

118TH CONGRESS
2D SESSION

S. 3742

To amend the Higher Education Act of 1965 to establish a community college and career training grant program.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 2024

Mr. KAINE (for himself and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to establish a community college and career training grant program.

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 “Assisting Community
5 Colleges in Educating Skilled Students to Careers Act of
6 2024” or the “ACCESS Act of 2024”.

1 **SEC. 2. COMMUNITY COLLEGE AND CAREER TRAINING**
 2 **GRANT PROGRAM.**

3 Part C of title VIII of the Higher Education Act of
 4 1965 (20 U.S.C. 1161c et seq.) is amended to read as
 5 follows:

6 **“PART C—COMMUNITY COLLEGE AND CAREER**
 7 **TRAINING GRANT PROGRAM**
 8 **“SEC. 803. COMMUNITY COLLEGE AND CAREER TRAINING**
 9 **GRANT PROGRAM.**

10 “(a) PURPOSES.—The purposes of this section in-
 11 clude the following:

12 “(1) To increase the number of students who
 13 attain postsecondary credentials in high-skill, high-
 14 wage, or in-demand industry sectors or occupations.

15 “(2) To increase the degree to which postsec-
 16 ondary education meets the skill needs of employers
 17 in high-skill, high-wage, or in-demand industry sec-
 18 tors or occupations.

19 “(3) To assist the Nation’s community colleges
 20 and technical colleges, through grants to eligible in-
 21 stitutions, consortia of eligible institutions, and
 22 States, to develop, improve, and scale evidence-based
 23 strategies and delivery structures and that best meet
 24 the skill needs of students and employers.

25 “(b) DEFINITIONS.—In this section:

1 “(1) WIOA DEFINITIONS.—The terms ‘career
2 pathway’, ‘individual with a barrier to employment’,
3 ‘industry or sector partnership’, ‘integrated edu-
4 cation and training’, ‘local board’, ‘State board’, ‘in-
5 demand industry sector or occupation’, and ‘recog-
6 nized postsecondary credential’ have the meanings
7 given such terms in section 3 of the Workforce Inno-
8 vation and Opportunity Act (29 U.S.C. 3102).

9 “(2) APPRENTICESHIP PROGRAM.—The term
10 ‘apprenticeship program’ means a program under
11 the Act of August 16, 1937 (commonly known as
12 the ‘National Apprenticeship Act’) (50 Stat. 664,
13 chapter 663; 29 U.S.C. 50 et seq.).

14 “(3) COMMUNITY COLLEGE PARTNERSHIP.—
15 The term ‘community college partnership’ means a
16 partnership of private and public sector entities
17 which—

18 “(A) shall include a community college, a
19 local or regional employer representing an in-
20 demand industry sector or occupation, and a
21 State board or local board; and

22 “(B) may include an industry or sector
23 partnership, a local educational agency, an enti-
24 ty with experience in providing employment,
25 education, or support services relevant to stu-

1 dent populations receiving services under this
 2 section (such as a community-based organiza-
 3 tion), a provider of adult education (as defined
 4 in section 203 of the Adult Education and
 5 Family Literacy Act), or an institution of high-
 6 er education.

7 “(4) CONSORTIUM OF ELIGIBLE INSTITU-
 8 TIONS.—The term ‘consortium of eligible institu-
 9 tions’ means a consortium that includes 3 or more
 10 eligible institutions.

11 “(5) EDUCATION AND CAREER TRAINING PRO-
 12 GRAM.—The term ‘education and career training
 13 program’ means—

14 “(A) a career pathway program that leads
 15 to a recognized postsecondary credential; or

16 “(B) a program that utilizes integrated
 17 education and training strategies and leads to a
 18 recognized postsecondary credential.

19 “(6) ELIGIBLE INSTITUTION.—The term ‘eligi-
 20 ble institution’ means a public institution of higher
 21 education at which the highest degree that is pre-
 22 dominantly awarded to students is an associate de-
 23 gree, including a 2-year Tribal College or University
 24 (as defined in section 316).

1 “(7) STATE.—The term ‘State’ means each of
 2 the 50 States, the District of Columbia, the Com-
 3 monwealth of Puerto Rico, American Samoa, Guam,
 4 the Commonwealth of the Northern Mariana Is-
 5 lands, and the United States Virgin Islands.

6 “(8) WORK-BASED LEARNING.—The term
 7 ‘work-based learning’ means sustained interactions
 8 with industry or community professionals in real
 9 workplace settings, to the extent practicable, or sim-
 10 ulated environments at an eligible institution that
 11 foster in-depth, firsthand engagement with the tasks
 12 required in a given career field, that are aligned to
 13 curriculum and instruction.

14 “(c) AUTHORIZATION OF APPROPRIATIONS AND AD-
 15 MINISTRATIVE PROVISIONS.—

16 “(1) GRANTS TO ELIGIBLE INSTITUTIONS AND
 17 CONSORTIA OF ELIGIBLE INSTITUTIONS.—There are
 18 authorized to be appropriated to carry out sub-
 19 section (d), such sums as may be necessary for fiscal
 20 year 2025 and each of the 5 succeeding fiscal years.

21 “(2) GRANTS TO STATES.—There are author-
 22 ized to be appropriated to carry out subsection (e),
 23 such sums as may be necessary for fiscal year 2025
 24 and each of the 5 succeeding fiscal years.

1 “(3) NATIONAL ACTIVITIES.—For each fiscal
 2 year, the Secretary shall reserve 5 percent of the
 3 amount appropriated to carry out subsection (d) and
 4 5 percent of the amount appropriated to carry out
 5 subsection (e) for the national activities and admin-
 6 istrative costs described in subsection (g).

7 “(4) LIMITATIONS.—An eligible institution,
 8 consortium of eligible institutions, or State may not
 9 receive more than one grant under this section as a
 10 primary applicant.

11 “(5) DURATION.—Each grant awarded under
 12 this section shall be for a period of not more than
 13 5 years.

14 “(6) PRIORITY.—In awarding grants under this
 15 section, the Secretary shall give priority to appli-
 16 cants based on the extent to which the applicant—

17 “(A) leverages resources other than the
 18 funds provided under this section to support the
 19 activities carried out under this section; and

20 “(B) can continue to sustain or expand
 21 such activities after the expiration of the grant.

22 “(d) GRANTS TO ELIGIBLE INSTITUTIONS AND CON-
 23 SORTIA OF ELIGIBLE INSTITUTIONS.—

24 “(1) IN GENERAL.—

1 “(A) AUTHORIZATION.—From funds au-
2 thorized under subsection (c)(1) and not re-
3 served under subsection (c)(3), the Secretary
4 shall award, on a competitive basis, grants of
5 not more than \$1,500,000 to eligible institu-
6 tions, and not more than \$5,000,000 to con-
7 sortia of eligible institutions, to assist such in-
8 stitutions in establishing and scaling education
9 and career training programs consistent with
10 the provisions of this subsection.

11 “(B) PRIORITY.—In awarding grants
12 under this subsection, the Secretary shall give
13 priority, in addition to the priorities specified in
14 subsection (c)(6), to applicants that—

15 “(i) will serve individuals with bar-
16 riers to employment, veterans, spouses of
17 members of the Armed Forces, Native
18 American Indians, Alaska Natives, Native
19 Hawaiians, or incumbent workers who are
20 low-skilled and who need to increase their
21 employability skills;

22 “(ii) will serve individuals from a
23 major racial or ethnic group or gender
24 with—

1 “(I) lower than average edu-
2 cational attainment in the State; or

3 “(II) lower than average employ-
4 ment in the in-demand industry sector
5 or occupation;

6 “(iii) will serve areas with high unem-
7 ployment rates or high levels of poverty,
8 including rural areas; or

9 “(iv) will increase access to education
10 and career training programs that meet
11 the needs of regional employers in in-de-
12 mand industry sectors or occupations.

13 “(2) APPLICATION.—An eligible institution or
14 consortium of eligible institutions seeking a grant
15 under this subsection shall submit an application
16 containing a grant proposal for an education and ca-
17 reer training program to the Secretary at such time
18 and containing such information as the Secretary
19 determines is required, including a detailed descrip-
20 tion of—

21 “(A) the community college partnership,
22 including the roles and responsibilities of each
23 partner;

24 “(B) the education and career training
25 programs that will be supported under the

1 grant, including a description of high-skill,
2 high-wage or in-demand industry sectors or oc-
3 cupations that will be targeted and the recog-
4 nized postsecondary credentials to be awarded;

5 “(C) quantitative data and evidence that
6 demonstrates the extent to which the program
7 supported under the grant will meet the skilled
8 worker needs of employers in the geographic
9 area served by the grant;

10 “(D) the extent to which the education and
11 career training programs described in the grant
12 proposal align with a statewide or regional
13 workforce development strategy, including those
14 established under the Workforce Innovation and
15 Opportunity Act and the Carl D. Perkins Ca-
16 reer and Technical Education Act of 2006;

17 “(E) the extent to which the eligible insti-
18 tution, or consortium, can leverage additional
19 resources and the future sustainability of the
20 education and career training programs sup-
21 ported under the grant;

22 “(F) how the education and career train-
23 ing programs offered under the grant will in-
24 clude evidence-based practices;

1 “(G) the student populations that will be
2 served under the grant, including an analysis of
3 any barriers to employment or barriers to post-
4 secondary education that such populations face
5 and an analysis of how the services to be pro-
6 vided under the grant will address those bar-
7 riers;

8 “(H) any previous experience of the eligi-
9 ble institution, or consortium, in providing pro-
10 grams, the absence of which shall not automati-
11 cally disqualify the applicant from receiving a
12 grant under this section;

13 “(I) the extent to which the eligible institu-
14 tion, or consortium, plan to enroll and support
15 students who are eligible to receive a Federal
16 Pell Grant under subpart 1 of part A of title
17 IV; and

18 “(J) other information the Secretary may
19 require of the eligible institution or consortium.

20 “(3) USE OF FUNDS.—

21 “(A) SUPPORT AND EMERGENCY SERV-
22 ICES.—Not less than 25 percent of the grant
23 funds awarded to an eligible institution or a
24 consortium of eligible institutions under this
25 subsection shall be used to carry out student

1 support services, which may include the fol-
2 lowing:

3 “(i) Childcare, transportation, mental
4 health and substance use disorder treat-
5 ment, assistance in obtaining health insur-
6 ance coverage, and assistance in accessing
7 the supplemental nutrition assistance pro-
8 gram established under the Food and Nu-
9 trition Act of 2008 (7 U.S.C. 2011 et
10 seq.), the special supplemental nutrition
11 program for women, infants, and children
12 established by section 17 of the Child Nu-
13 trition Act of 1966 (42 U.S.C. 1786),
14 housing, and other benefits, as appro-
15 priate.

16 “(ii) Connecting students to State or
17 Federal means-tested benefits programs,
18 including means-tested Federal benefits
19 programs, as defined in section 479.

20 “(iii) The provision of direct financial
21 assistance to help students facing financial
22 hardships that may impact enrollment in
23 or completion of an education and career
24 training program, or a work-based learning
25 program.

1 “(iv) Navigation and case manage-
 2 ment services, including providing informa-
 3 tion and outreach to target populations to
 4 take part in education and career training
 5 programs, or work-based learning pro-
 6 grams.

7 “(B) REQUIRED PROGRAM ACTIVITIES.—
 8 Not less than 35 percent of the grant funds
 9 awarded to an eligible institution or a consor-
 10 tium of eligible institutions under this sub-
 11 section shall be used to carry out 2 or more of
 12 the following activities:

13 “(i) Developing and expanding edu-
 14 cation and career training programs
 15 through a community college partnership
 16 for high-skill, high-wage, or in-demand in-
 17 dustry sectors and occupations, which may
 18 include—

19 “(I) apprenticeship programs;

20 “(II) work-based learning oppor-
 21 tunities; and

22 “(III) paid internships.

23 “(ii) Establishing policies and proc-
 24 esses for assessing and awarding course
 25 credit for prior learning.

1 “(iii) Developing and expanding pro-
2 grams that accelerate learning and recog-
3 nized postsecondary credential attainment,
4 including competency-based education, co-
5 requisite remediation, and other strategies
6 for acceleration.

7 “(iv) Developing and expanding effi-
8 cient career pathways to credentials, in-
9 cluding the development of stackable cre-
10 dentials and integrated education and
11 training strategies.

12 “(v) Developing and expanding dual
13 or concurrent enrollment programs or early
14 college high school programs for secondary
15 students or disconnected youth.

16 “(vi) Planning and implementing for-
17 malized agreements between the eligible in-
18 stitution or consortium and other partners
19 in the community college partnership.

20 “(vii) Working with local boards on
21 the use of labor market information for
22 making program decisions.

23 “(viii) Engaging employers in the de-
24 velopment of programs and curricula.

1 “(ix) Acquiring equipment necessary
2 to support education and career training
3 activities permitted under this section.

4 “(x) Carrying out any other activities
5 identified by the eligible institution or con-
6 sortium as necessary to increase institu-
7 tional capacity, as long as such activities
8 are clearly outlined in the application and
9 approved by the Secretary.

10 “(4) MAXIMUM AMOUNT FOR EQUIPMENT.—An
11 eligible institution or consortium of eligible institu-
12 tions that receives a grant under this subsection may
13 use not more than 30 percent of the grant funds
14 under this subsection to carry out paragraph
15 (3)(B)(ix).

16 “(e) GRANTS TO STATES.—

17 “(1) IN GENERAL.—

18 “(A) AUTHORIZATION.—From funds au-
19 thorized under subsection (c)(2) and not re-
20 served under subsection (c)(3), the Secretary
21 shall award grants to States, on a competitive
22 basis, to assist in establishing statewide sys-
23 temic reforms that result in student success
24 and system relevance and in supporting and

1 scaling education and career training programs,
2 consistent with the provisions of this subsection.

3 “(B) GRANT AMOUNTS.—The Secretary
4 shall make grants to eligible States of not less
5 than \$2,500,000 and not more than
6 \$10,000,000 for a 4-year grant period.

7 “(C) PRIORITY.—In awarding grants
8 under this subsection, the Secretary shall give
9 priority, in addition to the priorities specified in
10 subsection (c)(6), to applicants that—

11 “(i) will serve individuals with bar-
12 riers to employment, veterans, spouses of
13 members of the Armed Forces, or incum-
14 bent workers who need to increase their
15 employability skills;

16 “(ii) will serve areas with high unem-
17 ployment rates or high levels of poverty,
18 including rural areas, including by award-
19 ing subgrants under paragraph (3)(B); and

20 “(iii) will increase access to education
21 and career training programs that meet
22 the needs of regional employers in in-de-
23 mand industry sectors or occupations.

24 “(2) STATE APPLICATION.—To receive a grant
25 under this subsection, a State shall submit an appli-

1 cation to the Secretary at such time, in such man-
2 ner, and containing such information as the Sec-
3 retary may reasonably require. Such application
4 shall be developed in consultation with the State
5 board. At a minimum, each State application shall
6 include—

7 “(A) a description of how the State is im-
8 plementing or has a plan to implement—

9 “(i) a statewide longitudinal data sys-
10 tem built upon student outcome data, in-
11 cluding labor market outcomes by institu-
12 tion, program, and subpopulation of inter-
13 est, with information made available to the
14 public in easy-to-understand formats;

15 “(ii) statewide policies to develop and
16 expand articulation agreements and poli-
17 cies that guarantee transfers between insti-
18 tutions, including through common course
19 numbering and use of a general core cur-
20 riculum;

21 “(iii) statewide policies to support the
22 development of articulation agreements be-
23 tween non-credit and credit-bearing
24 courses at State postsecondary education
25 institutions;

1 “(iv) statewide policies to support the
2 expansion of high-quality dual or concur-
3 rent enrollment programs and early college
4 high school programs;

5 “(v) statewide policies to support the
6 expansion of education and career training
7 programs in in-demand industry sectors or
8 occupations;

9 “(vi) statewide policies to support the
10 expansion of career pathway programs, in-
11 cluding the development of stackable cre-
12 dentials;

13 “(vii) statewide policies to support the
14 expansion of work-based learning opportu-
15 nities, including apprenticeship programs;

16 “(viii) statewide policies to increase
17 educational attainment among major racial
18 and ethnic groups with below average edu-
19 cational attainment in the State;

20 “(ix) statewide policies that encourage
21 the development and implementation of ac-
22 celerated learning strategies, including
23 competency-based education, credit for
24 prior learning, and other strategies for

1 supporting students' pathways to creden-
2 tial attainment; and

3 “(x) statewide policies to increase
4 alignment between workforce, postsec-
5 ondary, poverty alleviation, and economic
6 development systems in the State; and

7 “(B) a description of the State’s plan to—

8 “(i) use funds received under this sub-
9 section and the State’s leveraged funds to
10 carry out statewide activities described in
11 the State’s application under subparagraph
12 (A);

13 “(ii) support community college part-
14 nerships in implementing or scaling the ac-
15 tivities described in and consistent with the
16 requirements of subsection (d);

17 “(iii) provide technical assistance and
18 support to subgrantees;

19 “(iv) align with statewide or regional
20 workforce development strategies in place
21 in the geographic area served under the
22 grant, including those established under
23 the Workforce Innovation and Opportunity
24 Act and the Carl D. Perkins Career and
25 Technical Education Act of 2006;

“(v) measure the performance of subgrantees, including a description of how the State will work with subgrantees to track and report on the primary indicators of performance described under section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act; and

“(vi) enroll and support students who are eligible to receive a Federal Pell Grant under subpart 1 of part A of title IV.

“(3) STATE USES OF FUNDS.—

“(A) STATEWIDE ACTIVITIES.—A State that receives a grant under this subsection may reserve not more than 20 percent of the grant funds for statewide activities described paragraph (2)(A) that support the purposes of the grant, which may include technical assistance, professional development, activities to scale best practices, and other activities required to carry out the functions described under paragraph (2)(A).

“(B) SUBGRANTS FOR COMMUNITY COLLEGE PARTNERSHIPS.—A State that receives a grant under this subsection shall use not less than 80 percent of the grant funds to award

1 subgrants to eligible community college partner-
 2 ships to support the implementation and scaling
 3 of activities described under subsection (d)(3)
 4 that are consistent with the requirements of
 5 subsection (d).

6 “(f) REPORTING REQUIREMENTS.—

7 “(1) REPORTS.—Each eligible institution, con-
 8 sortium of eligible institutions, or State receiving a
 9 grant under this section shall report to the Secretary
 10 annually.

11 “(2) CONTENTS.—The report shall include—

12 “(A) the activities carried out with grant
 13 funds, including activities carried out directly
 14 by the eligible institution, consortium, or State
 15 and activities carried out by any partner organi-
 16 zations;

17 “(B) data on the population served with
 18 grant funds, including on indicators of perform-
 19 ance, as described in section 116(b)(2)(A)(i) of
 20 the Workforce Innovation and Opportunity Act;
 21 and

22 “(C) resources leveraged by the eligible in-
 23 stitution, consortium, or State to support activi-
 24 ties under this section.

25 “(g) NATIONAL ACTIVITIES.—

1 “(1) NATIONAL EVALUATIONS.—

2 “(A) IN GENERAL.—Not later than 5
3 months after the date of enactment of the As-
4 sisting Community Colleges in Educating
5 Skilled Students to Careers Act of 2024, the
6 Secretary shall seek to enter into a contract
7 with an independent third party entity to per-
8 form an evaluation of the grants awarded under
9 this section. Such evaluation shall apply rig-
10 orous procedures to obtain valid and reliable
11 data concerning the effect of strategies and de-
12 livery structures implemented through edu-
13 cation and career training programs on student
14 outcomes, including labor market outcomes.

15 “(B) COMBINED RESULTS.—Lessons
16 learned through this evaluation—

17 “(i) shall be combined with lessons
18 learned through the implementation of the
19 Trade Adjustment Assistance Community
20 College and Career Training Grant Pro-
21 gram, as authorized under chapter 4 of
22 title II of the Trade Act of 1974 (19
23 U.S.C. 2371 et seq.), and the Strength-
24 ening Community Colleges Training
25 Grants program, as authorized under sec-

tion 169(c) of the Workforce Innovation
and Opportunity Act (29 U.S.C. 3224(c));
and

“(ii) shall be reported to Congress as
described in paragraph (3).

“(2) TECHNICAL ASSISTANCE.—The Secretary
shall provide technical assistance to States and to el-
igible institutions, applying lessons learned from ear-
lier grants awarded through the Trade Adjustment
Assistance Community College and Career Training
Grant Program, as authorized under chapter 4 of
title II of the Trade Act of 1974 (19 U.S.C. 2371
et seq.), and from evidence gained through the
Strengthening Community Colleges Training Grants
program, as authorized under section 169(c) of the
Workforce Innovation and Opportunity Act (29
U.S.C. 3224(c)).

“(3) ANNUAL REPORT.—The Secretary shall
submit an annual report to the Committee on
Health, Education, Labor, and Pensions of the Sen-
ate and the Committee on Education and Labor of
the House of Representatives—

“(A) describing each grant awarded under
this section during the preceding fiscal year;

1 “(B) assessing the impact of each award of
2 a grant under this section in a fiscal year pre-
3 ceding the fiscal year referred to in subpara-
4 graph (A) on the population served by the
5 grant; and

6 “(C) providing data relating to program
7 performance and student outcomes,
8 disaggregated by major racial and ethnic
9 groups and by gender.

10 “(4) ADMINISTRATIVE COSTS.—Not more than
11 5 percent of the amounts made available under sub-
12 section (c)(3) may be used by the Secretary for Fed-
13 eral administration of the program under this sec-
14 tion.”.

○