

114TH CONGRESS
2D SESSION

H. R. 5641

To amend the Carl D. Perkins Career and Technical Education Act of 2006 in order to improve career and technical education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 6, 2016

Mrs. DAVIS of California introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Carl D. Perkins Career and Technical Education Act of 2006 in order to improve career and technical education, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Equity in Career and
5 Technical Education Act of 2016”.

6 **SEC. 2. REFERENCES.**

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms
9 of an amendment to, or repeal of, a section or other provi-

1 sion, the reference shall be considered to be made to a
2 section or other provision of the Carl D. Perkins Career
3 and Technical Education Act of 2006 (20 U.S.C. 2301
4 et seq.).

5 **SEC. 3. PURPOSE.**

6 Section 2 (20 U.S.C. 2301) is amended to read as
7 follows:

8 **“SEC. 2. PURPOSE.**

9 “The purpose of this Act is to support the develop-
10 ment of and access to high-quality career and technical
11 education programs of study that successfully prepare stu-
12 dents for college and careers, thereby ensuring the global
13 competitiveness of the United States and the economic
14 self-sufficiency of the citizens of the United States.”.

15 **SEC. 4. DEFINITIONS.**

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

17 (1) by redesignating paragraphs (15) through
18 (28) and (29) through (34) as paragraphs (16)
19 through (29) and (31) through (36), respectively;

20 (2) by inserting after paragraph (14) the fol-
21 lowing:

22 “(15) **EQUITY GAP.**—The term ‘equity gap’
23 means the gaps in participation and performance on
24 the core indicators of performance described in sec-
25 tion 113(b)(2) for career and technical education

1 programs of study, as described in section
2 122(c)(1)(A), between student groups based on gen-
3 der, race, and each of the special populations de-
4 scribed in paragraph (31), as compared to all stu-
5 dents served by the eligible agency or eligible recipi-
6 ent under this Act.”;

7 (3) by inserting after paragraph (29), as redes-
8 ignated by paragraph (1), the following:

9 “(30) SELF-SUFFICIENCY.—The term ‘self-suf-
10 ficiency’ means a wage that enables a household to
11 meet the costs of the basic needs in the local area
12 of the household and to build sufficient savings for
13 the future.”; and

14 (4) in paragraph (33), as redesignated by para-
15 graph (1), by striking “and instructional aids and
16 devices.” and inserting “instructional aids and de-
17 vices, transportation, child care, dependent care, tui-
18 tion, books, supplies, and other services necessary to
19 enable an individual to participate in career and
20 technical education activities.”.

21 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 9 (20 U.S.C. 2307) is amended by striking
23 “2007 through 2012” and inserting “2017 through
24 2021”.

1 **SEC. 6. WITHIN STATE ALLOCATION.**

2 Subparagraph (B) of section 112(a)(2) (20 U.S.C.
3 2322(a)(2)) is amended to read as follows:

4 “(B) not less than \$100,000 shall be re-
5 served to provide technical assistance and pro-
6 fessional development to local educational agen-
7 cies on effective strategies for closing equity
8 gaps; and”.

9 **SEC. 7. ACCOUNTABILITY.**

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

11 (1) in subsection (b)—

12 (A) in paragraph (3)(A)—

13 (i) in clause (i)(II), by inserting “clos-
14 ing equity gaps and” after “progress to-
15 ward”; and

16 (ii) in clause (vi)(II), by inserting
17 “close equity gaps and” after “levels of
18 performance”; and

19 (B) in paragraph (4)—

20 (i) in subparagraph (A)—

21 (I) in clause (i)(II), by inserting
22 “closing equity gaps and” after
23 “progress toward”; and

24 (II) in clause (v)(II), by inserting
25 “close equity gaps and” after “levels
26 of performance”; and

1 (ii) in subparagraph (C)—

2 (I) in clause (i)—

3 (aa) by striking “regarding
4 the progress” and inserting the
5 following: “regarding—
6 “(I) the progress”;

7 (bb) by striking “indicators
8 of performance.” and inserting
9 “indicators of performance; and”;
10 and

11 (cc) by adding at the end
12 the following:

13 “(II) how the eligible recipient
14 has used funds to provide programs
15 and support services to close the eq-
16 uity gaps identified under clause
17 (ii)(II).”; and

18 (II) in clause (ii)—

19 (aa) in subclause (I), by
20 striking “for the subgroups of
21 students” and all that follows
22 through “; and” and inserting
23 “by gender, by race, and for each
24 of the special populations de-

1 scribed in section 3(31); and”;
2 and

3 (bb) in subclause (II), by
4 striking “disparities or gaps in
5 performance” and inserting “eq-
6 uity gaps”; and

7 (2) in subsection (c)—

8 (A) in paragraph (1)—

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

11 (ii) by redesignating subparagraph
12 (B) as subparagraph (C); and

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

15 “(B) the progress of the State in closing
16 equity gaps and how the eligible agency has
17 used funds to provide programs and services for
18 eligible recipients to close such equity gaps;
19 and”; and

20 (B) in paragraph (2)—

21 (i) in subparagraph (A), by striking
22 “for the categories” and all that follows
23 through “; and” and inserting “by gender,
24 race, and for each of the special popu-

1 lations described in section 3(31); and”;
2 and

3 (ii) in subparagraph (B), by striking
4 “disparities or gaps in performance be-
5 tween any such category of students and
6 the performance of all students served by
7 the eligible agency under this Act” and in-
8 serting “equity gaps between any category
9 of students described in subparagraph
10 (A)”.

11 **SEC. 8. NATIONAL ACTIVITIES.**

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

13 (1) in paragraph (1)(B)—

14 (A) in clause (v), by striking “and” after
15 the semicolon;

16 (B) by redesignating clause (vi) as clause
17 (vii); and

18 (C) by inserting after clause (v) the fol-
19 lowing:

20 “(vi) individuals with expertise on the
21 development of programs that have been
22 effective in closing equity gaps; and”;

23 (2) in paragraph (2)(B)—

1 (A) in clause (i), by inserting “and have
 2 been successful in closing equity gaps” after
 3 “under this Act”; and

4 (B) in the matter preceding subclause (I)
 5 of clause (iii), by inserting “, disaggregated as
 6 described in section 113(b)(4)(C)(ii)(I) and”
 7 before “including analyses”;

8 (3) in the matter preceding subclause (I) of
 9 paragraph (4)(A)(i), by inserting “closing equity
 10 gaps and” before “addressing”; and

11 (4) in paragraph (5), by striking “for pro-
 12 viding” and inserting “for closing equity gaps by
 13 providing high-quality”.

14 **SEC. 9. STATE ADMINISTRATION.**

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

16 (1) in paragraph (3), by striking “and” after
 17 the semicolon;

18 (2) in paragraph (4)(B), by striking the period
 19 at the end and inserting “; and”; and

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

21 “(5) conducting an equity gap analysis.”.

22 **SEC. 10. STATE PLAN.**

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

24 (1) in paragraph (1)—

1 (A) in subparagraph (K), by striking
2 “and” after the semicolon;

3 (B) in subparagraph (L), by inserting
4 “and” after the semicolon; and

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

6 “(M) how funds will be used to support
7 State technical assistance and professional de-
8 velopment to close the equity gaps identified in
9 section 121(a)(5);”;

10 (2) in paragraph (2)(E), by inserting “close eq-
11 uity gaps and” after “and skills needed to”; and

12 (3) in the matter preceding subparagraph (A)
13 of paragraph (9), by striking “for special popu-
14 lations” and inserting “for closing equity gaps”.

15 **SEC. 11. STATE PROGRAM IMPROVEMENT.**

16 Section 123 (20 U.S.C. 2343) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1)—

19 (i) by inserting “, or fails to show im-
20 provement on closing any equity gap iden-
21 tified under section 113(c)(2)(B) for the
22 preceding fiscal year,” after “upon State
23 adjusted level of performance”; and

1 (ii) by inserting “or close equity
2 gaps,” after “adjusted level of perform-
3 ance,”;

4 (B) in paragraph (3)—

5 (i) in subparagraph (A)—

6 (I) in clause (ii)—

7 (aa) by inserting “, or in
8 closing equity gaps,” after “levels
9 of performance”; and

10 (bb) by striking “or” after
11 the semicolon;

12 (II) in clause (iii), by striking the
13 period at the end and inserting “; or”;
14 and

15 (III) by adding at the end the
16 following:

17 “(iv) fails to show improvement on
18 closing equity gaps for the populations
19 identified in section 113(c)(2)(A) for 3
20 consecutive years.”;

21 (ii) by redesignating subparagraph
22 (B) as subparagraph (C); and

23 (iii) by inserting after subparagraph
24 (A) the following:

1 “(B) USE OF FUNDS.—An eligible agency
2 shall use funds made available under section
3 112(c) for the purposes described in section
4 124(b)(10) when the eligible agency—

5 “(i) fails to show improvement in clos-
6 ing equity gaps within the first program
7 year of implementation of its improvement
8 plan described in paragraph (1); or

9 “(ii) fails to show improvement on
10 closing equity gaps for the populations
11 identified in section 113(c)(2)(A) for 3
12 consecutive years.”; and

13 (2) in subsection (b)—

14 (A) in paragraph (1), by inserting “con-
15 duct an equity gap analysis to” after “shall”;

16 (B) in paragraph (2)—

17 (i) by inserting “, or failed to show
18 improvement on the closing of equity gaps
19 identified in section 113(b)(4)(C)(ii)(II),”
20 after “upon local adjusted level of perform-
21 ance”; and

22 (ii) by striking “(with special consid-
23 eration to performance gaps identified
24 under section 113(b)(4)(C)(ii)(II))”; and

25 (C) in paragraph (4)—

1 (i) in subparagraph (A)—

2 (I) in clause (ii)—

3 (aa) by inserting “in closing
4 equity gaps or” after “any im-
5 provement”; and

6 (bb) by striking “or” after
7 the semicolon;

8 (II) in clause (iii), by striking the
9 period at the end and inserting “; or”;
10 and

11 (III) by adding at the end the
12 following:

13 “(iv) fails to show improvement on
14 closing equity gaps for the populations
15 identified in section 113(b)(4)(C)(ii)(I) for
16 3 consecutive years.”; and

17 (ii) by adding at the end the fol-
18 lowing:

19 “(C) ADDITIONAL REQUIREMENTS.—An el-
20 igible entity shall require an eligible recipient
21 receiving an allocation under this title to use
22 not less than 10 percent of the funds made
23 available to the eligible recipient under section
24 131 or 132 to meet the purposes described in

1 section 135(b)(9) in any case where an eligible
2 recipient—

3 “(i) fails to show improvement in clos-
4 ing equity gaps within the first program
5 year of implementation of its improvement
6 plan described in paragraph (1); or

7 “(ii) fails to show improvement on
8 closing equity gaps for the populations
9 identified in section 113(c)(2)(A) for 3
10 consecutive years.”.

11 **SEC. 12. STATE LEADERSHIP ACTIVITIES.**

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

13 (1) in paragraph (1), by inserting “equity gap”
14 before “assessment of the career”;

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

17 (3) in paragraph (9), by striking the period and
18 inserting “; and”; and

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

20 “(10) delivering professional development, lead-
21 ership, and technical assistance for eligible recipients
22 to close equity gaps identified in paragraph (1) for
23 any of the core indicators of performance described
24 in section 113(b)(4).”.

1 **SEC. 13. LOCAL PLAN FOR CAREER AND TECHNICAL EDU-**
2 **CATION PROGRAMS.**

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

4 (1) in paragraph (2), by inserting “closing eq-
5 uity gaps and” after “with respect to”; and

6 (2) in paragraph (4), by inserting “the closing
7 of equity gaps and” before “the integration of”.

8 **SEC. 14. LOCAL USES OF FUNDS.**

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

10 (1) in paragraph (5)(A)—

11 (A) in clause (iii), by striking “and” after
12 the semicolon;

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

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

16 “(v) effective practices to close equity
17 gaps in career and technical education pro-
18 grams of study;”;

19 (2) in paragraph (6), by striking “assessment
20 of how” and inserting “equity gap assessment of
21 how”; and

22 (3) in paragraph (9), by inserting “to close eq-
23 uity gaps and” after “provide activities”.

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