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H. R. 5774

To provide effective employment, training, and career and technical education programs and to address barriers that result from family responsibilities, and to encourage and support individuals to enter nontraditional occupational fields.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2008

Ms. LINDA T. SÁNCHEZ of California (for herself, Ms. DELAURO, Ms. BORDALLO, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. PAYNE, Ms. SUTTON, Mr. TOWNS, Ms. WATSON, and Mr. WELCH of Vermont) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide effective employment, training, and career and technical education programs and to address barriers that result from family responsibilities, and to encourage and support individuals to enter nontraditional occupational fields.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pathways Advancing
5 Career Training Act”.

1 **SEC. 2. PURPOSE AND FINDINGS.**

2 (a) PURPOSE.—The purpose of this Act is—

3 (1) to create workforce pathways for individuals
4 who face barriers during employment transitions and
5 help to meet the employment needs of high-skilled,
6 high-wage industries, including those facing signifi-
7 cant skilled labor shortages;

8 (2) to provide assistance to States for effective
9 employment and training programs to address bar-
10 riers to employment that result from current or
11 prior family responsibilities, including time out of
12 the workforce to care for a child or family members;
13 and

14 (3) to provide assistance to States for effective
15 employment and training programs to encourage and
16 support individuals to enter occupational fields that
17 are nontraditional for their gender.

18 (b) FINDINGS.—Congress finds the following:

19 (1) A high quality, productive, and diverse
20 workforce is necessary to compete in the global econ-
21 omy.

22 (2) Nearly 14,000,000 individuals in the United
23 States are the sole breadwinners and caretakers for
24 their families and nearly a third of them (31 per-
25 cent) have family incomes below the poverty level.

1 (3) More than 7,000,000 individuals in the
2 United States face barriers to entering or re-enter-
3 ing the workforce due to extended periods of time
4 spent caring for family members, and nearly half of
5 them (42 percent) have family incomes below the
6 poverty level.

7 (4) Employment in high-skill, high-wage, non-
8 traditional careers offers wages and advancement
9 opportunities to help families achieve economic self-
10 sufficiency.

11 (5) Job training and career and technical edu-
12 cation programs continue to be highly sex-seg-
13 regated, resulting in a dearth of female students fill-
14 ing the pipeline for jobs in the growing high-skill,
15 high-wage labor market, especially in the areas of
16 technology and the skilled trades.

17 (6) The employment and training needs of indi-
18 viduals who have taken time out of the workforce to
19 care for children or family members, and individuals
20 pursuing nontraditional occupations are not suffi-
21 ciently met through existing systems.

22 (7) Individuals who face barriers during em-
23 ployment transitions represent an untapped work-
24 force pool to address growing skilled labor shortages.

1 **SEC. 3. DEFINITIONS.**

2 Except as otherwise specified in this Act, as used in
3 this Act the following definition apply:

4 (1) AREA CAREER AND TECHNICAL EDUCATION
5 SCHOOL.—The term “area career and technical edu-
6 cation school” has the same meaning given such
7 term in section 3(a)(22) of the Carl D. Perkins Ca-
8 reer and Technical Education Improvement Act of
9 2006 (20 U.S.C. 2302(a)(22)).

10 (2) COMMUNITY-BASED ORGANIZATION.—The
11 term “community-based organization” means a pub-
12 lic or private nonprofit organization of demonstrated
13 effectiveness that—

14 (A) is representative of a community or
15 significant segments of a community; and

16 (B) provides educational, preparatory,
17 training, or related services to individuals in the
18 community.

19 (3) DISPLACED HOMEMAKER.—The term “dis-
20 placed homemaker” means an individual who—

21 (A)(i) has worked primarily without remu-
22 neration to care for a home or family and for
23 that reason has diminished marketable skills; or

24 (ii) has been dependent on the income of
25 another household member but is no longer
26 supported by that income; or

1 (iii) is a parent whose youngest dependent
2 child will become ineligible to receive assistance
3 under part A of title IV of the Social Security
4 Act (42 U.S.C. 601 et seq.) not later than two
5 years after the date on which the parent applies
6 for assistance under the title; or

7 (iv) is a victim of domestic violence as de-
8 fined by section 40002(a)(6) of the Violence
9 Against Women Act of 1994 (42 U.S.C. 13701
10 note); and

11 (B) is unemployed or underemployed and
12 is experiencing difficulty in obtaining or up-
13 grading employment.

14 (4) ELIGIBLE STATE AGENCY.—The term “eli-
15 gible State agency” means the State agency respon-
16 sible for the administration of workforce investment
17 activities authorized under the Workforce Invest-
18 ment Act of 1998.

19 (5) ELIGIBLE RECIPIENT.—The term “eligible
20 recipient” means a community-based organization, a
21 one-stop operator, a post-secondary educational in-
22 stitution, a local educational agency providing edu-
23 cation to students who have completed or left with-
24 out completing secondary school, an area career and
25 technical education school providing education to

1 students who have completed or left without com-
2 pleting secondary school, a postsecondary vocational
3 institution or other entity that has demonstrated an
4 ability to meet the employment and training needs
5 of displaced homemakers, single parents and individ-
6 uals preparing for nontraditional training and em-
7 ployment.

8 (6) LOCAL EDUCATIONAL AGENCY.—The term
9 “local educational agency” has the same meaning
10 given such term under section 14101 of the Elemen-
11 tary and Secondary Education Act of 1965 (20
12 U.S.C. 7801).

13 (7) NONTRADITIONAL EMPLOYMENT.—The
14 term “nontraditional employment,” means, with re-
15 spect to an individual, an occupation or field of work
16 for which members of such individual’s gender com-
17 prise less than 25 percent of the individuals em-
18 ployed in such occupation or field of work.

19 (8) ONE-STOP OPERATOR.—The term “one-stop
20 operator” means one or more entities designated or
21 certified under section 121(d) of the Workforce In-
22 vestment Act of 1998 (29 U.S.C. 2841(d)).

23 (9) PREPARATORY SERVICES.—The term “pre-
24 paratory services” means services, programs, or ac-
25 tivities designed to assist individuals in selecting or

1 participating in an appropriate education or training
2 program or in securing, retaining, or improving em-
3 ployment, such as—

4 (A) services, programs, or activities related
5 to outreach in the recruitment of potential par-
6 ticipants;

7 (B) career and personal counseling, includ-
8 ing group counseling;

9 (C) life skills development, including finan-
10 cial literacy;

11 (D) vocational and skill assessment and
12 testing;

13 (E) career planning;

14 (F) use of a self-sufficiency calculator to
15 identify income needs and career paths that
16 lead to self-sufficiency;

17 (G) job search and placement activities;

18 (H) pre-vocational training, including
19 learning skills, remediation, communication
20 skills, interviewing skills and resume writing,
21 punctuality, professional conduct, pre-appren-
22 ticeship assistance, job readiness, and other
23 services to prepare individuals to succeed in em-
24 ployment or training; and

1 (I) other appropriate services, programs, or
2 activities.

3 (10) POSTSECONDARY EDUCATIONAL INSTITU-
4 TION.—The term “postsecondary educational institu-
5 tion” has the same meaning given such term in sec-
6 tion 3(a)(22) of the Carl D. Perkins Career and
7 Technical Education Improvement Act of 2006 (20
8 U.S.C. 2302(a)(22)).

9 (11) POSTSECONDARY VOCATIONAL INSTITU-
10 TION.—The term “postsecondary vocation institu-
11 tion” has the same meaning given such term in sec-
12 tion 102(c) of the Higher Education Act of 1965
13 (20 U.S.C. 1002(c)).

14 (12) SECRETARY.—The term “Secretary”
15 means the Secretary of Labor.

16 (13) SELF-SUFFICIENCY STANDARD.—The term
17 “self-sufficiency standard” means a measure of how
18 much income families need to cover their basic costs
19 without subsidies. It uses a consistent methodology
20 that calculates the costs of living and working (in-
21 cluding taxes) based upon sub-State geographic loca-
22 tion and family size and composition.

23 (14) SINGLE PARENT.—The term “single par-
24 ent” means an individual who is unmarried, or has
25 been abandoned by their spouse, and—

1 (A) has a minor child or children for which
2 the parent has either full or joint custody; or

3 (B) is pregnant.

4 (15) SUPPORTIVE SERVICES.—The term “sup-
5 portive services” means services such as transpor-
6 tation, child care, dependent care, home health care
7 for family members, and needs-based payments, that
8 are necessary to enable an individual to participate
9 in employment and training activities and retain em-
10 ployment.

11 (16) TRAINING.—The term “training” means
12 training or education related to the preparation of
13 individuals for employment, including training activi-
14 ties authorized under section 134(d)(4)(D) of the
15 Workforce Investment Act of 1998 (29 U.S.C.
16 2864(d)(4)(D)) and career and technical education,
17 as defined by section 3(a)(5) of the Carl D. Perkins
18 Career and Technical Education Improvement Act of
19 2006 (20 U.S.C. 2302(a)(5)).

20 **SEC. 4. PROGRAM AUTHORIZED.**

21 The Secretary of Labor is authorized to provide
22 grants to States to enable such States to develop or en-
23 hance programs described in sections 9 and 10 of this Act.

1 **SEC. 5. ALLOCATION.**

2 (a) IN GENERAL.—After reserving the amount des-
3 ignated under section 12(c)(2) of this Act, the remaining
4 funds appropriated shall be divided into 3 equal groups
5 on the basis of—

6 (1) the relative number of unemployed individ-
7 uals in areas of substantial unemployment in each
8 State, compared to the total number of unemployed
9 individuals in areas of substantial unemployment in
10 all States;

11 (2) the relative excess number of unemployed
12 individuals in each State, compared to the total ex-
13 cess number of unemployed individuals in all States;
14 and

15 (3) the relative number of disadvantaged adults
16 in each State, compared to the total number of dis-
17 advantaged adults in all States.

18 (b) DEFINITIONS.—For purposes of this section, the
19 terms “substantial unemployment”, “excess number of
20 unemployed individuals”, and “disadvantaged adult” have
21 the meanings given such terms in section 132(b)(1)(B)(v)
22 of the Workforce Investment Act of 1998 (29 U.S.C.
23 2862(b)(1)(B)(v)).

24 (c) SUPPLEMENT NOT SUPPLANT.—Funds provided
25 under this Act shall be used to supplement not supplant
26 other Federal, State, and local public funds expended to

1 provide services to displaced homemakers, single parents,
2 and individuals pursuing nontraditional employment.

3 **SEC. 6. STATE PLAN.**

4 (a) SUBMISSION OF STATE PLAN.—For a State to
5 be eligible to receive an allocation under section 5 the Gov-
6 ernor of the State shall submit to the Secretary a plan
7 for a 5-year period, together with such annual revisions
8 as the eligible State agency determines to be necessary.

9 (b) REVISIONS AND REVIEW.—Each eligible State
10 agency shall—

11 (1) submit such annual revisions of the plan to
12 the Secretary as the eligible State agency determines
13 to be necessary; and

14 (2) after the second year of the 5-year State
15 plan, conduct a review of activities assisted under
16 this Act and submit any revisions of the State plan
17 that the eligible State agency determines necessary
18 to the Secretary.

19 (c) PLAN DEVELOPMENT.—The eligible State agency
20 shall develop the State plan in consultation with experts
21 on serving displaced homemakers and single parents, ex-
22 perts on nontraditional employment, participants in em-
23 ployment and training programs for displaced home-
24 makers and single parents, participants in employment

1 and training programs for nontraditional employment, and
2 any other individual the State considers necessary.

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

5 (1) describes the employment and training ac-
6 tivities to be provided under section 9 and 10 of this
7 Act;

8 (2) describes the process for soliciting competi-
9 tive applications and the criteria that will be used by
10 the eligible State agency in awarding eligible recipi-
11 ents funds under this Act;

12 (3) describes how the eligible State agency
13 will—

14 (A) annually evaluate the effectiveness of
15 such programs; and

16 (B) coordinate such programs to ensure
17 nonduplication with other existing Federal pro-
18 grams;

19 (4) provides assurances that the eligible State
20 agency or agencies will comply with the requirements
21 of this Act and the provisions of the State plan, in-
22 cluding the provision of a financial audit of funds re-
23 ceived under this Act which may be included as part
24 of an audit of other Federal or State programs;

1 (5) provides assurances that none of the funds
2 expended under this Act will be used to acquire
3 equipment (including computer software) in any in-
4 stance in which such acquisition results in a direct
5 financial benefit to any organization representing
6 the interests of the purchasing entity, the employees
7 of the purchasing entity, or any affiliate of such an
8 organization;

9 (6) describes how the eligible State agency will
10 measure and report the progress of the students who
11 are served pursuant to this Act, including progress
12 on the indicators of performance described in section
13 7 of this Act; and

14 (7) describes the methods proposed for the joint
15 planning and coordination of programs carried out
16 under this Act with other Federal programs.

17 (e) PLAN OPTION.—The eligible State agency may
18 fulfill the requirements of subsection (d) by submitting the
19 plan required under this section as a part of the plan sub-
20 mitted under section 112 of the Workforce Investment Act
21 of 1998 (29 U.S.C. 2822).

22 (f) PLAN APPROVAL.—The Secretary shall consider
23 a plan or revision of a State plan approved, unless the
24 Secretary determines, within 120 days of submission, that

1 the State plan, or revision, respectively, does not meet the
2 requirements of this section.

3 **SEC. 7. ACCOUNTABILITY.**

4 (a) PURPOSE.—The purpose of this section is to es-
5 tablish activities to assess the effectiveness of the State
6 in creating workforce pathways for individuals with bar-
7 riers to employment including single parents, displaced
8 homemakers and individuals pursuing nontraditional
9 training and employment, and to maximize the return on
10 investment of Federal funds.

11 (b) CORE INDICATORS OF PERFORMANCE FOR DIS-
12 PLACED HOMEMAKER AND SINGLE PARENT PRO-
13 GRAMS.—Each eligible State agency shall identify in the
14 State plan the process used to collect data on the core
15 indicators of performance from eligible recipients that in-
16 clude, at a minimum, measures of each of the following:

17 (1) The core indicators of performance required
18 by section 136(b)(2)(A)(i) of the Workforce Invest-
19 ment Act of 1998 (29 U.S.C. 2871(b)(2)(A)(i)) ad-
20 justed based upon—

21 (A) specific economic, geographic, and de-
22 mographic factors in the State and in local
23 workforce investment areas within the State;

24 (B) the characteristics of the population to
25 be served;

1 (C) the demonstrated difficulties in serving
2 the population; and

3 (D) the type of services to be provided.

4 (2) Participation in and completion of pre-
5 paratory services.

6 (c) CORE INDICATORS OF PERFORMANCE FOR NON-
7 TRADITIONAL EMPLOYMENT PROGRAMS.—Each eligible
8 State agency shall identify in the State plan the process
9 used to collect data on the core indicators of performance
10 from eligible recipients that include, at a minimum, meas-
11 ures of each of the following—

12 (1) The core indicators of performance required
13 by section 136(b)(2)(A)(i) of the Workforce Invest-
14 ment Act of 1998 (29 U.S.C. 2871(b)(2)(A)(i)) ad-
15 justed based upon:

16 (A) specific economic, geographic, and de-
17 mographic factors in the State and in local
18 workforce investment areas within the State;

19 (B) the characteristics of the population to
20 be served;

21 (C) the demonstrated difficulties in serving
22 the population; and

23 (D) the type of services to be provided.

24 (2) Participation in and completion of pre-
25 paratory services.

1 (3) Participation in and completion of employ-
2 ment and training programs that lead to nontradi-
3 tional training and employment.

4 (4) Placement in and retention of nontradi-
5 tional employment.

6 (d) ADDITIONAL INDICATORS.—An eligible agency,
7 with input from eligible recipients, may identify in the
8 State plan additional indicators of performance for em-
9 ployment and training activities authorized under this Act,
10 such as attainment of self-sufficiency.

11 (e) ANNUAL REPORT BY STATE AGENCY.—Each eli-
12 gible State agency shall transmit to the Secretary an an-
13 nual report of data compiled in accordance with section
14 7(b) and (c) disaggregated by gender, race, age, disability,
15 national origin, ethnicity, English proficiency status and
16 status as a displaced homemaker, single parent, or indi-
17 vidual training for nontraditional employment. The eligible
18 State agency may submit the report required under this
19 section as a part of the report submitted under section
20 136(d)(1) of the Workforce Investment Act of 1998 (29
21 U.S.C. 2871(d)(1)).

22 (f) ANNUAL REPORT OF THE SECRETARY.—The Sec-
23 retary shall transmit to Congress annually a national re-
24 port that describes the extent to which the purposes of
25 the Act are being achieved. The Secretary's report shall

1 include individual State annual reports and a compilation
 2 of those State reports with national data disaggregated
 3 by gender, race, age, disability, national origin, ethnicity,
 4 English proficiency status, and status as a displaced
 5 homemaker, single parent, or individual training for non-
 6 traditional employment.

7 **SEC. 8. EVALUATION OF PROGRAMS FOR SINGLE PARENTS**
 8 **AND DISPLACED HOMEMAKERS AND PRO-**
 9 **GRAMS FOR NONTRADITIONAL EMPLOY-**
 10 **MENT.**

11 (a) MULTI-SITE EVALUATION.—The Secretary shall,
 12 through the award of competitive grants, contracts, or co-
 13 operative agreements with an independent institution of
 14 higher education, public or private nonprofit organization,
 15 or agency, conduct at least 1 multi-site evaluation under
 16 this section by the end of fiscal year 2012. Such an evalua-
 17 tion shall address—

18 (1) the general effectiveness of programs and
 19 activities described in sections 9 and 10 of this Act
 20 including:

21 (A) the extent to which such programs im-
 22 proved the self-sufficiency and employment out-
 23 comes of participants in comparison to com-
 24 parably-suited individuals who did not partici-
 25 pate in such programs;

1 (B) the extent to which programs de-
2 scribed in section 9 of this Act improved the
3 self-sufficiency and employment outcomes of
4 participants in comparison to single parents
5 and displaced homemakers who participated in
6 non-specialized employment and training activi-
7 ties as authorized by section 134 of the Work-
8 force Investment Act of 1998 (29 U.S.C. 2864),
9 but did not participate in programs described in
10 sections 9;

11 (C) the extent to which programs described
12 in section 10 of this Act improved the self-suffi-
13 ciency and employment outcomes of partici-
14 pants in comparison to similarly situated indi-
15 viduals who participated in adult and dislocated
16 worker employment and training activities as
17 authorized by section 134 of the Workforce In-
18 vestment Act of 1998 (29 U.S.C. 2864), but
19 did not participate in programs described in
20 section 10 of this Act;

21 (D) the effectiveness of the performance
22 measures described in section 7 of this Act re-
23 lating to programs and activities described in
24 sections 9 and 10 of this Act;

1 (E) the effectiveness of the structure and
2 mechanisms for delivery of services through
3 such programs and activities;

4 (F) the extent to which such programs and
5 activities meet the needs of various demo-
6 graphic groups; and

7 (G) such other factors as may be appro-
8 priate.

9 (b) METHODOLOGY.—Evaluations conducted under
10 this section shall utilize appropriate methodology and re-
11 search designs, including the use of control groups chosen
12 by scientific random assignment.

13 (c) REPORT.—The entity carrying out an evaluation
14 described in subsection (a) shall prepare a report of key
15 findings and submit copies to the Secretary, the Com-
16 mittee on Education and Labor of the House of Rep-
17 resentatives, the Committee on Health, Education, Labor
18 and Pensions of the Senate, and the Library of Congress.
19 The Secretary shall make the report available to the pub-
20 lic.

21 **SEC. 9. PROGRAMS FOR SINGLE PARENTS AND DISPLACED**
22 **HOMEMAKERS.**

23 Each State may use funds allocated under section 5
24 of this Act to implement or carry out programs designed

1 to provide single parents and displaced homemakers the
2 following:

3 (1) Preparatory services.

4 (2) Subsidies, reimbursement, tuition assist-
5 ance, or payment for preparatory services, and nec-
6 essary educational materials (including books and
7 supplies).

8 (3) The provision of information to inform indi-
9 viduals of career and technical education, training
10 programs, and related preparatory and supportive
11 services.

12 (4) Case management and supportive services.

13 (5) Training and other activities designed to
14 fulfill the purpose of this Act.

15 **SEC. 10. PROGRAMS FOR INDIVIDUALS ENTERING INTO**
16 **NONTRADITIONAL EMPLOYMENT.**

17 Each State may use funds allocated under section 5
18 of this Act to implement or carry out programs designed
19 to assist individuals pursuing nontraditional training and
20 employment, including the following:

21 (1) All services described in section 9.

22 (2) Mentoring.

23 (3) Pre-apprenticeship assistance.

1 (4) Other activities designed to increase the
2 number of individuals pursuing nontraditional
3 employment, including—

4 (A) dissemination of information to inform
5 individuals about nontraditional employment;

6 (B) ensuring a fair and respectful learning
7 environment in career and technical education
8 and training programs; and

9 (C) creating and distributing replicable
10 model programs and materials that increase
11 participation, completion, and placement rates.

12 **SEC. 11. WITHIN STATE ALLOCATION AND ADMINISTRA-**
13 **TION.**

14 (a) RESERVATION FOR STATE ACTIVITIES.—From
15 the amounts allocated under section 5—

16 (1) not more than 5 percent shall be reserved
17 for State administration;

18 (2) not less than 25 percent shall be used to
19 provide programs for single parents and displaced
20 homemakers, as described in section 8 of this Act;
21 and

22 (3) not less than 25 percent shall be used to
23 provide programs for individuals training for non-
24 traditional employment as described in section 9 of
25 this Act.

1 (b) MATCHING REQUIREMENT.—Each eligible State
2 agency receiving funds made available under section 5(a),
3 shall match, from non-Federal sources and on a dollar-
4 for-dollar basis, the funds received under section 10(a)(1).

5 **SEC. 12. ADMINISTRATION.**

6 (a) ADMINISTRATION.—Any State desiring to partici-
7 pate in a program authorized by this Act shall assign an
8 individual within the eligible state agency to assist in ful-
9 filling the purposes of this Act by—

10 (1) managing the distribution of funds pursu-
11 ant to section 6;

12 (2) monitoring the use of funds distributed to
13 recipients under such programs;

14 (3) evaluating the effectiveness of programs and
15 activities supported by such funds; and

16 (4) developing the State plan described in sec-
17 tion 6.

18 (b) COMPETITIVE AWARDS.—The Administrators as-
19 signed under subsection (c) shall—

20 (1) on a competitive basis, provide grants to eli-
21 gible recipients; and

22 (2) ensure that each grant is for a program
23 that is of sufficient size, scope, and quality to be ef-
24 fective.

25 (c) TECHNICAL ASSISTANCE.—

1 (1) IN GENERAL.—The Secretary shall award a
2 grant, a contract, or enter into a cooperative agree-
3 ment with a national organization with dem-
4 onstrated expertise in providing technical assistance
5 to employment and training programs for displaced
6 homemakers, single parents, and individuals enter-
7 ing nontraditional employment. This assistance shall
8 be available for the purposes of—

9 (A) providing online and toll-free referral
10 services to assist individuals in accessing the
11 employment and training programs established
12 under sections 9 and 10;

13 (B) developing resources for and providing
14 technical assistance to such employment and
15 training programs;

16 (C) developing state-wide networks to en-
17 hance the capacity of service delivery among
18 such employment and training programs; and

19 (D) conducting other activities to advance
20 career pathways for displaced homemakers, sin-
21 gle parents, and individuals entering nontradi-
22 tional employment.

23 (2) Not less than 1 percent or more than 10
24 percent of the amount authorized under section 13

1 of this Act shall be available for the assistance de-
2 scribed in paragraph (1).

3 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to the Sec-
5 retary to carry out this Act \$95,000,000 for each of fiscal
6 years 2009 through 2014.

○