 uation” after “to carry out re-
16 search”; and

17 (bb) by inserting “, includ-
18 ing special populations,” after
19 “participants”;

20 (III) by redesignating clause (ii),
21 (iii), and (iv), as clauses (iii), (iv), and
22 (v), respectively;

23 (IV) by inserting after clause (i)
24 the following:

1 “(ii) to carry out research for the pur-
2 pose of developing, improving, and identi-
3 fying the most successful methods for suc-
4 cessfully addressing the needs of employers
5 in high skill, high wage business and in-
6 dustry, including evaluation and scientif-
7 ically based research of—

8 “(I) collaboration between career
9 and technical education programs and
10 business and industry;

11 “(II) academic and technical
12 skills required to respond to the chal-
13 lenge of a global economy and rapid
14 technological changes; and

15 “(III) technical knowledge and
16 skills required to respond to needs of
17 a regional or sectoral workforce, in-
18 cluding small business;”;

19 “(V) in clause (iii) (as redesi-
20 gnated by subclause (III) of this
21 clause); by inserting “that are inte-
22 grated with challenging academic in-
23 struction” before “, including”; and

1 (VI) by striking clause (iv) (as
2 redesignated by subclause (III) of this
3 clause) and inserting the following:

4 “(iv) to carry out scientifically based
5 research, where appropriate, that can be
6 used to improve preparation and profes-
7 sional development of teachers, faculty,
8 principals, and administrators and student
9 learning in the career and technical edu-
10 cation classroom, including—

11 “(I) effective in-service and pre-
12 service teacher and faculty education
13 that assists career and technical edu-
14 cation programs in—

15 “(aa) integrating those pro-
16 grams with academic content
17 standards and student academic
18 achievement standards, as adopt-
19 ed by States under section
20 1111(b)(1) of the Elementary
21 and Secondary Education Act of
22 1965; and

23 “(bb) promoting technical
24 education aligned with industry-
25 based standards and certifi-

1 eations to meet regional industry
2 needs;

3 “(II) dissemination and training
4 activities related to the applied re-
5 search and demonstration activities
6 described in this subsection, which
7 may also include serving as a reposi-
8 tory for information on career and
9 technical education skills, State aca-
10 ademic standards, and related mate-
11 rials; and

12 “(III) the recruitment and reten-
13 tion of career and technical education
14 teachers, faculty, counselors, prin-
15 cipals, and administrators, including
16 individuals in groups underrep-
17 resented in the teaching profession;
18 and”;

19 (ii) in subparagraph (B)—

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

22 (II) by striking “Committee on
23 Education” and all that follows
24 through “Senate” and inserting “rel-
25 evant committees of Congress”;

1 (iii) in subparagraph (C), by striking
2 “or centers”; and

3 (iv) by adding at the end the fol-
4 lowing:

5 “(D) INDEPENDENT GOVERNING BOARD.—

6 “(i) IN GENERAL.—An institution of
7 higher education that desires a grant, con-
8 tract, or cooperative agreement under this
9 paragraph shall identify, in its application,
10 an independent governing board for the
11 center established pursuant to this para-
12 graph.

13 “(ii) MEMBERS.—The independent
14 governing board shall consist of the fol-
15 lowing:

16 “(I) Two representatives of sec-
17 ondary career and technical education.

18 “(II) Two representatives of
19 postsecondary career and technical
20 education.

21 “(III) Two representatives of eli-
22 gible agencies.

23 “(IV) Two representatives of
24 business and industry.

1 “(V) Two representatives of ca-
2 reer and technical teacher preparation
3 institutions.

4 “(VI) Two nationally recognized
5 researchers in the field of career and
6 technical education.

7 “(iii) COORDINATION.—The inde-
8 pendent governing board shall ensure that
9 the research and dissemination activities
10 carried out by the center are coordinated
11 with the research activities carried out by
12 the Secretary.”;

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

15 (F) by striking paragraph (8); and

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

17 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 such sums as may be necessary for each of fiscal years
20 2005 through 2010.”.

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

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

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

25 (2) in subsection (b)—

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

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

6 (C) by redesignating paragraphs (2) and
7 (3) as paragraphs (3) and (4), respectively; and

8 (D) by inserting after paragraph (1) the
9 following:

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

12 ~~(3)~~ in subsection (d)—

13 (A) by striking “the Republic of the Mar-
14 shall Islands, the Federated States of Micro-
15 nesia, and”; and

16 (B) by striking “2001” and inserting
17 “2007”.

18 **SEC. 107. NATIVE AMERICAN PROGRAM.**

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

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

22 (2) in subsection (a)(5), by adding a period at
23 the end;

24 (3) in subsection (b)—

1 (A) in paragraph (1), by striking “(d)”
2 and inserting “(e)”; and

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

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

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

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

11 **SEC. 108. TRIBALLY CONTROLLED POSTSECONDARY CA-**

12 **REER AND TECHNICAL INSTITUTIONS.**

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

14 (1) by striking the section heading and insert-
15 ing the following:

16 **“SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CA-**

17 **REER AND TECHNICAL INSTITUTIONS.”;**

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

20 (3) in subsection (g)—

21 (A) in paragraph (1), by striking “The
22 Secretary” and inserting “On an annual basis,
23 the Secretary”;

24 (B) in paragraph (2)(B), by striking
25 “2000” and inserting “2006”; and

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

6 (4) by redesignating subsections (h) and (i) as
 7 subsections (i) and (j), respectively;

8 (5) by inserting after subsection (g) the fol-
 9 lowing:

10 “(h) APPEALS.—

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

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

18 “(B) A determination regarding the cal-
 19 culation of the amount of a grant awarded
 20 under this section.

21 “(2) PROCEDURE FOR APPEAL.—To appeal a
 22 determination described in paragraph (1), a tribally
 23 controlled postsecondary career and technical insti-
 24 tution shall—

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

6 “(B) in the case of an appeal based on a
7 determination regarding the calculation of the
8 amount of a grant awarded under this sec-
9 tion—

10 “(i) file a notice of appeal with the
11 Secretary not later than 30 days after re-
12 ceipt of the Secretary’s notification of the
13 grant amount; and

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

16 “(3) WITHHOLDING OF AMOUNT.—If a tribally
17 controlled postsecondary career and technical insti-
18 tution appeals a determination described in para-
19 graph (1), the Secretary shall withhold the amount
20 in dispute from the award of grant funds under this
21 section until such time as the administrative law
22 judge has issued a written decision on the appeal.”;
23 and

1 (6) by striking subsection (j) (as redesignated
2 by paragraph (4) of this section) and inserting the
3 following:

4 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section
6 \$10,000,000 for fiscal year 2005 and such sums as may
7 be necessary for each of the 5 succeeding fiscal years.”.

8 **SEC. 109. OCCUPATIONAL AND EMPLOYMENT INFORMA-**
9 **TION.**

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

11 (1) in subsection (a)—

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

14 (B) in paragraph (1)—

15 (i) in subparagraph (A), by striking
16 “(b)” both places it appears and inserting
17 “(e)”;

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

20 (iii) in subparagraph (C), by striking
21 “(b)” and inserting “(e)”;

22 (C) in paragraph (2), by striking “(b)”
23 both places it appears and inserting “(e)”;

24 (2) by redesignating subsections (b) through (f)
25 as subsections (e) through (g), respectively;

1 (3) by inserting after subsection (a) the fol-
 2 lowing:

3 “(b) STATE APPLICATION.—

4 “(1) IN GENERAL.—Each State desiring assist-
 5 ance under this section shall submit an application
 6 to the Secretary at the same time the State submits
 7 its State plan under section 122, in such manner,
 8 and accompanied by such additional information, as
 9 the Secretary may reasonably require.

10 “(2) CONTENTS.—Each application submitted
 11 under paragraph (1) shall include—

12 “(A) a description of how the State entity
 13 designated in subsection (c) will provide infor-
 14 mation based on labor market trends to inform
 15 program development; and

16 “(B) information about the academic con-
 17 tent standards and student academic achieve-
 18 ment standards adopted by the State under sec-
 19 tion 1111(b)(1) of the Elementary and Sec-
 20 ondary Education Act of 1965.”;

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

23 (A) in paragraph (1), by striking “individ-
 24 uals” and all that follows through the semicolon
 25 and inserting “students and parents, including

1 postsecondary education and training, including
2 preparation for high skill, high wage, or high
3 demand occupations and nontraditional fields in
4 emerging or established professions;”;

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

7 (C) by striking paragraph (3) and insert-
8 ing the following:

9 “(3) to equip teachers, faculty, administrators,
10 and counselors with the knowledge, skills, and occu-
11 pational information needed to assist parents and all
12 students, especially special populations underrep-
13 resented in certain careers, with career exploration,
14 educational opportunities, education financing, and
15 exposure to high skill, high wage, or high demand
16 occupations and nontraditional fields;”;

17 (D) in paragraph (4), by striking “such
18 entities;” and inserting “such entities, with an
19 emphasis on high skill, high wage, or high de-
20 mand occupations in emerging or established
21 professions;”;

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

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

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

2 “(7) to provide information, if available, for
3 each occupation, on—

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

7 “(B) the expected lifetime earnings; and

8 “(C) and the expected future demand for
9 the occupation, based on employment projec-
10 tions.”;

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

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

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

20 (8) in subsection (g) (as redesignated by para-
21 graph (2) of this section), by striking “1999 through
22 2003” and inserting “2005 through 2010”.

23 **SEC. 110. STATE ADMINISTRATION.**

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

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

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

6 (3) by redesignating clauses (i) and (ii) of para-
7 graph (4) (as redesignated by paragraph (2) of this
8 section) as subparagraphs (A) and (B), respectively,
9 and indenting appropriately;

10 (4) by striking the following:

11 “(a) ELIGIBLE AGENCY RESPONSIBILITIES.—

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

14 “(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The re-
15 sponsibilities”;

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

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

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

23 (B) by inserting “all types and sizes of”
24 after “representatives of”; and

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

4 **SEC. 111. STATE PLAN.**

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

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

8 (2) in subsection (a)—

9 (A) in paragraph (1)—

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

11 and

12 (ii) by adding at the end the fol-
13 lowing: “Each eligible agency may submit
14 a transition plan during the first full year
15 of implementation of this Act after the date
16 of enactment of the Carl D. Perkins Career
17 and Technical Education Improvement Act
18 of 2004. The transition plan shall fulfill the
19 eligible agency’s State plan submission obli-
20 gation under this section.”; and

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

23 (3) by striking subsection (b)(1) and inserting
24 the following:

1 “(1) IN GENERAL.—The eligible agency shall
2 develop the State plan in consultation with academic
3 and career and technical education teachers, faculty,
4 principals, and administrators, career guidance and
5 academic counselors, eligible recipients, parents, stu-
6 dents, the State tech-prep coordinator and rep-
7 resentatives of tech-prep consortia (if applicable), in-
8 terested community members (including parent and
9 community organizations), representatives of special
10 populations, representatives of business (including
11 small business) and industry, and representatives of
12 labor organizations in the State, and shall consult
13 the Governor of the State with respect to such devel-
14 opment.”;

15 (4) by striking subsection (c) and inserting the
16 following:

17 “(c) PLAN CONTENTS.—The State plan shall include
18 information that—

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

23 “(A) how the eligible agency will support
24 eligible recipients in developing or implementing
25 career pathways for career and technical edu-

1 education content areas that are designed to meet
2 relevant workforce needs, including how the eli-
3 gible agency will—

4 “(i) support eligible recipients in de-
5 veloping articulation agreements between
6 secondary and postsecondary institutions;

7 “(ii) support eligible recipients in
8 using labor market information to identify
9 career pathways that prepare individuals
10 for high skill, high wage, or high demand
11 occupations;

12 “(iii) make available information
13 about career pathways offered by eligible
14 recipients; and

15 “(iv) consult with business and indus-
16 try and use industry-recognized standards
17 and assessments, if appropriate;

18 “(B) the secondary and postsecondary ea-
19 reer and technical education programs to be
20 carried out, including programs that will be ear-
21 ried out by the eligible agency to develop, im-
22 prove, and expand access to quality technology
23 in career and technical education programs;

24 “(C) the criteria that will be used by the
25 eligible agency to approve eligible recipients for

1 funds under this title, including criteria to as-
2 sess the extent to which the local plan will—

3 “(i) promote higher levels of academic
4 achievement;

5 “(ii) promote higher levels of technical
6 skill attainment; and

7 “(iii) identify and address workforce
8 needs;

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

13 “(E) how such programs will prepare ca-
14 reer and technical education students, including
15 special populations, both academically and tech-
16 nically, for opportunities in postsecondary edu-
17 cation or entry into high skill, high wage, or
18 high demand occupations in emerging or estab-
19 lished occupations; and how participating stu-
20 dents will be made aware of such opportunities;
21 and

22 “(F) how funds will be used to improve or
23 develop new career and technical education
24 courses in high skill, high wage, or high de-
25 mand occupations that are aligned with busi-

1 ness needs and industry standards, as appro-
2 priate—

3 “(i) at the secondary level that are
4 aligned with challenging academic content
5 standards and student academic achieve-
6 ment standards adopted by the State
7 under section 1111(b)(1) of the Elemen-
8 tary and Secondary Education Act of
9 1965; and

10 “(ii) at the postsecondary level that
11 are relevant and challenging;

12 “(2) describes how career and technical edu-
13 cation teachers, faculty, principals, administrators,
14 and career guidance and academic counselors will be
15 provided comprehensive initial preparation and pro-
16 fessional development, including through programs
17 and activities that—

18 “(A) promote the integration of chal-
19 lenging academic and career and technical edu-
20 cation curriculum development, including oppor-
21 tunities for teachers to jointly develop and im-
22 plement curriculum and pedagogical strategies
23 with appropriate academic teachers;

1 “(B) increase the academic and career and
2 technical education knowledge of career and
3 technical education teachers and faculty;

4 “(C) are high-quality, sustained, intensive,
5 focused on instruction, directly related to indus-
6 try standards, and includes structured induc-
7 tion and mentoring components for new per-
8 sonnel, with an emphasis on identifying and ad-
9 dressing the needs of local businesses, including
10 small businesses;

11 “(D) ensure an increasing number of ca-
12 reer and technical education teachers and fac-
13 ulty meet teacher certification and licensing re-
14 quirements reflecting the needs of their subject
15 area or areas;

16 “(E) equip them with the knowledge and
17 skills needed to work with and improve instruc-
18 tion for special populations;

19 “(F) assist in accessing and utilizing data,
20 including labor market indicators, student
21 achievement, and assessments;

22 “(G) enhance the leadership capacity of
23 principals and administrators;

24 “(H) are integrated with professional de-
25 velopment activities that the State carries out

1 under title II of the Elementary and Secondary
2 Education Act of 1965 and title II of the High-
3 er Education Act of 1965; and

4 “(I) include strategies to expose all career
5 and technical education students to comprehen-
6 sive information regarding career options that
7 lead to high skill, high wage, or high demand
8 occupations and nontraditional fields;

9 “(3) describes efforts to improve—

10 “(A) the recruitment and retention of ea-
11 reer and technical education teachers, faculty,
12 counselors, principals, and administrators, in-
13 cluding individuals in groups underrepresented
14 in the teaching profession; and

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

17 “(4) describes efforts to improve the capacity of
18 programs and faculty at postsecondary institutions
19 to effectively prepare career and technical education
20 personnel, including, as appropriate, through elec-
21 tronically delivered distance education, and articula-
22 tion agreements between 2-year technical programs
23 and postsecondary education programs;

24 “(5) describes how the eligible agency will ac-
25 tively involve parents, academic and career and tech-

1 nical education teachers, faculty, principals, and ad-
 2 ministrators, career guidance and academic coun-
 3 selors, local businesses (including small- and me-
 4 dium-sized businesses and business intermediaries),
 5 and labor organizations in the planning, develop-
 6 ment, implementation, and evaluation of such career
 7 and technical education programs;

8 “(6) describes how funds received by the eligible
 9 agency through the allotment made under section
 10 111 will be allocated—

11 “(A) among secondary school career and
 12 technical education, or postsecondary and adult
 13 career and technical education, or both, includ-
 14 ing the rationale for such allocation; and

15 “(B) among any consortia that will be
 16 formed among secondary schools and eligible in-
 17 stitutions, and how funds will be allocated
 18 among the members of the consortia, including
 19 the rationale for such allocation;

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

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

24 “(i) at the secondary level that are
 25 aligned with challenging academic content

1 standards and student academic achieve-
2 ment standards adopted by the State
3 under section 1111(b)(1) of the Elemen-
4 tary and Secondary Education Act of
5 1965; and

6 “(ii) at the postsecondary level that
7 are challenging and aligned with business
8 needs and industry standards, as appro-
9 priate;

10 “(B) improve the academic and technical
11 skills of students participating in career and
12 technical education programs, including
13 strengthening the academic, and career and
14 technical, components of career and technical
15 education programs through the integration of
16 academics with career and technical education
17 to ensure learning in the core academic subjects
18 and career and technical education subjects,
19 and provide students with strong experience in,
20 and understanding of, all aspects of an indus-
21 try;

22 “(C) ensure that students who participate
23 in such career and technical education pro-
24 grams are taught to the same challenging aca-

1 demie proficiencies as are taught to all other
2 students; and

3 “(D) encourage secondary school students
4 who participate in such career and technical
5 education programs to enroll in challenging
6 courses in core academic subjects;

7 “(8) describes how the eligible agency will an-
8 nually evaluate the effectiveness of such career and
9 technical education programs; and describes, to the
10 extent practicable, how the eligible agency is coordi-
11 nating such programs to promote relevant lifelong
12 learning and ensure nonduplication with other exist-
13 ing Federal programs;

14 “(9) describes the eligible agency’s program
15 strategies for special populations; including a de-
16 scription of how individuals who are members of the
17 special populations—

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

20 “(B) will not be discriminated against on
21 the basis of their status as members of the spe-
22 cial populations; and

23 “(C) will be provided with programs de-
24 signed to enable the special populations to meet
25 or exceed State adjusted levels of performance;

1 and prepare special populations for further
2 learning and for high skill, high wage, or high
3 demand occupations;

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

6 “(A) the entity within the State with re-
7 sponsibility for elementary and secondary edu-
8 cation;

9 “(B) the entity within the State with re-
10 sponsibility for public institutions engaged in
11 postsecondary education;

12 “(C) State institutions such as State cor-
13 rectional institutions and institutions that serve
14 individuals with disabilities; and

15 “(D) all other relevant State agencies with
16 responsibility for career and technical education
17 and training and workforce development;

18 “(11) describes what steps the eligible agency
19 will take to involve representatives of eligible recipi-
20 ents in the development of the State adjusted levels
21 of performance;

22 “(12) provides assurances that the eligible
23 agency will comply with the requirements of this
24 title and the provisions of the State plan, including
25 the provision of a financial audit of funds received

1 under this title which may be included as part of an
2 audit of other Federal or State programs;

3 “(13) provides assurances that none of the
4 funds expended under this title will be used to ac-
5 quire equipment (including computer software) in
6 any instance in which such acquisition results in a
7 direct financial benefit to any organization rep-
8 resenting the interests of the purchasing entity, the
9 employees of the purchasing entity, or any affiliate
10 of such an organization;

11 “(14) describes how the eligible agency will
12 measure and report data relating to students partici-
13 pating in and completing career and technical edu-
14 cation within specific career clusters in order to ade-
15 quately measure the progress of the students, includ-
16 ing special populations, at—

17 “(A) the secondary level, disaggregated by
18 the categories described in section
19 1111(h)(1)(C)(i) of the Elementary and Sec-
20 ondary Education Act of 1965, except that such
21 disaggregation shall not be required in a case in
22 which the number of individuals in a category
23 is insufficient to yield statistically reliable infor-
24 mation or the results would reveal personally

1 identifiable information about an individual;
2 and

3 “(B) the postsecondary level, disaggregated
4 by special populations and the categories de-
5 scribed in section 1111(h)(1)(C)(i) of the Ele-
6 mentary and Secondary Education Act of 1965,
7 except that such disaggregation shall not be re-
8 quired in a case in which the number of individ-
9 uals in a category is insufficient to yield statis-
10 tically reliable information or the results would
11 reveal personally identifiable information about
12 an individual;

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

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

20 “(17) describes how career and technical edu-
21 cation relates to State and regional occupational op-
22 portunities;

23 “(18) describes the methods proposed for the
24 joint planning and coordination of programs carried

1 out under this title with other Federal education
2 programs;

3 “(19) describes how funds will be used to pro-
4 mote preparation for high skill, high wage, or high
5 demand occupations and nontraditional fields in
6 emerging and established professions;

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

9 “(21) describes how the eligible agency will en-
10 sure that the data reported to the eligible agency
11 from local educational agencies and eligible institu-
12 tions under this title and the data the eligible agency
13 reports to the Secretary are complete, accurate, and
14 reliable; and

15 “(22) contains the description and information
16 specified in sections 112(b)(8) and 121(e) of the
17 Workforce Investment Act of 1998 (29 U.S.C.
18 2822(b)(8) and 2841(e)) concerning the provision of
19 services only for postsecondary students and school
20 dropouts.”;

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

23 “(d) PLAN OPTIONS.—

24 “(1) SINGLE PLAN.—The eligible agency may
25 fulfill the plan or application submission require-

1 ments of this section, section 118(b), and section
 2 141(e) by submitting a single State plan. In such
 3 plan, the eligible agency may allow eligible recipients
 4 to fulfill the plan or application submission require-
 5 ments of section 134 and subsections (a) and (b) of
 6 section 143 by submitting a single local plan.

7 “(2) PLAN SUBMITTED AS PART OF 501
 8 PLAN.—The eligible agency may submit the plan re-
 9 quired under this section as part of the plan sub-
 10 mitted under section 501 of the Workforce Invest-
 11 ment Act of 1998 (20 U.S.C. 9271), provided that
 12 the plan submitted pursuant to the requirement of
 13 this section meets the requirements of this Act.”;
 14 and

15 (6) by striking subsection (f).

16 **SEC. 112. IMPROVEMENT PLANS.**

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

19 **“SEC. 123. IMPROVEMENT PLANS.**

20 “(a) STATE PROGRAM IMPROVEMENT PLAN.—

21 “(1) PLAN.—If a State fails to meet the State
 22 adjusted levels of performance described in the re-
 23 port submitted under section 113(e), the eligible
 24 agency shall develop and implement a program im-
 25 provement plan in consultation with the appropriate

1 agencies, individuals, and organizations for the first
2 program year succeeding the program year in which
3 the eligible agency failed to meet the State adjusted
4 levels of performance, in order to avoid a sanction
5 under paragraph (3).

6 “(2) TECHNICAL ASSISTANCE.—If the Sec-
7 retary determines that an eligible agency is not
8 properly implementing the eligible agency’s respon-
9 sibilities under section 122, or is not making sub-
10 stantial progress in meeting the purpose of this Act,
11 based on the State’s adjusted levels of performance,
12 the Secretary shall work with the eligible agency to
13 implement improvement activities consistent with the
14 requirements of this Act.

15 “(3) FAILURE.—

16 “(A) IN GENERAL.—If an eligible agency
17 fails to meet the State adjusted levels of per-
18 formance, has not implemented an improvement
19 plan as described in paragraph (1), has shown
20 no improvement within 1 year after imple-
21 menting an improvement plan as described in
22 paragraph (1), or has failed to meet the State
23 adjusted levels of performance for 2 or more
24 consecutive years, the Secretary may, after no-
25 tice and opportunity for a hearing, withhold

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

3 “(B) WAIVER FOR EXCEPTIONAL CIR-
4 CUMSTANCES.—The Secretary may waive the
5 sanction in subparagraph (A) due to exceptional
6 or uncontrollable circumstances such as a nat-
7 ural disaster or a precipitous and unforeseen
8 decline in financial resources of the State.

9 “(4) FUNDS RESULTING FROM REDUCED AL-
10 LOTMENTS.—

11 “(A) IN GENERAL.—The Secretary shall
12 use funds withheld under paragraph (3) for a
13 State served by an eligible agency, to provide
14 (through alternative arrangements) services and
15 activities within the State to meet the purposes
16 of this Act.

17 “(B) REDISTRIBUTION.—If the Secretary
18 cannot satisfactorily use funds withheld under
19 paragraph (3), then the amount of funds re-
20 tained by the Secretary as a result of a reduc-
21 tion in an allotment made under paragraph (3)
22 shall be redistributed to other eligible agencies
23 in accordance with section 111.

24 “(b) LOCAL PROGRAM IMPROVEMENT.—

1 “(1) LOCAL EVALUATION.—Each eligible agen-
2 cy shall evaluate annually, using the local adjusted
3 levels of performance described in section 113(b)(4),
4 the career and technical education activities of each
5 eligible recipient receiving funds under this title.

6 “(2) PLAN.—

7 “(A) IN GENERAL.—If, after reviewing the
8 evaluation, the eligible agency determines that
9 an eligible recipient is not making substantial
10 progress in achieving the local adjusted levels of
11 performance, the eligible agency shall—

12 “(i) conduct an assessment of the
13 educational needs that the eligible recipient
14 shall address to overcome local perform-
15 ance deficiencies, including the perform-
16 ance of special populations;

17 “(ii) enter into an improvement plan
18 with an eligible recipient based on the re-
19 sults of the assessment, for the first pro-
20 gram year succeeding the program year in
21 which the eligible recipient failed to meet
22 the local adjusted levels of performance,
23 which plan shall demonstrate how the local
24 performance deficiencies will be corrected
25 and include instructional and other pro-

1 grammatic innovations of demonstrated ef-
2 fectiveness, and where necessary, strategies
3 for appropriate staffing and professional
4 development; and

5 “(iii) conduct regular evaluations of
6 the progress being made toward reaching
7 the local adjusted levels of performance, as
8 described in section 113(b)(4), and
9 progress on implementing the improvement
10 plan.

11 “(B) CONSULTATION.—The eligible agency
12 shall conduct the activities described in sub-
13 paragraph (A) in consultation with teachers,
14 principals, administrators, faculty, parents,
15 other school staff, appropriate agencies, and
16 other appropriate individuals and organizations.

17 “(3) TECHNICAL ASSISTANCE.—If the eligible
18 agency determines that an eligible recipient is not
19 properly implementing the eligible recipient’s respon-
20 sibilities under section 134, or is not making sub-
21 stantial progress in meeting the purpose of this Act,
22 based on the local adjusted levels of performance,
23 the eligible agency shall provide technical assistance
24 to the eligible recipient to assist the eligible recipient
25 in carrying out the improvement activities consistent

1 with the requirements of this Act. An eligible recipi-
2 ent, in collaboration with the eligible agency, may re-
3 quest that the Secretary provide additional technical
4 assistance.

5 “(4) FAILURE.—

6 “(A) IN GENERAL.—If an eligible recipient
7 fails to meet the local adjusted levels of per-
8 formance as described in section 113(b)(4) and
9 has not implemented an improvement plan as
10 described in paragraph (2), has shown no im-
11 provement within 1 year after implementing an
12 improvement plan as described in paragraph
13 (2), or has failed to meet more than 1 of the
14 local adjusted levels of performance for 2 or
15 more consecutive years, the eligible agency may,
16 after notice and opportunity for a hearing,
17 withhold from the eligible recipient all, or a por-
18 tion of, the eligible recipient’s allotment under
19 this title.

20 “(B) WAIVER FOR EXCEPTIONAL CIR-
21 CUMSTANCES.—The eligible agency may waive
22 the sanction under this paragraph due to excep-
23 tional or uncontrollable circumstances such as
24 organizational structure, or a natural disaster

1 or a precipitous and unforeseen decline in fi-
 2 nancial resources of the eligible recipient.

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

9 **SEC. 113. STATE LEADERSHIP ACTIVITIES.**

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

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

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

15 (3) in subsection (b)—

16 (A) in paragraph (1), by striking “further
 17 learning” and all that follows through the semi-
 18 colon and inserting “further education, further
 19 training, or for high skill, high wage, or high
 20 demand occupations”;

21 (B) in paragraph (2), by striking subpara-
 22 graphs (A) through (C) and inserting the fol-
 23 lowing:

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

1 ance and academic counselors, and administra-
2 tors to use technology, including distance learn-
3 ing;

4 “(B) encouraging schools to work with
5 technology industries to offer voluntary intern-
6 ships and mentoring programs; or

7 “(C) encouraging lifelong learning, includ-
8 ing through partnerships that may involve insti-
9 tutions of higher education, organizations pro-
10 viding career and technical education, busi-
11 nesses, and communications entities;”;

12 (C) by striking paragraph (3) and insert-
13 ing the following:

14 “(3) professional development programs, includ-
15 ing providing comprehensive professional develop-
16 ment (including initial teacher preparation) for ea-
17 reer and technical education teachers, faculty, prin-
18 cipals, administrators, and career guidance and aca-
19 demic counselors at the secondary and postsecondary
20 levels, that support activities described in section
21 122 and—

22 “(A) provide in-service and pre-service
23 training in career and technical education pro-
24 grams and techniques, effective teaching skills
25 based on promising practices and, where avail-

1 able and appropriate, scientifically based re-
2 search, and effective practices to improve pa-
3 rental and community involvement;

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

7 “(C) support education programs for
8 teachers and faculty of career and technical
9 education in public schools and other public
10 school personnel who are involved in the direct
11 delivery of educational services to career and
12 technical education students to ensure that
13 such personnel—

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

16 “(ii) can effectively develop chal-
17 lenging, integrated academic and career
18 and technical education curriculum jointly
19 with academic teachers, to the extent prac-
20 ticable; and

21 “(iii) develop a higher level of aca-
22 demic and industry knowledge and skills in
23 career and technical education; and

24 “(D) are integrated with the teacher cer-
25 tification or licensing and professional develop-

1 ment activities that the State carries out under
 2 title II of the Elementary and Secondary Edu-
 3 cation Act of 1965 and title II of the Higher
 4 Education Act of 1965;”;

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

7 (E) in paragraph (5), by striking “non-
 8 traditional training and employment” and in-
 9 serting “nontraditional fields in emerging and
 10 established professions, and other activities that
 11 expose students, including special populations,
 12 to high skill, high wage occupations”;

13 (F) in paragraph (6)—

14 (i) by inserting “intermediaries,” after
 15 “labor organizations;” and

16 (ii) by inserting “, or complete career
 17 pathways, as described in section
 18 122(c)(1)(A)” after “skills”;

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

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

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

1 “(9) technical assistance for eligible recipi-
2 ents.”;

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

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

7 “(1) improvement of career guidance and aca-
8 demic counseling programs that assist students in
9 making informed academic, and career and technical
10 education, decisions, including encouraging sec-
11 ondary and postsecondary students to graduate with
12 a diploma or degree; and expose students to high
13 skill, high wage occupations and nontraditional fields
14 in emerging and established professions;

15 “(2) establishment of agreements, including ar-
16 ticulation agreements, between secondary and post-
17 secondary career and technical education programs
18 in order to provide postsecondary education and
19 training opportunities for students participating in
20 such career and technical education programs, such
21 as tech-prep programs;

22 “(3) support for career and technical student
23 organizations, especially with respect to efforts to in-
24 crease the participation of students who are mem-
25 bers of special populations;

1 “(4) support for public charter schools oper-
2 ating secondary career and technical education pro-
3 grams;

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

8 “(6) support for family and consumer sciences
9 programs;

10 “(7) support for partnerships between edu-
11 cation and business or business intermediaries, in-
12 cluding cooperative education and adjunct faculty
13 arrangements at the secondary and postsecondary
14 levels;

15 “(8) support to improve or develop new career
16 and technical education courses and initiatives, in-
17 cluding career clusters, career academies, and dis-
18 tance learning, that prepare individuals academically
19 and technically for high skill, high wage, or high de-
20 mand occupations;

21 “(9) awarding incentive grants to eligible recipi-
22 ents for exemplary performance in carrying out pro-
23 grams under this Act, which awards shall be based
24 on local performance indicators, as described in sec-

1 tion 113, in accordance with previously publicly dis-
2 closed priorities;

3 “(10) providing career and technical education
4 programs for adults and school dropouts to complete
5 their secondary school education;

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

13 “(12) developing valid and reliable assessments
14 of technical skills that are integrated with industry
15 certification assessments where available;

16 “(13) developing and enhancing data systems to
17 collect and analyze data on secondary and postsec-
18 ondary academic and employment outcomes;

19 “(14) improving—

20 “(A) the recruitment and retention of ca-
21 reer and technical education teachers, faculty,
22 principals, administrators, and career guidance
23 and academic counselors, including individuals
24 in groups underrepresented in the teaching pro-
25 fession; and

1 “(B) the transition to teaching from busi-
 2 ness and industry, including small business; and
 3 “(15) adopting, calculating, or commissioning a
 4 self-sufficiency standard.”; and
 5 (5) in subsection (d), by striking “112(a)(2)”
 6 and inserting “112(a)(2)(A)”.

7 **SEC. 114. DISTRIBUTION OF FUNDS TO SECONDARY**
 8 **SCHOOL PROGRAMS.**

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

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

12 (2) by striking subsection (a);

13 (3) by redesignating subsections (b) through (i)
 14 as subsections (a) through (h), respectively;

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

17 (A) in the subsection heading, by striking
 18 “SPECIAL DISTRIBUTION RULES FOR SUC-
 19 CEEDING FISCAL YEARS” and inserting “DIS-
 20 TRIBUTION RULES”; and

21 (B) by striking “for fiscal year 2000 and
 22 succeeding fiscal years”;

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

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

3 (B) in paragraph (1), by striking
 4 “9902(2))” and inserting “9902(2))”;

5 (6) in subsection (e) (as redesignated by para-
 6 graph (3) of this section); in the subsection heading,
 7 by striking “VOCATIONAL” and inserting “CAREER”;
 8 and

9 (7) in subsection (g) (as redesignated by para-
 10 graph (3) of this section); by striking “subsections
 11 (a), (b), (c), and (d)” and inserting “subsections (a),
 12 (b), and (c)”.

13 **SEC. 115. DISTRIBUTION OF FUNDS FOR POSTSECONDARY**
 14 **CAREER AND TECHNICAL EDUCATION PRO-**
 15 **GRAMS.**

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

18 **“SEC. 132. DISTRIBUTION OF FUNDS FOR POSTSECONDARY**
 19 **CAREER AND TECHNICAL EDUCATION PRO-**
 20 **GRAMS.”.**

21 **SEC. 116. SPECIAL RULES FOR CAREER AND TECHNICAL**
 22 **EDUCATION.**

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

24 (1) by striking the section heading and insert-
 25 ing the following:

1 **“SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL**
 2 **EDUCATION.”;**

3 and

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

6 **SEC. 117. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**
 7 **CATION PROGRAMS.**

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

9 (1) by striking the section heading and insert-
 10 ing the following:

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

13 and

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

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

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

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

24 “(A) offer the appropriate courses of not
 25 less than 1 of the career pathways described in
 26 section 122(c)(1)(A);

1 “(B) improve the academic and technical
2 skills of students participating in career and
3 technical education programs by strengthening
4 the academic and career and technical edu-
5 cation components of such programs through
6 the integration of challenging academics with
7 career and technical education programs
8 through a coherent sequence of courses to en-
9 sure learning in the core academic subjects, and
10 career and technical education subjects;

11 “(C) provide students with strong experi-
12 ence in and understanding of all aspects of an
13 industry; and

14 “(D) ensure that students who participate
15 in such career and technical education pro-
16 grams are taught to the same challenging aca-
17 demic proficiencies as are taught for all other
18 students;

19 “(4) describe how comprehensive professional
20 development will be provided that is consistent with
21 section 122;

22 “(5) describe how parents, students, academic
23 and career and technical education teachers, faculty,
24 principals, administrators, career guidance and aca-
25 demic counselors, representatives of tech-prep con-

1 sortia (if applicable); representatives of business (in-
2 cluding small business) and industry, labor organiza-
3 tions; representatives of special populations; and
4 other interested individuals are involved in the devel-
5 opment, implementation, and evaluation of career
6 and technical education programs assisted under
7 this title; and how such individuals and entities are
8 effectively informed about, and assisted in, under-
9 standing; the requirements of this title, including ca-
10 reer pathways;

11 “(6) provide assurances that the eligible recipi-
12 ent will provide a career and technical education
13 program that is of such size, scope, and quality to
14 bring about improvement in the quality of career
15 and technical education programs;

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

19 “(8) describe how the eligible recipient—

20 “(A) will review career and technical edu-
21 cation programs, and identify and adopt strate-
22 gies to overcome barriers that result in lowering
23 rates of access to or lowering success in the
24 programs; for special populations; and

1 “(B) will provide programs that are de-
2 signed to enable the special populations to meet
3 the local adjusted levels of performance and
4 prepare for high skill, high wage, or high de-
5 mand occupations, including those that will lead
6 to self-sufficiency;

7 “(9) describe how individuals who are members
8 of special populations will not be discriminated
9 against on the basis of their status as members of
10 the special populations;

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

13 “(11) describe how career guidance and aca-
14 demic counseling will be provided to all career and
15 technical education students; and

16 “(12) describe efforts to improve the recruit-
17 ment and retention of career and technical education
18 teachers, faculty, counselors, principals, and admin-
19 istrators, including individuals in groups underrep-
20 resented in the teaching profession, and the transi-
21 tion to teaching from business and industry.”.

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

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

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

1 (2) in subsection (b)—

2 (A) in the matter preceding paragraph (1),
3 by striking “vocational” and inserting “career”;
4 and

5 (B) by striking paragraphs (1) through (8)
6 and inserting the following:

7 “(1) strengthen the academic and career and
8 technical education skills of students participating in
9 career and technical education programs by
10 strengthening the academic and career and technical
11 education components of such programs through the
12 integration of academics with career and technical
13 education programs through a coherent sequence of
14 courses, such as career pathways described in sec-
15 tion 122(e)(1)(A), to ensure learning in the core
16 academic subjects and career and technical edu-
17 cation subjects;

18 “(2) link secondary career and technical edu-
19 cation and postsecondary career and technical edu-
20 cation, including by—

21 “(A) offering the relevant elements of not
22 less than 1 career pathway described in section
23 122(e)(1)(A);

1 “(B) developing and supporting articula-
2 tion agreements between secondary and postsee-
3 ondary institutions; or

4 “(C) supporting tech-prep programs and
5 consortia;

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

8 “(4) develop, improve, or expand the use of
9 technology in career and technical education, which
10 may include—

11 “(A) training of career and technical edu-
12 cation teachers, faculty, principals, and admin-
13 istrators to use technology, including distance
14 learning; or

15 “(B) encouraging schools to collaborate
16 with technology industries to offer voluntary in-
17 ternships and mentoring programs;

18 “(5) provide professional development programs
19 that are consistent with section 122 to secondary
20 and postsecondary teachers, faculty, principals, ad-
21 ministrators, and career guidance and academic
22 counselors who are involved in integrated career and
23 technical education programs, including—

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

- 1 “(i) in career and technical education
2 programs and techniques;
- 3 “(ii) in effective integration of chal-
4 lenging academic and career and technical
5 education jointly with academic teachers,
6 to the extent practicable;
- 7 “(iii) in effective teaching skills based
8 on research that includes promising prac-
9 tices; and
- 10 “(iv) in effective practices to improve
11 parental and community involvement;
- 12 “(B) support of education programs that
13 provide information on all aspects of an indus-
14 try;
- 15 “(C) internship programs that provide rel-
16 evant business experience; and
- 17 “(D) programs dedicated to the effective
18 use of instructional technology;
- 19 “(6) develop and implement evaluations of the
20 career and technical education programs carried out
21 with funds under this title, including an assessment
22 of how the needs of special populations are being
23 met;

1 “(7) initiate, improve, expand, and modernize
2 quality career and technical education programs, in-
3 cluding relevant technology;

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

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

11 (3) in subsection (c)—

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

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

16 “(2) to provide career guidance and academic
17 counseling that is based on current labor market in-
18 dicators, as provided pursuant to section 118, for
19 students participating in career and technical edu-
20 cation programs that—

21 “(A) improves graduation rates and pro-
22 vides information on postsecondary and career
23 options for secondary students, which activities
24 may include the use of graduation and career
25 plans; and

1 “(B) provides assistance for postsecondary
2 students, including for adult students who are
3 changing careers or updating skills;

4 “(3) for partnerships between the eligible recipi-
5 ent and businesses, including small businesses and
6 business intermediaries, including for—

7 “(A) work-related experience for students,
8 such as internships, cooperative education,
9 school-based enterprises, entrepreneurship, and
10 job shadowing that are related to career and
11 technical education programs;

12 “(B) adjunct faculty arrangements at the
13 secondary and postsecondary levels; and

14 “(C) industry experience for teachers and
15 faculty;

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

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

20 “(6) for mentoring and support services;

21 “(7) for leasing, purchasing, upgrading, or
22 adapting instructional equipment;

23 “(8) for teacher preparation programs that ad-
24 dress the integration of academic and career and
25 technical education and that assist individuals who

1 are interested in becoming career and technical edu-
2 cation teachers and faculty, including individuals
3 with experience in business and industry;

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

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

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

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

15 “(13) to provide career and technical education
16 programs for adults and school dropouts to complete
17 their secondary school education or upgrade their
18 technical skills;

19 “(14) to provide assistance to individuals who
20 have participated in services and activities under
21 this title in finding an appropriate job and con-
22 tinuing their education or training through collabo-
23 ration with the workforce investment system estab-
24 lished under the Workforce Investment Act of 1998
25 (29 U.S.C. 2801 et seq.);

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

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

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

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

9 (1) by striking the title heading and inserting
10 the following:

11 **“PART D—TECH-PREP EDUCATION”;**

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

14 (3) by redesignating sections 203, 204, 205,
15 and 208, as sections 141, 142, 143, and 144, re-
16 spectively.

17 (b) STATE ALLOTMENT AND APPLICATION.—Section
18 141 (as redesignated by subsection (a) of this section) is
19 amended—

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

22 (2) by striking subsection (c) and inserting the
23 following:

24 “(c) STATE APPLICATION.—Each eligible agency de-
25 siring assistance under this part shall submit an applica-

1 tion to the Secretary at such time, in such manner, and
 2 accompanied by such information as the Secretary may
 3 require. Such application shall describe how activities
 4 under this part will be coordinated, to the extent prac-
 5 ticable, with activities described in section 122.”

6 (c) TECH-PREP EDUCATION.—Section 142 (as redes-
 7 ignated by subsection (a) of this section) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1)—

10 (i) by striking “section 203” and in-
 11 sserting “section 141”;

12 (ii) by striking “title” and inserting
 13 “part”;

14 (iii) by striking “vocational” both
 15 places the term appears and inserting “ca-
 16 reer”; and

17 (iv) in subparagraph (A), by inserting
 18 “, educational service agency,” after “in-
 19 termediate educational agency”; and

20 (B) in paragraph (2)—

21 (i) in subparagraph (A), by striking
 22 “and”;

23 (ii) in subparagraph (B), by striking
 24 the period at the end and inserting a semi-
 25 colon; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(C) employers, including small businesses,
4 or business intermediaries; and
5 “(D) labor organizations.”;

6 (2) in subsection (c)—

7 (A) by striking paragraph (2) and insert-
8 ing the following:

9 “(2) consist of not less than 2 years of sec-
10 ondary school with a common core of technical skills
11 and core academic subjects preceding graduation
12 and 2 years or more of higher education, or an ap-
13 prenticeship program of not less than 2 years fol-
14 lowing secondary instruction, designed to lead to
15 technical skill proficiency, a credential, a certificate,
16 or a degree, in a specific career field;”;

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

20 (C) by striking paragraph (4) and insert-
21 ing the following:

22 “(4) include in-service professional development
23 for teachers, faculty, principals, and administrators
24 that—

1 “(A) supports effective implementation of
2 tech-prep programs;

3 “(B) supports joint training in the tech-
4 prep consortium;

5 “(C) supports the needs, expectations, and
6 methods of business and all aspects of an in-
7 dustry;

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

10 “(E) supports the use and application of
11 technology; and

12 “(F) assists in accessing and utilizing
13 data, including labor market indicators, achieve-
14 ment, and assessments;”;

15 (D) in paragraph (5)—

16 (i) by striking “training” and insert-
17 ing “professional development”;

18 (ii) in subparagraph (B), by inserting
19 “, which may include through the use of
20 graduation and career plans” after “pro-
21 grams”;

22 (iii) in subparagraph (D), by striking
23 “and”;

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

1 (v) by adding at the end the following:

2 “(F) provide comprehensive career guid-
3 ance and academic counseling to participating
4 students, including special populations;”;

5 (E) in paragraph (6)—

6 (i) by inserting “(including pre-ap-
7 prenticeship programs)” after “programs”;

8 and

9 (ii) by striking “and” after the semi-
10 colon;

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

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

14 “(8) coordinate with activities conducted under
15 title I.”; and

16 (3) in subsection (d)—

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

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

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

22 “(4) improve career guidance and academic
23 counseling for participating students through the de-
24 velopment and implementation of graduation and ca-
25 reer plans; and

1 “~~(5)~~ develop curriculum that supports effective
2 transitions between secondary and postsecondary ca-
3 reer and technical education programs.”.

4 (d) CONSORTIUM APPLICATIONS.—Section 143 (as
5 redesignated by subsection (a) of this section) is amend-
6 ed—

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

9 (2) in subsection (b)—

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

11 (B) by striking “title” and inserting
12 “part”;

13 (3) in subsection (d)—

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

16 (B) by striking paragraph (4) and insert-
17 ing the following:

18 “~~(4)~~ provide education and training in areas or
19 skills, including emerging technology, in which there
20 are significant workforce shortages based on the
21 data provided by the entity in the State under sec-
22 tion 118;”;

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

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

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

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

6 (e) **AUTHORIZATION OF APPROPRIATIONS.**—Section
7 144 (as redesignated by subsection (a) of this section) is
8 amended—

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

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

13 **TITLE II—GENERAL PROVISIONS**

14 **SEC. 201. REDESIGNATION OF TITLE.**

15 (a) **FEDERAL ADMINISTRATIVE PROVISIONS.**—Title
16 III (20 U.S.C. 2391 et seq.) is amended by redesignating
17 sections 311 through 318 as sections 211 through 218,
18 respectively.

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

23 (c) **TITLE HEADING.**—The title heading of title III
24 (20 U.S.C. 2391 et seq.) is amended to read as follows:

**“TITLE II—GENERAL
PROVISIONS”.**

3 **SEC. 202. FISCAL REQUIREMENTS.**

4 Section 211 (as redesignated by section 201 of this
5 Act) is amended—

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

8 (2) in subsection (b)—

9 (A) by striking paragraph (1) and insert-
10 ing the following:

11 “(1) DETERMINATION.—

12 “(A) IN GENERAL.—Except as provided in
13 subparagraphs (B) and (C), no payments shall
14 be made under this Act for any fiscal year to
15 a State for career and technical education pro-
16 grams or tech-prep programs unless the Sec-
17 retary determines that the average fiscal effort
18 per student or the aggregate expenditures of
19 such State for career and technical education
20 programs for the 3 fiscal years preceding the
21 fiscal year for which the determination is made,
22 equaled or exceeded such effort or expenditures
23 for career and technical education programs,
24 for the 3 fiscal years preceding the fiscal year
25 for which the determination is made.

1 “(B) COMPUTATION.—In computing the
2 average fiscal effort or aggregate expenditures
3 pursuant to subparagraph (A), the Secretary
4 shall exclude capital expenditures, special one-
5 time project costs, and the cost of pilot pro-
6 grams.

7 “(C) DECREASE IN FEDERAL SUPPORT.—
8 If the amount made available for career and
9 technical education programs under this Act for
10 a fiscal year is less than the amount made
11 available for career and technical education pro-
12 grams under this Act for the preceding fiscal
13 year, then the average fiscal effort per student
14 or the aggregate expenditures of a State re-
15 quired by subparagraph (A) for the 3 preceding
16 fiscal years shall be decreased by the same per-
17 centage as the percentage decrease in the
18 amount so made available.”; and

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

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

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

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

2 Section 215 (as redesignated by section 201 of this
3 Act) is amended by striking “vocational” and inserting
4 “career”.

5 **SEC. 205. AUTHORIZATION OF SECRETARY; PARTICIPATION**
6 **OF PRIVATE SCHOOL PERSONNEL.**

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

- 9 (1) by striking section 217;
- 10 (2) by redesignating section 218 as section 217;
- 11 and
- 12 (3) in section 217 (as redesignated by para-
13 graph (2) of this section)—
- 14 (A) by inserting “principals,” after “for
15 vocational and technical education teachers,”;
- 16 (B) by inserting “principals,” after “of vo-
17 cational and technical education teachers,”; and
- 18 (C) by striking “vocational” each place the
19 term appears and inserting “career”.

20 **SEC. 206. STUDENT ASSISTANCE AND OTHER FEDERAL**
21 **PROGRAMS.**

22 Section 225(e) (as redesignated by section 201 of this
23 Act) is amended—

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

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

3 **SEC. 207. TABLE OF CONTENTS.**

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

6 “(b) TABLE OF CONTENTS.—The table of contents
7 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 edu-
cation 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.”.

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Carl*
 3 *D. Perkins Career and Technical Education Improvement*
 4 *Act of 2004”.*

5 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 6 *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 of*
 4 *an amendment to, or repeal of, a section or other provision,*
 5 *the reference shall be considered to be made to a section or*
 6 *other provision of the Carl D. Perkins Vocational and Tech-*
 7 *nical Education Act of 1998 (20 U.S.C. 2301 et seq.).*

8 **SEC. 3. PURPOSE.**

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

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

12 *(2) in paragraph (1), by striking “standards”*
 13 *and inserting “and technical standards, and to assist*
 14 *students in meeting such standards, especially in*

1 *preparation for high skill, high wage, or high demand*
2 *occupations in emerging or established professions”;*

3 *(3) in paragraph (2), by inserting “challenging”*
4 *after “integrate”;*

5 *(4) in paragraph (3), by striking “and” after the*
6 *semicolon;*

7 *(5) in paragraph (4)—*

8 *(A) by inserting “conducting and” before*
9 *“disseminating national”;*

10 *(B) by inserting “disseminating informa-*
11 *tion on best practices,” after “national re-*
12 *search,”; and*

13 *(C) by striking the period at the end and*
14 *inserting a semicolon; and*

15 *(6) by adding at the end the following:*

16 *“(5) promoting leadership and professional de-*
17 *velopment at the State and local levels, and devel-*
18 *oping research and best practices for improving the*
19 *quality of career and technical education teachers,*
20 *faculty, principals, administrators, and counselors;*

21 *“(6) supporting partnerships among secondary*
22 *schools, postsecondary institutions, area career tech-*
23 *nical centers, business and industry, professional as-*
24 *sociations, and intermediaries; and*

1 “(7) *developing a highly skilled workforce needed*
 2 *to keep America competitive in the global economy in*
 3 *conjunction with other Federal education and train-*
 4 *ing programs, including workforce investment pro-*
 5 *grams, that provide lifelong learning for the workforce*
 6 *of today and tomorrow.”.*

7 **SEC. 4. DEFINITIONS.**

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

9 (1) *in paragraph (2), by inserting “, including*
 10 *employment statistics and information relating to na-*
 11 *tional, regional, and local labor market areas, as pro-*
 12 *vided pursuant to section 118, and career ladder in-*
 13 *formation, where appropriate” after “to enter”;*

14 (2) *in paragraph (3)—*

15 (A) *in the paragraph heading, by striking*
 16 *“VOCATIONAL” and inserting “CAREER”; and*

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

19 (3) *by striking paragraph (4);*

20 (4) *by redesignating paragraphs (5) through (30)*
 21 *as paragraphs (10) through (35), respectively;*

22 (5) *by inserting after paragraph (3) the fol-*
 23 *lowing:*

24 “(4) **ARTICULATION AGREEMENT.**—*The term ‘ar-*
 25 *ticulation agreement’ means a written commitment,*

1 *approved annually by the relevant administrators of*
2 *the secondary and postsecondary institutions, to a*
3 *program that is designed to provide students with a*
4 *nonduplicative sequence of progressive achievement*
5 *leading to technical skill proficiency, a credential, a*
6 *certificate, or a degree, and linked through credit*
7 *transfer agreements.*

8 *“(5) CAREER AND TECHNICAL EDUCATION.—The*
9 *term ‘career and technical education’ means orga-*
10 *nized educational activities that—*

11 *“(A) offer a sequence of courses (which may*
12 *include technical learning experiences) that—*

13 *“(i) provides individuals with the chal-*
14 *lenging academic and technical knowledge*
15 *and skills the individuals need to prepare*
16 *for further education and for careers in*
17 *emerging and established professions; and*

18 *“(ii) may lead to technical skill pro-*
19 *ficiency, a credential, a certificate, or a de-*
20 *gree; and*

21 *“(B) include competency-based applied*
22 *learning that contributes to the academic knowl-*
23 *edge, higher-order reasoning and problem-solving*
24 *skills, work attitudes, general employability*

1 *skills, technical skills, and occupation-specific*
2 *skills, of an individual.*

3 “(6) *CAREER AND TECHNICAL EDUCATION STU-*
4 *DENT.—The term ‘career and technical education stu-*
5 *dent’ means a student who enrolls in a clearly defined*
6 *sequence of career and technical education courses*
7 *(which may include technical learning experiences)*
8 *leading to attainment of technical skill proficiency, a*
9 *credential, a certificate, or a degree.*

10 “(7) *CAREER AND TECHNICAL STUDENT ORGANI-*
11 *ZATION.—*

12 “(A) *IN GENERAL.—The term ‘career and*
13 *technical student organization’ means an organi-*
14 *zation for individuals enrolled in a career and*
15 *technical education program that engages in ca-*
16 *reer and technical education activities as an in-*
17 *tegral part of the instructional program.*

18 “(B) *STATE AND NATIONAL UNITS.—An or-*
19 *ganization described in subparagraph (A) may*
20 *have State and national units that aggregate the*
21 *work and purposes of instruction in career and*
22 *technical education at the local level.*

23 “(8) *CAREER GUIDANCE AND ACADEMIC COUN-*
24 *SELING.—The term ‘career guidance and academic*
25 *counseling’ means providing access to information re-*

1 *garding career awareness and planning with respect*
 2 *to an individual’s occupational and academic future*
 3 *that shall involve guidance and counseling with re-*
 4 *spect to career options, financial aid, and postsec-*
 5 *ondary options.*

6 “(9) *CAREER PATHWAY.*—*The term ‘career path-*
 7 *way’ means a coordinated and nonduplicative se-*
 8 *quence of courses (which may include technical learn-*
 9 *ing experiences) and associated credits that—*

10 “(A) *shall identify both secondary and post-*
 11 *secondary education elements;*

12 “(B) *shall include challenging academic*
 13 *and career and technical education content;*

14 “(C) *may include the opportunity for sec-*
 15 *ondary students to participate in dual or con-*
 16 *current enrollment programs or other ways to*
 17 *acquire postsecondary credits; and*

18 “(D) *may culminate in technical skill pro-*
 19 *ficiency, a credential, a certificate, or a degree.”;*

20 (6) *in paragraph (10) (as redesignated by para-*
 21 *graph (4) of this section), by striking “5206” and in-*
 22 *serting “5210”;*

23 (7) *by redesignating paragraphs (11) through*
 24 *(35) (as redesignated by paragraph (4) of this sec-*
 25 *tion) as paragraphs (12) through (36), respectively;*

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

4 “(11) *COMMUNITY COLLEGE*.—The term ‘commu-
5 nity college’—

6 “(A) means an institution of higher edu-
7 cation, as defined in section 101 of the *Higher*
8 *Education Act of 1965*, that provides not less
9 than a 2-year program that is acceptable for full
10 credit toward a baccalaureate degree; and

11 “(B) includes tribally controlled colleges or
12 universities.”;

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

15 (A) by striking “method of instruction” and
16 inserting “method”; and

17 (B) by striking “vocational” and inserting
18 “career”;

19 (10) by redesignating paragraphs (13) through
20 (36) (as redesignated by paragraph (7) of this sec-
21 tion) as paragraphs (14) through (37), respectively;

22 (11) by inserting after paragraph (12) the fol-
23 lowing:

24 “(13) *CORE ACADEMIC SUBJECTS*.—The term
25 ‘core academic subjects’ has the meaning given the

1 *term in section 9101 of the Elementary and Sec-*
2 *ondary Education Act of 1965, except that under this*
3 *Act such subjects included in such term shall be only*
4 *those subjects in a secondary school context.”;*

5 *(12) in paragraph (16) (as redesignated by*
6 *paragraph (10) of this section), by striking “voca-*
7 *tional” both places the term appears and inserting*
8 *“career”;*

9 *(13) in paragraph (17) (as redesignated by*
10 *paragraph (10) of this section)—*

11 *(A) in subparagraph (A), by striking “an*
12 *institution of higher education” and inserting “a*
13 *public or nonprofit private institution of higher*
14 *education that offers career and technical edu-*
15 *cation courses that lead to technical skill pro-*
16 *ficiency, an industry-recognized credential, a*
17 *certificate, or a degree”;* and

18 *(B) in subparagraph (C), by striking “voca-*
19 *tional” and inserting “career”;*

20 *(14) in paragraph (18)(A) (as redesignated by*
21 *paragraph (10) of this section), by striking “agency,*
22 *an area vocational” and inserting “agency (including*
23 *a public charter school that operates as a local edu-*
24 *cational agency), an area career”;*

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

4 (16) by inserting after paragraph (19) (as redesi-
5 gnated by paragraph (10) of this section) the fol-
6 lowing:

7 “(20) *GRADUATION AND CAREER PLAN.*—The
8 term ‘graduation and career plan’ means a written
9 plan for a secondary career and technical education
10 student, that—

11 “(A) is developed with career guidance and
12 academic counseling or other professional staff,
13 and in consultation with parents, not later than
14 in the first year of secondary school or upon en-
15 rollment in career and technical education;

16 “(B) is reviewed annually and modified as
17 needed;

18 “(C) includes relevant information on—

19 “(i) secondary school requirements for
20 graduating with a diploma;

21 “(ii) postsecondary education admis-
22 sion requirements; and

23 “(iii) high skill, high wage, or high de-
24 mand occupations and nontraditional fields

1 *in emerging and established professions,*
2 *and labor market indicators; and*

3 “(D) *states the student’s secondary school*
4 *graduation goals, postsecondary education and*
5 *training, or employment goals, and identifies 1*
6 *or more career pathways that correspond to the*
7 *goals.”;*

8 (17) *in paragraph (25) (as redesignated by*
9 *paragraph (15) of this section)—*

10 (A) *in the paragraph heading, by striking*
11 *“TRAINING AND EMPLOYMENT” and inserting*
12 *“FIELDS”;* and

13 (B) *by striking “training and employment”*
14 *and inserting “fields”;*

15 (18) *in paragraph (26) (as redesignated by*
16 *paragraph (15) of this section), by striking “the Com-*
17 *monwealth” and all that follows through the period*
18 *and inserting “and the Commonwealth of the North-*
19 *ern Mariana Islands.”;*

20 (19) *by redesignating paragraphs (31) through*
21 *(38) (as redesignated by paragraph (15) of this sec-*
22 *tion) as paragraphs (32) through (39), respectively;*

23 (20) *by inserting after paragraph (30) (as redesi-*
24 *gnated by paragraph (15) of this section) the fol-*
25 *lowing:*

1 “(31) *SELF-SUFFICIENCY*.—The term ‘self-suffi-
 2 *ciency*’ means a standard that is adopted, calculated,
 3 or commissioned by a local area or State, and which
 4 adjusts for local factors in specifying the income needs
 5 of families, by family size, the number and ages of
 6 children in the family, and sub-State geographical
 7 considerations.”;

8 (21) in paragraph (32) (as redesignated by
 9 paragraph (19) of this section)—

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

13 (B) in subparagraph (F), by striking “indi-
 14 viduals with other barriers to educational
 15 achievement, including”;

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

20 (23) by striking paragraph (35) (as redesignated
 21 by paragraph (19) of this section) and inserting the
 22 following:

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

1 “(A) combines at a minimum 2 years of
2 secondary education (as determined under State
3 law) with a minimum of 2 years of postsec-
4 ondary education in a nonduplicative, sequential
5 course of study;

6 “(B) integrates academic and career and
7 technical education instruction, and utilizes
8 work-based and worksite learning where appro-
9 priate and available;

10 “(C) provides technical preparation in a ca-
11 reer field, including high skill, high wage, or
12 high demand occupations;

13 “(D) builds student competence in technical
14 skills and in core academic subjects, as appro-
15 priate, through applied, contextual, and inte-
16 grated instruction, in a coherent sequence of
17 courses (which may include technical learning
18 experiences);

19 “(E) leads to technical skill proficiency, a
20 credential, a certificate, or a degree, in a specific
21 career field;

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

24 “(G) utilizes career pathways, to the extent
25 practicable.”;

1 (24) in paragraph (37) (as redesignated by
2 paragraph (19) of this section)—

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

5 (B) in the matter preceding subparagraph
6 (A)—

7 (i) by striking “vocational” and insert-
8 ing “career”;

9 (ii) by striking “paragraph (2)” and
10 inserting “subsection (a)(2)”; and

11 (iii) by striking “paragraph (5)(A)”
12 and inserting “subsection (a)(5)”; and

13 (C) in subparagraph (F), by striking “voca-
14 tional” and inserting “career”; and

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

17 **SEC. 5. TRANSITION PROVISIONS.**

18 Section 4 (20 U.S.C. 2303) is amended by striking
19 “the Carl D. Perkins Vocational and Applied Technology
20 Education Act” and all that follows through the period and
21 inserting “this Act, as this Act was in effect on the day
22 before the date of enactment of the Carl D. Perkins Career
23 and Technical Education Improvement Act of 2004. Each
24 eligible agency shall be assured a full fiscal year for transi-

1 *tion to plan for and implement the requirements of this*
 2 *Act.”.*

3 **SEC. 6. LIMITATION.**

4 *Section 6 (20 U.S.C. 2305) is amended by striking the*
 5 *second sentence.*

6 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

8 *(1) by striking “title II” and inserting “part D*
 9 *of title I”; and*

10 *(2) by striking “1999 through 2003” and insert-*
 11 *ing “2005 through 2010”.*

12 **TITLE I—CAREER AND TECH-**
 13 **NICAL EDUCATION ASSIST-**
 14 **ANCE TO THE STATES**

15 **SEC. 101. CAREER AND TECHNICAL EDUCATION ASSIST-**
 16 **ANCE TO THE STATES.**

17 *Title I (20 U.S.C. 2321 et seq.) is amended by striking*
 18 *the title heading and inserting the following:*

19 **“TITLE I—CAREER AND TECH-**
 20 **NICAL EDUCATION ASSIST-**
 21 **ANCE TO THE STATES”.**

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

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

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

4 (2) in paragraph (2), in the matter preceding
5 subparagraph (A), by striking “paragraph (1)” and
6 inserting “paragraph (1), that are not allotted under
7 paragraph (5),”;

8 (3) in paragraph (3)—

9 (A) in subparagraph (B), by striking “(or
10 in the case” and all that follows through
11 “1998)”;

12 (B) in subparagraph (C)—

13 (i) in clause (i)(I), by striking “(or in
14 the case” and all that follows through
15 “1998)”;

16 (ii) in clause (ii)(II), by striking “(or
17 in the case” and all that follows through
18 “1998)”;

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

20 “(5) *FORMULA FOR AMOUNTS IN EXCESS OF THE*
21 *FISCAL YEAR 2004 FUNDING LEVEL.—*

22 “(A) *IN GENERAL.—For any fiscal year for*
23 *which the remainder of the sums appropriated*
24 *under section 8 and not reserved under para-*
25 *graph (1) exceeds the remainder of the sums ap-*

1 *propriated under section 8 and not reserved*
2 *under paragraph (1) for fiscal year 2004, such*
3 *excess amount shall be allotted to the States ac-*
4 *cording to the formula under subparagraphs (A)*
5 *through (D) of paragraph (2).*

6 *“(B) MINIMUM ALLOTMENT.—*

7 *“(i) IN GENERAL.—Notwithstanding*
8 *any other provision of law and subject to*
9 *clause (ii), no State shall receive for a fiscal*
10 *year under this paragraph less than $\frac{1}{2}$ of*
11 *1 percent of the excess amount described in*
12 *subparagraph (A).*

13 *“(ii) REQUIREMENT.—No State, by*
14 *reason of the application of clause (i), shall*
15 *be allotted under this paragraph for a fiscal*
16 *year more than the amount determined by*
17 *multiplying—*

18 *“(I) the number of individuals in*
19 *the State counted under paragraph (2);*
20 *by*

21 *“(II) 185 percent of the national*
22 *average per pupil payment made with*
23 *the excess amount described in sub-*
24 *paragraph (A) for that year.”.*

1 **SEC. 103. WITHIN STATE ALLOCATION.**

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

3 *(1) in subsection (a)—*

4 *(A) in paragraph (1), by adding “and”*
5 *after the semicolon; and*

6 *(B) by striking paragraphs (2) and (3) and*
7 *inserting the following:*

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

9 *“(A) State leadership activities described in*
10 *section 124, of which—*

11 *“(i) an amount determined by the eli-*
12 *gible agency shall be made available to serve*
13 *individuals in State institutions, such as*
14 *State correctional institutions and institu-*
15 *tions that serve individuals with disabil-*
16 *ities; and*

17 *“(ii) not less than \$60,000 shall be*
18 *available for services that prepare individ-*
19 *uals for nontraditional fields; and*

20 *“(B) administration of the State plan,*
21 *which may be used for the costs of—*

22 *“(i) developing the State plan;*

23 *“(ii) reviewing the local plans;*

24 *“(iii) monitoring and evaluating pro-*
25 *gram effectiveness;*

1 “(iv) assuring compliance with all ap-
2 plicable Federal laws;

3 “(v) providing technical assistance;
4 and

5 “(vi) supporting and developing State
6 data systems relevant to the provisions of
7 this Act.”;

8 (2) in subsection (b), by striking “subsection
9 (a)(3)” both places the term appears and inserting
10 “subsection (a)(2)(B)”; and

11 (3) by striking subsection (c) and inserting the
12 following:

13 “(c) *RESERVE*.—From amounts made available under
14 subsection (a)(1) to carry out this subsection, an eligible
15 agency may—

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

19 “(A) rural areas; or

20 “(B) areas with high percentages or high
21 numbers of career and technical education stu-
22 dents;

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

1 “(A) *innovative statewide initiatives that*
 2 *demonstrate benefits for eligible recipients, which*
 3 *may include—*

4 “(i) *developing and implementing tech-*
 5 *nical assessments;*

6 “(ii) *improving the professional devel-*
 7 *opment of career and technical education*
 8 *teachers, faculty, principals, and adminis-*
 9 *trators; and*

10 “(iii) *establishing, enhancing, and sup-*
 11 *porting systems for accountability data col-*
 12 *lection or reporting purposes; or*

13 “(B) *the development and implementation*
 14 *of career pathways or career clusters; and*

15 “(3) *carry out activities described in paragraphs*
 16 *(1) and (2).”.*

17 **SEC. 104. ACCOUNTABILITY.**

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

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

21 (2) *in subsection (a)—*

22 (A) *by striking “a State performance ac-*
 23 *countability system” and inserting “and support*
 24 *State and local performance accountability sys-*
 25 *tems”;* and

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

3 (3) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (A), by striking
6 “paragraph (2)(A)” and inserting “sub-
7 paragraphs (A) and (B) of paragraph (2)”;
8 and

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

11 (B) in paragraph (2)—

12 (i) by striking subparagraph (A) and
13 inserting the following:

14 “(A) CORE INDICATORS OF PERFORMANCE
15 FOR SECONDARY CAREER AND TECHNICAL EDU-
16 CATION STUDENTS.—Each eligible agency shall
17 identify in the State plan core indicators of per-
18 formance for secondary 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 chal-*
2 *lenging academic content standards and*
3 *student academic achievement standards, as*
4 *adopted by the State under section*
5 *1111(b)(1) of the Elementary and Sec-*
6 *ondary Education Act of 1965 and meas-*
7 *ured by the academic assessments described*
8 *in section 1111(b)(3) of such Act, consistent*
9 *with State requirements.*

10 “(iii) *Student rates of attainment of—*

11 “(I) *a secondary school diploma;*

12 “(II) *the recognized equivalent of*
13 *a secondary school diploma;*

14 “(III) *technical skill proficiency;*

15 “(IV) *a credential;*

16 “(V) *a certificate; and*

17 “(VI) *a degree.*

18 “(iv) *Placement in postsecondary edu-*
19 *cation, military service, apprenticeship pro-*
20 *grams, or employment.*

21 “(v) *Student participation in, and*
22 *completion of, career and technical edu-*
23 *cation programs that lead to employment in*
24 *nontraditional fields.”;*

1 (ii) by redesignating subparagraphs
2 (B) through (D) as subparagraphs (C)
3 through (E), respectively;

4 (iii) by inserting after subparagraph
5 (A) the following:

6 “(B) CORE INDICATORS OF PERFORMANCE
7 FOR POSTSECONDARY CAREER AND TECHNICAL
8 STUDENTS.—Each eligible agency shall identify
9 in the State plan core indicators of performance
10 for postsecondary career and technical education
11 students that include, at a minimum, measures
12 of each of the following:

13 “(i) Student achievement on technical
14 assessments and attainment of career and
15 technical skill proficiencies that are aligned
16 with nationally recognized industry stand-
17 ards, if available and appropriate.

18 “(ii) Student attainment of technical
19 skill proficiency, a credential, a certificate,
20 or a degree, or retention in postsecondary
21 education, including transfer to a bacca-
22 laureate degree program.

23 “(iii) Placement in military service,
24 apprenticeship programs, or employment.

1 “(iv) *Student participation in, and*
2 *completion of, career and technical edu-*
3 *cation programs that lead to employment in*
4 *nontraditional fields.*

5 “(v) *Increase in earnings, where avail-*
6 *able.*”;

7 *(iv) in subparagraph (C) (as redesign-*
8 *ated by clause (ii) of this subparagraph),*
9 *by striking “the title.” and inserting “this*
10 *title, such as attainment of self-suffi-*
11 *ciency.”;*

12 *(v) in subparagraph (D) (as redesign-*
13 *ated by clause (ii) of this subparagraph),*
14 *by inserting “career and technical edu-*
15 *cation” after “developed State”;*

16 *(vi) in subparagraph (E) (as redesign-*
17 *ated by clause (ii) of this subparagraph)—*

18 *(I) by striking “this paragraph”*
19 *and inserting “subparagraphs (A) and*
20 *(B)”;* and

21 *(II) by striking “recipients.” and*
22 *inserting “recipients, and shall meet*
23 *the requirements of this section.”;* and

24 *(vii) by adding at the end the fol-*
25 *lowing:*

1 “(F) *ALIGNMENT OF PERFORMANCE INDICA-*
2 *TORS.—In the course of identifying core indica-*
3 *tors of performance and additional indicators of*
4 *performance, States shall, to the greatest extent*
5 *possible, define the indicators so that substan-*
6 *tially similar information gathered for other*
7 *State and Federal programs, or any other pur-*
8 *pose, is used to meet the requirements of this sec-*
9 *tion.*”;

10 (C) *in paragraph (3)—*

11 (i) *in the paragraph heading, by strik-*
12 *ing “LEVELS” and inserting “STATE LEV-*
13 *ELS”;*

14 (ii) *in subparagraph (A)—*

15 (I) *in clause (i)—*

16 (aa) *by striking “paragraph*
17 *(2)(A)” and inserting “subpara-*
18 *graphs (A) and (B) of paragraph*
19 *(2)”;*

20 (bb) *by inserting “after tak-*
21 *ing into account the local adjusted*
22 *levels of performance and” after*
23 *“eligible agency,”; and*

24 (cc) *by striking subclause*
25 *(II) and inserting the following:*

1 “(II) require the eligible recipients
2 to make continuous and significant
3 improvement in career and technical
4 achievement of career and technical
5 education students, including special
6 populations.”;

7 (II) in clause (v)—

8 (aa) in the clause heading,
9 by striking “3RD, 4TH, AND 5TH”
10 and inserting “SUBSEQUENT”;

11 (bb) by striking “third pro-
12 gram year” and inserting “third
13 and fifth program years”; and

14 (cc) by striking “third,
15 fourth, and fifth” and inserting
16 “corresponding subsequent”;

17 (III) in clause (vi)(II), by insert-
18 ing “and significant” after “contin-
19 uous”; and

20 (IV) in clause (vii), by striking
21 “or (vi)” and inserting “or (v)”; and

22 (iii) in subparagraph (B), by striking
23 “(2)(B)” and inserting “(2)(C)”; and

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

25 “(4) LOCAL LEVELS OF PERFORMANCE.—

1 “(A) *LOCAL ADJUSTED LEVELS OF PER-*
2 *FORMANCE FOR CORE INDICATORS OF PERFORM-*
3 *ANCE.—*

4 “(i) *IN GENERAL.—Each eligible re-*
5 *cipient shall accept the State adjusted levels*
6 *of performance established under paragraph*
7 *(3) as local adjusted levels of performance,*
8 *or negotiate with the State to reach agree-*
9 *ment on new local adjusted levels of per-*
10 *formance, for each of the core indicators of*
11 *performance described in subparagraphs (A)*
12 *and (B) of paragraph (2) for career and*
13 *technical education activities authorized*
14 *under this title. The levels of performance*
15 *established under this subparagraph shall,*
16 *at a minimum—*

17 “(I) *be expressed in a percentage*
18 *or numerical form, so as to be objec-*
19 *tive, quantifiable, and measurable; and*

20 “(II) *require the eligible recipient*
21 *to make continuous and significant*
22 *improvement in career and technical*
23 *achievement of career and technical*
24 *education students.*

1 “(ii) *IDENTIFICATION IN THE LOCAL*
2 *PLAN.—Each eligible recipient shall iden-*
3 *tify, in the local plan submitted under sec-*
4 *tion 134, levels of performance, as described*
5 *in clause (i), for each of the core indicators*
6 *of performance for the first 2 program years*
7 *covered by the local plan.*

8 “(iii) *AGREEMENT ON LOCAL AD-*
9 *JUSTED LEVELS OF PERFORMANCE FOR*
10 *FIRST 2 YEARS.—The eligible agency and*
11 *each eligible recipient shall reach agree-*
12 *ment, as described in clause (i), on the eli-*
13 *gible recipient’s levels of performance for*
14 *each of the core indicators of performance*
15 *for the first 2 program years covered by the*
16 *local plan, taking into account the levels*
17 *identified in the local plan under clause (ii)*
18 *and the factors described in clause (v). The*
19 *levels of performance agreed to under this*
20 *clause shall be considered to be the local ad-*
21 *justed levels of performance for the eligible*
22 *recipient for such years and shall be incor-*
23 *porated into the local plan prior to the ap-*
24 *proval of such plan.*

1 “(iv) *AGREEMENT ON LOCAL AD-*
2 *JUSTED LEVELS OF PERFORMANCE FOR*
3 *SUBSEQUENT YEARS.—Prior to the third*
4 *and fifth program years covered by the local*
5 *plan, the eligible agency and each eligible*
6 *recipient shall reach agreement on the local*
7 *adjusted levels of performance for each of*
8 *the core indicators of performance for the*
9 *corresponding subsequent program years*
10 *covered by the local plan, taking into ac-*
11 *count the factors described in clause (v).*
12 *The local adjusted levels of performance*
13 *agreed to under this clause shall be consid-*
14 *ered to be the local adjusted levels of per-*
15 *formance for the eligible recipient for such*
16 *years and shall be incorporated into the*
17 *local plan.*

18 “(v) *FACTORS.—The agreement de-*
19 *scribed in clause (iii) or (iv) shall take into*
20 *account—*

21 “(I) *how the levels of performance*
22 *involved compare with the local ad-*
23 *justed levels of performance established*
24 *for other eligible recipients, taking into*
25 *account factors including the charac-*

1 *teristics of participants when the par-*
2 *ticipants entered the program and the*
3 *services or instruction to be provided;*
4 *and*

5 *“(II) the extent to which the local*
6 *adjusted levels of performance involved*
7 *promote continuous and significant*
8 *improvement on the core indicators of*
9 *performance by the eligible recipient.*

10 *“(vi) REVISIONS.—If unanticipated*
11 *circumstances arise with respect to an eligi-*
12 *ble recipient resulting in a significant*
13 *change in the factor described in clause*
14 *(v)(II), the eligible recipient may request*
15 *that the local adjusted levels of performance*
16 *agreed to under clause (iii) or (iv) be re-*
17 *vised. The eligible agency shall issue objec-*
18 *tive criteria and methods for making such*
19 *revisions.*

20 *“(B) LEVELS OF PERFORMANCE FOR ADDI-*
21 *TIONAL INDICATORS.—Each eligible recipient*
22 *may identify, in the local plan, local levels of*
23 *performance for any additional indicators of*
24 *performance described in paragraph (2)(C).*

1 *Such levels shall be considered to be the local lev-*
2 *els of performance for purposes of this title.*

3 “(C) *REPORT.*—*Each eligible recipient that*
4 *receives an allocation under section 131 shall*
5 *publicly report, on an annual basis, its progress*
6 *in achieving the local adjusted levels of perform-*
7 *ance on the core indicators of performance.”; and*
8 (4) *by striking subsection (c)(1)(B) and insert-*
9 *ing:*

10 “(B) *information on the levels of perform-*
11 *ance achieved by the State with respect to the*
12 *additional indicators of performance, including*
13 *the levels of performance disaggregated for post-*
14 *secondary institutions, by special populations,*
15 *and for secondary institutions, by special popu-*
16 *lations and by the categories described in section*
17 *1111(h)(1)(C)(i) of the Elementary and Sec-*
18 *ondary Education Act of 1965, except that such*
19 *disaggregation shall not be required in a case in*
20 *which the number of individuals in a category is*
21 *insufficient to yield statistically reliable infor-*
22 *mation or the results would reveal personally*
23 *identifiable information about an individual.”.*

24 **SEC. 105. NATIONAL ACTIVITIES.**

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

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

3 (2) in subsection (a)(1), by striking “, including
4 an analysis of performance data regarding special
5 populations” and inserting “, including an analysis
6 of performance data that is disaggregated for postsec-
7 ondary institutions, by special populations, and for
8 secondary institutions, by special populations and by
9 the categories described in section 1111(h)(1)(C)(i) of
10 the Elementary and Secondary Education Act of
11 1965, except that such disaggregation shall not be re-
12 quired in a case in which the number of individuals
13 in a category is insufficient to yield statistically reli-
14 able information or the results would reveal person-
15 ally identifiable information about an individual”;

16 (3) in subsection (c)—

17 (A) by striking paragraph (2) and inserting
18 the following:

19 “(2) INDEPENDENT ADVISORY PANEL.—

20 “(A) IN GENERAL.—The Secretary shall ap-
21 point an independent advisory panel to advise
22 the Secretary on the implementation of the as-
23 sessment described in paragraph (3), including
24 the issues to be addressed and the methodology of

1 *the studies involved to ensure that the assessment*
2 *adheres to the highest standards of quality.*

3 “(B) *MEMBERS.—The advisory panel shall*
4 *consist of—*

5 “(i) *educators, principals, and admin-*
6 *istrators (including State directors of career*
7 *and technical education), with expertise in*
8 *the integration of academic and career and*
9 *technical education;*

10 “(ii) *experts in evaluation, research,*
11 *and assessment;*

12 “(iii) *representatives of labor organiza-*
13 *tions and businesses, including small busi-*
14 *nesses;*

15 “(iv) *parents;*

16 “(v) *career guidance and academic*
17 *counseling professionals; and*

18 “(vi) *other individuals and inter-*
19 *mediaries with relevant expertise.*

20 “(C) *INDEPENDENT ANALYSIS.—The advi-*
21 *sory panel shall transmit to the Secretary and to*
22 *the relevant committees of Congress an inde-*
23 *pendent analysis of the findings and rec-*
24 *ommendations resulting from the assessment de-*
25 *scribed in paragraph (3).*

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

4 (B) *in paragraph (3)*—

5 (i) *by striking subparagraph (A) and*
6 *inserting the following:*

7 “(A) *IN GENERAL.*—*From amounts made*
8 *available under subsection (d), the Secretary*
9 *shall provide for the conduct of an independent*
10 *evaluation and assessment of career and tech-*
11 *nical education programs under this Act, includ-*
12 *ing the implementation of the Carl D. Perkins*
13 *Career and Technical Education Improvement*
14 *Act of 2004, to the extent practicable, through*
15 *studies and analyses conducted independently*
16 *through grants, contracts, and cooperative agree-*
17 *ments that are awarded on a competitive basis.*”;

18 (ii) *in subparagraph (B)*—

19 (I) *by striking clause (iii) and in-*
20 *serting the following:*

21 “(iii) *the preparation and qualifica-*
22 *tions of teachers and faculty of career and*
23 *technical education, as well as shortages of*
24 *such teachers and faculty;*”;

1 *(II) by striking clause (v) and in-*
2 *serting the following:*

3 *“(v) academic and career and technical*
4 *education achievement and employment out-*
5 *comes of career and technical education stu-*
6 *dents, including analyses of—*

7 *“(I) the number of career and*
8 *technical education students and tech-*
9 *prep students who meet the State ad-*
10 *justed levels of performance established*
11 *under section 113;*

12 *“(II) the extent and success of in-*
13 *tegration of challenging academic and*
14 *career and technical education for stu-*
15 *dents participating in career and tech-*
16 *nical education programs;*

17 *“(III) the extent to which career*
18 *and technical education programs pre-*
19 *pare students, including special popu-*
20 *lations, for subsequent employment in*
21 *high skill, high wage occupations, or*
22 *participation in postsecondary edu-*
23 *cation; and*

1 “(IV) *the number of career and*
2 *technical education students receiving*
3 *a high school diploma;*”;

4 (III) *in clause (vi), by inserting*
5 *“, and career and technical education*
6 *students’ preparation for employment”*
7 *after “programs”; and*

8 (IV) *in clause (viii), by inserting*
9 *“and local” after “State” both places*
10 *such term appears; and*

11 (iii) *in subparagraph (C)—*

12 (I) *in clause (i)—*

13 (aa) *by striking “Committee*
14 *on Education” and all that fol-*
15 *lows through “Senate” and insert-*
16 *ing “relevant committees of Con-*
17 *gress”; and*

18 (bb) *by striking “2002” both*
19 *places it appears and inserting*
20 *“2008”; and*

21 (II) *in clause (ii), by striking*
22 *“Committee on Education” and all*
23 *that follows through “Senate” and in-*
24 *serting “relevant committees of Con-*
25 *gress”;*

1 (C) in paragraph (4)(B), by striking “Com-
2 mittee on Education” and all that follows
3 through “Senate” and inserting “relevant com-
4 mittees of Congress”;

5 (D) in paragraph (5)—

6 (i) in subparagraph (A)—

7 (I) in the matter preceding clause
8 (i), by striking “higher education” and
9 all that follows through “centers” and
10 inserting “higher education offering
11 comprehensive graduate programs in
12 career and technical education that
13 shall be the primary recipient and
14 shall collaborate with a public or pri-
15 vate nonprofit organization or agency,
16 or a consortium of such institutions,
17 organizations, or agencies, to establish
18 a national research center”;

19 (II) in clause (i)—

20 (aa) by inserting “and eval-
21 uation” after “to carry out re-
22 search”; and

23 (bb) by inserting “, including
24 special populations,” after “par-
25 ticipants”;

1 (III) by redesignating clause (ii),
2 (iii), and (iv), as clauses (iii), (iv),
3 and (v), respectively;

4 (IV) by inserting after clause (i)
5 the following:

6 “(ii) to carry out research for the pur-
7 pose of developing, improving, and identi-
8 fying the most successful methods for suc-
9 cessfully addressing the needs of employers
10 in high skill, high wage business and indus-
11 try, including evaluation and scientifically
12 based research of—

13 “(I) collaboration between career
14 and technical education programs and
15 business and industry;

16 “(II) academic and technical
17 skills required to respond to the chal-
18 lenge of a global economy and rapid
19 technological changes; and

20 “(III) technical knowledge and
21 skills required to respond to needs of a
22 regional or sectoral workforce, includ-
23 ing small business;”;

24 (V) in clause (iii) (as redesignated
25 by subclause (III) of this clause), by

1 *inserting “that are integrated with*
2 *challenging academic instruction” be-*
3 *fore “, including”; and*

4 *(VI) by striking clause (iv) (as re-*
5 *designated by subclause (III) of this*
6 *clause) and inserting the following:*

7 *“(iv) to carry out scientifically based*
8 *research, where appropriate, that can be*
9 *used to improve preparation and profes-*
10 *sional development of teachers, faculty,*
11 *principals, and administrators and student*
12 *learning in the career and technical edu-*
13 *cation classroom, including—*

14 *“(I) effective in-service and pre-*
15 *service teacher and faculty education*
16 *that assists career and technical edu-*
17 *cation programs in—*

18 *“(aa) integrating those pro-*
19 *grams with academic content*
20 *standards and student academic*
21 *achievement standards, as adopted*
22 *by States under section 1111(b)(1)*
23 *of the Elementary and Secondary*
24 *Education Act of 1965; and*

1 “(bb) promoting technical
2 education aligned with industry-
3 based standards and certifications
4 to meet regional industry needs;

5 “(II) dissemination and training
6 activities related to the applied re-
7 search and demonstration activities de-
8 scribed in this subsection, which may
9 also include serving as a repository for
10 information on career and technical
11 education skills, State academic stand-
12 ards, and related materials; and

13 “(III) the recruitment and reten-
14 tion of career and technical education
15 teachers, faculty, counselors, prin-
16 cipals, and administrators, including
17 individuals in groups underrepresented
18 in the teaching profession; and”;

19 (ii) in subparagraph (B)—

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

22 (II) by striking “Committee on
23 Education” and all that follows
24 through “Senate” and inserting “rel-
25 evant committees of Congress”;

1 (iii) in subparagraph (C), by striking
2 “or centers”; and

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

4 “(D) INDEPENDENT GOVERNING BOARD.—

5 “(i) IN GENERAL.—An institution of
6 higher education that desires a grant, con-
7 tract, or cooperative agreement under this
8 paragraph shall identify, in its application,
9 an independent governing board for the cen-
10 ter established pursuant to this paragraph.

11 “(ii) MEMBERS.—The independent
12 governing board shall consist of the fol-
13 lowing:

14 “(I) Two representatives of sec-
15 ondary career and technical education.

16 “(II) Two representatives of post-
17 secondary career and technical edu-
18 cation.

19 “(III) Two representatives of eli-
20 gible agencies.

21 “(IV) Two representatives of busi-
22 ness and industry.

23 “(V) Two representatives of career
24 and technical teacher preparation in-
25 stitutions.

1 “(VI) *Two nationally recognized*
 2 *researchers in the field of career and*
 3 *technical education.*

4 “(iii) *COORDINATION.—The inde-*
 5 *pendent governing board shall ensure that*
 6 *the research and dissemination activities*
 7 *carried out by the center are coordinated*
 8 *with the research activities carried out by*
 9 *the Secretary.”;*

10 *(E) in paragraph (6)(B)(ii), by striking “or*
 11 *centers”;* and

12 *(F) by striking paragraph (8); and*

13 *(4) by adding at the end the following:*

14 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There*
 15 *are authorized to be appropriated to carry out this section*
 16 *such sums as may be necessary for each of fiscal years 2005*
 17 *through 2010.”.*

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

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

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

22 *(2) in subsection (b)—*

23 *(A) in the matter preceding paragraph (1),*
 24 *by striking “the Republic of the Marshall Is-*
 25 *lands, the Federated States of Micronesia,”;*

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

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

5 (D) by inserting after paragraph (1) the fol-
6 lowing:

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

9 (3) in subsection (d)—

10 (A) by striking “the Republic of the Mar-
11 shall Islands, the Federated States of Micronesia,
12 and”; and

13 (B) by striking “2001” and inserting
14 “2007”.

15 **SEC. 107. NATIVE AMERICAN PROGRAM.**

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

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

19 (2) in subsection (a)(5), by adding a period at
20 the end;

21 (3) in subsection (b)—

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

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

1 (4) *in subsection (d), by striking “section an”*
 2 *and inserting “section, an”;*

3 (5) *in subsection (e)—*

4 (A) *by striking “paragraph” and inserting*
 5 *“section”;*

6 (B) *in paragraph (1), by striking “and”*
 7 *after the semicolon;*

8 (C) *in paragraph (2)(B), by striking the pe-*
 9 *riod at the end and inserting “; and”; and*

10 (D) *by adding at the end the following:*

11 “(3) *programs that are targeted to recruit, train,*
 12 *and retain Native American women who are tradi-*
 13 *tionally underrepresented to compete for high skill,*
 14 *high wage occupations, including women pursuing*
 15 *technology careers (particularly in health care and*
 16 *science areas) or women who reside in rural or geo-*
 17 *graphically isolated areas.”; and*

18 (6) *in subsection (h), by striking “which are rec-*
 19 *ognized by the Governor of the State of Hawaii”.*

20 **SEC. 108. TRIBALLY CONTROLLED POSTSECONDARY CA-**
 21 **REER AND TECHNICAL INSTITUTIONS.**

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

23 (1) *by striking the section heading and inserting*
 24 *the following:*

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

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

5 (3) *in subsection (g)—*

6 (A) *in paragraph (1), by striking “The Sec-*
7 *retary” and inserting “On an annual basis, the*
8 *Secretary”;*

9 (B) *in paragraph (2)(B), by striking*
10 *“2000” and inserting “2006”; and*

11 (C) *in paragraph (3)(C), by striking “be-*
12 *ginning” and all that follows through the period*
13 *and inserting “beginning on the date of enact-*
14 *ment of the Carl D. Perkins Career and Tech-*
15 *nical Education Improvement Act of 2004.”;*

16 (4) *by redesignating subsections (h) and (i) as*
17 *subsections (j) and (k), respectively;*

18 (5) *by inserting after subsection (g) the fol-*
19 *lowing:*

20 *“(h) APPEALS.—*

21 *“(1) IN GENERAL.—Subject to paragraph (2), the*
22 *Secretary shall provide a tribally controlled postsec-*
23 *ondary career and technical institution with a hear-*
24 *ing on the record before an administrative law judge*
25 *with respect to the following determinations:*

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

3 “(B) A determination regarding the calcula-
4 tion of the amount of a grant awarded under
5 this section.

6 “(2) *PROCEDURE FOR APPEAL.*—To appeal a de-
7 termination described in paragraph (1), a tribally
8 controlled postsecondary career and technical institu-
9 tion shall—

10 “(A) in the case of an appeal based on a de-
11 termination that such institution is not eligible
12 for a grant under this section, file a notice of ap-
13 peal with the Secretary not later than 30 days
14 after receipt of such determination; and

15 “(B) in the case of an appeal based on a de-
16 termination regarding the calculation of the
17 amount of a grant awarded under this section—

18 “(i) file a notice of appeal with the
19 Secretary not later than 30 days after re-
20 ceipt of the Secretary’s notification of the
21 grant amount; and

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

24 “(3) *WITHHOLDING OF AMOUNT.*—If a tribally
25 controlled postsecondary career and technical institu-

1 *tion appeals a determination described in paragraph*
 2 *(1), the Secretary shall withhold the amount in dis-*
 3 *pute from the award of grant funds under this section*
 4 *until such time as the administrative law judge has*
 5 *issued a written decision on the appeal.*

6 *“(i) RESTRICTED INDIRECT COST RATE.—Notwith-*
 7 *standing any other provision of law, the Secretary shall not*
 8 *require the use of a restricted indirect cost rate for grants*
 9 *issued pursuant to this section.”; and*

10 *(6) by striking subsection (k) (as redesignated by*
 11 *paragraph (4) of this section) and inserting the fol-*
 12 *lowing:*

13 *“(k) AUTHORIZATION OF APPROPRIATIONS.—There*
 14 *are authorized to be appropriated to carry out this section*
 15 *\$10,000,000 for fiscal year 2005 and such sums as may be*
 16 *necessary for each of the 5 succeeding fiscal years.”.*

17 **SEC. 109. OCCUPATIONAL AND EMPLOYMENT INFORMA-**
 18 **TION.**

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

20 *(1) in subsection (a)—*

21 *(A) in the matter preceding paragraph (1),*
 22 *by striking “(f)” and inserting “(g)”;*

23 *(B) in paragraph (1)—*

1 (i) in subparagraph (A), by striking
2 “(b)” both places it appears and inserting
3 “(c)”;

4 (ii) in subparagraph (B), by striking
5 “(b)” and inserting “(c)”;

6 (iii) in subparagraph (C), by striking
7 “(b)” and inserting “(c)”;

8 (C) in paragraph (2), by striking “(b)” both
9 places it appears and inserting “(c)”;

10 (2) by redesignating subsections (b) through (f)
11 as subsections (c) through (g), respectively;

12 (3) by inserting after subsection (a) the fol-
13 lowing:

14 “(b) STATE APPLICATION.—

15 “(1) IN GENERAL.—Each State desiring assist-
16 ance under this section shall submit an application to
17 the Secretary at the same time the State submits its
18 State plan under section 122, in such manner, and
19 accompanied by such additional information, as the
20 Secretary may reasonably require.

21 “(2) CONTENTS.—Each application submitted
22 under paragraph (1) shall include—

23 “(A) a description of how the State entity
24 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 de-*
15 *mand occupations and nontraditional fields in*
16 *emerging or established professions;”;*

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

19 *(C) by striking paragraph (3) and inserting*
20 *the following:*

21 *“(3) to equip teachers, faculty, administrators,*
22 *and counselors with the knowledge, skills, and occupa-*
23 *tional 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 oc-*
3 *cupations and nontraditional fields;”;*

4 *(D) in paragraph (4), by striking “such en-*
5 *tities;” and inserting “such entities, with an em-*
6 *phasis on high skill, high wage, or high demand*
7 *occupations in emerging or established profes-*
8 *sions;”;*

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

11 *(F) in paragraph (6), by striking the period*
12 *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 years*
18 *of employment;*

19 *“(B) the expected lifetime earnings; and*

20 *“(C) and the expected future demand for the*
21 *occupation, based on employment projections.”;*

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

1 (6) in subsection (e)(1) (as redesignated by para-
2 graph (2) of this section), by striking “(b)” and in-
3 sserting “(c)”;

4 (7) in subsection (f)(1) (as redesignated by para-
5 graph (2) of this section), by striking “an identifica-
6 tion” and inserting “a description”; 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 in-
24 sserting 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 following:*

24 *“Each eligible agency may submit a transi-*
25 *tion plan during the first full year of imple-*

1 *mentation of this Act after the date of en-*
2 *actment of the Carl D. Perkins Career and*
3 *Technical Education Improvement Act of*
4 *2004. The transition plan shall fulfill the el-*
5 *igible agency’s State plan submission obli-*
6 *gation under this section.”; and*

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

11 *“(1) IN GENERAL.—The eligible agency shall de-*
12 *velop the State plan in consultation with academic*
13 *and career and technical education teachers, faculty,*
14 *principals, and administrators, career guidance and*
15 *academic counselors, eligible recipients, parents, stu-*
16 *dents, the State tech-prep coordinator and representa-*
17 *tives of tech-prep consortia (if applicable), interested*
18 *community members (including parent and commu-*
19 *nity organizations), representatives of special popu-*
20 *lations, representatives of business (including small*
21 *business) and industry, representatives of labor orga-*
22 *nizations in the State, and representatives of charter*
23 *school authorizers and organizers (if applicable), and*
24 *shall consult the Governor of the State with respect to*
25 *such development.”;*

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 education*
6 *activities to be assisted that are designed to meet or*
7 *exceed the State adjusted levels of performance, in-*
8 *cluding a description of—*

9 “(A) *how the eligible agency will support el-*
10 *igible 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 eligi-*
14 *ble 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 re-*
25 *cipients; 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 car-
6 ried out, including programs that will be carried
7 out by the eligible agency to develop, improve,
8 and expand access to quality technology in ca-
9 reer and technical education programs;

10 “(C) the criteria that will be used by the eli-
11 gible agency to approve eligible recipients for
12 funds under this title, including criteria to assess
13 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 career
25 and technical education students, including spe-

1 *cial 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 demand*
11 *occupations that are aligned with business needs*
12 *and industry standards, as appropriate—*

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

19 “(ii) *at the postsecondary level that are*
20 *relevant and challenging;*

21 “(2) *describes how career and technical edu-*
22 *cation teachers, faculty, principals, administrators,*
23 *and career guidance and academic counselors will be*
24 *provided comprehensive initial preparation and pro-*

1 *professional development, including through programs*
2 *and activities that—*

3 “(A) *promote the integration of challenging*
4 *academic and career and technical education*
5 *curriculum development, including opportunities*
6 *for teachers to jointly develop and implement*
7 *curriculum and pedagogical strategies with ap-*
8 *propriate academic teachers;*

9 “(B) *increase the academic and career and*
10 *technical education knowledge of career and tech-*
11 *nical education teachers and faculty;*

12 “(C) *are high-quality, sustained, intensive,*
13 *focused on instruction, directly related to indus-*
14 *try standards, and includes structured induction*
15 *and mentoring components for new personnel,*
16 *with an emphasis on identifying and addressing*
17 *the needs of local businesses, including small*
18 *businesses;*

19 “(D) *ensure an increasing number of career*
20 *and technical education teachers and faculty*
21 *meet teacher certification and licensing require-*
22 *ments reflecting the needs of their subject area or*
23 *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 devel-
10 opment 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 Higher
13 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 oc-
18 cupations and nontraditional fields;

19 “(3) describes efforts to improve—

20 “(A) the recruitment and retention of career
21 and technical education teachers, faculty, coun-
22 selors, principals, and administrators, including
23 individuals in groups underrepresented in the
24 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 to
5 effectively prepare career and technical education per-
6 sonnel, including, as appropriate, through electroni-
7 cally delivered distance education, and articulation
8 agreements between 2-year technical programs and
9 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 medium-
15 sized businesses and business intermediaries), and
16 labor organizations in the planning, development, im-
17 plementation, and evaluation of such career and tech-
18 nical education programs;

19 “(6) describes how funds received by the eligible
20 agency through the allotment made under section 111
21 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 under
14 section 1111(b)(1) of the Elementary and
15 Secondary Education Act of 1965; and

16 “(ii) at the postsecondary level that are
17 challenging and aligned with business needs
18 and industry standards, as appropriate;

19 “(B) improve the academic and technical
20 skills of students participating in career and
21 technical education programs, including
22 strengthening the academic, and career and tech-
23 nical, components of career and technical edu-
24 cation programs through the integration of aca-
25 demics with career and technical education to

1 *ensure learning in the core academic subjects*
2 *and career and technical education subjects, and*
3 *provide students with strong experience in, and*
4 *understanding of, all aspects of an industry;*

5 “(C) *ensure that students who participate*
6 *in such career and technical education programs*
7 *are taught to the same challenging academic pro-*
8 *ficiencies as are taught to all other students; and*

9 “(D) *encourage secondary school students*
10 *who participate in such career and technical*
11 *education programs to enroll in challenging*
12 *courses in core academic subjects;*

13 “(8) *describes how the eligible agency will annu-*
14 *ally evaluate the effectiveness of such career and tech-*
15 *nical education programs, and describes, to the extent*
16 *practicable, how the eligible agency is coordinating*
17 *such programs to promote relevant lifelong learning*
18 *and ensure nonduplication with other existing Fed-*
19 *eral programs;*

20 “(9) *describes the eligible agency’s program*
21 *strategies for special populations, including a descrip-*
22 *tion of how individuals who are members of the spe-*
23 *cial populations—*

24 “(A) *will be provided with equal access to*
25 *activities assisted under this title;*

1 “(B) will not be discriminated against on
2 the basis of their status as members of the special
3 populations; and

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

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

12 “(A) the entity within the State with re-
13 sponsibility for elementary and secondary edu-
14 cation;

15 “(B) the entity within the State with re-
16 sponsibility for public institutions engaged in
17 postsecondary education;

18 “(C) State institutions such as State correc-
19 tional institutions and institutions that serve in-
20 dividuals with disabilities; and

21 “(D) all other relevant State agencies with
22 responsibility for career and technical education
23 and training and workforce development;

24 “(11) describes the steps the eligible agency will
25 take to involve representatives of eligible recipients in

1 *the development of the State adjusted levels of per-*
2 *formance;*

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

9 *“(13) provides assurances that none of the funds*
10 *expended under this title will be used to acquire*
11 *equipment (including computer software) in any in-*
12 *stance in which such acquisition results in a direct*
13 *financial benefit to any organization representing the*
14 *interests of the purchasing entity, the employees of the*
15 *purchasing entity, or any affiliate of such an organi-*
16 *zation;*

17 *“(14) describes how the eligible agency will*
18 *measure and report data relating to students partici-*
19 *parting in and completing career and technical edu-*
20 *cation within specific career clusters in order to ade-*
21 *quately measure the progress of the students, includ-*
22 *ing special populations, at—*

23 *“(A) the secondary level, disaggregated by*
24 *the categories described in section*
25 *1111(h)(1)(C)(i) of the Elementary and Sec-*

1 *ondary Education Act of 1965, except that such*
2 *disaggregation shall not be required in a case in*
3 *which the number of individuals in a category is*
4 *insufficient to yield statistically reliable infor-*
5 *mation or the results would reveal personally*
6 *identifiable information about an individual;*
7 *and*

8 *“(B) the postsecondary level, disaggregated*
9 *by special populations, except that such*
10 *disaggregation shall not be required in a case in*
11 *which the number of individuals in a category is*
12 *insufficient to yield statistically reliable infor-*
13 *mation or the results would reveal personally*
14 *identifiable information about an individual;*

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

18 *“(16) describes how the eligible agency will pro-*
19 *vide local educational agencies, area career and tech-*
20 *nicol education schools, and eligible institutions in*
21 *the State with technical assistance;*

22 *“(17) describes how career and technical edu-*
23 *cation relates to State and regional occupational op-*
24 *portunities;*

1 “(18) describes the methods proposed for the joint
2 *planning and coordination of programs carried out*
3 *under this title with other Federal education pro-*
4 *grams;*

5 “(19) describes how funds will be used to pro-
6 *mote preparation for high skill, high wage, or high*
7 *demand occupations and nontraditional fields in*
8 *emerging and established professions;*

9 “(20) describes how funds will be used to serve
10 *individuals in State correctional institutions;*

11 “(21) describes how the eligible agency will en-
12 *sure that the data reported to the eligible agency from*
13 *local educational agencies and eligible institutions*
14 *under this title and the data the eligible agency re-*
15 *ports to the Secretary are complete, accurate, and re-*
16 *liable; and*

17 “(22) contains the description and information
18 *specified in sections 112(b)(8) and 121(c) of the*
19 *Workforce Investment Act of 1998 (29 U.S.C.*
20 *2822(b)(8) and 2841(c)) concerning the provision of*
21 *services only for postsecondary students and school*
22 *dropouts.”;*

23 (5) by striking subsection (d) and inserting the
24 *following:*

25 “(d) *PLAN OPTIONS.—*

1 “(1) *SINGLE PLAN.*—*The eligible agency may*
2 *fulfill the plan or application submission require-*
3 *ments of this section, section 118(b), and section*
4 *141(c) by submitting a single State plan. In such*
5 *plan, the eligible agency may allow eligible recipients*
6 *to fulfill the plan or application submission require-*
7 *ments of section 134 and subsections (a) and (b) of*
8 *section 143 by submitting a single local plan.*

9 “(2) *PLAN SUBMITTED AS PART OF 501 PLAN.*—
10 *The eligible agency may submit the plan required*
11 *under this section as part of the plan submitted under*
12 *section 501 of the Workforce Investment Act of 1998*
13 *(20 U.S.C. 9271), provided that the plan submitted*
14 *pursuant to the requirement of this section meets the*
15 *requirements of this Act.”; and*

16 (6) *by striking subsection (f).*

17 **SEC. 112. IMPROVEMENT PLANS.**

18 *Section 123 (20 U.S.C. 2343) is amended to read as*
19 *follows:*

20 **“SEC. 123. IMPROVEMENT PLANS.**

21 “(a) *STATE PROGRAM IMPROVEMENT PLAN.*—

22 “(1) *PLAN.*—*If a State fails to meet the State*
23 *adjusted levels of performance described in the report*
24 *submitted under section 113(c), the eligible agency*
25 *shall develop and implement a program improvement*

1 *plan in consultation with the appropriate agencies,*
2 *individuals, and organizations for the first program*
3 *year succeeding the program year in which the eligi-*
4 *ble agency failed to meet the State adjusted levels of*
5 *performance, in order to avoid a sanction under*
6 *paragraph (3).*

7 “(2) *TECHNICAL ASSISTANCE.*—*If the Secretary*
8 *determines that an eligible agency is not properly im-*
9 *plementing the eligible agency’s responsibilities under*
10 *section 122, or is not making substantial progress in*
11 *meeting the purpose of this Act, based on the State’s*
12 *adjusted levels of performance, the Secretary shall*
13 *work with the eligible agency to implement improve-*
14 *ment activities consistent with the requirements of*
15 *this Act.*

16 “(3) *FAILURE.*—

17 “(A) *IN GENERAL.*—*If an eligible agency*
18 *fails to meet the State adjusted levels of perform-*
19 *ance, has not implemented an improvement plan*
20 *as described in paragraph (1), has shown no im-*
21 *provement within 1 year after implementing an*
22 *improvement plan as described in paragraph*
23 *(1), or has failed to meet the State adjusted levels*
24 *of performance for 2 or more consecutive years,*
25 *the Secretary may, after notice and opportunity*

1 *for a hearing, withhold from the eligible agency*
2 *all, or a portion of, the eligible agency's allot-*
3 *ment under this title.*

4 “(B) *WAIVER FOR EXCEPTIONAL CIR-*
5 *CUMSTANCES.—The Secretary may waive the*
6 *sanction in subparagraph (A) due to exceptional*
7 *or uncontrollable circumstances such as a nat-*
8 *ural disaster or a precipitous and unforeseen de-*
9 *cline in financial resources of the State.*

10 “(4) *FUNDS RESULTING FROM REDUCED ALLOT-*
11 *MENTS.—*

12 “(A) *IN GENERAL.—The Secretary shall use*
13 *funds withheld under paragraph (3) for a State*
14 *served by an eligible agency, to provide (through*
15 *alternative arrangements) services and activities*
16 *within the State to meet the purposes of this Act.*

17 “(B) *REDISTRIBUTION.—If the Secretary*
18 *cannot satisfactorily use funds withheld under*
19 *paragraph (3), then the amount of funds re-*
20 *tained by the Secretary as a result of a reduction*
21 *in an allotment made under paragraph (3) shall*
22 *be redistributed to other eligible agencies in ac-*
23 *cordance with section 111.*

24 “(b) *LOCAL PROGRAM IMPROVEMENT.—*

1 “(1) *LOCAL EVALUATION.*—*Each eligible agency*
2 *shall evaluate annually, using the local adjusted levels*
3 *of performance described in section 113(b)(4), the ca-*
4 *reer and technical education activities of each eligible*
5 *recipient receiving funds under this title.*

6 “(2) *PLAN.*—

7 “(A) *IN GENERAL.*—*If, after reviewing the*
8 *evaluation, the eligible agency determines that*
9 *an eligible recipient is not making substantial*
10 *progress in achieving the local adjusted levels of*
11 *performance, the eligible agency shall—*

12 “(i) *conduct an assessment of the edu-*
13 *cational needs that the eligible recipient*
14 *shall address to overcome local performance*
15 *deficiencies, including the performance of*
16 *special populations;*

17 “(ii) *enter into an improvement plan*
18 *with an eligible recipient based on the re-*
19 *sults of the assessment, for the first program*
20 *year succeeding the program year in which*
21 *the eligible recipient failed to meet the local*
22 *adjusted levels of performance, which plan*
23 *shall demonstrate how the local performance*
24 *deficiencies will be corrected and include in-*
25 *structional and other programmatic innova-*

1 *tions of demonstrated effectiveness, and*
2 *where necessary, strategies for appropriate*
3 *staffing and professional development; and*

4 *“(iii) conduct regular evaluations of*
5 *the progress being made toward reaching*
6 *the local adjusted levels of performance, as*
7 *described in section 113(b)(4), and progress*
8 *on implementing the improvement plan.*

9 *“(B) CONSULTATION.—The eligible agency*
10 *shall conduct the activities described in subpara-*
11 *graph (A) in consultation with teachers, prin-*
12 *cipals, administrators, faculty, parents, other*
13 *school staff, appropriate agencies, and other ap-*
14 *propriate individuals and organizations.*

15 *“(3) TECHNICAL ASSISTANCE.—If the eligible*
16 *agency determines that an eligible recipient is not*
17 *properly implementing the eligible recipient’s respon-*
18 *sibilities under section 134, or is not making substan-*
19 *tial progress in meeting the purpose of this Act, based*
20 *on the local adjusted levels of performance, the eligible*
21 *agency shall provide technical assistance to the eligi-*
22 *ble recipient to assist the eligible recipient in car-*
23 *rying out the improvement activities consistent with*
24 *the requirements of this Act. An eligible recipient, in*
25 *collaboration with the eligible agency, may request*

1 *that the Secretary provide additional technical assist-*
2 *ance.*

3 “(4) *FAILURE.—*

4 “(A) *IN GENERAL.—If an eligible recipient*
5 *fails to meet the local adjusted levels of perform-*
6 *ance as described in section 113(b)(4) and has*
7 *not implemented an improvement plan as de-*
8 *scribed in paragraph (2), has shown no improve-*
9 *ment within 1 year after implementing an im-*
10 *provement plan as described in paragraph (2),*
11 *or has failed to meet more than 1 of the local ad-*
12 *justed levels of performance for 2 or more con-*
13 *secutive years, the eligible agency may, after no-*
14 *tice and opportunity for a hearing, withhold*
15 *from the eligible recipient all, or a portion of, the*
16 *eligible recipient’s allotment under this title.*

17 “(B) *WAIVER FOR EXCEPTIONAL CIR-*
18 *CUMSTANCES.—The eligible agency may waive*
19 *the sanction under this paragraph due to excep-*
20 *tional or uncontrollable circumstances such as*
21 *organizational structure, or a natural disaster or*
22 *a precipitous and unforeseen decline in financial*
23 *resources of the eligible recipient.*

24 “(5) *FUNDS RESULTING FROM REDUCED ALLOT-*
25 *MENTS.—The eligible agency shall use funds withheld*

1 *under paragraph (4) to provide (through alternative*
2 *arrangements) services and activities to students*
3 *within the area served by such recipient to meet the*
4 *purpose of this Act.”.*

5 **SEC. 113. STATE LEADERSHIP ACTIVITIES.**

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

7 *(1) by striking “vocational” each place the term*
8 *appears and inserting “career”;*

9 *(2) in subsection (a), by striking “112(a)(2)”*
10 *and inserting “112(a)(2)(A)”;*

11 *(3) in subsection (b)—*

12 *(A) in paragraph (1), by striking “further*
13 *learning” and all that follows through the semi-*
14 *colon and inserting “further education, further*
15 *training, or for high skill, high wage, or high de-*
16 *mand occupations;”;*

17 *(B) in paragraph (2), by striking subpara-*
18 *graphs (A) through (C) and inserting the fol-*
19 *lowing:*

20 *“(A) training of career and technical edu-*
21 *cation teachers, faculty, principals, career guid-*
22 *ance and academic counselors, and administra-*
23 *tors to use technology, including distance learn-*
24 *ing;*

1 “(B) encouraging schools to collaborate with
2 technology industries to offer voluntary intern-
3 ships and mentoring programs; or

4 “(C) encouraging lifelong learning, includ-
5 ing through partnerships that may involve insti-
6 tutions of higher education, organizations pro-
7 viding career and technical education, busi-
8 nesses, and communications entities;”;

9 (C) by striking paragraph (3) and inserting
10 the following:

11 “(3) professional development programs, includ-
12 ing providing comprehensive professional development
13 (including initial teacher preparation) for career and
14 technical education teachers, faculty, principals, ad-
15 ministrators, and career guidance and academic
16 counselors at the secondary and postsecondary levels,
17 that support activities described in section 122 and—

18 “(A) provide in-service and pre-service
19 training in career and technical education pro-
20 grams and techniques, effective teaching skills
21 based on promising practices and, where avail-
22 able and appropriate, scientifically based re-
23 search, and effective practices to improve paren-
24 tal and community involvement;

1 “(B) improve student achievement in order
2 to meet the State adjusted levels of performance
3 established under section 113;

4 “(C) support education programs for teach-
5 ers and faculty of career and technical education
6 in public schools and other public school per-
7 sonnel who are involved in the direct delivery of
8 educational services to career and technical edu-
9 cation students to ensure that such personnel—

10 “(i) stay current with the needs, expec-
11 tations, and methods of industry;

12 “(ii) can effectively develop chal-
13 lenging, integrated academic and career
14 and technical education curriculum jointly
15 with academic teachers, to the extent prac-
16 ticable; and

17 “(iii) develop a higher level of aca-
18 demic and industry knowledge and skills in
19 career and technical education; and

20 “(D) are integrated with the teacher certifi-
21 cation or licensing and professional development
22 activities that the State carries out under title II
23 of the Elementary and Secondary Education Act
24 of 1965 and title II of the Higher Education Act
25 of 1965;”;

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

3 (E) in paragraph (5), by striking “non-
4 traditional training and employment” and in-
5 serting “nontraditional fields in emerging and
6 established professions, and other activities that
7 expose students, including special populations, to
8 high skill, high wage occupations”;

9 (F) in paragraph (6)—

10 (i) by inserting “intermediaries,” after
11 “labor organizations,”; and

12 (ii) by inserting “, or complete career
13 pathways, as described in section
14 122(c)(1)(A)” after “skills”;

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

17 (H) in paragraph (8), by striking “wage
18 careers.” and inserting “wage occupations; and”;
19 and

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

21 “(9) technical assistance for eligible recipients.”;

22 (4) by striking subsection (c) and inserting the
23 following:

24 “(c) *PERMISSIBLE USES OF FUNDS.*—The leadership
25 activities described in subsection (a) may include—

1 “(1) improvement of career guidance and aca-
2 demic counseling programs that assist students in
3 making informed academic, and career and technical
4 education, decisions, including encouraging secondary
5 and postsecondary students to graduate with a di-
6 ploma or degree, and expose students to high skill,
7 high wage occupations and nontraditional fields in
8 emerging and established professions;

9 “(2) establishment of agreements, including ar-
10 tication agreements, between secondary and postsec-
11 ondary career and technical education programs in
12 order to provide postsecondary education and train-
13 ing opportunities for students participating in such
14 career and technical education programs, such as
15 tech-prep programs;

16 “(3) support for career and technical student or-
17 ganizations, especially with respect to efforts to in-
18 crease the participation of students who are members
19 of special populations;

20 “(4) support for public charter schools operating
21 secondary career and technical education programs;

22 “(5) support for career and technical education
23 programs that offer experience in, and understanding
24 of, all aspects of an industry for which students are
25 preparing to enter;

1 “(6) support for family and consumer sciences
2 programs;

3 “(7) support for partnerships between education
4 and business or business intermediaries, including co-
5 operative education and adjunct faculty arrangements
6 at the secondary and postsecondary levels;

7 “(8) support to improve or develop new career
8 and technical education courses and initiatives, in-
9 cluding career clusters, career academies, and dis-
10 tance learning, that prepare individuals academically
11 and technically for high skill, high wage, or high de-
12 mand occupations;

13 “(9) awarding incentive grants to eligible recipi-
14 ents for exemplary performance in carrying out pro-
15 grams under this Act, which awards shall be based on
16 local performance indicators, as described in section
17 113, in accordance with previously, publicly disclosed
18 priorities;

19 “(10) providing career and technical education
20 programs for adults and school dropouts to complete
21 their secondary school education;

22 “(11) providing assistance to individuals, who
23 have participated in services and activities under this
24 title, in finding an appropriate job and continuing
25 their education or training through collaboration with

1 *the workforce investment system established under the*
 2 *Workforce Investment Act of 1998 (29 U.S.C. 2801 et*
 3 *seq.);*

4 “(12) *developing valid and reliable assessments*
 5 *of technical skills that are integrated with industry*
 6 *certification assessments where available;*

7 “(13) *developing and enhancing data systems to*
 8 *collect and analyze data on secondary and postsec-*
 9 *ondary academic and employment outcomes;*

10 “(14) *improving—*

11 “(A) *the recruitment and retention of career*
 12 *and technical education teachers, faculty, prin-*
 13 *cipals, administrators, and career guidance and*
 14 *academic counselors, including individuals in*
 15 *groups underrepresented in the teaching profes-*
 16 *sion; and*

17 “(B) *the transition to teaching from busi-*
 18 *ness and industry, including small business; and*

19 “(15) *adopting, calculating, or commissioning a*
 20 *self-sufficiency standard.”; and*

21 (5) *in subsection (d), by striking “112(a)(2)”*
 22 *and inserting “112(a)(2)(A)”.*

23 **SEC. 114. DISTRIBUTION OF FUNDS TO SECONDARY**
 24 **SCHOOL PROGRAMS.**

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

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

3 (2) by striking subsection (a);

4 (3) by redesignating subsections (b) through (i)
5 as subsections (a) through (h), respectively;

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

8 (A) in the subsection heading, by striking
9 “SPECIAL DISTRIBUTION RULES FOR SUC-
10 CCEEDING FISCAL YEARS” and inserting “DIS-
11 TRIBUTION RULES”; and

12 (B) by striking “for fiscal year 2000 and
13 succeeding fiscal years”;

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

16 (A) by striking “subsection (b)” and insert-
17 ing “subsection (a)”; and

18 (B) in paragraph (1), by striking
19 “9902(2))” and inserting “9902(2)))”;

20 (6) in subsection (e) (as redesignated by para-
21 graph (3) of this section), in the subsection heading,
22 by striking “VOCATIONAL” and inserting “CAREER”;
23 and

24 (7) in subsection (g) (as redesignated by para-
25 graph (3) of this section), by striking “subsections (a),

1 (b), (c), and (d)” and inserting “subsections (a), (b),
2 and (c)”.

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

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

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

11 **SEC. 116. SPECIAL RULES FOR CAREER AND TECHNICAL**
12 **EDUCATION.**

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

14 (1) by striking the section heading and inserting
15 the following:

16 **“SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL**
17 **EDUCATION.”; and**

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

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

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

23 (1) by striking the section heading and inserting
24 the following:

1 **“SEC. 134. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**
2 **CATION PROGRAMS.”; and**

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

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

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

12 *“(3) describe how the eligible recipient will—*

13 *“(A) offer the appropriate courses of not less*
14 *than 1 of the career pathways described in sec-*
15 *tion 122(c)(1)(A);*

16 *“(B) improve the academic and technical*
17 *skills of students participating in career and*
18 *technical education programs by strengthening*
19 *the academic and career and technical education*
20 *components of such programs through the inte-*
21 *gration of challenging academics with career and*
22 *technical education programs through a coherent*
23 *sequence of courses to ensure learning in the core*
24 *academic subjects, and career and technical edu-*
25 *cation 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 programs
6 are taught to the same challenging academic pro-
7 ficiencies as are taught for all other students;

8 “(4) describe how comprehensive professional de-
9 velopment will be provided that is consistent with sec-
10 tion 122;

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

24 “(6) provide assurances that the eligible recipient
25 will provide a career and technical education pro-

1 *gram that is of such size, scope, and quality to bring*
2 *about improvement in the quality of career and tech-*
3 *nical education programs;*

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

7 *“(8) describe how the eligible recipient—*

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

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

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

23 *“(10) describe how funds will be used to promote*
24 *preparation for nontraditional fields;*

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

4 “(12) describe efforts to improve the recruitment
5 and retention of career and technical education teach-
6 ers, faculty, counselors, principals, and administra-
7 tors, including individuals in groups underrep-
8 resented in the teaching profession, and the transition
9 to teaching from business and industry.”.

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

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

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

14 (2) in subsection (b)—

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

18 (B) by striking paragraphs (1) through (8)
19 and inserting the following:

20 “(1) strengthen the academic and career and
21 technical education skills of students participating in
22 career and technical education programs by strength-
23 ening the academic and career and technical edu-
24 cation components of such programs through the inte-
25 gration of academics with career and technical edu-

1 *cation programs through a coherent sequence of*
2 *courses, such as career pathways described in section*
3 *122(c)(1)(A), to ensure learning in the core academic*
4 *subjects and career and technical education subjects;*

5 *“(2) link secondary career and technical edu-*
6 *cation and postsecondary career and technical edu-*
7 *cation, including by—*

8 *“(A) offering the relevant elements of not*
9 *less than 1 career pathway described in section*
10 *122(c)(1)(A);*

11 *“(B) developing and supporting articula-*
12 *tion agreements between secondary and postsec-*
13 *ondary institutions; or*

14 *“(C) supporting tech-prep programs and*
15 *consortia;*

16 *“(3) provide students with strong experience in*
17 *and understanding of all aspects of an industry;*

18 *“(4) develop, improve, or expand the use of tech-*
19 *nology in career and technical education, which may*
20 *include—*

21 *“(A) training of career and technical edu-*
22 *cation teachers, faculty, principals, and admin-*
23 *istrators to use technology, including distance*
24 *learning; or*

1 “(B) encouraging schools to collaborate with
2 technology industries to offer voluntary intern-
3 ships and mentoring programs;

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

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

11 “(i) in career and technical education
12 programs and techniques;

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

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

20 “(iv) in effective practices to improve
21 parental and community involvement;

22 “(B) support of education programs that
23 provide information on all aspects of an indus-
24 try;

1 “(C) *internship programs that provide rel-*
2 *evant business experience; and*

3 “(D) *programs dedicated to the effective use*
4 *of instructional technology;*

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

9 “(7) *initiate, improve, expand, and modernize*
10 *quality career and technical education programs, in-*
11 *cluding relevant technology;*

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

14 “(9) *provide activities to prepare special popu-*
15 *lations, including single parents and displaced home-*
16 *makers, for high skill, high wage, or high demand oc-*
17 *cupations, including those that will lead to self-suffi-*
18 *ciency.”; and*

19 (3) *in subsection (c)—*

20 (A) *in paragraph (1), by striking “voca-*
21 *tional” and inserting “career”; and*

22 (B) *by striking paragraphs (2) through (15)*
23 *and inserting the following:*

24 “(2) *to provide career guidance and academic*
25 *counseling that is based on current labor market indi-*

1 *cators, as provided pursuant to section 118, for stu-*
2 *dents participating in career and technical education*
3 *programs that—*

4 *“(A) improves graduation rates and pro-*
5 *vides information on postsecondary and career*
6 *options for secondary students, which activities*
7 *may include the use of graduation and career*
8 *plans; and*

9 *“(B) provides assistance for postsecondary*
10 *students, including for adult students who are*
11 *changing careers or updating skills;*

12 *“(3) for partnerships between the eligible recipi-*
13 *ent and businesses, including small businesses and*
14 *business intermediaries, including for—*

15 *“(A) work-related experience for students,*
16 *such as internships, cooperative education,*
17 *school-based enterprises, entrepreneurship, and*
18 *job shadowing that are related to career and*
19 *technical education programs;*

20 *“(B) adjunct faculty arrangements at the*
21 *secondary and postsecondary levels; and*

22 *“(C) industry experience for teachers and*
23 *faculty;*

24 *“(4) to provide programs for special populations;*

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

3 “(6) for mentoring and support services;

4 “(7) for leasing, purchasing, upgrading, or
5 adapting instructional equipment;

6 “(8) for teacher preparation programs that ad-
7 dress the integration of academic and career and tech-
8 nical education and that assist individuals who are
9 interested in becoming career and technical education
10 teachers and faculty, including individuals with expe-
11 rience in business and industry;

12 “(9) to develop and expand postsecondary pro-
13 gram offerings at times and in formats that are con-
14 venient and accessible for working students, including
15 through the use of distance education;

16 “(10) for improving or developing new career
17 and technical education courses, including develop-
18 ment of new career pathways;

19 “(11) to develop and support small, personalized
20 career-themed learning communities;

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

23 “(13) to provide career and technical education
24 programs for adults and school dropouts to complete

1 *their secondary school education or upgrade their*
2 *technical skills;*

3 “(14) to provide assistance to individuals who
4 *have participated in services and activities under this*
5 *title in finding an appropriate job and continuing*
6 *their education or training through collaboration with*
7 *the workforce investment system established under the*
8 *Workforce Investment Act of 1998 (29 U.S.C. 2801 et*
9 *seq.);*

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

12 “(16) to support other career and technical edu-
13 *cation activities that are consistent with the purpose*
14 *of this Act.”.*

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

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

18 (1) *by striking the title heading and inserting*
19 *the following:*

20 **“PART D—TECH-PREP EDUCATION”;**

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

23 (3) *by redesignating sections 203, 204, 205, and*
24 *208, as sections 141, 142, 143, and 144, respectively.*

1 (b) *STATE ALLOTMENT AND APPLICATION.*—Section
2 141 (as redesignated by subsection (a) of this section) is
3 amended—

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

6 (2) by striking subsection (c) and inserting the
7 following:

8 “(c) *STATE APPLICATION.*—Each eligible agency desir-
9 ing assistance under this part shall submit an application
10 to the Secretary at such time, in such manner, and accom-
11 panied by such information as the Secretary may require.
12 Such application shall describe how activities under this
13 part will be coordinated, to the extent practicable, with ac-
14 tivities described in section 122.”.

15 (c) *TECH-PREP EDUCATION.*—Section 142 (as redesign-
16 ated by subsection (a) of this section) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1)—

19 (i) by striking “section 203” and in-
20 serting “section 141”;

21 (ii) by striking “title” and inserting
22 “part”;

23 (iii) by striking “vocational” both
24 places the term appears and inserting “ca-
25 reer”; and

1 (iv) in subparagraph (A), by inserting
2 “, educational service agency,” after “inter-
3 mediate educational agency”; and

4 (B) in paragraph (2)—

5 (i) in subparagraph (A), by striking
6 “and”;

7 (ii) in subparagraph (B), by striking
8 the period at the end and inserting a semi-
9 colon; and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(C) employers, including small businesses,
13 or business intermediaries; and

14 “(D) labor organizations.”;

15 (2) in subsection (c)—

16 (A) by striking paragraph (2) and inserting
17 the following:

18 “(2) consist of not less than 2 years of secondary
19 school with a common core of technical skills and core
20 academic subjects preceding graduation and 2 years
21 or more of higher education, or an apprenticeship
22 program of not less than 2 years following secondary
23 instruction, designed to lead to technical skill pro-
24 ficiency, a credential, a certificate, or a degree, in a
25 specific career field;”;

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

4 (C) by striking paragraph (4) and inserting
5 the following:

6 “(4) include in-service professional development
7 for teachers, faculty, principals, and administrators
8 that—

9 “(A) supports effective implementation of
10 tech-prep programs;

11 “(B) supports joint training in the tech-
12 prep consortium;

13 “(C) supports the needs, expectations, and
14 methods of business and all aspects of an indus-
15 try;

16 “(D) supports the use of contextual and ap-
17 plied curricula, instruction, and assessment;

18 “(E) supports the use and application of
19 technology; and

20 “(F) assists in accessing and utilizing data,
21 including labor market indicators, achievement,
22 and assessments;”;

23 (D) in paragraph (5)—

24 (i) by striking “training” and insert-
25 ing “professional development”;

1 (ii) in subparagraph (B), by inserting
2 “, which may include through the use of
3 graduation and career plans” after “pro-
4 grams”;

5 (iii) in subparagraph (D), by striking
6 “and”;

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

9 (v) by adding at the end the following:
10 “(F) provide comprehensive career guidance
11 and academic counseling to participating stu-
12 dents, including special populations;”;

13 (E) in paragraph (6)—

14 (i) by inserting “(including pre-ap-
15 prenticeship programs)” after “programs”;
16 and

17 (ii) by striking “and” after the semi-
18 colon;

19 (F) in paragraph (7), by striking the period
20 at the end and inserting “; and”; and

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

22 “(8) coordinate with activities conducted under
23 title I.”; and

24 (3) in subsection (d)—

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

3 (B) in paragraph (3), by striking the period
4 at the end and inserting a semicolon; and

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

6 “(4) improve career guidance and academic
7 counseling for participating students through the de-
8 velopment and implementation of graduation and ca-
9 reer plans; and

10 “(5) develop curriculum that supports effective
11 transitions between secondary and postsecondary ca-
12 reer and technical education programs.”.

13 (d) *CONSORTIUM APPLICATIONS*.—Section 143 (as re-
14 designated by subsection (a) of this section) is amended—

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

17 (2) in subsection (b)—

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

19 (B) by striking “title” and inserting
20 “part”;

21 (3) in subsection (d)—

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

24 (B) by striking paragraph (4) and inserting
25 the following:

1 “(4) provide education and training in areas or
2 skills, including emerging technology, in which there
3 are significant workforce shortages based on the data
4 provided by the entity in the State under section
5 118;”;

6 (C) in paragraph (5), by striking the period
7 at the end and inserting “; and”; and

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

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

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

14 (e) *AUTHORIZATION OF APPROPRIATIONS.*—Section
15 144 (as redesignated by subsection (a) of this section) is
16 amended—

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

19 (2) by striking “1999 and each of the 4” and in-
20 serting “2005 and each of the 5”.

21 **TITLE II—GENERAL PROVISIONS**

22 **SEC. 201. REDESIGNATION OF TITLE.**

23 (a) *FEDERAL ADMINISTRATIVE PROVISIONS.*—Title
24 III (20 U.S.C. 2391 et seq.) is amended by redesignating

1 *sections 311 through 318 as sections 211 through 218, re-*
 2 *spectively.*

3 (b) *STATE ADMINISTRATIVE PROVISIONS.—Title III*
 4 *(20 U.S.C. 2391 et seq.) is amended by redesignating sec-*
 5 *tions 321 through 325 as sections 221 through 225, respec-*
 6 *tively.*

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

9 **“TITLE II—GENERAL**
 10 **PROVISIONS”.**

11 **SEC. 202. FISCAL REQUIREMENTS.**

12 *Section 211 (as redesignated by section 201 of this Act)*
 13 *is amended—*

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

16 (2) *in subsection (b)—*

17 (A) *by striking paragraph (1) and inserting*
 18 *the following:*

19 “(1) *DETERMINATION.—*

20 “(A) *IN GENERAL.—Except as provided in*
 21 *subparagraphs (B) and (C), no payments shall*
 22 *be made under this Act for any fiscal year to a*
 23 *State for career and technical education pro-*
 24 *grams or tech-prep programs unless the Sec-*
 25 *retary determines that the average fiscal effort*

1 *per student or the aggregate expenditures of such*
2 *State for career and technical education pro-*
3 *grams for the 3 fiscal years preceding the fiscal*
4 *year for which the determination is made,*
5 *equaled or exceeded such effort or expenditures*
6 *for career and technical education programs, for*
7 *the 3 fiscal years preceding the fiscal year pre-*
8 *ceding the fiscal year for which the determina-*
9 *tion is made.*

10 “(B) *COMPUTATION.*—*In computing the av-*
11 *erage fiscal effort or aggregate expenditures pur-*
12 *suant to subparagraph (A), the Secretary shall*
13 *exclude capital expenditures, special one-time*
14 *project costs, and the cost of pilot programs.*

15 “(C) *DECREASE IN FEDERAL SUPPORT.*—*If*
16 *the amount made available for career and tech-*
17 *anical education programs under this Act for a*
18 *fiscal year is less than the amount made avail-*
19 *able for career and technical education programs*
20 *under this Act for the preceding fiscal year, then*
21 *the average fiscal effort per student or the aggre-*
22 *gate expenditures of a State required by sub-*
23 *paragraph (A) for the 3 preceding fiscal years*
24 *shall be decreased by the same percentage as the*

1 percentage decrease in the amount so made
2 available.”; and

3 (B) in paragraph (2), by striking “fiscal ef-
4 fort” both places the term appears and inserting
5 “average fiscal effort”.

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

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

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

11 Section 215 (as redesignated by section 201 of this Act)
12 is amended by striking “vocational” and inserting “ca-
13 reer”.

14 **SEC. 205. AUTHORIZATION OF SECRETARY; PARTICIPATION**
15 **OF PRIVATE SCHOOL PERSONNEL.**

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

18 (1) by striking section 217;

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

20 and

21 (3) in section 217 (as redesignated by paragraph
22 (2) of this section)—

23 (A) by inserting “principals,” after “for vo-
24 cational and technical education teachers,”;

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

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

5 **SEC. 206. STUDENT ASSISTANCE AND OTHER FEDERAL PRO-**
6 **GRAMS.**

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

9 (1) in the subsection heading, by striking “VOCA-
10 TIONAL” and inserting “CAREER”; and

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

13 **SEC. 207. TABLE OF CONTENTS.**

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

16 “(b) *TABLE OF CONTENTS.*—The table of contents for
17 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.”.*

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108TH CONGRESS
2^D SESSION

S. 2686

[Report No. 108-384]

A BILL

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

OCTOBER 4, 2004

Reported with an amendment