

for others, courts have historically refused to permit someone to tie up his or her own property in such a way that he or she can still enjoy it but prevent his or her creditors from ever reaching it.

My amendment states clearly that these trusts cannot be used in bankruptcy to allow a person to shelter their assets to avoid repaying their debts because of a judgment in criminal, civil, or bankruptcy court.

In addition, my amendment closes the loophole that the New York Times wrote a good article about. That article noted how difficult it is to determine how much money these crooks have sheltered into these asset protection trusts. Some estimate that criminals have stashed away billions of dollars in these types of trusts.

This amendment allows victims to go after any resource transferred into the trust by a corporate criminal over the previous 10 years. Current laws says that if a corporate executive is convicted of a crime, victims can only go after resources transferred into these trusts over the last year. The bankruptcy bill, without my amendment, would have made it only 2 years.

But, that is still not enough time to go after the criminals who set up these asset protection trusts.

There is a gap of several years where criminals could have put billions in assets into these trusts and the Federal and State bankruptcy courts might not be able to touch them. My amendment closes the loophole for criminals.

I urge my colleagues to support this amendment—it simply cracks down on criminals.

I yield back my time.

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. COLEMAN). Is there a sufficient second? There appears to be.

The question is on agreeing to amendment No. 129 to amendment No. 121.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—43

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murray
Bayh	Harkin	Nelson (FL)
Biden	Inouye	Obama
Bingaman	Jeffords	Pryor
Boxer	Johnson	Reed
Byrd	Kennedy	Reid
Cantwell	Kerry	Rockefeller
Chafee	Kohl	Salazar
Conrad	Landrieu	Sarbanes
Corzine	Lautenberg	Schumer
Dayton	Leahy	Stabenow
Dodd	Levin	Wyden
Dorgan	Lieberman	
Durbin	Lincoln	

NAYS—56

Alexander	DeWine	McConnell
Allard	Dole	Murkowski
Allen	Domenici	Nelson (NE)
Bennett	Ensign	Roberts
Bond	Enzi	Santorum
Brownback	Frist	Sessions
Bunning	Graham	Shelby
Burns	Grassley	Smith
Burr	Gregg	Snowe
Carper	Hagel	Specter
Chambliss	Hatch	Stevens
Coburn	Hutchison	Sununu
Cochran	Inhofe	Talent
Coleman	Isakson	Thomas
Collins	Kyl	Thune
Cornyn	Lott	Vitter
Craig	Lugar	Voinovich
Crapo	Martinez	Warner
DeMint	McCain	

NOT VOTING—1

Clinton

The amendment (No. 129) was rejected.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote. I move to lay that motion on the table.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the next vote the Senate proceed to consideration of Calendar No. 39, S. 250, the Vocational and Technical Education Act; provided that the committee-reported substitute amendment be agreed to, there be 30 minutes for debate equally divided between the chairman and ranking member, no other amendments be in order, and that following the debate, the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill first in the next series of votes with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON AMENDMENT 121

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on the Talent amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 121. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 73, nays 26, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—73

Alexander	Chambliss	Domenici
Allard	Coburn	Dorgan
Allen	Cochran	Ensign
Baucus	Coleman	Enzi
Bennett	Collins	Frist
Biden	Conrad	Graham
Bingaman	Cornyn	Grassley
Bond	Corzine	Gregg
Brownback	Craig	Hagel
Bunning	Crapo	Harkin
Burns	Dayton	Hatch
Burr	DeMint	Hutchison
Byrd	DeWine	Inhofe
Cantwell	Dodd	Isakson
Chafee	Dole	Johnson

Kohl	Nelson (NE)	Stevens
Kyl	Pryor	Sununu
Lincoln	Roberts	Talent
Lott	Salazar	Thomas
Lugar	Santorum	Thune
Martinez	Sessions	Vitter
McCain	Shelby	Voinovich
McConnell	Smith	Warner
Murkowski	Snowe	
Nelson (FL)	Specter	

NAYS—26

Akaka	Kennedy	Obama
Bayh	Kerry	Reed
Boxer	Landrieu	Reid
Carper	Lautenberg	Rockefeller
Durbin	Leahy	Sarbanes
Feingold	Levin	Schumer
Feinstein	Lieberman	Stabenow
Inouye	Mikulski	Wyden
Jeffords	Murray	

NOT VOTING—1

Clinton

The amendment (No. 121) was agreed to.

CARL D. PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 2005

The PRESIDING OFFICER. Under the previous order, the clerk will report the next bill by title.

The bill clerk read as follows:

A bill (S. 250) to amend the Carl D. Perkins Education and Technical Education Act of 1998 to improve the Act.

The Senate proceeded to consider the bill which had been reported from the Committee on Health, Education, Labor, and Pensions with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike part shown in black brackets and insert part shown in italic.)

S. 250

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. SHORT TITLE; TABLE OF CONTENTS.]

[(a) SHORT TITLE.—This Act may be cited as the “Carl D. Perkins Career and Technical Education Improvement Act of 2005”.]

[(b) TABLE OF CONTENTS.—The table of contents for 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.

[SEC. 2. REFERENCES.]

[Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.).]

[SEC. 3. PURPOSE.]

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

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

[(2) in paragraph (1), by striking “standards” and inserting “and technical standards, and to assist students in meeting such standards, especially in preparation for high skill, high wage, or high demand occupations in emerging or established professions”;

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

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

[(5) in paragraph (4)—

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

[(B) by inserting “disseminating information on best practices,” after “national research.”; and

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

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

[(5) promoting leadership and professional development at the State and local levels, and developing research and best practices for improving the quality of career and technical education teachers, faculty, principals, administrators, and counselors;

[(6) supporting partnerships among secondary schools, postsecondary institutions, area career technical centers, business and industry, professional associations, and intermediaries; and

[(7) developing a highly skilled workforce needed to keep America competitive in the global economy in conjunction with other Federal education and training programs, including workforce investment programs, that provide lifelong learning for the workforce of today and tomorrow.”.]

[SEC. 4. DEFINITIONS.]

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

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

[(2) in paragraph (3)—

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

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

[(3) by striking paragraph (4);

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

[(5) by inserting after paragraph (3) the following:

[(4) ARTICULATION AGREEMENT.—The term ‘articulation agreement’ means a written commitment, approved annually by the relevant administrators of the secondary and postsecondary institutions, to a program that is designed to provide students with a nonduplicative sequence of progressive achievement leading to technical skill proficiency, a credential, a certificate, or a degree, and linked through credit transfer agreements.

[(5) CAREER AND TECHNICAL EDUCATION.—The term ‘career and technical education’ means organized educational activities that—

[(A) offer a sequence of courses (which may include technical learning experiences) that—

[(i) provides individuals with the challenging academic and technical knowledge and skills the individuals need to prepare for further education and for careers in emerging and established professions; and

[(ii) may lead to technical skill proficiency, a credential, a certificate, or a degree; and

[(B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, of an individual.

[(6) CAREER AND TECHNICAL EDUCATION STUDENT.—The term ‘career and technical education student’ means a student who enrolls in a clearly defined sequence of career and technical education courses leading to attainment of technical skill proficiency, a credential, a certificate, or a degree.

[(7) CAREER AND TECHNICAL STUDENT ORGANIZATION.—

[(A) IN GENERAL.—The term ‘career and technical student organization’ means an organization for individuals enrolled in a career and technical education program that engages in career and technical education activities as an integral part of the instructional program.

[(B) STATE AND NATIONAL UNITS.—An organization described in subparagraph (A) may have State and national units that aggregate the work and purposes of instruction in career and technical education at the local level.

[(8) CAREER GUIDANCE AND ACADEMIC COUNSELING.—The term ‘career guidance and academic counseling’ means providing access to information regarding career awareness and planning with respect to an individual’s occupational and academic future that shall involve guidance and counseling with respect to career options, financial aid, and postsecondary options.

[(9) CAREER PATHWAY.—The term ‘career pathway’ means a coordinated and non-duplicative sequence of courses (which may include technical learning experiences) and associated credits that—

[(A) shall identify both secondary and postsecondary education elements;

[(B) shall include challenging academic and career and technical education content;

[(C) may include the opportunity for secondary students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary credits; and

[(D) may culminate in technical skill proficiency, a credential, a certificate, or a degree.”;

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

[(7) by redesignating paragraphs (11) through (35) (as redesignated by paragraph (4) of this section) as paragraphs (12) through (36), respectively;

[(8) by inserting after paragraph (10) (as redesignated by paragraph (4) of this section) the following:

[(11) COMMUNITY COLLEGE.—The term ‘community college’—

[(A) means an institution of higher education, as defined in section 101 of the Higher Education Act of 1965, that provides not less than a 2-year program that is acceptable for full credit toward a baccalaureate degree; and

[(B) includes tribally controlled colleges or universities.”;

[(9) in paragraph (12) (as redesignated by paragraph (7) of this section)—

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

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

[(10) by redesignating paragraphs (13) through (36) (as redesignated by paragraph (7) of this section) as paragraphs (14) through (37), respectively;

[(11) by inserting after paragraph (12) the following:

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

[(12) in paragraph (16) (as redesignated by paragraph (10) of this section), by striking “vocational” both places the term appears and inserting “career”;

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

[(A) in subparagraph (A), by striking “an institution of higher education” and inserting “a public or nonprofit private institution of higher education that offers career and technical education courses that lead to technical skill proficiency, an industry-recognized credential, a certificate, or a degree”; and

[(B) in subparagraph (C), by striking “vocational” and inserting “career”;

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

[(15) by redesignating paragraphs (20) through (37) (as redesignated by paragraph (10) of this section) as paragraphs (21) through (38), respectively;

[(16) by inserting after paragraph (19) (as redesignated by paragraph (10) of this section) the following:

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

[(A) is developed with career guidance and academic counseling or other professional staff, and in consultation with parents, not later than in the first year of secondary school or upon enrollment in career and technical education;

[(B) is reviewed annually and modified as needed;

[(C) includes relevant information on—

[(i) secondary school requirements for graduating with a diploma;

[(ii) postsecondary education admission requirements; and

[(iii) high skill, high wage, or high demand occupations and nontraditional fields in emerging and established professions, and labor market indicators; and

[(D) states the student’s secondary school graduation goals, postsecondary education

and training, or employment goals, and identifies 1 or more career pathways that correspond to the goals.”;

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

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

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

[(18) in paragraph (26) (as redesignated by paragraph (15) of this section), by striking “the Commonwealth” and all that follows through the period and inserting “and the Commonwealth of the Northern Mariana Islands.”;

[(19) by redesignating paragraphs (31) through (38) (as redesignated by paragraph (15) of this section) as paragraphs (32) through (39), respectively;

[(20) by inserting after paragraph (30) (as redesignated by paragraph (15) of this section) the following:

[(31) SELF-SUFFICIENCY.—The term ‘self-sufficiency’ means a standard that is adopted, calculated, or commissioned by a local area or State, and which adjusts for local factors, in specifying the income needs of families, by family size, the number and ages of children in the family, and sub-State geographical considerations.”;

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

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

[(B) in subparagraph (F), by striking “individuals with other barriers to educational achievement, including”;

[(22) in paragraph (34) (as redesignated by paragraph (19) of this section) by striking “, and instructional aids and devices” and inserting “instructional aids, and work supports”;

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

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

[(A) combines at a minimum 2 years of secondary education (as determined under State law) with a minimum of 2 years of postsecondary education in a nonduplicative, sequential course of study;

[(B) integrates academic and career and technical education instruction, and utilizes work-based and worksite learning where appropriate and available;

[(C) provides technical preparation in a career field, including high skill, high wage, or high demand occupations;

[(D) builds student competence in technical skills and in core academic subjects, as appropriate, through applied, contextual, and integrated instruction, in a coherent sequence of courses;

[(E) leads to technical skill proficiency, a credential, a certificate, or a degree, in a specific career field;

[(F) leads to placement in appropriate employment or to further education; and

[(G) utilizes career pathways, to the extent practicable.”;

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

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

[(B) in the matter preceding subparagraph (A)—

[(i) by striking “vocational” and inserting “career”;

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

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

[(C) in subparagraph (F), by striking “vocational” and inserting “career”;

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

[SEC. 5. TRANSITION PROVISIONS.]

[Section 4 (20 U.S.C. 2303) is amended by striking “the Carl D. Perkins Vocational and Applied Technology Education Act” and all that follows through the period and inserting “this Act, as this Act was in effect on the day before the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2005. Each eligible agency shall be assured a full fiscal year for transition to plan for and implement the requirements of this Act.”.

[SEC. 6. LIMITATION.]

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

[SEC. 7. AUTHORIZATION OF APPROPRIATIONS.]

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

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

[(2) by striking “1999 through 2003” and inserting “2006 through 2011”.

[TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES]

[SEC. 101. CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES.]

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

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

[SEC. 102. RESERVATIONS AND STATE ALLOTMENT.]

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

[(1) in paragraph (1)(C), by striking “2001 through 2003,” and inserting “2006 through 2011, not more than”;

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

[(3) in paragraph (3)—

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

[(B) in subparagraph (C)—

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

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

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

[(5) FORMULA FOR AMOUNTS IN EXCESS OF THE FISCAL YEAR 2005 FUNDING LEVEL.—

[(A) IN GENERAL.—For any fiscal year for which the remainder of the sums appropriated under section 8 and not reserved under paragraph (1) exceeds the remainder of the sums appropriated under section 8 and not reserved under paragraph (1) for fiscal year 2005, such excess amount shall be allotted to the States according to the formula under subparagraphs (A) through (D) of paragraph (2).

[(B) MINIMUM ALLOTMENT.—

[(i) IN GENERAL.—Notwithstanding any other provision of law and subject to clause (ii), no State shall receive for a fiscal year under this paragraph less than ½ of 1 percent of the excess amount described in subparagraph (A).

[(ii) REQUIREMENT.—No State, by reason of the application of clause (i), shall be allotted under this paragraph for a fiscal year more than the amount determined by multiplying—

[(I) the number of individuals in the State counted under paragraph (2); by

[(II) 185 percent of the national average per pupil payment made with the excess amount described in subparagraph (A) for that year.”.

[SEC. 103. WITHIN STATE ALLOCATION.]

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

[(1) in subsection (a)—

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

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

[(2) not more than 15 percent for—

[(A) State leadership activities described in section 124, of which—

[(i) an amount determined by the eligible agency shall be made available to serve individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities; and

[(ii) not less than \$60,000 shall be available for services that prepare individuals for nontraditional fields; and

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

[(i) developing the State plan;

[(ii) reviewing the local plans;

[(iii) monitoring and evaluating program effectiveness;

[(iv) assuring compliance with all applicable Federal laws;

[(v) providing technical assistance; and

[(vi) supporting and developing State data systems relevant to the provisions of this Act.”;

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

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

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

[(1) award grants to eligible recipients, or consortia of eligible recipients, for career and technical education activities described in section 135 in—

[(A) rural areas; or

[(B) areas with high percentages or high numbers of career and technical education students;

[(2) reserve funds, with the approval of participating eligible recipients, for—

[(A) innovative statewide initiatives that demonstrate benefits for eligible recipients, which may include—

[(i) developing and implementing technical assessments;

[(ii) improving the professional development of career and technical education teachers, faculty, principals, and administrators; and

[(iii) establishing, enhancing, and supporting systems for accountability data collection or reporting purposes; or

[(B) the development and implementation of career pathways or career clusters; and

[(3) carry out activities described in paragraphs (1) and (2).”.

[SEC. 104. ACCOUNTABILITY.]

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

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

[(2) in subsection (a)—

[(A) by striking “a State performance accountability system” and inserting “and support State and local performance accountability systems”;

[(B) by inserting “and its eligible recipients” after “of the State”;

[(3) in subsection (b)—

[(A) in paragraph (1)—

[(i) in subparagraph (A), by striking “paragraph (2)(A)” and inserting “subparagraphs (A) and (B) of paragraph (2)”;

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

[(B) in paragraph (2)—

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

[(A) CORE INDICATORS OF PERFORMANCE FOR SECONDARY CAREER AND TECHNICAL EDUCATION STUDENTS.—Each eligible agency

shall identify in the State plan core indicators of performance for secondary career and technical education students that include, at a minimum, measures of each of the following:

“(i) Student achievement on technical assessments and attainment of career and technical skill proficiencies that are aligned with nationally recognized industry standards, if available and appropriate.

“(ii) Student attainment of challenging academic content standards and student academic achievement standards, as adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and measured by the academic assessments described in section 1111(b)(3) of such Act, consistent with State requirements.

“(iii) Student rates of attainment of—

“(I) a secondary school diploma;

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

“(III) technical skill proficiency;

“(IV) a credential;

“(V) a certificate; and

“(VI) a degree.

“(iv) Placement in postsecondary education, military service, apprenticeship programs, or employment.

“(v) Student participation in, and completion of, career and technical education programs that lead to employment in nontraditional fields.”;

“(ii) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

“(iii) by inserting after subparagraph (A) the following:

“(‘(B) CORE INDICATORS OF PERFORMANCE FOR POSTSECONDARY CAREER AND TECHNICAL STUDENTS.—Each eligible agency shall identify in the State plan core indicators of performance for postsecondary career and technical education students that include, at a minimum, measures of each of the following:

“(i) Student achievement on technical assessments and attainment of career and technical skill proficiencies that are aligned with nationally recognized industry standards, if available and appropriate.

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

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

“(iv) Student participation in, and completion of, career and technical education programs that lead to employment in nontraditional fields.

“(v) Increase in earnings, where available.”;

“(iv) in subparagraph (C) (as redesignated by clause (ii) of this subparagraph), by striking “the title.” and inserting “this title, such as attainment of self-sufficiency.”;

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

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

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

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

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

“(‘(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.”;

“(C) in paragraph (3)—

“(I) in the paragraph heading, by striking “LEVELS” and inserting “STATE LEVELS”;

“(ii) in subparagraph (A)—

“(I) in clause (i)—

“(aa) by striking “paragraph (2)(A)” and inserting “subparagraphs (A) and (B) of paragraph (2)”;

“(bb) by inserting “after taking into account the local adjusted levels of performance and” after “eligible agency.”; and

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

“(‘(II) require the eligible recipients to make continuous and significant improvement in career and technical achievement of career and technical education students, including special populations.”;

“(II) in clause (v)—

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

“(bb) by striking “third program year” and inserting “third and fifth program years”;

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

“(III) in clause (vi)(II), by inserting “and significant” after “continuous”; and

“(IV) in clause (vii), by striking “or (vi)” and inserting “or (v)”;

“(iii) in subparagraph (B), by striking “(2)(B)” and inserting “(2)(C)”;

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

“(‘(4) LOCAL LEVELS OF PERFORMANCE.—

“(‘(A) LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE.—

“(i) IN GENERAL.—Each eligible recipient shall accept the State adjusted levels of performance established under paragraph (3) as local adjusted levels of performance, or negotiate with the State to reach agreement on new local adjusted levels of performance, for each of the core indicators of performance described in subparagraphs (A) and (B) of paragraph (2) for career and technical education activities authorized under this title. The levels of performance established under this subparagraph shall, at a minimum—

“(I) be expressed in a percentage or numerical form, so as to be objective, quantifiable, and measurable; and

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

“(ii) IDENTIFICATION IN THE LOCAL PLAN.—Each eligible recipient shall identify, in the local plan submitted under section 134, levels of performance for each of the core indicators of performance for the first 2 program years covered by the local plan.

“(iii) AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 2 YEARS.—The eligible agency and each eligible recipient shall reach agreement on the eligible recipient’s levels of performance for each of the core indicators of performance for the first 2 program years covered by the local plan, taking into account the levels identified in the local plan under clause (ii) and the factors described in clause (v). The levels of performance agreed to under this clause shall be considered to be the local adjusted levels of performance for the eligible recipient for such years and shall be incorporated into the local plan prior to the approval of such plan.

“(iv) AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.—Prior to the third and fifth program years covered by the local plan, the eligible agency and each eligible recipient shall reach agreement on the local adjusted levels of performance for each of the core indicators of performance for the corresponding subsequent program years covered by the local plan, taking into account the factors

described in clause (v). The local adjusted levels of performance agreed to under this clause shall be considered to be the local adjusted levels of performance for the eligible recipient for such years and shall be incorporated into the local plan.

“(v) FACTORS.—The agreement described in clause (iii) or (iv) shall take into account—

“(I) how the levels of performance involved compare with the local adjusted levels of performance established for other eligible recipients, taking into account factors including the characteristics of participants when the participants entered the program and the services or instruction to be provided; and

“(II) the extent to which the local adjusted levels of performance involved promote continuous and significant improvement on the core indicators of performance by the eligible recipient.

“(vi) REVISIONS.—If unanticipated circumstances arise with respect to an eligible recipient resulting in a significant change in the factor described in clause (v)(II), the eligible recipient may request that the local adjusted levels of performance agreed to under clause (iii) or (iv) be revised. The eligible agency shall issue objective criteria and methods for making such revisions.

“(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—Each eligible recipient may identify, in the local plan, local levels of performance for any additional indicators of performance described in paragraph (2)(C). Such levels shall be considered to be the local levels of performance for purposes of this title.

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

“(4) by striking subsection (c)(1)(B) and inserting:

“(‘(B) information on the levels of performance achieved by the State with respect to the additional indicators of performance, including the levels of performance disaggregated for postsecondary institutions, by special populations, and for secondary institutions, by special populations and by the categories described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual.”.

SEC. 105. NATIONAL ACTIVITIES.

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

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

“(2) in subsection (a)(1), by striking “, including an analysis of performance data regarding special populations” and inserting “, including an analysis of performance data that is disaggregated for postsecondary institutions, by special populations, and for secondary institutions, by special populations and by the categories described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual”;

“(3) in subsection (c)—

“(A) by striking paragraph (2) and inserting the following:

“(‘(2) INDEPENDENT ADVISORY PANEL.—

[(A) IN GENERAL.—The Secretary shall appoint an independent advisory panel to advise the Secretary on the implementation of the assessment described in paragraph (3), including the issues to be addressed and the methodology of the studies involved to ensure that the assessment adheres to the highest standards of quality.

[(B) MEMBERS.—The advisory panel shall consist of—

[(i) educators, principals, and administrators (including State directors of career and technical education), with expertise in the integration of academic and career and technical education;

[(ii) experts in evaluation, research, and assessment;

[(iii) representatives of labor organizations and businesses, including small businesses;

[(iv) parents;

[(v) career guidance and academic counseling professionals; and

[(vi) other individuals and intermediaries with relevant expertise.

[(C) INDEPENDENT ANALYSIS.—The advisory panel shall transmit to the Secretary and to the relevant committees of Congress an independent analysis of the findings and recommendations resulting from the assessment described in paragraph (3).

[(D) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel established under this paragraph.”;

[(B) in paragraph (3)—

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

[(A) IN GENERAL.—From amounts made available under subsection (d), the Secretary shall provide for the conduct of an independent evaluation and assessment of career and technical education programs under this Act, including the implementation of the Carl D. Perkins Career and Technical Education Improvement Act of 2005, to the extent practicable, through studies and analyses conducted independently through grants, contracts, and cooperative agreements that are awarded on a competitive basis.”;

[(ii) in subparagraph (B)—

[(i) by striking clause (iii) and inserting the following:

[(iii) the preparation and qualifications of teachers and faculty of career and technical education, as well as shortages of such teachers and faculty.”;

[(II) by striking clause (v) and inserting the following:

[(v) academic and career and technical education achievement and employment outcomes of career and technical education students, including analyses of—

[(I) the number of career and technical education students and tech-prep students who meet the State adjusted levels of performance established under section 113;

[(II) the extent and success of integration of challenging academic and career and technical education for students participating in career and technical education programs;

[(III) the extent to which career and technical education programs prepare students, including special populations, for subsequent employment in high skill, high wage occupations, or participation in postsecondary education; and

[(IV) the number of career and technical education students receiving a high school diploma.”;

[(III) in clause (vi), by inserting “, and career and technical education students’ preparation for employment” after “programs”;

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

[(iii) in subparagraph (C)—

[(I) in clause (i)—

[(aa) by striking “Committee on Education” and all that follows through “Senate” and inserting “relevant committees of Congress”; and

[(bb) by striking “2002” both places it appears and inserting “2009”; and

[(II) in clause (ii), by striking “Committee on Education” and all that follows through “Senate” and inserting “relevant committees of Congress”;

[(C) in paragraph (4)(B), by striking “Committee on Education” and all that follows through “Senate” and inserting “relevant committees of Congress”;

[(D) in paragraph (5)—

[(i) in subparagraph (A)—

[(I) in the matter preceding clause (i), by striking “higher education” and all that follows through “centers” and inserting “higher education offering comprehensive graduate programs in career and technical education that shall be the primary recipient and shall collaborate with a public or private nonprofit organization or agency, or a consortium of such institutions, organizations, or agencies, to establish a national research center”;

[(II) in clause (i)—

[(aa) by inserting “and evaluation” after “to carry out research”; and

[(bb) by inserting “, including special populations,” after “participants”;

[(III) by redesignating clauses (ii), (iii), and (iv), as clauses (iii), (iv), and (v), respectively;

[(IV) by inserting after clause (i) the following:

[(ii) to carry out research for the purpose of developing, improving, and identifying the most successful methods for successfully addressing the needs of employers in high skill, high wage business and industry, including evaluation and scientifically based research of—

[(I) collaboration between career and technical education programs and business and industry;

[(II) academic and technical skills required to respond to the challenge of a global economy and rapid technological changes; and

[(III) technical knowledge and skills required to respond to needs of a regional or sectoral workforce, including small businesses”;

[(V) in clause (iii) (as redesignated by subclause (III) of this clause), by inserting “that are integrated with challenging academic instruction” before “, including”;

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

[(iv) to carry out scientifically based research, where appropriate, that can be used to improve preparation and professional development of teachers, faculty, principals, and administrators and student learning in the career and technical education classroom, including—

[(I) effective in-service and pre-service teacher and faculty education that assists career and technical education programs in—

[(aa) integrating those programs with academic content standards and student academic achievement standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and

[(bb) promoting technical education aligned with industry-based standards and certifications to meet regional industry needs;

[(II) dissemination and training activities related to the applied research and demonstration activities described in this subsection, which may also include serving as a repository for information on career and

technical education skills, State academic standards, and related materials; and

[(III) the recruitment and retention of career and technical education teachers, faculty, counselors, principals, and administrators, including individuals in groups underrepresented in the teaching profession; and”;

[(ii) in subparagraph (B)—

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

[(II) by striking “Committee on Education” and all that follows through “Senate” and inserting “relevant committees of Congress”;

[(iii) in subparagraph (C), by striking “or centers”;

[(iv) by adding at the end the following:

[(D) INDEPENDENT GOVERNING BOARD.—

[(i) IN GENERAL.—An institution of higher education that desires a grant, contract, or cooperative agreement under this paragraph shall identify, in its application, an independent governing board for the center established pursuant to this paragraph.

[(ii) MEMBERS.—The independent governing board shall consist of the following:

[(I) Two representatives of secondary career and technical education.

[(II) Two representatives of postsecondary career and technical education.

[(III) Two representatives of eligible agencies.

[(IV) Two representatives of business and industry.

[(V) Two representatives of career and technical teacher preparation institutions.

[(VI) Two nationally recognized researchers in the field of career and technical education.

[(iii) COORDINATION.—The independent governing board shall ensure that the research and dissemination activities carried out by the center are coordinated with the research activities carried out by the Secretary.”;

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

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

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

[(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2006 through 2011.”.

[SEC. 106. ASSISTANCE FOR THE OUTLYING AREAS.

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

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

[(2) in subsection (b)—

[(A) in the matter preceding paragraph (1), by striking “the Republic of the Marshall Islands, the Federated States of Micronesia,”;

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

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

[(D) by inserting after paragraph (1) the following:

[(2) professional development for teachers, faculty, principals, and administrators”;

[(3) in subsection (d)—

[(A) by striking “the Republic of the Marshall Islands, the Federated States of Micronesia, and”;

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

[SEC. 107. NATIVE AMERICAN PROGRAM.

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

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

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

[(3) in subsection (b)—

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

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

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

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

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

[SEC. 108. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.]

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

[(1) by striking the section heading and inserting the following:

[“SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.”]

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

[(3) in subsection (g)—

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

[(B) in paragraph (2)(B), by striking “2000” and inserting “2007”]; and

[(C) in paragraph (3)(C), by striking “beginning” and all that follows through the period and inserting “beginning on the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2005.”];

[(4) by redesignating subsections (h) and (i) as subsections (j) and (k), respectively;

[(5) by inserting after subsection (g) the following:

[(“h) APPEALS.—

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

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

[(“B) A determination regarding the calculation of the amount of a grant awarded under this section.

[(“2) PROCEDURE FOR APPEAL.—To appeal a determination described in paragraph (1), a tribally controlled postsecondary career and technical institution shall—

[(“A) in the case of an appeal based on a determination that such institution is not eligible for a grant under this section, file a notice of appeal with the Secretary not later than 30 days after receipt of such determination; and

[(“B) in the case of an appeal based on a determination regarding the calculation of the amount of a grant awarded under this section—

[(“i) file a notice of appeal with the Secretary not later than 30 days after receipt of the Secretary’s notification of the grant amount; and

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

[(“3) WITHHOLDING OF AMOUNT.—If a tribally controlled postsecondary career and technical institution appeals a determination described in paragraph (1), the Secretary shall withhold the amount in dispute from the award of grant funds under this section until such time as the administrative law judge has issued a written decision on the appeal.”]; and

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

[(“j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.”].

[SEC. 109. OCCUPATIONAL AND EMPLOYMENT INFORMATION.]

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

[(1) in subsection (a)—

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

[(B) in paragraph (1)—

[(i) in subparagraph (A), by striking “(b)” both places it appears and inserting “(c)”];

[(ii) in subparagraph (B), by striking “(b)” and inserting “(c)”]; and

[(iii) in subparagraph (C), by striking “(b)” and inserting “(c)”]; and

[(C) in paragraph (2), by striking “(b)” both places it appears and inserting “(c)”];

[(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

[(3) by inserting after subsection (a) the following:

[(“b) STATE APPLICATION.—

[(“1) IN GENERAL.—Each State desiring assistance under this section shall submit an application to the Secretary at the same time the State submits its State plan under section 122, in such manner, and accompanied by such additional information, as the Secretary may reasonably require.

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

[(“A) a description of how the State entity designated in subsection (c) will provide information based on labor market trends to inform program development; and

[(“B) information about the academic content standards and student academic achievement standards adopted by the State under section 111(b)(1) of the Elementary and Secondary Education Act of 1965.”];

[(4) in subsection (c) (as redesignated by paragraph (2) of this section)—

[(A) in paragraph (1), by striking “individuals” and all that follows through the semicolon and inserting “students and parents, including postsecondary education and training, including preparation for high skill, high wage, or high demand occupations and nontraditional fields in emerging or established professions.”];

[(B) in paragraph (2), by inserting “academic and career and technical” after “related”];

[(C) by striking paragraph (3) and inserting the following:

[(“3) to equip teachers, faculty, administrators, and counselors with the knowledge, skills, and occupational information needed to assist parents and all students, especially special populations underrepresented in certain careers, with career exploration, educational opportunities, education financing, and exposure to high skill, high wage, or high demand occupations and nontraditional fields.”];

[(D) in paragraph (4), by striking “such entities” and inserting “such entities, with an emphasis on high skill, high wage, or high demand occupations in emerging or established professions.”];

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

[(F) in paragraph (6), by striking the period and inserting “; and”]; and

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

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

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

[(“B) the expected lifetime earnings; and

[(“C) the expected future demand for the occupation, based on employment projections.”];

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

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

[(7) in subsection (f)(1) (as redesignated by paragraph (2) of this section), by striking “an identification” and inserting “a description”]; and

[(8) in subsection (g) (as redesignated by paragraph (2) of this section), by striking “1999 through 2003” and inserting “2006 through 2011”].

[SEC. 110. STATE ADMINISTRATION.]

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

[(1) by redesignating subsection (a)(2) as subsection (b) and indenting appropriately;

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

[(3) by redesignating clauses (i) and (ii) of paragraph (4) (as redesignated by paragraph (2) of this section) as subparagraphs (A) and (B), respectively, and indenting appropriately;

[(4) by striking the following:

[(“a) ELIGIBLE AGENCY RESPONSIBILITIES.—

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

[(“a) ELIGIBLE AGENCY RESPONSIBILITIES.—The responsibilities”];

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

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

[(A) by inserting “teacher and faculty preparation programs,” after “teachers,”; and

[(B) by inserting “all types and sizes of” after “representatives of”]; and

[(7) in subsection (b) (as redesignated by paragraph (1) of this section), by striking “paragraph (1)” and inserting “subsection (a)”].

[SEC. 111. STATE PLAN.]

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

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

[(2) in subsection (a)—

[(A) in paragraph (1)—

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

[(ii) by adding at the end the following: “Each eligible agency may submit a transition plan during the first full year of implementation of this Act after the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2005. The transition plan shall fulfill the eligible agency’s State plan submission obligation under this section.”]; and

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

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

[(“1) IN GENERAL.—The eligible agency shall develop the State plan in consultation with academic and career and technical education teachers, faculty, principals, and administrators, career guidance and academic counselors, eligible recipients, parents, students, the State tech-prep coordinator and representatives of tech-prep consortia (if applicable), interested community members (including parent and community organizations), representatives of special populations, representatives of business (including small business) and industry, and representatives of labor organizations in the State, and shall consult the Governor of the State with respect to such development.”];

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

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

[(“1) describes the career and technical education activities to be assisted that are

designed to meet or exceed the State adjusted levels of performance, including a description of—

["(A) how the eligible agency will support eligible recipients in developing or implementing career pathways for career and technical education content areas that are designed to meet relevant workforce needs, including how the eligible agency will—

["(i) support eligible recipients in developing articulation agreements between secondary and postsecondary institutions;

["(ii) support eligible recipients in using labor market information to identify career pathways that prepare individuals for high skill, high wage, or high demand occupations;

["(iii) make available information about career pathways offered by eligible recipients; and

["(iv) consult with business and industry and use industry-recognized standards and assessments, if appropriate;

["(B) the secondary and postsecondary career and technical education programs to be carried out, including programs that will be carried out by the eligible agency to develop, improve, and expand access to quality technology in career and technical education programs;

["(C) the criteria that will be used by the eligible agency to approve eligible recipients for funds under this title, including criteria to assess the extent to which the local plan will—

["(i) promote higher levels of academic achievement;

["(ii) promote higher levels of technical skill attainment; and

["(iii) identify and address workforce needs;

["(D) how programs at the secondary level will prepare career and technical education students, including special populations to graduate from high school with a diploma;

["(E) how such programs will prepare career and technical education students, including special populations, both academically and technically, for opportunities in postsecondary education or entry into high skill, high wage, or high demand occupations in emerging or established occupations, and how participating students will be made aware of such opportunities; and

["(F) how funds will be used to improve or develop new career and technical education courses in high skill, high wage, or high demand occupations that are aligned with business needs and industry standards, as appropriate—

["(i) at the secondary level that are aligned with challenging academic content standards and student academic achievement standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and

["(ii) at the postsecondary level that are relevant and challenging;

["(2) describes how career and technical education teachers, faculty, principals, administrators, and career guidance and academic counselors will be provided comprehensive initial preparation and professional development, including through programs and activities that—

["(A) promote the integration of challenging academic and career and technical education curriculum development, including opportunities for teachers to jointly develop and implement curriculum and pedagogical strategies with appropriate academic teachers;

["(B) increase the academic and career and technical education knowledge of career and technical education teachers and faculty;

["(C) are high-quality, sustained, intensive, focused on instruction, directly related to industry standards, and includes struc-

tured induction and mentoring components for new personnel, with an emphasis on identifying and addressing the needs of local businesses, including small businesses;

["(D) ensure an increasing number of career and technical education teachers and faculty meet teacher certification and licensing requirements reflecting the needs of their subject area or areas;

["(E) equip them with the knowledge and skills needed to work with and improve instruction for special populations;

["(F) assist in accessing and utilizing data, including labor market indicators, student achievement, and assessments;

["(G) enhance the leadership capacity of principals and administrators;

["(H) are integrated with professional development activities that the State carries out under title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher Education Act of 1965; and

["(I) include strategies to expose all career and technical education students to comprehensive information regarding career options that lead to high skill, high wage, or high demand occupations and nontraditional fields;

["(3) describes efforts to improve—

["(A) the recruitment and retention of career and technical education teachers, faculty, counselors, principals, and administrators, including individuals in groups underrepresented in the teaching profession; and

["(B) the transition to teaching from business and industry, including small business;

["(4) describes efforts to improve the capacity of programs and faculty at postsecondary institutions to effectively prepare career and technical education personnel, including, as appropriate, through electronically delivered distance education, and articulation agreements between 2-year technical programs and postsecondary education programs;

["(5) describes how the eligible agency will actively involve parents, academic and career and technical education teachers, faculty, principals, and administrators, career guidance and academic counselors, local businesses (including small- and medium-sized businesses and business intermediaries), and labor organizations in the planning, development, implementation, and evaluation of such career and technical education programs;

["(6) describes how funds received by the eligible agency through the allotment made under section 111 will be allocated—

["(A) among secondary school career and technical education, or postsecondary and adult career and technical education, or both, including the rationale for such allocation; and

["(B) among any consortia that will be formed among secondary schools and eligible institutions, and how funds will be allocated among the members of the consortia, including the rationale for such allocation;

["(7) describes how the eligible agency will—

["(A) use funds to improve or develop new career and technical education courses in high skill, high wage, or high demand occupations—

["(i) at the secondary level that are aligned with challenging academic content standards and student academic achievement standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and

["(ii) at the postsecondary level that are challenging and aligned with business needs and industry standards, as appropriate;

["(B) improve the academic and technical skills of students participating in career and technical education programs, including strengthening the academic, and career and

technical, components of career and technical education programs through the integration of academics with career and technical education to ensure learning in the core academic subjects and career and technical education subjects, and provide students with strong experience in, and understanding of, all aspects of an industry;

["(C) ensure that students who participate in such career and technical education programs are taught to the same challenging academic proficiencies as are taught to all other students; and

["(D) encourage secondary school students who participate in such career and technical education programs to enroll in challenging courses in core academic subjects;

["(8) describes how the eligible agency will annually evaluate the effectiveness of such career and technical education programs, and describes, to the extent practicable, how the eligible agency is coordinating such programs to promote relevant lifelong learning and ensure non duplication with other existing Federal programs;

["(9) describes the eligible agency's program strategies for special populations, including a description of how individuals who are members of the special populations—

["(A) will be provided with equal access to activities assisted under this title;

["(B) will not be discriminated against on the basis of their status as members of the special populations; and

["(C) will be provided with programs designed to enable the special populations to meet or exceed State adjusted levels of performance, and prepare special populations for further learning and for high skill, high wage, or high demand occupations;

["(10) how the eligible agency will collaborate in developing the State plan with—

["(A) the entity within the State with responsibility for elementary and secondary education;

["(B) the entity within the State with responsibility for public institutions engaged in postsecondary education;

["(C) State institutions such as State correctional institutions and institutions that serve individuals with disabilities; and

["(D) all other relevant State agencies with responsibility for career and technical education and training and workforce development;

["(11) describes what steps the eligible agency will take to involve representatives of eligible recipients in the development of the State adjusted levels of performance;

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

["(13) provides assurances that none of the funds expended under this title will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity, the employees of the purchasing entity, or any affiliate of such an organization;

["(14) describes how the eligible agency will measure and report data relating to students participating in and completing career and technical education within specific career clusters in order to adequately measure the progress of the students, including special populations, at—

["(A) the secondary level, disaggregated by the categories described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a case in which the number of individuals in

a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual; and

[(B) the postsecondary level, disaggregated by special populations and the categories described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual;

[(15) describes how the eligible agency will adequately address the needs of students in alternative education programs, if appropriate;

[(16) describes how the eligible agency will provide local educational agencies, area career and technical education schools, and eligible institutions in the State with technical assistance;

[(17) describes how career and technical education relates to State and regional occupational opportunities;

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

[(19) describes how funds will be used to promote preparation for high skill, high wage, or high demand occupations and non-traditional fields in emerging and established professions;

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

[(21) describes how the eligible agency will ensure that the data reported to the eligible agency from local educational agencies and eligible institutions under this title and the data the eligible agency reports to the Secretary are complete, accurate, and reliable; and

[(22) contains the description and information specified in sections 112(b)(8) and 121(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b)(8) and 2841(c)) concerning the provision of services only for postsecondary students and school dropouts.”;

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

[(d) PLAN OPTIONS.—

[(1) SINGLE PLAN.—The eligible agency may fulfill the plan or application submission requirements of this section, section 118(b), and section 141(c) by submitting a single State plan. In such plan, the eligible agency may allow eligible recipients to fulfill the plan or application submission requirements of section 134 and subsections (a) and (b) of section 143 by submitting a single local plan.

[(2) PLAN SUBMITTED AS PART OF 501 PLAN.—The eligible agency may submit the plan required under this section as part of the plan submitted under section 501 of the Workforce Investment Act of 1998 (20 U.S.C. 9271), provided that the plan submitted pursuant to the requirement of this section meets the requirements of this Act.”; and

[(6) by striking subsection (f).

[SEC. 112. IMPROVEMENT PLANS.

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

[(“SEC. 123. IMPROVEMENT PLANS.

[(a) STATE PROGRAM IMPROVEMENT PLAN.—

[(1) PLAN.—If a State fails to meet the State adjusted levels of performance described in the report submitted under section 113(c), the eligible agency shall develop and implement a program improvement plan in consultation with the appropriate agencies,

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

[(2) TECHNICAL ASSISTANCE.—If the Secretary determines that an eligible agency is not properly implementing the eligible agency’s responsibilities under section 122, or is not making substantial progress in meeting the purpose of this Act, based on the State’s adjusted levels of performance, the Secretary shall work with the eligible agency to implement improvement activities consistent with the requirements of this Act.

[(3) FAILURE.—

[(A) IN GENERAL.—If an eligible agency fails to meet the State adjusted levels of performance, has not implemented an improvement plan as described in paragraph (1), has shown no improvement within 1 year after implementing an improvement plan as described in paragraph (1), or has failed to meet the State adjusted levels of performance for 2 or more consecutive years, the Secretary may, after notice and opportunity for a hearing, withhold from the eligible agency all, or a portion of, the eligible agency’s allotment under this title.

[(B) WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.—The Secretary may waive the sanction in subparagraph (A) due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in financial resources of the State.

[(4) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—

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

[(B) REDISTRIBUTION.—If the Secretary cannot satisfactorily use funds withheld under paragraph (3), then the amount of funds retained by the Secretary as a result of a reduction in an allotment made under paragraph (3) shall be redistributed to other eligible agencies in accordance with section 111.

[(b) LOCAL PROGRAM IMPROVEMENT.—

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

[(2) PLAN.—

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

[(i) conduct an assessment of the educational needs that the eligible recipient shall address to overcome local performance deficiencies, including the performance of special populations;

[(ii) enter into an improvement plan with an eligible recipient based on the results of the assessment, for the first program year succeeding the program year in which the eligible recipient failed to meet the local adjusted levels of performance, which plan shall demonstrate how the local performance deficiencies will be corrected and include instructional and other programmatic innovations of demonstrated effectiveness, and, where necessary, strategies for appropriate staffing and professional development; and

[(iii) conduct regular evaluations of the progress being made toward reaching the local adjusted levels of performance, as de-

scribed in section 113(b)(4), and progress on implementing the improvement plan.

[(B) CONSULTATION.—The eligible agency shall conduct the activities described in subparagraph (A) in consultation with teachers, principals, administrators, faculty, parents, other school staff, appropriate agencies, and other appropriate individuals and organizations.

[(3) TECHNICAL ASSISTANCE.—If the eligible agency determines that an eligible recipient is not properly implementing the eligible recipient’s responsibilities under section 134, or is not making substantial progress in meeting the purpose of this Act, based on the local adjusted levels of performance, the eligible agency shall provide technical assistance to the eligible recipient to assist the eligible recipient in carrying out the improvement activities consistent with the requirements of this Act. An eligible recipient, in collaboration with the eligible agency, may request that the Secretary provide additional technical assistance.

[(4) FAILURE.—

[(A) IN GENERAL.—If an eligible recipient fails to meet the local adjusted levels of performance as described in section 113(b)(4) and has not implemented an improvement plan as described in paragraph (2), has shown no improvement within 1 year after implementing an improvement plan as described in paragraph (2), or has failed to meet more than 1 of the local adjusted levels of performance for 2 or more consecutive years, the eligible agency may, after notice and opportunity for a hearing, withhold from the eligible recipient all, or a portion of, the eligible recipient’s allotment under this title.

[(B) WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.—The eligible agency may waive the sanction under this paragraph due to exceptional or uncontrollable circumstances such as organizational structure, or a natural disaster or a precipitous and unforeseen decline in financial resources of the eligible recipient.

[(5) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—The eligible agency shall use funds withheld under paragraph (4) to provide (through alternative arrangements) services and activities to students within the area served by such recipient to meet the purpose of this Act.”.

[SEC. 113. STATE LEADERSHIP ACTIVITIES.

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

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

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

[(3) in subsection (b)—

[(A) in paragraph (1), by striking “further learning” and all that follows through the semicolon and inserting “further education, further training, or for high skill, high wage, or high demand occupations”;

[(B) in paragraph (2), by striking subparagraphs (A) through (C) and inserting the following:

[(A) training of career and technical education teachers, faculty, principals, career guidance and academic counselors, and administrators to use technology, including distance learning;

[(B) encouraging schools to work with technology industries to offer voluntary internships and mentoring programs; or

[(C) encouraging lifelong learning, including through partnerships that may involve institutions of higher education, organizations providing career and technical education, businesses, and communications entities”;

[(C) by striking paragraph (3) and inserting the following:

[(3) professional development programs, including providing comprehensive professional development (including initial teacher

preparation) for career and technical education teachers, faculty, principals, administrators, and career guidance and academic counselors at the secondary and postsecondary levels, that support activities described in section 122 and—

[(A) provide in-service and pre-service training in career and technical education programs and techniques, effective teaching skills based on promising practices and, where available and appropriate, scientifically based research, and effective practices to improve parental and community involvement;

[(B) improve student achievement in order to meet the State adjusted levels of performance established under section 113;

[(C) support education programs for teachers and faculty of career and technical education in public schools and other public school personnel who are involved in the direct delivery of educational services to career and technical education students to ensure that such personnel—

[(i) stay current with the needs, expectations, and methods of industry;

[(ii) can effectively develop challenging, integrated academic and career and technical education curriculum jointly with academic teachers, to the extent practicable; and

[(iii) develop a higher level of academic and industry knowledge and skills in career and technical education; and

[(D) are integrated with the teacher certification or licensing and professional development activities that the State carries out under title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher Education Act of 1965;”

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

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

[(F) in paragraph (6)—

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

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

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

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

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

[(9) technical assistance for eligible recipients.”;

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

[(c) **PERMISSIBLE USES OF FUNDS.**—The leadership activities described in subsection (a) may include—

[(1) improvement of career guidance and academic counseling programs that assist students in making informed academic, and career and technical education, decisions, including encouraging secondary and postsecondary students to graduate with a diploma or degree, and expose students to high skill, high wage occupations and nontraditional fields in emerging and established professions;

[(2) establishment of agreements, including articulation agreements, between secondary and postsecondary career and technical education programs in order to provide postsecondary education and training opportunities for students participating in such career and technical education programs, such as tech-prep programs;

[(3) support for career and technical student organizations, especially with respect

to efforts to increase the participation of students who are members of special populations;

[(4) support for public charter schools operating secondary career and technical education programs;

[(5) support for career and technical education programs that offer experience in, and understanding of, all aspects of an industry for which students are preparing to enter;

[(6) support for family and consumer sciences programs;

[(7) support for partnerships between education and business or business intermediaries, including cooperative education and adjunct faculty arrangements at the secondary and postsecondary levels;

[(8) support to improve or develop new career and technical education courses and initiatives, including career clusters, career academies, and distance learning, that prepare individuals academically and technically for high skill, high wage, or high demand occupations;

[(9) awarding incentive grants to eligible recipients for exemplary performance in carrying out programs under this Act, which awards shall be based on local performance indicators, as described in section 113, in accordance with previously publicly disclosed priorities;

[(10) providing career and technical education programs for adults and school dropouts to complete their secondary school education;

[(11) providing assistance to individuals, who have participated in services and activities under this title, in finding an appropriate job and continuing their education or training through collaboration with the workforce investment system established under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

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

[(13) developing and enhancing data systems to collect and analyze data on secondary and postsecondary academic and employment outcomes;

[(14) improving—

[(A) the recruitment and retention of career and technical education teachers, faculty, principals, administrators, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and

[(B) the transition to teaching from business and industry, including small business; and

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

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

SEC. 114. DISTRIBUTION OF FUNDS TO SECONDARY SCHOOL PROGRAMS.

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

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

[(2) by striking subsection (a);

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

[(4) in subsection (a) (as redesignated by paragraph (3) of this section)—

[(A) in the subsection heading, by striking “SPECIAL DISTRIBUTION RULES FOR SUCCEEDING FISCAL YEARS” and inserting “DISTRIBUTION RULES”;

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

[(5) in subsection (b) (as redesignated by paragraph (3) of this section)—

[(A) by striking “subsection (b)” and inserting “subsection (a)”;

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

[(6) in subsection (e) (as redesignated by paragraph (3) of this section), in the subsection heading, by striking “VOCATIONAL” and inserting “CAREER”;

[(7) in subsection (g) (as redesignated by paragraph (3) of this section), by striking “subsections (a), (b), (c), and (d)” and inserting “subsections (a), (b), and (c)”.

SEC. 115. DISTRIBUTION OF FUNDS FOR POST-SECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS.

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

SEC. 132. DISTRIBUTION OF FUNDS FOR POST-SECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS.”

SEC. 116. SPECIAL RULES FOR CAREER AND TECHNICAL EDUCATION.

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

[(1) by striking the section heading and inserting the following:

SEC. 133. SPECIAL RULES FOR CAREER AND TECHNICAL EDUCATION.”;

[and

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

SEC. 117. LOCAL PLAN FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.

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

[(1) by striking the section heading and inserting the following:

SEC. 134. LOCAL PLAN FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.”;

[and

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

[(1) describe how the career and technical education programs required under section 135(b) will be carried out with funds received under this title;

[(2) describe how the career and technical education activities will be carried out with respect to meeting State and local adjusted levels of performance established under section 113;

[(3) describe how the eligible recipient will—

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

[(B) improve the academic and technical skills of students participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of challenging academics with career and technical education programs through a coherent sequence of courses to ensure learning in the core academic subjects, and career and technical education subjects;

[(C) provide students with strong experience in and understanding of all aspects of an industry; and

[(D) ensure that students who participate in such career and technical education programs are taught to the same challenging academic proficiencies as are taught for all other students;

[(4) describe how comprehensive professional development will be provided that is consistent with section 122;

[(5) describe how parents, students, academic and career and technical education teachers, faculty, principals, administrators, career guidance and academic counselors, representatives of tech-prep consortia (if applicable), representatives of business (including small business) and industry, labor organizations, representatives of special populations, and other interested individuals are involved in the development, implementation, and evaluation of career and technical education programs assisted under this title,

and how such individuals and entities are effectively informed about, and assisted in, understanding, the requirements of this title, including career pathways;

[(6) provide assurances that the eligible recipient will provide a career and technical education program that is of such size, scope, and quality to bring about improvement in the quality of career and technical education programs;

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

[(8) describe how the eligible recipient—

[(A) will review career and technical education programs, and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the programs, for special populations; and

[(B) will provide programs that are designed to enable the special populations to meet the local adjusted levels of performance and prepare for high skill, high wage, or high demand occupations, including those that will lead to self-sufficiency;

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

[(10) describe how funds will be used to promote preparation for nontraditional fields;

[(11) describe how career guidance and academic counseling will be provided to all career and technical education students; and

[(12) describe efforts to improve the recruitment and retention of career and technical education teachers, faculty, counselors, principals, and administrators, including individuals in groups underrepresented in the teaching profession, and the transition to teaching from business and industry.”.

[SEC. 118. LOCAL USES OF FUNDS.]

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

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

[(2) in subsection (b)—

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

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

[(1) strengthen the academic and career and technical education skills of students participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of academics with career and technical education programs through a coherent sequence of courses, such as career pathways described in section 122(c)(1)(A), to ensure learning in the core academic subjects and career and technical education subjects;

[(2) link secondary career and technical education and postsecondary career and technical education, including by—

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

[(B) developing and supporting articulation agreements between secondary and postsecondary institutions; or

[(C) supporting tech-prep programs and consortia;

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

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

[(A) training of career and technical education teachers, faculty, principals, and ad-

ministrators to use technology, including distance learning; or

[(B) encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs;

[(5) provide professional development programs that are consistent with section 122 to secondary and postsecondary teachers, faculty, principals, administrators, and career guidance and academic counselors who are involved in integrated career and technical education programs, including—

[(A) in-service and pre-service training—

[(i) in career and technical education programs and techniques;

[(ii) in effective integration of challenging academic and career and technical education jointly with academic teachers, to the extent practicable;

[(iii) in effective teaching skills based on research that includes promising practices; and

[(iv) in effective practices to improve parental and community involvement;

[(B) support of education programs that provide information on all aspects of an industry;

[(C) internship programs that provide relevant business experience; and

[(D) programs dedicated to the effective use of instructional technology;

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

[(7) initiate, improve, expand, and modernize quality career and technical education programs, including relevant technology;

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

[(9) provide activities to prepare special populations, including single parents and displaced homemakers, for high skill, high wage, or high demand occupations, including those that will lead to self-sufficiency.”; and

[(3) in subsection (c)—

[(A) in paragraph (1), by striking “vocational” and inserting “career”; and

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

[(2) to provide career guidance and academic counseling that is based on current labor market indicators, as provided pursuant to section 118, for students participating in career and technical education programs that—

[(A) improves graduation rates and provides information on postsecondary and career options for secondary students, which activities may include the use of graduation and career plans; and

[(B) provides assistance for postsecondary students, including for adult students who are changing careers or updating skills;

[(3) for partnerships between the eligible recipient and businesses, including small businesses and business intermediaries, including for—

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

[(B) adjunct faculty arrangements at the secondary and postsecondary levels; and

[(C) industry experience for teachers and faculty;

[(4) to provide programs for special populations;

[(5) to assist career and technical student organizations;

[(6) for mentoring and support services;

[(7) for leasing, purchasing, upgrading, or adapting instructional equipment;

[(8) for teacher preparation programs that address the integration of academic and career and technical education and that assist individuals who are interested in becoming career and technical education teachers and faculty, including individuals with experience in business and industry;

[(9) to develop and expand postsecondary program offerings at times and in formats that are convenient and accessible for working students, including through the use of distance education;

[(10) for improving or developing new career and technical education courses, including development of new career pathways;

[(11) to develop and support small, personalized career-themed learning communities;

[(12) to provide support for family and consumer sciences programs;

[(13) to provide career and technical education programs for adults and school dropouts to complete their secondary school education or upgrade their technical skills;

[(14) to provide assistance to individuals who have participated in services and activities under this title in finding an appropriate job and continuing their education or training through collaboration with the workforce investment system established under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

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

[(16) to support other career and technical education activities that are consistent with the purpose of this Act.”.

[SEC. 119. TECH-PREP EDUCATION.]

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

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

“PART D—TECH-PREP EDUCATION”;

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

[(3) by redesignating sections 203, 204, 205, and 208, as sections 141, 142, 143, and 144, respectively.

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

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

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

[(c) STATE APPLICATION.—Each eligible agency desiring assistance under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Such application shall describe how activities under this part will be coordinated, to the extent practicable, with activities described in section 122.”.

[(c) TECH-PREP EDUCATION.—Section 142 (as redesignated by subsection (a) of this section) is amended—

[(1) in subsection (a)—

[(A) in paragraph (1)—

[(i) by striking “section 203” and inserting “section 141”;

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

[(iii) by striking “vocational” both places the term appears and inserting “career”; and

[(iv) in subparagraph (A), by inserting “, educational service agency,” after “intermediate educational agency”; and

[(B) in paragraph (2)—

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

[(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

[(iii) by adding at the end the following:

[(C) employers, including small businesses, or business intermediaries; and

“(D) labor organizations.”;

“(2) in subsection (c)—

“(A) by striking paragraph (2) and inserting the following:

“(2) consist of not less than 2 years of secondary school with a common core of technical skills and core academic subjects preceding graduation and 2 years or more of higher education, or an apprenticeship program of not less than 2 years following secondary instruction, designed to lead to technical skill proficiency, a credential, a certificate, or a degree, in a specific career field.”;

“(B) in paragraph (3)(B), by inserting “including through the use of articulation agreements, and” after “career fields.”;

“(C) by striking paragraph (4) and inserting the following:

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

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

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

“(C) supports the needs, expectations, and methods of business and all aspects of an industry;

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

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

“(F) assists in accessing and utilizing data, including labor market indicators, achievement, and assessments.”;

“(D) in paragraph (5)—

“(i) by striking “training” and inserting “professional development”;

“(ii) in subparagraph (B), by inserting “, which may include through the use of graduation and career plans” after “programs”;

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

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

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

“(F) provide comprehensive career guidance and academic counseling to participating students, including special populations.”;

“(E) in paragraph (6)—

“(i) by inserting “(including pre-apprenticeship programs)” after “programs”;

“(ii) by striking “and” after the semicolon;

“(F) in paragraph (7), by striking the period at the end and inserting “; and”;

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

“(8) coordinate with activities conducted under this title.”; and

“(3) in subsection (d)—

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

“(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

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

“(4) improve career guidance and academic counseling for participating students through the development and implementation of graduation and career plans; and

“(5) develop curriculum that supports effective transitions between secondary and postsecondary career and technical education programs.”.

“(d) CONSORTIUM APPLICATIONS.—Section 143 (as redesignated by subsection (a) of this section) is amended—

“(1) in subsection (a), by striking “title” and inserting “part”;

“(2) in subsection (b)—

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

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

“(3) in subsection (d)—

“(A) in paragraph (1), by inserting “or advanced” after “baccalaureate”;

“(B) by striking paragraph (4) and inserting the following:

“(4) provide education and training in areas or skills, including emerging technology, in which there are significant workforce shortages based on the data provided by the entity in the State under section 118.”;

“(C) in paragraph (5), by striking the period at the end and inserting “; and”;

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

“(6) demonstrate success in, or provide assurances of, coordination and integration with eligible recipients described in part C.”; and

“(4) in subsection (e), by striking “title” and inserting “part”.

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

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

“(2) by striking “1999 and each of the 4” and inserting “2006 and each of the 5”.

TITLE II—GENERAL PROVISIONS

SEC. 201. REDESIGNATION OF TITLE.

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

“(b) STATE ADMINISTRATIVE PROVISIONS.—Title III (20 U.S.C. 2391 et seq.) is amended by redesignating sections 321 through 325 as sections 221 through 225, respectively.

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

“TITLE II—GENERAL PROVISIONS”.

SEC. 202. FISCAL REQUIREMENTS.

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

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

“(2) in subsection (b)—

“(A) by striking paragraph (1) and inserting the following:

“(1) DETERMINATION.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no payments shall be made under this Act for any fiscal year to a State for career and technical education programs or tech-prep programs unless the Secretary determines that the average fiscal effort per student or the aggregate expenditures of such State for career and technical education programs for the 3 fiscal years preceding the fiscal year for which the determination is made, equalled or exceeded such effort or expenditures for career and technical education programs, for the 3 fiscal years preceding the fiscal year for which the determination is made.

“(B) COMPUTATION.—In computing the average fiscal effort or aggregate expenditures pursuant to subparagraph (A), the Secretary shall exclude capital expenditures, special one-time project costs, and the cost of pilot programs.

“(C) DECREASE IN FEDERAL SUPPORT.—If the amount made available for career and technical education programs under this Act for a fiscal year is less than the amount made available for career and technical education programs under this Act for the preceding fiscal year, then the average fiscal effort per student or the aggregate expenditures of a State required by subparagraph (A) for the 3 preceding fiscal years shall be decreased by the same percentage as the percentage decrease in the amount so made available.”; and

“(B) in paragraph (2), by striking “fiscal effort” both places the term appears and inserting “average fiscal effort”.

SEC. 203. VOLUNTARY SELECTION AND PARTICIPATION.

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

SEC. 204. LIMITATION FOR CERTAIN STUDENTS.

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

SEC. 205. AUTHORIZATION OF SECRETARY; PARTICIPATION OF PRIVATE SCHOOL PERSONNEL.

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

“(1) by striking section 217;

“(2) by redesignating section 218 as section 217; and

“(3) in section 217 (as redesignated by paragraph (2) of this section)—

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

“(B) by inserting “principals,” after “of vocational and technical education teachers,”; and

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

SEC. 206. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.

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

“(1) in the subsection heading, by striking “VOCATIONAL” and inserting “CAREER”;

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

SEC. 207. TABLE OF CONTENTS.

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

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

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

“Sec. 2. Purpose.

“Sec. 3. Definitions.

“Sec. 4. Transition provisions.

“Sec. 5. Privacy.

“Sec. 6. Limitation.

“Sec. 7. Special rule.

“Sec. 8. Authorization of appropriations.

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

“PART A—ALLOTMENT AND ALLOCATION

“Sec. 111. Reservations and State allotment.

“Sec. 112. Within State allocation.

“Sec. 113. Accountability.

“Sec. 114. National activities.

“Sec. 115. Assistance for the outlying areas.

“Sec. 116. Native American program.

“Sec. 117. Tribally controlled postsecondary career and technical institutions.

“Sec. 118. Occupational and employment information.

“PART B—STATE PROVISIONS

“Sec. 121. State administration.

“Sec. 122. State plan.

“Sec. 123. Improvement plans.

“Sec. 124. State leadership activities.

“PART C—LOCAL PROVISIONS

“Sec. 131. Distribution of funds to secondary school programs.

“Sec. 132. Distribution of funds for postsecondary career and technical education programs.

“Sec. 133. Special rules for career and technical education.

“Sec. 134. Local plan for career and technical education programs.

“Sec. 135. Local uses of funds.

“PART D—TECH-PREP EDUCATION

“Sec. 141. State allotment and application.

- ["Sec. 142. Tech-prep education.
- ["Sec. 143. Consortium applications.
- ["Sec. 144. Authorization of appropriations.

["TITLE II—GENERAL PROVISIONS

["PART A—FEDERAL ADMINISTRATIVE PROVISIONS

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

["PART B—STATE ADMINISTRATIVE PROVISIONS

- ["Sec. 221. Joint funding.
- ["Sec. 222. Prohibition on use of funds to induce out-of-State relocation of businesses.
- ["Sec. 223. State administrative costs.
- ["Sec. 224. Limitation on Federal regulations.
- ["Sec. 225. Student assistance and other Federal programs."

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Carl D. Perkins Career and Technical Education Improvement Act of 2005".

(b) **TABLE OF CONTENTS.**—The table of contents for 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.

SEC. 2. REFERENCES.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is ex-

pressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq.).

SEC. 3. PURPOSE.

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

(1) by striking "vocational" each place the term appears and inserting "career";

(2) in paragraph (1), by striking "standards" and inserting "and technical standards, and to assist students in meeting such standards, including student academic achievement standards, especially in preparation for high skill, high wage, or high demand occupations in emerging or established professions";

(3) in paragraph (2), by inserting "challenging" after "integrate";

(4) in paragraph (3), by striking "and" after the semicolon;

(5) in paragraph (4)—

(A) by inserting "conducting and" before "disseminating national";

(B) by inserting "disseminating information on best practices," after "national research,"; and

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

(6) by adding at the end the following:

"(5) promoting leadership, initial preparation, and professional development at the State and local levels, and developing research and best practices for improving the quality of career and technical education teachers, faculty, principals, administrators, and counselors;

"(6) supporting partnerships among secondary schools, postsecondary institutions, baccalaureate degree granting institutions, area career technical centers, local workforce investment boards, business and industry, professional associations, and intermediaries; and

"(7) developing a highly skilled workforce needed to keep America competitive in the global economy in conjunction with other Federal education and training programs, including workforce investment programs, that provide lifelong learning for the workforce of today and tomorrow."

SEC. 4. DEFINITIONS.

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

(1) by striking paragraphs (29) and (30);

(2) by redesignating paragraphs (5), (6), (7) through (12), (13) through (16), (17) through (22), and (23) through (28), as paragraphs (10), (12), (14) through (19), (21) through (24), (26) through (31), and (33) through (38), respectively;

(3) in paragraph (2), by inserting "including employment statistics and information relating to national, regional, and local labor market areas, as provided pursuant to section 118, and career ladder information, where appropriate" after "to enter";

(4) in paragraph (3)—

(A) in the paragraph heading, by striking "VOCATIONAL" and inserting "CAREER"; and

(B) by striking "vocational" each place the term appears and inserting "career";

(5) by striking paragraph (4) and inserting the following:

"(4) **ARTICULATION AGREEMENT.**—The term 'articulation agreement' means a written commitment—

"(A) that is approved annually by the relevant administrators of—

"(i) a secondary institution and a postsecondary educational institution; or

"(ii) a sub-baccalaureate degree granting postsecondary educational institution and a baccalaureate degree granting postsecondary educational institution; and

"(B) to a program that is designed to provide students with a nonduplicative sequence of progressive achievement leading to technical skill proficiency, a credential, a certificate, or a degree, and linked through credit transfer agreements."

(6) by inserting after paragraph (4) (as amended by paragraph (5)) the following:

"(5) **CAREER AND TECHNICAL EDUCATION.**—The term 'career and technical education' means organized educational activities that—

"(A) offer a sequence of courses (which may include work-based learning experiences) that—

"(i) provides individuals with the challenging academic and technical knowledge and skills the individuals need to prepare for further education and for careers in emerging and established professions; and

"(ii) may lead to technical skill proficiency, a credential, a certificate, or a degree; and

"(B) include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.

"(6) **CAREER AND TECHNICAL EDUCATION STUDENT.**—The term 'career and technical education student' means a student who enrolls in a clearly defined sequence of career and technical education courses (which may include work-based learning experiences) leading to attainment of technical skill proficiency, a credential, a certificate, or a degree.

"(7) **CAREER AND TECHNICAL STUDENT ORGANIZATION.**—

"(A) **IN GENERAL.**—The term 'career and technical student organization' means an organization for individuals enrolled in a career and technical education program that engages in career and technical education activities as an integral part of the instructional program.

"(B) **STATE AND NATIONAL UNITS.**—An organization described in subparagraph (A) may have State and national units that aggregate the work and purposes of instruction in career and technical education at the local level.

"(8) **CAREER GUIDANCE AND ACADEMIC COUNSELING.**—The term 'career guidance and academic counseling' means providing access to information regarding career awareness and planning with respect to an individual's occupational and academic future that shall involve guidance and counseling with respect to career options, including baccalaureate degree programs, financial aid, and postsecondary options.

"(9) **CAREER PATHWAY.**—The term 'career pathway' means a coordinated and nonduplicative sequence of courses (which may include work-based learning experiences) and associated credits that—

"(A) shall identify both secondary and postsecondary education elements;

"(B) shall include challenging academic and career and technical education content that adequately prepares students to pursue the postsecondary education element identified under subparagraph (A);

"(C) may include the opportunity for secondary students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary credits; and

"(D) culminates in technical skill proficiency, an industry-recognized credential, a certificate, a degree, or completion of a recognized apprenticeship program."

(7) in paragraph (10) (as redesignated by paragraph (2)), by striking "5206" and inserting "5210";

(8) by inserting after paragraph (10) (as redesignated by paragraph (2)) the following:

"(11) **COMMUNITY COLLEGE.**—The term 'community college'—

"(A) means an institution of higher education, as defined in section 101 of the Higher Education Act of 1965, that provides not less than a 2-year program that is acceptable for full credit toward a baccalaureate degree; and

"(B) includes tribally controlled colleges or universities."

(9) in paragraph (12) (as redesignated by paragraph (2))—

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

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

(10) by inserting after paragraph (12) (as redesignated by paragraph (2)) and amended by paragraph (9)) the following:

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

(11) in paragraph (16) (as redesignated by paragraph (2)), by striking “vocational” both places the term appears and inserting “career”;

(12) in paragraph (17) (as redesignated by paragraph (2))—

(A) in subparagraph (A), by striking “an institution of higher education” and inserting “a public or nonprofit private institution of higher education that offers career and technical education courses that lead to technical skill proficiency, an industry-recognized credential, a certificate, or a degree”; and

(B) in subparagraph (C), by striking “vocational” and inserting “career”;

(13) in paragraph (18)(A) (as redesignated by paragraph (2)), by striking “agency, an area vocational” and inserting “agency (including a public charter school that operates as a local educational agency), an area career”;

(14) by inserting after paragraph (19) (as redesignated by paragraph (2)) the following:

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

“(A) is developed with career guidance and academic counseling or other professional staff, and in consultation with parents, not later than in the first year of secondary school or upon enrollment in career and technical education;

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

“(C) includes relevant information on—

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

“(ii) postsecondary education admission requirements; and

“(iii) high skill, high wage, or high demand occupations and nontraditional fields in emerging and established professions, and labor market indicators; and

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

(15) by inserting after paragraph (24) (as redesignated by paragraph (2)) the following:

“(25) **LOCAL WORKFORCE INVESTMENT BOARD.**—The term ‘local workforce investment board’ means a local workforce investment board established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832).”;

(16) in paragraph (26) (as redesignated by paragraph (2))—

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

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

(17) in paragraph (27) (as redesignated by paragraph (2)), by striking “the Commonwealth” and all that follows through the period and inserting “and the Commonwealth of the Northern Mariana Islands.”;

(18) by inserting after paragraph (31) (as redesignated by paragraph (2)) the following:

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

(19) in paragraph (33) (as redesignated by paragraph (2))—

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

(B) in subparagraph (F), by striking “individuals with other barriers to educational achievement, including”;

(20) in paragraph (35) (as redesignated by paragraph (2)) by striking “, and instructional aids and devices” and inserting “instructional aids, and work supports”;

(21) by striking paragraph (36) (as redesignated by paragraph (2)) and inserting the following:

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

“(A) combines at a minimum 2 years of secondary education (as determined under State law) with a minimum of 2 years of postsecondary education in a nonduplicative, sequential course of study;

“(B) integrates academic and career and technical education instruction, and utilizes work-based and worksite learning where appropriate and available;

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

“(D) builds student competence in technical skills and in core academic subjects, as appropriate, through applied, contextual, and integrated instruction, in a coherent sequence of courses (which may include work-based learning experiences);

“(E) leads to technical skill proficiency, an industry-recognized credential, a certificate, or a degree, in a specific career field;

“(F) leads to placement in high skill, high wage employment or to further education; and

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

(22) in paragraph (38) (as redesignated by paragraph (2))—

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

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

(i) by striking “vocational” and inserting “career”;

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

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

(C) in subparagraph (F), by striking “vocational” and inserting “career”.

SEC. 5. TRANSITION PROVISIONS.

Section 4 (20 U.S.C. 2303) is amended by striking “the Carl D. Perkins Vocational and Applied Technology Education Act” and all that follows through the period and inserting “this Act, as this Act was in effect on the day before the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2005. Each eligible agency shall be assured a full fiscal year for transition to plan for and implement the requirements of this Act.”.

SEC. 6. LIMITATION.

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

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

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

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

(2) by striking “1999 through 2003” and inserting “2006 through 2011”.

TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

SEC. 101. CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES.

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

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

SEC. 102. RESERVATIONS AND STATE ALLOTMENT.

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

(1) in paragraph (1)(C), by striking “2001 through 2003,” and inserting “2006 through 2011.”; and

(2) by striking paragraphs (3) and (4) and inserting the following:

“(3) **MINIMUM ALLOTMENT.**—Subject to paragraph (4), no State, other than the United States Virgin Islands, shall receive for a fiscal year under this subsection less than 1/2 of 1 percent of the amount appropriated under section 8 and not reserved under paragraph (1) for such fiscal year. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.

“(4) **HOLD HARMLESS.**—

“(A) **FISCAL YEARS 2006 THROUGH 2008.**—Notwithstanding paragraph (3), no State shall receive an allotment under this section for each of the fiscal years 2006 through 2008 that is less than the allotment the State received under this part (as this part was in effect on the day before the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2005) for fiscal year 2005.

“(B) **FISCAL YEARS 2009 THROUGH 2011.**—Notwithstanding paragraph (3), no State shall receive an allotment under this section for each of the fiscal years 2009 through 2011 that is less than 95 percent of the allotment the State received under this section for the preceding fiscal year.

“(C) **RATABLE REDUCTION.**—If for any fiscal year the amount appropriated for allotments under this section is insufficient to satisfy the requirements of subparagraph (A) or (B), the payments to all States under such subparagraph shall be ratably reduced.”.

SEC. 103. WITHIN STATE ALLOCATION.

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

(1) in subsection (a)—

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

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

“(2) not more than 15 percent or \$750,000, whichever is greater, for—

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

“(i) an amount determined by the eligible agency shall be made available to serve individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities; and

“(ii) not less than \$60,000 shall be available for services that prepare individuals for non-traditional fields; and

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

“(i) developing the State plan;

“(ii) reviewing the local plans;

“(iii) monitoring and evaluating program effectiveness;

“(iv) assuring compliance with all applicable Federal laws;

“(v) providing technical assistance; and

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

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

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

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

“(1) award grants to eligible recipients, or consortia of eligible recipients, for career and technical education activities described in section 135 in—

“(A) rural areas; or

“(B) areas with high percentages or high numbers of career and technical education students;

“(2) reserve funds, with the approval of participating eligible recipients, for—

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

“(i) developing and implementing technical assessments;

“(ii) improving the initial preparation and professional development of career and technical education teachers, faculty, principals, administrators, and counselors; and

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

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

“(3) carry out activities described in paragraphs (1) and (2).”.

SEC. 104. ACCOUNTABILITY.

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

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

(2) in subsection (a)—

(A) by striking “a State performance accountability system” and inserting “and support State and local performance accountability systems”; and

(B) by inserting “and its eligible recipients” after “of the State”;

(3) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “paragraph (2)(A)” and inserting “subparagraphs (A) and (B) of paragraph (2)”; and

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

(B) in paragraph (2)—

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

“(A) CORE INDICATORS OF PERFORMANCE FOR SECONDARY CAREER AND TECHNICAL EDUCATION STUDENTS.—Each eligible agency shall identify in the State plan core indicators of performance for secondary career and technical education students that include, at a minimum, measures of each of the following:

“(i) Student achievement on technical assessments and attainment of career and technical skill proficiencies that are aligned with nationally recognized industry standards, if available and appropriate.

“(ii) Student attainment of challenging academic content standards and student academic achievement standards, as adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and measured by the academic assessments described in section 1111(b)(3) of such Act, consistent with State requirements.

“(iii) Student rates of attainment of—

“(I) a secondary school diploma;

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

“(III) technical skill proficiency;

“(IV) an industry-recognized credential;

“(V) a certificate; and

“(VI) a degree.

“(iv) Placement in postsecondary education, military service, apprenticeship programs, or employment.

“(v) Student participation in, and completion of, career and technical education programs that lead to employment or self-employment in nontraditional fields.”;

(ii) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

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

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

“(i) Student achievement on technical assessments and attainment of career and technical skill proficiencies that are aligned with nationally recognized industry standards, if available and appropriate.

“(ii) Student attainment of technical skill proficiency, an industry-recognized credential, a

certificate, or a degree, or retention in postsecondary education, including transfer to a baccalaureate degree program.

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

“(iv) Student participation in, and completion of, career and technical education programs that lead to employment or self-employment in—

“(I) nontraditional fields; and

“(II) high skill, high wage, high demand occupations or professions.

“(v) Increase in earnings, where available.”;

(iv) in subparagraph (C) (as redesignated by clause (ii) of this subparagraph), by striking “the title.” and inserting “this title, such as attainment of self-sufficiency.”;

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

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

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

(II) by striking “solely”; and

(III) by striking “recipients.” and inserting “recipients, and shall meet the requirements of this section.”; and

(vii) by adding at the end the following:

“(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.”;

(C) in paragraph (3)—

(i) in the paragraph heading, by striking “LEVELS” and inserting “STATE LEVELS”;

(ii) in subparagraph (A)—

(I) in clause (i)—

(aa) by striking “paragraph (2)(A)” and inserting “subparagraphs (A) and (B) of paragraph (2)”; and

(bb) by inserting “after taking into account the local adjusted levels of performance and” after “eligible agency.”; and

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

“(II) require the eligible recipients to make continuous and significant improvement in career and technical achievement of career and technical education students, including special populations.”;

(II) in clause (v)—

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

(bb) by striking “third program year” and inserting “third and fifth program years”; and

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

(III) in clause (vi)(II), by inserting “and significant” after “continuous”; and

(IV) in clause (vii), by striking “or (vi)” and inserting “or (v)”; and

(iii) in subparagraph (B), by striking “(2)(B)” and inserting “(2)(C)”; and

(D) by adding at the end the following:

“(4) LOCAL LEVELS OF PERFORMANCE.—

“(A) LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE.—

“(i) IN GENERAL.—Each eligible recipient shall agree to accept the State adjusted levels of performance established under paragraph (3) as local adjusted levels of performance, or negotiate with the State to reach agreement on new local adjusted levels of performance, for each of the core indicators of performance described in subparagraphs (A) and (B) of paragraph (2) for career and technical education activities authorized under this title. The levels of performance established under this subparagraph shall, at a minimum—

“(I) be expressed in a percentage or numerical form, so as to be objective, quantifiable, and measurable; and

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

“(ii) IDENTIFICATION IN THE LOCAL PLAN.—Each eligible recipient shall identify, in the local plan submitted under section 134, levels of performance for each of the core indicators of performance for the first 2 program years covered by the local plan.

“(iii) AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 2 YEARS.—The eligible agency and each eligible recipient shall reach agreement, as described in clause (i), on the eligible recipient's levels of performance for each of the core indicators of performance for the first 2 program years covered by the local plan, taking into account the levels identified in the local plan under clause (ii) and the factors described in clause (v). The levels of performance agreed to under this clause shall be considered to be the local adjusted levels of performance for the eligible recipient for such years and shall be incorporated into the local plan prior to the approval of such plan.

“(iv) AGREEMENT ON LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.—Prior to the third and fifth program years covered by the local plan, the eligible agency and each eligible recipient shall reach agreement on the local adjusted levels of performance for each of the core indicators of performance for the corresponding subsequent program years covered by the local plan, taking into account the factors described in clause (v). The local adjusted levels of performance agreed to under this clause shall be considered to be the local adjusted levels of performance for the eligible recipient for such years and shall be incorporated into the local plan.

“(v) FACTORS.—The agreement described in clause (iii) or (iv) shall take into account—

“(I) how the levels of performance involved compare with the local adjusted levels of performance established for other eligible recipients, taking into account factors including the characteristics of participants when the participants entered the program and the services or instruction to be provided; and

“(II) the extent to which the local adjusted levels of performance involved promote continuous and significant improvement on the core indicators of performance by the eligible recipient.

“(vi) REVISIONS.—If unanticipated circumstances arise with respect to an eligible recipient resulting in a significant change in the factor described in clause (v)(II), the eligible recipient may request that the local adjusted levels of performance agreed to under clause (iii) or (iv) be revised. The eligible agency shall issue objective criteria and methods for making such revisions.

“(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—Each eligible recipient may identify, in the local plan, local levels of performance for any additional indicators of performance described in paragraph (2)(C). Such levels shall be considered to be the local levels of performance for purposes of this title.

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

(4) by striking subsection (c)(1)(B) and inserting:

“(B) information on the levels of performance achieved by the State with respect to the additional indicators of performance, including the levels of performance disaggregated for postsecondary institutions, by special populations and gender, and for secondary institutions, by special populations and by the categories described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a

case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual.”.

SEC. 105. NATIONAL ACTIVITIES.

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

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

(2) in subsection (a)(1), by striking “, including an analysis of performance data regarding special populations” and inserting “, including an analysis of performance data that is disaggregated for postsecondary institutions, by special populations, and for secondary institutions, by special populations and by the categories described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual”;

(3) in subsection (c)—

(A) by striking paragraph (2) and inserting the following:

“(2) INDEPENDENT ADVISORY PANEL.—

“(A) IN GENERAL.—The Secretary shall appoint an independent advisory panel to advise the Secretary on the implementation of the assessment described in paragraph (3), including the issues to be addressed and the methodology of the studies involved to ensure that the assessment adheres to the highest standards of quality.

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

“(i) educators, principals, administrators, and chief executives (including State directors of career and technical education), with expertise in the integration of academic and career and technical education;

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

“(iii) representatives of labor organizations and businesses, including small businesses, economic development entities, and State workforce investment boards established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821) or local workforce investment boards;

“(iv) parents;

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

“(vi) other individuals and intermediaries with relevant expertise.

“(C) INDEPENDENT ANALYSIS.—The advisory panel shall transmit to the Secretary and to the relevant committees of Congress an independent analysis of the findings and recommendations resulting from the assessment described in paragraph (3).

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

(B) in paragraph (3)—

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

“(A) IN GENERAL.—From amounts made available under subsection (d), the Secretary shall provide for the conduct of an independent evaluation and assessment of career and technical education programs under this Act, including the implementation of the Carl D. Perkins Career and Technical Education Improvement Act of 2005, to the extent practicable, through studies and analyses conducted independently through grants, contracts, and cooperative agreements that are awarded on a competitive basis.”;

(ii) in subparagraph (B)—

(I) by striking clause (iii) and inserting the following:

“(iii) the preparation and qualifications of teachers and faculty of career and technical education, as well as shortages of such teachers and faculty”;

(II) by striking clause (v) and inserting the following:

“(v) academic and career and technical education achievement and employment outcomes of career and technical education students, including analyses of—

“(I) the number of career and technical education students and tech-prep students who meet the State adjusted levels of performance established under section 113;

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

“(III) the extent to which career and technical education programs prepare students, including special populations, for subsequent employment in high skill, high wage occupations, or participation in postsecondary education; and

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

(III) in clause (vi), by inserting “, and career and technical education students’ preparation for employment” after “programs”;

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

(iii) in subparagraph (C)—

(I) in clause (i)—

(aa) by striking “Committee on Education” and all that follows through “Senate” and inserting “relevant committees of Congress”; and

(bb) by striking “2002” both places it appears and inserting “2009”; and

(II) in clause (ii), by striking “Committee on Education” and all that follows through “Senate” and inserting “relevant committees of Congress”;

(C) in paragraph (4)(B), by striking “Committee on Education” and all that follows through “Senate” and inserting “relevant committees of Congress”;

(D) in paragraph (5)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “higher education” and all that follows through “centers” and inserting “higher education offering comprehensive graduate programs in career and technical education that shall be the primary recipient and shall collaborate with a public or private nonprofit organization or agency, or a consortium of such institutions, organizations, or agencies, to establish a national research center”;

(II) in clause (i)—

(aa) by inserting “and evaluation” after “to carry out research”; and

(bb) by inserting “, including special populations,” after “participants”;

(III) by redesignating clauses (ii), (iii), and (iv), as clauses (iii), (iv), and (v), respectively;

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

“(ii) to carry out research for the purpose of developing, improving, and identifying the most successful methods for successfully addressing the needs of employers in high skill, high wage business and industry, including evaluation and scientifically based research of—

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

“(II) academic and technical skills required to respond to the challenge of a global economy and rapid technological changes; and

“(III) technical knowledge and skills required to respond to needs of a regional or sectoral workforce, including small business”;

(V) in clause (iii) (as redesignated by subclause (III) of this clause), by inserting “that are integrated with challenging academic instruction” before “, including”;

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

“(iv) to carry out scientifically based research, where appropriate, that can be used to

improve preparation and professional development of teachers, faculty, principals, and administrators and student learning in the career and technical education classroom, including—

“(I) effective in-service and pre-service teacher and faculty education that assists career and technical education programs in—

“(aa) integrating those programs with academic content standards and student academic achievement standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and

“(bb) promoting technical education aligned with industry-based standards and certifications to meet regional industry needs;

“(II) dissemination and training activities related to the applied research and demonstration activities described in this subsection, which may also include serving as a repository for information on career and technical education skills, State academic standards, and related materials; and

“(III) the recruitment and retention of career and technical education teachers, faculty, counselors, principals, and administrators, including individuals in groups underrepresented in the teaching profession; and”;

(ii) in subparagraph (B)—

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

(II) by striking “Committee on Education” and all that follows through “Senate” and inserting “relevant committees of Congress”;

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

(iv) by adding at the end the following:

“(D) INDEPENDENT GOVERNING BOARD.—

“(i) IN GENERAL.—An institution of higher education that desires a grant, contract, or cooperative agreement under this paragraph shall identify, in its application, an independent governing board for the center established pursuant to this paragraph.

“(ii) MEMBERS.—The independent governing board shall consist of the following:

“(I) Two representatives of secondary career and technical education.

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

“(III) Two representatives of eligible agencies.

“(IV) Two representatives of business and industry.

“(V) Two representatives of career and technical teacher preparation institutions.

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

“(iii) COORDINATION.—The independent governing board shall ensure that the research and dissemination activities carried out by the center are coordinated with the research activities carried out by the Secretary.”;

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

(F) by striking paragraph (8); and

(4) by adding at the end the following:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2006 through 2011.”.

SEC. 106. ASSISTANCE FOR THE OUTLYING AREAS.

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

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

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “the Republic of the Marshall Islands, the Federated States of Micronesia,”;

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

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

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

“(2) professional development for teachers, faculty, principals, and administrators,”; and

(3) in subsection (d)—

(A) by striking “the Republic of the Marshall Islands, the Federated States of Micronesia, and”;

(B) by striking "2001" and inserting "2007".

SEC. 107. NATIVE AMERICAN PROGRAM.

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

(1) by striking "vocational" each place the term appears and inserting "career";

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

(3) in subsection (b)—

(A) in paragraph (1), by striking "(d)" and inserting "(c)"; and

(B) in paragraph (2), by striking "(other than in subsection (i))";

(4) in subsection (d), by striking "section an" and inserting "section, an";

(5) in subsection (e), by striking "paragraph" and inserting "section"; and

(6) in subsection (h), by striking "which are recognized by the Governor of the State of Hawaii".

SEC. 108. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.

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

(1) by striking the section heading and inserting the following:

"SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.;"

(2) by striking "vocational" each place the term appears and inserting "career";

(3) in subsection (g)—

(A) in paragraph (1), by striking "The Secretary" and inserting "On an annual basis, the Secretary";

(B) in paragraph (2)(B), by striking "2000" and inserting "2007"; and

(C) in paragraph (3)(C), by striking "beginning" and all that follows through the period and inserting "beginning on the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2005.;"

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

(5) by inserting after subsection (g) the following:

"(h) APPEALS.—

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

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

"(B) A determination regarding the calculation of the amount of a grant awarded under this section.

"(2) PROCEDURE FOR APPEAL.—To appeal a determination described in paragraph (1), a tribally controlled postsecondary career and technical institution shall—

"(A) in the case of an appeal based on a determination that such institution is not eligible for a grant under this section, file a notice of appeal with the Secretary not later than 30 days after receipt of such determination; and

"(B) in the case of an appeal based on a determination regarding the calculation of the amount of a grant awarded under this section—

"(i) file a notice of appeal with the Secretary not later than 30 days after receipt of the Secretary's notification of the grant amount; and

"(ii) identify the amount of funding that gives rise to such appeal.

"(3) WITHHOLDING OF AMOUNT.—If a tribally controlled postsecondary career and technical institution appeals a determination described in paragraph (1), the Secretary shall withhold the amount in dispute from the award of grant funds under this section until such time as the administrative law judge has issued a written decision on the appeal.

"(i) RESTRICTED INDIRECT COST.—Notwithstanding any other provision of law, the Secretary shall not request the use of a restricted indirect cost rate for grants awarded under this section.;" and

(6) by striking subsection (k) (as redesignated by paragraph (4) of this section) and inserting the following:

"(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years."

SEC. 109. OCCUPATIONAL AND EMPLOYMENT INFORMATION.

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "(f)" and inserting "(g)";

(B) in paragraph (1)—

(i) in subparagraph (A), by striking "(b)" both places it appears and inserting "(c)";

(ii) in subparagraph (B), by striking "(b)" and inserting "(c)"; and

(iii) in subparagraph (C), by striking "(b)" and inserting "(c)"; and

(C) in paragraph (2), by striking "(b)" both places it appears and inserting "(c)";

(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(3) by inserting after subsection (a) the following:

"(b) STATE APPLICATION.—

"(1) IN GENERAL.—Each State desiring assistance under this section shall submit an application to the Secretary at the same time the State submits its State plan under section 122, in such manner, and accompanied by such additional information, as the Secretary may reasonably require.

"(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

"(A) a description of how the State entity designated in subsection (c) will provide information based on labor market trends to inform program development; and

"(B) information about the academic content standards and student academic achievement standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965.;"

(4) in subsection (c) (as redesignated by paragraph (2) of this section)—

(A) in paragraph (1), by striking "individuals" and all that follows through the semicolon and inserting "students and parents, including postsecondary education and training, including academic and technical preparation for high skill, high wage, or high demand occupations and nontraditional fields in emerging or established professions.;"

(B) in paragraph (2), by inserting "academic and career and technical" after "relate";

(C) by striking paragraph (3) and inserting the following:

"(3) to equip teachers, faculty, administrators, and counselors with the knowledge, skills, and occupational information needed to assist parents and all students, especially special populations underrepresented in certain careers, with career exploration, educational opportunities, education financing, and exposure to high skill, high wage, or high demand occupations and nontraditional fields, including occupations and fields requiring a baccalaureate degree.;"

(D) in paragraph (4), by striking "such entities;" and inserting "such entities, with an emphasis on high skill, high wage, or high demand occupations in emerging or established professions.;"

(E) in paragraph (5), by striking "and" after the semicolon;

(F) in paragraph (6), by striking the period and inserting "; and"; and

(G) by adding at the end the following:

"(7) to provide information, if available, for each occupation, on—

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

"(B) the expected lifetime earnings; and

"(C) the expected future demand for the occupation, based on employment projections.;"

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

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

(7) in subsection (f)(1) (as redesignated by paragraph (2) of this section), by striking "an identification" and inserting "a description"; and

(8) in subsection (g) (as redesignated by paragraph (2) of this section), by striking "1999 through 2003" and inserting "2006 through 2011".

SEC. 110. STATE ADMINISTRATION.

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

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

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

(3) by redesignating clauses (i) and (ii) of paragraph (4) (as redesignated by paragraph (2) of this section) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(4) by striking the following:

"(a) ELIGIBLE AGENCY RESPONSIBILITIES.—

"(1) IN GENERAL.—The responsibilities" and inserting the following:

"(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The responsibilities";

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

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

(A) by inserting "teacher and faculty preparation programs," after "teachers.;" and

(B) by inserting "all types and sizes of" after "representatives of"; and

(7) in subsection (b) (as redesignated by paragraph (1) of this section), by striking "paragraph (1)" and inserting "subsection (a)".

SEC. 111. STATE PLAN.

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

(1) by striking "vocational" each place the term appears and inserting "career";

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "5" and inserting "6"; and

(ii) by adding at the end the following: "Each eligible agency may submit a transition plan during the first full year of implementation of this Act after the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2005. The transition plan shall fulfill the eligible agency's State plan submission obligation under this section.;" and

(B) in paragraph (2)(B), by striking "5 year State plan" and inserting "6-year period";

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

"(1) IN GENERAL.—The eligible agency shall develop the State plan in consultation with academic and career and technical education teachers, faculty, principals, and administrators, career guidance and academic counselors, eligible recipients, parents, students, the State tech-prep coordinator and representatives of tech-prep consortia (if applicable), the lead State agency officials with responsibility for the programs and activities that are described in section 121(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)) and carried out by one-stop partners, the State workforce investment board, interested community members (including parent and community organizations), representatives of special populations, representatives of business and industry (including representatives of small business and economic development entities), and representatives of labor organizations in the State, and shall consult the Governor of the State with respect to such development.;"

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

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

“(1) describes the career and technical education activities to be assisted that are designed to meet or exceed the State adjusted levels of performance, including a description of—

“(A) how the eligible agency will support eligible recipients in developing or implementing career pathways for career and technical education content areas that are designed to meet relevant workforce needs, including how the eligible agency will—

“(i) support eligible recipients in developing articulation agreements between secondary and postsecondary institutions;

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

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

“(iv) consult with business and industry and use industry-recognized standards and assessments, if appropriate;

“(B) the secondary and postsecondary career and technical education programs to be carried out, including programs that will be carried out by the eligible agency to develop, improve, and expand access to quality technology in career and technical education programs;

“(C) the criteria that will be used by the eligible agency to approve eligible recipients for funds under this title, including criteria to assess the extent to which the local plan will—

“(i) promote higher levels of academic achievement;

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

“(iii) identify and address workforce needs;

“(D) how programs at the secondary level will prepare career and technical education students, including special populations to graduate from high school with a diploma;

“(E) how such programs will prepare career and technical education students, including special populations, both academically and technically, for opportunities in postsecondary education or entry into high skill, high wage, or high demand occupations in emerging or established occupations, and how participating students will be made aware of such opportunities; and

“(F) how funds will be used to improve or develop new career and technical education courses in high skill, high wage, or high demand occupations that are aligned with business needs and industry standards, as appropriate—

“(i) at the secondary level that are aligned with challenging academic content standards and student academic achievement standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and

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

“(2) describes how career and technical education teachers, faculty, principals, administrators, and career guidance and academic counselors will be provided comprehensive initial preparation and professional development, including through programs and activities that—

“(A) promote the integration of challenging academic curricula and career and technical education curricula, including opportunities for teachers to jointly develop and implement curriculum and pedagogical strategies with appropriate academic teachers;

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

“(C) are high-quality, sustained, intensive, focused on instruction, directly related to industry standards, and includes structured induction and mentoring components for new personnel, with an emphasis on identifying and addressing the needs of local businesses, including small businesses;

“(D) ensure an increasing number of career and technical education teachers and faculty

meet teacher certification and licensing requirements reflecting the needs of their subject area or areas;

“(E) equip career and technical education teachers, faculty, principals, administrators, and career guidance and academic counselors with the knowledge and skills needed to work with and improve instruction for special populations;

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

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

“(H) are integrated with professional development activities that the State carries out under title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher Education Act of 1965; and

“(I) include strategies to expose all career and technical education students to comprehensive information regarding career options that lead to high skill, high wage, or high demand occupations and nontraditional fields;

“(3) describes efforts to improve—

“(A) the recruitment and retention of career and technical education teachers, faculty, counselors, principals, and administrators, including individuals in groups underrepresented in the teaching profession; and

“(B) the transition to teaching from business and industry, including small business;

“(4) describes efforts to improve the capacity of programs and faculty at postsecondary institutions to effectively prepare career and technical education personnel, including, as appropriate, through electronically delivered distance education, and articulation agreements between 2-year technical programs and postsecondary education programs;

“(5) describes efforts to facilitate the transition of sub-baccalaureate career and technical education students into baccalaureate degree programs, including—

“(A) statewide articulation agreements between sub-baccalaureate career and technical education programs and baccalaureate degree programs;

“(B) postsecondary dual and concurrent enrollment programs;

“(C) academic and financial aid counseling; and

“(D) other initiatives to encourage the pursuit of a baccalaureate degree and to overcome barriers to participation in baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations;

“(6) describes how the eligible agency will actively involve parents, academic and career and technical education teachers, faculty, principals, and administrators, career guidance and academic counselors, local businesses (including small- and medium-sized businesses and business intermediaries), State workforce investment boards, local workforce investment boards, economic development entities, and labor organizations in the planning, development, implementation, and evaluation of such career and technical education programs;

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

“(A) among secondary school career and technical education, or postsecondary and adult career and technical education, or both, including the rationale for such allocation; and

“(B) among any consortia that will be formed among secondary schools and eligible institutions, and how funds will be allocated among the members of the consortia, including the rationale for such allocation;

“(8) describes how the eligible agency will—

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

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

and student academic achievement standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and

“(ii) at the postsecondary level that are challenging and aligned with business needs and industry standards, as appropriate;

“(B) improve the academic and technical skills of students participating in career and technical education programs, including strengthening the academic, and career and technical, components of career and technical education programs through the integration of academics with career and technical education to ensure learning in the core academic subjects and career and technical education subjects, and provide students with strong experience in, and understanding of, all aspects of an industry;

“(C) ensure that students who participate in such career and technical education programs are taught to the same challenging academic proficiencies as are taught to all other students; and

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

“(9) describes how the eligible agency will annually evaluate the effectiveness of such career and technical education programs, and describes, to the extent practicable, how the eligible agency is coordinating such programs to promote relevant lifelong learning and ensure non-duplication with other existing Federal programs;

“(10) describes the eligible agency's program strategies for special populations, including a description of how individuals who are members of the special populations—

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

“(B) will not be discriminated against on the basis of their status as members of the special populations; and

“(C) will be provided with programs designed to enable the special populations to meet or exceed State adjusted levels of performance, and prepare special populations for further learning and for high skill, high wage, or high demand occupations;

“(11) how the eligible agency will collaborate in developing the State plan with—

“(A) the entity within the State with responsibility for elementary and secondary education;

“(B) the entity within the State with responsibility for public institutions engaged in postsecondary education;

“(C) State institutions such as State correctional institutions and institutions that serve individuals with disabilities; and

“(D) all other relevant State agencies with responsibility for career and technical education and training investment, and economic and workforce development;

“(12) describes what steps the eligible agency will take to involve representatives of eligible recipients in the development of the State adjusted levels of performance;

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

“(14) provides assurances that none of the funds expended under this title will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity, the employees of the purchasing entity, or any affiliate of such an organization;

“(15) describes how the eligible agency will measure and report data relating to students participating in and completing career and technical education within specific career clusters in

order to adequately measure the progress of the students, including special populations, at—

“(A) the secondary level, disaggregated by the categories described in section 111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual; and

“(B) the postsecondary level, disaggregated by special populations, except that such disaggregation shall not be required in a case in which the number of individuals in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual;

“(16) describes how the eligible agency will adequately address the needs of students in alternative education programs, if appropriate;

“(17) describes how the eligible agency will provide local educational agencies, area career and technical education schools, and eligible institutions in the State with technical assistance;

“(18) describes how career and technical education relates to State and regional occupational opportunities;

“(19) describes the methods proposed for the joint planning and coordination of programs carried out under this title with other Federal education and workforce investment programs;

“(20) describes how funds will be used to promote preparation for high skill, high wage, or high demand occupations and nontraditional fields in emerging and established professions;

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

“(22) describes how the eligible agency will ensure that the data reported to the eligible agency from local educational agencies and eligible institutions under this title and the data the eligible agency reports to the Secretary are complete, accurate, and reliable; and

“(23) contains the description and information specified in sections 112(b)(8) and 121(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b)(8) and 2841(c)) concerning the provision of services only for postsecondary students and school dropouts.”;

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

“(d) PLAN OPTIONS.—

“(1) SINGLE PLAN.—The eligible agency may fulfill the plan or application submission requirements of this section, section 118(b), and section 141(c) by submitting a single State plan. In such plan, the eligible agency may allow eligible recipients to fulfill the plan or application submission requirements of section 134 and subsections (a) and (b) of section 143 by submitting a single local plan.

“(2) PLAN SUBMITTED AS PART OF 501 PLAN.—The eligible agency may submit the plan required under this section as part of the plan submitted under section 501 of the Workforce Investment Act of 1998 (20 U.S.C. 9271), if the plan submitted pursuant to the requirement of this section meets the requirements of this Act.”; and

(6) by striking subsection (f).

SEC. 112. IMPROVEMENT PLANS.

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

“SEC. 123. IMPROVEMENT PLANS.

“(a) STATE PROGRAM IMPROVEMENT PLAN.—

“(1) PLAN.—If a State fails to meet the State adjusted levels of performance described in the report submitted under section 113(c), the eligible agency shall develop and implement a program improvement plan in consultation with the appropriate agencies, individuals, and organizations for the first program year succeeding the program year in which the eligible agency failed to meet the State adjusted levels of performance, in order to avoid a sanction under paragraph (3).

“(2) TECHNICAL ASSISTANCE.—If the Secretary determines that an eligible agency is not prop-

erly implementing the eligible agency's responsibilities under section 122, or is not making substantial progress in meeting the purpose of this Act, based on the State's adjusted levels of performance, the Secretary shall work with the eligible agency to implement improvement activities consistent with the requirements of this Act.

“(3) FAILURE.—

“(A) IN GENERAL.—If an eligible agency fails to meet the State adjusted levels of performance, has not implemented an improvement plan as described in paragraph (1), has shown no improvement within 1 year after implementing an improvement plan as described in paragraph (1), or has failed to meet more than 1 of the State adjusted levels of performance for the same performance indicator for 2 or more consecutive years, the Secretary may, after notice and opportunity for a hearing, withhold from the eligible agency all, or a portion of, the eligible agency's allotment under this title.

“(B) WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.—The Secretary may waive the sanction in subparagraph (A) due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in financial resources of the State.

“(4) FUNDS RESULTING FROM REDUCED ALLOTMENTS.—

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

“(B) REDISTRIBUTION.—If the Secretary cannot satisfactorily use funds withheld under paragraph (3), then the amount of funds retained by the Secretary as a result of a reduction in an allotment made under paragraph (3) shall be redistributed to other eligible agencies in accordance with section 111.

“(b) LOCAL PROGRAM IMPROVEMENT.—

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

“(2) PLAN.—

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

“(i) conduct an assessment of the educational needs that the eligible recipient shall address to overcome local performance deficiencies, including the performance of special populations;

“(ii) enter into an improvement plan with an eligible recipient based on the results of the assessment, for the first program year succeeding the program year in which the eligible recipient failed to meet the local adjusted levels of performance, which plan shall demonstrate how the local performance deficiencies will be corrected and include instructional and other programmatic innovations of demonstrated effectiveness, and, where necessary, strategies for appropriate staffing and professional development; and

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

“(B) CONSULTATION.—The eligible agency shall conduct the activities described in subparagraph (A) in consultation with teachers, principals, administrators, faculty, parents, other school staff, appropriate agencies, and other appropriate individuals and organizations.

“(3) TECHNICAL ASSISTANCE.—If the eligible agency determines that an eligible recipient is not properly implementing the eligible recipient's responsibilities under section 134, or is not making substantial progress in meeting the pur-

pose of this Act, based on the local adjusted levels of performance, the eligible agency shall provide technical assistance to the eligible recipient to assist the eligible recipient in carrying out the improvement activities consistent with the requirements of this Act. An eligible recipient, in collaboration with the eligible agency, may request that the Secretary provide additional technical assistance.

“(4) FAILURE.—

“(A) IN GENERAL.—If an eligible recipient fails to meet the local adjusted levels of performance as described in section 113(b)(4) and has not implemented an improvement plan as described in paragraph (2), has shown no improvement within 1 year after implementing an improvement plan as described in paragraph (2), or has failed to meet more than 1 of the local adjusted levels of performance for the same performance indicator for 2 or more consecutive years, the eligible agency may, after notice and opportunity for a hearing, withhold from the eligible recipient all, or a portion of, the eligible recipient's allotment under this title.

“(B) WAIVER FOR EXCEPTIONAL CIRCUMSTANCES.—The eligible agency may waive the sanction under this paragraph due to exceptional or uncontrollable circumstances such as organizational structure, or a natural disaster or a precipitous and unforeseen decline in financial resources of the eligible recipient.

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

SEC. 113. STATE LEADERSHIP ACTIVITIES.

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

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

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

(3) in subsection (b)—

(A) in paragraph (1), by striking “further learning” and all that follows through the semicolon and inserting “further education, further training, or for high skill, high wage, or high demand occupations.”;

(B) in paragraph (2), by striking subparagraphs (A) through (C) and inserting the following:

“(A) training of career and technical education teachers, faculty, principals, career guidance and academic counselors, and administrators to use technology, including distance learning;

“(B) encouraging schools to work with technology industries to offer voluntary internships and mentoring programs; or

“(C) encouraging lifelong learning, including through partnerships that may involve institutions of higher education, organizations providing career and technical education, businesses, workforce investment entities, and communications entities.”;

(C) by striking paragraph (3) and inserting the following:

“(3) professional development programs, including providing comprehensive professional development (including initial teacher preparation) for career and technical education teachers, faculty, principals, administrators, and career guidance and academic counselors at the secondary and postsecondary levels, that support activities described in section 122 and—

“(A) provide in-service and pre-service training in career and technical education programs and techniques, effective teaching skills based on promising practices and, where available and appropriate, scientifically based research, and effective practices to improve parental and community involvement;

“(B) improve student achievement in order to meet the State adjusted levels of performance established under section 113;

“(C) support education programs for teachers and faculty of career and technical education in

public schools and other public school personnel who are involved in the direct delivery of educational services to career and technical education students to ensure that such personnel—

“(i) stay current with the needs, expectations, and methods of industry;

“(ii) can effectively develop challenging, integrated academic and career and technical education curriculum jointly with academic teachers, to the extent practicable; and

“(iii) develop a higher level of academic and industry knowledge and skills in career and technical education; and

“(D) are integrated with the teacher certification or licensing and professional development activities that the State carries out under title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher Education Act of 1965;”;

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

(E) in paragraph (5), by striking “nontraditional training and employment” and inserting “nontraditional fields in emerging and established professions, and other activities that expose students, including special populations, to high skill, high wage occupations”;

(F) in paragraph (6)—

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

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

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

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

(I) by adding at the end the following:

“(9) technical assistance for eligible recipients.”;

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

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

“(1) improvement of career guidance and academic counseling programs that assist students in making informed academic, and career and technical education, decisions, including encouraging secondary and postsecondary students to graduate with a diploma or degree, and expose students to high skill, high wage occupations and nontraditional fields in emerging and established professions;

“(2) establishment of agreements, including articulation agreements, between secondary and postsecondary career and technical education programs in order to provide postsecondary education and training opportunities for students participating in such career and technical education programs, such as tech-prep programs;

“(3) support for initiatives to facilitate the transition of sub-baccalaureate career and technical education students into baccalaureate degree programs, including—

“(A) statewide articulation agreements between sub-baccalaureate degree granting career and technical postsecondary educational institutions and baccalaureate degree granting postsecondary educational institutions;

“(B) postsecondary dual and concurrent enrollment programs;

“(C) academic and financial aid counseling; and

“(D) other initiatives—

“(i) to encourage the pursuit of a baccalaureate degree; and

“(ii) to overcome barriers to participation in baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations;

“(4) support for career and technical student organizations, especially with respect to efforts to increase the participation of students who are members of special populations;

“(5) support for public charter schools operating secondary career and technical education programs;

“(6) support for career and technical education programs that offer experience in, and understanding of, all aspects of an industry for which students are preparing to enter;

“(7) support for family and consumer sciences programs;

“(8) support for partnerships between education and business or business intermediaries, including cooperative education and adjunct faculty arrangements at the secondary and postsecondary levels;

“(9) support to improve or develop new career and technical education courses and initiatives, including career clusters, career academies, and distance learning, that prepare individuals academically and technically for high skill, high wage, or high demand occupations;

“(10) awarding incentive grants to eligible recipients for exemplary performance in carrying out programs under this Act, which awards shall be based on local performance indicators, as described in section 113, in accordance with previously publicly disclosed priorities;

“(11) providing career and technical education programs for adults and school dropouts to complete their secondary school education, in coordination, to the extent practicable, with activities authorized under title II of the Workforce Investment Act of 1998 (20 U.S.C. 9201 et seq.);

“(12) providing assistance to individuals, who have participated in services and activities under this title, in finding an appropriate job and continuing their education or training through collaboration with the workforce investment system established under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

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

“(14) developing and enhancing data systems to collect and analyze data on secondary and postsecondary academic and employment outcomes;

“(15) improving—

“(A) the recruitment and retention of career and technical education teachers, faculty, principals, administrators, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and

“(B) the transition to teaching from business and industry, including small business; and

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

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

SEC. 114. DISTRIBUTION OF FUNDS TO SECONDARY SCHOOL PROGRAMS.

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

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

(2) by striking subsection (a);

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

(4) in subsection (a) (as redesignated by paragraph (3) of this section)—

(A) in the subsection heading, by striking “SPECIAL DISTRIBUTION RULES FOR SUCCEEDING FISCAL YEARS” and inserting “DISTRIBUTION RULES”; and

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

(5) in subsection (b) (as redesignated by paragraph (3) of this section)—

(A) by striking “subsection (b)” and inserting “subsection (a)”;

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

(6) in subsection (e) (as redesignated by paragraph (3) of this section), in the subsection heading, by striking “VOCATIONAL” and inserting “CAREER”; and

(7) in subsection (g) (as redesignated by paragraph (3) of this section), by striking “subsections (a), (b), (c), and (d)” and inserting “subsections (a), (b), and (c)”.

SEC. 115. DISTRIBUTION OF FUNDS FOR POST-SECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS.

Section 132 (20 U.S.C. 2352) is amended—

(1) by striking the section heading and inserting the following:

“SEC. 132. DISTRIBUTION OF FUNDS FOR POST-SECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS.”;

and

(2) in subsection (a)—

(A) in paragraph (1), by inserting “for career and technical education programs leading to a technical skill proficiency, an industry-recognized credential, a certificate, or an associate’s degree” before the period; and

(B) in paragraph (2), by inserting “leading to a technical skill proficiency, an industry-recognized credential, a certificate, or an associate’s degree and” after “enrolled in programs”.

SEC. 116. SPECIAL RULES FOR CAREER AND TECHNICAL EDUCATION.

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

(1) by striking the section heading and inserting the following:

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

and

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

SEC. 117. LOCAL PLAN FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.

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

(1) by striking the section heading and inserting the following:

“SEC. 134. LOCAL PLAN FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.”;

(2) in subsection (a), by inserting “and workforce investment” after “such other educational”;

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

“(1) describe how the career and technical education programs required under section 135(b) will be carried out with funds received under this title;

“(2) describe how the career and technical education activities will be carried out with respect to meeting State and local adjusted levels of performance established under section 113;

“(3) describe how the eligible recipient will—

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

“(B) improve the academic and technical skills of students participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of challenging academics with career and technical education programs through a coherent sequence of courses to ensure learning in the core academic subjects, and career and technical education subjects;

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

“(D) ensure that students who participate in such career and technical education programs are taught to the same challenging academic proficiencies as are taught for all other students;

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

“(5) describe how parents, students, academic and career and technical education teachers, faculty, principals, administrators, career guidance and academic counselors, representatives of tech-prep consortia (if applicable), representatives of the local workforce investment board (if applicable), representatives of the local economic development entity (if applicable), representatives of business (including small business) and industry, labor organizations, representatives of special populations, and other interested individuals are involved in the development, implementation, and evaluation of career and technical education programs assisted

under this title, and how such individuals and entities are effectively informed about, and assisted in, understanding, the requirements of this title, including career pathways;

“(6) provide assurances that the eligible recipient will provide a career and technical education program that is of such size, scope, and quality to bring about improvement in the quality of career and technical education programs;

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

“(8) describe how the eligible recipient—

“(A) will review career and technical education programs, and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the programs, for special populations; and

“(B) will provide programs that are designed to enable the special populations to meet the local adjusted levels of performance and prepare for high skill, high wage, or high demand occupations, including those that will lead to self-sufficiency;

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

“(10) describe how funds will be used to promote preparation for nontraditional fields;

“(11) describe how career guidance and academic counseling will be provided to all career and technical education students, including linkages to the information and services available through the one-stop delivery system established under section 121 of the Workforce Investment Act of 1998 (29 U.S.C. 2841), as appropriate; and

“(12) describe efforts to improve the recruitment and retention of career and technical education teachers, faculty, counselors, principals, and administrators, including individuals in groups underrepresented in the teaching profession, and the transition to teaching from business and industry.”.

SEC. 118. LOCAL USES OF FUNDS.

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

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

(2) in subsection (b)—

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

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

“(1) strengthen the academic and career and technical education skills of students participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of academics with career and technical education programs through a coherent sequence of courses, such as career pathways described in section 122(c)(1)(A), to ensure learning in the core academic subjects and career and technical education subjects;

“(2) link secondary career and technical education and postsecondary career and technical education, including by—

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

“(B) developing and supporting articulation agreements between secondary and postsecondary institutions; or

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

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

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

“(A) training of career and technical education teachers, faculty, principals, and administrators to use technology, including distance learning; or

“(B) encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs;

“(5) provide professional development programs that are consistent with section 122 to secondary and postsecondary teachers, faculty, principals, administrators, and career guidance and academic counselors who are involved in integrated career and technical education programs, including—

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

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

“(ii) in effective integration of challenging academic and career and technical education jointly with academic teachers, to the extent practicable;

“(iii) in effective teaching skills based on research that includes promising practices; and

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

“(B) support of education programs that provide information on all aspects of an industry;

“(C) internship programs that provide relevant business experience; and

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

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

“(7) initiate, improve, expand, and modernize quality career and technical education programs, including relevant technology;

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

“(9) provide activities to prepare special populations, including single parents and displaced homemakers (if enrolled in the program), for high skill, high wage, or high demand occupations, including those that will lead to self-sufficiency.”; and

(3) in subsection (c)—

(A) in paragraph (1), by striking “vocational” and inserting “career”;

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

“(2) to provide career guidance and academic counseling that is based on current labor market indicators, as provided pursuant to section 118, for students participating in career and technical education programs that—

“(A) improves graduation rates and provides information on postsecondary and career options, including baccalaureate degree programs, for secondary students, which activities may include the use of graduation and career plans; and

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

“(3) for partnerships between or among the eligible recipient and a business (including a small business or business intermediary), a local workforce investment board, or a local economic development entity, including for—

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

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

“(C) industry experience for teachers and faculty;

“(4) to provide programs for special populations;

“(5) to assist career and technical student organizations;

“(6) for mentoring and support services;

“(7) for leasing, purchasing, upgrading, or adapting instructional equipment, including support for library resources, such as business journals, publications, and other related resources designed to strengthen and support academic and technical skill achievement;

“(8) for teacher preparation programs that address the integration of academic and career and technical education and that assist individuals who are interested in becoming career and technical education teachers and faculty, including individuals with experience in business and industry;

“(9) to develop and expand postsecondary program offerings at times and in formats that are convenient and accessible for working students, including through the use of distance education;

“(10) to develop initiatives that facilitate the transition of sub-baccalaureate career and technical education students into baccalaureate degree programs, including—

“(A) articulation agreements between sub-baccalaureate degree granting career and technical education postsecondary educational institutions and baccalaureate degree granting postsecondary educational institutions;

“(B) postsecondary dual and concurrent enrollment programs;

“(C) academic and financial aid counseling for sub-baccalaureate career and technical education students that inform the students of the opportunities for pursuing a baccalaureate degree and advise the students on how to meet any transfer requirements; and

“(D) other initiatives—

“(i) to encourage the pursuit of a baccalaureate degree; and

“(ii) to overcome barriers to enrollment in and completion of baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations;

“(11) for improving or developing new career and technical education courses, including entrepreneurship and development of new career pathways;

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

“(13) to provide support for family and consumer sciences programs;

“(14) to provide career and technical education programs for adults and school dropouts to complete their secondary school education or upgrade their technical skills;

“(15) to provide assistance to individuals who have participated in services and activities under this title in finding an appropriate job and continuing their education or training through collaboration with the workforce investment system established under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

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

“(17) to support other career and technical education activities that are consistent with the purpose of this Act.”.

SEC. 119. TECH-PREP EDUCATION.

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

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

“PART D—TECH-PREP EDUCATION”;

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

(3) by redesignating sections 203, 204, 205, and 208, as sections 141, 142, 143, and 144, respectively.

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

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

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

“(c) STATE APPLICATION.—Each eligible agency desiring assistance under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Such application shall describe how activities under this part will be coordinated, to the extent practicable, with activities described in section 122.”.

(c) **TECH-PREP EDUCATION.**—Section 142 (as redesignated by subsection (a) of this section) is amended—

- (1) in subsection (a)—
- (A) in paragraph (1)—
- (i) by striking “section 203” and inserting “section 141”;
- (ii) by striking “title” and inserting “part”;
- (iii) by striking “vocational” both places the term appears and inserting “career”;
- (iv) in subparagraph (A), by inserting “, educational service agency,” after “intermediate educational agency”; and
- (B) in paragraph (2)—
- (i) in subparagraph (A), by striking “and”;
- (ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and
- (iii) by adding at the end the following:

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

“(D) labor organizations.”;
- (2) in subsection (c)—
- (A) by striking paragraph (2) and inserting the following:

“(2) consist of not less than 2 years of secondary school with a common core of technical skills and core academic subjects preceding graduation and 2 years or more of higher education, or an apprenticeship program of not less than 2 years following secondary instruction, designed to lead to technical skill proficiency, a credential, a certificate, or a degree, in a specific career field;”;

- (B) in paragraph (3)(B), by inserting “including through the use of articulation agreements, and” after “career fields.”;
- (C) by striking paragraph (4) and inserting the following:

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

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

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

“(C) supports the needs, expectations, and methods of business and all aspects of an industry;

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

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

“(F) assists in accessing and utilizing data, including labor market indicators, achievement, and assessments;”;

- (D) in paragraph (5)—
- (i) by striking “training” and inserting “professional development”;
- (ii) in subparagraph (B), by inserting “, which may include through the use of graduation and career plans” after “programs”;
- (iii) in subparagraph (D), by striking “and”;
- (iv) in subparagraph (E), by inserting “and” after the semicolon; and
- (v) by adding at the end the following:

“(F) provide comprehensive career guidance and academic counseling to participating students, including special populations;”;

- (E) in paragraph (6)—
- (i) by inserting “(including pre-apprenticeship programs)” after “programs”; and
- (ii) by striking “and” after the semicolon;
- (F) in paragraph (7), by striking the period at the end and inserting “; and”;
- (G) by adding at the end the following:

“(8) coordinate with activities conducted under this title.”; and

- (3) in subsection (d)—
- (A) in paragraph (2), by striking “and” after the semicolon;
- (B) in paragraph (3), by striking the period at the end and inserting a semicolon; and
- (C) by adding at the end the following:

“(4) improve career guidance and academic counseling for participating students through the development and implementation of graduation and career plans; and

“(5) develop curriculum that supports effective transitions between secondary and postsec-

ondary career and technical education programs.”.

(d) **CONSORTIUM APPLICATIONS.**—Section 143 (as redesignated by subsection (a) of this section) is amended—

- (1) in subsection (a), by striking “title” and inserting “part”;
- (2) in subsection (b)—
- (A) by striking “5” and inserting “6”; and
- (B) by striking “title” and inserting “part”;
- (3) in subsection (d)—
- (A) in paragraph (1), by inserting “or advanced” after “baccalaureate”;
- (B) by striking paragraph (4) and inserting the following:

“(4) provide education and training in areas or skills, including emerging technology, in which there are significant workforce shortages based on the data provided by the entity in the State under section 118;”;

- (C) in paragraph (5), by striking the period at the end and inserting “; and”;
- (D) by adding at the end the following:

“(6) demonstrate success in, or provide assurances of, coordination and integration with eligible recipients described in part C.”; and

- (4) in subsection (e), by striking “title” and inserting “part”.
- (e) **AUTHORIZATION OF APPROPRIATIONS.**—Section 144 (as redesignated by subsection (a) of this section) is amended—
- (1) by striking “title (other than section 207)” and inserting “part”; and
- (2) by striking “1999 and each of the 4” and inserting “2006 and each of the 5”.

TITLE II—GENERAL PROVISIONS

SEC. 201. REDESIGNATION OF TITLE.

- (a) **FEDERAL ADMINISTRATIVE PROVISIONS.**—Title III (20 U.S.C. 2391 et seq.) is amended by redesignating sections 311 through 318 as sections 211 through 218, respectively.
- (b) **STATE ADMINISTRATIVE PROVISIONS.**—Title III (20 U.S.C. 2391 et seq.) is amended by redesignating sections 321 through 325 as sections 221 through 225, respectively.
- (c) **TITLE HEADING.**—The title heading of title III (20 U.S.C. 2391 et seq.) is amended to read as follows:

“TITLE II—GENERAL PROVISIONS”.

SEC. 202. FISCAL REQUIREMENTS.

- Section 211 (as redesignated by section 201 of this Act) is amended—
- (1) by striking “vocational” each place the term appears and inserting “career”; and
- (2) in subsection (b)—
- (A) by striking paragraph (1) and inserting the following:

“(1) DETERMINATION.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no payments shall be made under this Act for any fiscal year to a State for activities authorized under title I unless the Secretary determines that the average fiscal effort per student or the aggregate expenditures of such State for career and technical education programs for the 3 fiscal years preceding the fiscal year for which the determination is made, equal or exceeded such effort or expenditures for career and technical education programs, for the 3 fiscal years preceding the fiscal year for which the determination is made.

“(B) COMPUTATION.—In computing the average fiscal effort or aggregate expenditures pursuant to subparagraph (A), the Secretary shall exclude capital expenditures, special one-time project costs, and the cost of pilot programs.

“(C) DECREASE IN FEDERAL SUPPORT.—If the amount made available for career and technical education programs under this Act for a fiscal year is less than the amount made available for career and technical education programs under this Act for the preceding fiscal year, then the average fiscal effort per student or the aggregate expenditures of a State required by subparagraph (A) for the 3 preceding fiscal years

shall be decreased by the same percentage as the percentage decrease in the amount so made available.”; and

(B) in paragraph (2), by striking “fiscal effort” both places the term appears and inserting “average fiscal effort”.

SEC. 203. VOLUNTARY SELECTION AND PARTICIPATION.

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

SEC. 204. LIMITATION FOR CERTAIN STUDENTS.

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

SEC. 205. AUTHORIZATION OF SECRETARY; PARTICIPATION OF PRIVATE SCHOOL PERSONNEL.

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

- (1) by striking section 217;
- (2) by redesignating section 218 as section 217; and
- (3) in section 217 (as redesignated by paragraph (2) of this section)—
- (A) by inserting “principals,” after “for vocational and technical education teachers,”;
- (B) by inserting “principals,” after “of vocational and technical education teachers,”; and
- (C) by striking “vocational” each place the term appears and inserting “career”.

SEC. 206. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.

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

- (1) in the subsection heading, by striking “VOCATIONAL” and inserting “CAREER”; and
- (2) by striking “vocational” both places the term appears and inserting “career”.

SEC. 207. TABLE OF CONTENTS.

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

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

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

“Sec. 2. Purpose.

“Sec. 3. Definitions.

“Sec. 4. Transition provisions.

“Sec. 5. Privacy.

“Sec. 6. Limitation.

“Sec. 7. Special rule.

“Sec. 8. Authorization of appropriations.

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

“PART A—ALLOTMENT AND ALLOCATION

“Sec. 111. Reservations and State allotment.

“Sec. 112. Within State allocation.

“Sec. 113. Accountability.

“Sec. 114. National activities.

“Sec. 115. Assistance for the outlying areas.

“Sec. 116. Native American program.

“Sec. 117. Tribally controlled postsecondary career and technical institutions.

“Sec. 118. Occupational and employment information.

“PART B—STATE PROVISIONS

“Sec. 121. State administration.

“Sec. 122. State plan.

“Sec. 123. Improvement plans.

“Sec. 124. State leadership activities.

“PART C—LOCAL PROVISIONS

“Sec. 131. Distribution of funds to secondary school programs.

“Sec. 132. Distribution of funds for postsecondary career and technical education programs.

“Sec. 133. Special rules for career and technical education.

“Sec. 134. Local plan for career and technical education programs.

“Sec. 135. Local uses of funds.

“PART D—TECH-PREP EDUCATION

“Sec. 141. State allotment and application.

"Sec. 142. Tech-prep education.

"Sec. 143. Consortium applications.

"Sec. 144. Authorization of appropriations.

"TITLE II—GENERAL PROVISIONS

"PART A—FEDERAL ADMINISTRATIVE PROVISIONS

"Sec. 211. Fiscal requirements.

"Sec. 212. Authority to make payments.

"Sec. 213. Construction.

"Sec. 214. Voluntary selection and participation.

"Sec. 215. Limitation for certain students.

"Sec. 216. Federal laws guaranteeing civil rights.

"Sec. 217. Participation of private school personnel.

"PART B—STATE ADMINISTRATIVE PROVISIONS

"Sec. 221. Joint funding.

"Sec. 222. Prohibition on use of funds to induce out-of-State relocation of businesses.

"Sec. 223. State administrative costs.

"Sec. 224. Limitation on Federal regulations.

"Sec. 225. Student assistance and other Federal programs."

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senate for considering this bill at this moment. It is a bill that has wide bipartisan support. I thank Senator KENNEDY and all of the members of the Health, Education, Labor, and Pensions Committee and all of the staff members who have worked on this bill. It has been a tremendous bipartisan effort to make sure that we will have as many people able to enter the workforce with good skills as possible and to make an improvement in the way high schools operate.

I thank a number of Senators for being cosponsors: Senators GREGG, ALEXANDER, DODD, JEFFORDS, MURRAY, HARKIN, MIKULSKI, CLINTON, REED, BINGAMAN, SESSIONS, BURNS, THOMAS, ISAKSON, and ROBERTS. Of course, those are in addition to the two main sponsors, Senator KENNEDY and myself.

We are pleased to have a bipartisan effort, one that strengthens and improves the Federal program designed to support career and technical education. I am pleased the Senate is able to consider this legislation at this time.

This legislation was reported favorably by the Health, Education, Labor, and Pensions Committee yesterday morning and it was by unanimous vote. I am encouraged by the wide range of support in the committee and outside, and there are good reasons for that. The program adds emphasis to academic instruction. It provides career training. It is already at work in all of the schools and is making some great inroads. And those will be much better with these changes.

I have to mention a couple of examples of the ways this is working in Wyoming. In Casper, WY right now, the community college and the school district are working on plans to create a hybrid career and technical education center which will help students earn credit toward a college degree, learn relevant job skills, and meet State academic standards all through a single sequence of courses. The legislation en-

courages more schools to begin innovative programs such as the one developed in Casper.

The second reason the legislation is important is because it will help ensure that we are preparing students for tomorrow's workforce. We are in the midst of a skills revolution. Students going to school probably will not go to work for a single company and work there 30 years and then retire. The statistics show that they will probably have 14 different careers—not 14 different jobs, 14 different careers. Many of them won't even have been invented now. It is very important that we have a flexible learning environment that will allow them to cope with these changes.

I also wanted to mention a program in Rock Springs, WY. Ted Schroeder, a career and technical education teacher, has demonstrated firsthand the success that comes from connecting career and technical education to the needs of business. In response to complaints heard from local businesses about the need for students with stronger accounting skills, Ted went looking for a program that could help train his students with the skills requested by the businesses. I am very pleased that it was accounting, too. We could use a couple more accountants in the Senate.

Working with local teachers and school leaders, Ted began a computer-based accounting program at the high school in Rock Springs and has been enrolling students successfully for the past few years. Some of the students are now moving on to community college. Some have moved into the workforce where they are successfully meeting a need for the business community and for their own lives.

A final reason, too, for this being important legislation is that it provides a foundation for the redesign of Federal education policy.

I have a letter from the Secretary of Education that asks some questions that we have answers for based on the work we did putting this bill together. I ask unanimous consent that her letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF EDUCATION,
Washington, DC, March 9, 2005.

Hon. MICHAEL B. ENZI,
Chairman, Committee on Health, Education,
Labor, and Pensions, U.S. Senate, Wash-
ington, DC.

DEAR MR. CHAIRMAN: I am writing to express my strong opposition to S. 250, the Carl D. Perkins Career and Technical Education Improvement Act of 2005, which would reauthorize the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins Act). The Perkins Act is currently the primary Federal funding source for educational programs in high schools. Unfortunately, in its current form, the bill does little to address the urgent challenge that has been highlighted by both President Bush and the nation's governors to reform our Nation's high schools.

Given the changing dynamic of the workforce, all students, including those in voca-

tional and technical education programs, need to complete high school with a high level of academic skills and be prepared to participate in the globally competitive workforce. Unfortunately, recent results from the National Assessment of Educational Progress (NAEP) demonstrate that, while achievement for our Nation's fourth- and eighth-graders is on the rise, scores for twelfth-graders have declined in both reading and mathematics. Currently just 68 out of every 100 ninth-graders will graduate from high school on time, and two-thirds of students leave high school without the skills to succeed in college. Clearly, our high schools are not getting the job done for America's students. With governors and educators just beginning to consider various reform options, the President's High School Initiative is essential to foster nationwide efforts to transform our high schools.

As you are aware, the President's fiscal year 2006 budget request proposed to eliminate funding for the Vocational Education State Grants and National programs, authorized by the Perkins Act. Career and technical education programs, at their best, can provide students with both strong academic and advanced technical skills, in a "real-world" context that can hold up against the best schools and colleges, both in the United States and internationally. However, under the Program Assessment Rating Tool (PART) process, the Vocational Education State Grants program, by far the largest component of the Perkins Act, was rated ineffective because it has produced little evidence of improved outcomes for students despite decades of Federal investment. On the most recent NAEP assessments, less than 10 percent of vocational students scored at or above proficiency in mathematics (2000) and only 29 percent scored at or above proficiency in reading (1998). In its final report to Congress in June 2004, the National Assessment of Vocational Education (NAVE) found no evidence that high school vocational courses themselves contribute to academic achievement or college enrollment. Also, the NAVE did find that high school students, on average, earn more credits in vocational education (4.2) than in math (3.5) or science (3.2). In addition, the most telling data come from employers—according to a February 2005 Achieve, Inc. survey, employers estimate that 39 percent of high school graduates who have no further education are not prepared for their current job and 45 percent are unprepared for advancement.

As a result of these findings, and the widely recognized need for a more comprehensive approach to the improvement of high school education, the President instead proposes that these funds be redirected to support a new High School Initiative to improve achievement and narrow achievement gaps at the high school level. This proposed initiative will give educators greater flexibility to design and implement programs that best meet the needs of all students, including career and technical education students. The fiscal year 2006 budget also includes funds to improve access to community colleges and to expand the training programs administered by those institutions.

Enactment of S. 250 in its current form would continue to reauthorize, with little change, the very programs that have been ineffective in improving the quality of education of our Nation's career and technical education students. It would be irresponsible to continue an investment in a program that does not improve the education of students at the high school level.

The Perkins Act requires fundamental changes to its mission and focus. While the Administration still supports a redirection of Perkins funds, any extension of the Perkins Act should, at the very least:

Promote a stronger academic foundation by ensuring that all career and technical education (CTE) students receiving services under the Perkins Act have access to a rigorous academic curriculum to prepare them to enter college or the workforce. CTE students should have a smooth transition to a postsecondary education program leading to a technical certificate, an associate or baccalaureate degree, an apprenticeship, or a job. This change will support the findings of the American Diploma Project, which concluded, "successful preparation for both postsecondary education and employment requires learning the same rigorous English and mathematics content and skills. No longer do students planning to go to work after high school need a different and less rigorous curriculum than those planning to go to college."

Require that, by school year 2009–2010, students participating in Perkins Act programs be tested annually in three high school grades in reading/language arts and math in order to assess their progress in meeting State standards. The President's FY 2006 budget proposed funding for high school assessments so that principals and teachers have new tools and data to meet the needs of individual students and strengthen high school accountability.

Give the Secretary adequate authority to establish common measures to assess program performance and to ensure that data provided by the States are valid and reliable. In the bill's current form, State performance measures would not have to be valid or reliable indicators of what they purport to measure. It is thus inequitable to sanction eligible recipients, as the bill allows, for failure to meet performance levels if the performance measures themselves do not meet basic standards of validity and reliability.

Provide the Secretary authority to negotiate specific performance measures and targets, in percentage form, with each State. Currently, the bill would permit States to continue using previously developed performance measures and would limit the role of the Secretary to reaching agreement on the percentage or numbers of students who attain the State-adjusted levels of performance.

The Office of Management and Budget advises that there is no objection to the submission of this report.

Sincerely,

MARGARET SPELLINGS.

This legislation reflects a bipartisan effort to strengthen and improve Federal programs designed to support career and technical education. I am very pleased to have introduced this bill with my friend and colleague from Massachusetts, Senator KENNEDY.

This legislation was reported favorably by the Senate Health, Education, Labor and Pensions Committee yesterday morning by a unanimous vote. I am encouraged by the wide range of support for this legislation as we move forward in the legislative process.

This legislation is important for three reasons. The 1st reason is the added emphasis on academic instruction. I commend the President and the Governors for raising the issue of high school reform, and I believe this legislation is an important part of that process. Improving and strengthening the academic focus of the Perkins Act is part of a much larger effort to ensure that today's students will be ready for tomorrow's reality, whether it is in college or the workplace.

In 1998, when Congress last reauthorized the Perkins program, additional emphasis on student academic achievement was incorporated into the bill. That emphasis was critical, and the results have been demonstrated in the program. More Perkins students are performing better on national reading and math assessments than ever before.

According to a recent study of Arizona career and technical education students, students in career and technical training courses were more likely to meet State math proficiency levels than students not enrolled in technical training courses. That's good, because today's jobs are requiring stronger academic preparation than ever before, especially in math and science.

We are also facing a significant problem in terms of today's students completing high school. Many college instructors and employers agree that public high school graduates are not prepared for college-level classes or to advance beyond entry level jobs.

Only 68 percent of the students entering the ninth grade 4 years ago are expected to graduate this year; and, that for minority students this number hovers around 50 percent. In addition, we continue to experience an overall drop out rate of 11 percent per year.

Another recent study, conducted by the Organization for Economic Cooperation and Development, shows that American students are lagging behind the international average in math proficiency. Another study by this same group has pointed out that American high school students are less likely to complete high school than their peers in other countries. In that study, the United States ranked sixteenth out of twenty nations studied in terms of graduation rates.

The legislation we are now considering emphasizes high school completion by making academic courses more relevant. According to the National Assessment of Vocational Education, released last year, career and technical education students are three times more likely to apply academic skills to job related tasks than students in academic courses.

Making learning relevant is one of the best ways to ensure students stay interested in their coursework, while also preparing them for college or the workforce.

The National Governors Association recently held an education summit here in Washington, DC, to discuss the issue of high school reform and how we can do a better job of graduating students on time with the knowledge and skills they need to succeed in life. According to their report, high school is now the front line in America's battle to remain competitive on the increasingly competitive international economic stage.

In the bill we are now considering, we have made academic achievement one of several core indicators of performance for programs receiving funds from

this act. As states are elevating their expectations for students under No Child Left Behind, we anticipate that career and technical education students will benefit from those same high expectations. We believe that career and technical education programs should be able to take credit for helping students improve their academic achievement in core subject areas, like reading, math, and science.

This legislation also emphasizes the connection to postsecondary education. Many of today's high schools students are entering college behind the curve before they even start. Twenty-eight percent of college students are taking some remedial education courses before graduating. We need to make sure that more high school students are receiving the instruction they need before they leave high school in order to be successful in college.

The impact of the need for remedial academic instruction has dramatic consequences. As many as three in four students requiring remedial reading instruction will not complete a postsecondary degree program. Over 60 percent of students requiring remedial math education will not complete a postsecondary degree.

The Perkins program can help address the "wasted senior year" by helping to improve student academic achievement. It does that by linking learning to relevant applications and tasks. Students that are excited about learning will always do better, and a great way to get students excited about learning is to show them how they will use some of the skills they're learning.

For many students, understanding how they will use the skills they learn can mean the difference between completing a high school degree and dropping out. For others, it means greater investment in their studies than they might otherwise have.

The Perkins program can support students in high school by providing strong academic courses linked through a career pathway that will help reduce the need for remedial education.

The Perkins program is in a unique position to help prevent the need for additional remedial education at the postsecondary level. Because the program provides funds to both secondary and postsecondary schools, programs are more coordinated, and students have broader exposure to postsecondary education before leaving high school. A number of programs enabling students to earn concurrent credits for high school and college are springing up within the Perkins program, helping students prepare for college and reduce their time to graduation from a postsecondary degree certificate or degree program.

In Casper, WY, right now, the community college and the school district are working on plans to create a hybrid career and technical education center, which will help students earn credit toward a college degree, learn relevant

job skills, and meet state academic standards, all through a single sequence of courses. This legislation encourages more schools to begin innovative programs like the one being developed in Casper.

The second reason this legislation is important is because it will help ensure we are preparing students for tomorrow's workforce. We are in the midst of a skills revolution. It is estimated that today's students leaving high school or college will have fourteen different careers in their lifetimes. It is also estimated that the top 10 jobs ten years from now haven't been invented yet. The question that faces all of us, put simply, is "got skills?"

We must equip our workers with the skills the technology-driven economy demands. We need to prepare our students for tomorrow's economy in order to remain competitive in the global marketplace. China is graduating four times as many engineers as the United States, and there is no way for us to catch up in terms of raw numbers of graduates. The only way we can compete is to graduate students with the highest quality academic and technical skills. If we are going to support a strong economy, we need to ensure our students have the high quality skills they need to succeed in postsecondary education and the workforce.

Earlier this week on the Senate floor we discussed the need for skills training and its impact on wages. I made a speech to the effect that the problem we are facing is one of minimum skills—not minimum wages. The effect may be low wages, but the cause is low skills. We need to address those workers who have few, if any, of the skills they need to compete for a better job and command higher wages. We need to start thinking in terms of skills, the kinds of skills that will help students support themselves and their families in the future.

Research suggests that high school dropouts have an unemployment rate two times higher than high school graduates, and three times higher than college graduates. Over time, the earning differential between high school and college graduates has increased as well. In 1980, college graduates earned fifty percent more during their lifetime than high school graduates. Today this differential has increased to 100 percent and continues to expand.

The Perkins program helps students learn and develop the skills they need to compete in the workforce. In the bill before us, we've emphasized the need to prepare students for placement in high skill, high wage, or high demand occupations. These are the types of jobs that will ensure a stronger future for students and will help them become self-sufficient.

Eighty percent of the jobs created over the next ten years will require some postsecondary education. However, the majority of those jobs will require less than a four year degree. This is a critical issue, and we need to start

now to meet the needs of the future workforce. I believe that a stronger, more effective Perkins program is an important way to address this issue.

As you can see on this chart, by 2010 we face a projected skilled worker shortage of 5.3 million workers. That's 5.3 million American jobs that can't be filled because our workers don't have the right skills. That is why career and technical education funds are so critical to the supply of skilled labor in this country. These are precisely the types of careers for which the Perkins program is preparing students. Career and technical programs in this country are preparing engineers, health care professionals, information technology workers, trade, industry, and business leaders, and a host of other careers.

One of the most critical improvements we've made to the Perkins program in this bill is to strengthen the connection of career and technical education programs to the needs of businesses. If we are going to help fill the growing need for skilled workers, we need to ensure Perkins programs are coordinating their instruction with current practices in industry and the needs of the local workforce.

In Rock Springs, WY, Ted Schroeder, a career and technical education teacher, has demonstrated firsthand the success that comes from connecting career and technical education to the needs of business. In response to complaints heard from local businesses about the need for students with stronger accounting skills, Ted went looking for a program that could help train his students with the skills requested by the businesses.

Working with local school leaders, Ted began a computer-based accounting program at the high school in Rock Springs and has been enrolling students successfully for the past few years. Some of those students are now moving on to community college or the workforce.

That's the type of relevant instruction that we need to encourage and that we are encouraging through this bill. I would expect that the students performing well in that accounting class are also performing well on state math assessments in Wyoming.

The final reason that this legislation is important is because it provides a foundation for the redesign of federal education policy. We need to structure Federal education policies that provide students and adult learners have access to lifelong education opportunities. In this 21st century economy, learning never ends, and school is never out.

The Perkins Act is one part of a "three-legged stool" of federal education and training programs, all of which we will be considering this year. The other two key pieces of this approach are the Workforce Investment Act, and the Higher Education Act.

If we are going to stay competitive, Federal education programs need to help support seamless transitions from education to the workforce, through-

out life, from preschool through postsecondary education and beyond. The bill we are considering takes the first step in that direction by emphasizing the connection between academic and technical education and the workforce and postsecondary education. The Workforce Investment Act and the Higher Education Act will be the next critical steps in ensuring that American students are prepared for today and tomorrow's careers, many which haven't been invented yet.

Today's students are more and more likely to return to school throughout their lives for additional training. Some estimates suggest that as many as 75 percent of today's workers will need additional training just to stay current with their jobs. The modern college student reflects this trend perfectly. Today's average college student is likely to be older than 24, independent, and more likely to be female.

That snapshot reflects the reality that today's college students are there for training and technical skills acquisition more than anything else. Postsecondary education is one of the fastest means to advancement in today's economy. With a postsecondary education, workers are more likely to keep their jobs and take advantage of opportunities to grow and advance in the workforce, or transition to another occupation as the workforce changes.

Federal policy needs to reflect the 21st century reality that we are in the midst of a jobs revolution. We are going to experience dramatic changes in the workforce over the next ten to fifteen years, and we need to start now if we are going to adapt Federal education and training policy to meet the coming crisis of too few workers with too few skills.

I am grateful for the work of my colleagues and the distinguished ranking member of the committee on this legislation. We were able to move this bill quickly through committee, and now to the floor, because we were able to work in a bipartisan manner to reauthorize a program that the members of the Health, Education, Labor and Pensions Committee feel is an important part of the federal education and training system.

I hope that we will be able to proceed quickly to conference with the House. I know they marked up their legislation yesterday as well, and I expect they will also proceed quickly to floor consideration.

We look forward to working with the House to conference this bill and send it to President for signature this spring.

I am hopeful we will be able to complete action on this bill quickly and send it to the President for signature, so that we can begin work on the Workforce Investment Act and the Higher Education Act, the next critical pieces of a comprehensive approach to federal education and training initiatives—and lifelong educational opportunities.

Mr. President, S. 250 makes significant changes in the Perkins program. It does so to further emphasize a stronger academic focus in career and technical education so students are ready for the workforce and for college. The bill requires better articulation between high school and college career and technical programs. It requires States to develop career pathways that incorporate challenging academic courses and requires that information about academic preparation for the workforce be provided for all students, not just career and technical education students.

The bill also links the accountability between the Perkins program to rigorous and challenging academic standards under the No Child Left Behind Act. The bill is consistent with the goals outlined by the American Diploma Project which suggests students need stronger academic preparation regardless of whether the next step is college or the workforce. Today's students need to be ready for the next step in life, whether it is the workforce or college. That is why the Senate bill emphasizes both academic and technical achievement that leads to postsecondary education or a high skill, high wage, or high demand occupation, perhaps all three incorporated in one.

The bill incorporates the assessments required under No Child Left Behind and maintains the same requirement for all high school students rather than applying an uneven standard for Perkins and non-Perkins students. The Perkins program is not a substitute for comprehensive high school reform because it doesn't reach all high school students. It is an important part of that effort, however.

The Senate bill provides much stronger accountability than even the No Child Left Behind Act. Not only does it require that students meet academic standards, but it also requires schools to report on students moving on to college, receiving postsecondary credit, earning an industry-recognized credential, certificate, or a degree. It even wants to know if they got a job.

The bill also emphasizes stronger ties between high schools and colleges so students can begin to prepare themselves for the next step in their education. It also strengthens connections between schools and employers so students who don't go to college will be ready for the workforce. The bill requires that information is provided to students so they know how their academic course work will prepare them for work and college in the future.

The bill also requires accountability systems to be based on either industry-recognized credentials or other standardized secondary and postsecondary performance indicators, such as completion of a postsecondary degree or certificate program. It requires participating schools to report on indicators that are nationally understood. In many instances we have followed the Department's request that indicators

be made consistent between programs, which we have done.

The bill draws extensively from No Child Left Behind, the Workforce Investment Act, and the Adult and Basic Education Act, incorporating many common requirements into this bill. The Senate bill provides an opportunity for the Secretary to work with States to develop performance measures. The bill allows States to use percentages or numbers to determine performance standards. The performance indicators are negotiated at the State level with the Secretary, and the goal ought to be helping States improve their Perkins program by meeting performance indicators regardless of whether they are expressed in number or percentage forms.

We have covered a lot of ground in this bill, aspects that haven't been included before, aspects that will improve provisions, that which will help the students focus on getting jobs. We think this is a bill that America needs, and we want to get it to them quickly. We appreciate the efforts of the Senate to get it brought up quickly and to get it passed so we can get it into conference and get this great piece of legislation active this spring.

I would particularly like to thank staff of the Senate Committee on Health, Education, Labor and Pensions who have worked to successfully bring this bill forward. I want to thank Beth Buehlmann, Scott Fleming, and Courtney Brown from my own staff; Jane Oates, Carmel Martin, and Liz Maher from Senator KENNEDY's staff. I'd also like to thank the other staff members who worked diligently on this legislation.

I yield to my ranking member, Senator KENNEDY.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, first of all, I join all of our colleagues on this side of the aisle who have the good opportunity to work on the Health, Education, Labor, and Pensions Committee in commending our friend and chairman, Senator ENZI, for his good work in bringing this legislation out of our committee yesterday and being able to arrange for us to have a chance to consider it on the floor this afternoon.

This legislation is enormously important to more than 70,000 students in my State and to millions of students all across the country. To a great extent, we are here because of the chairman's determination and persistence in ensuring that our committee meets its responsibilities on this legislation, as he has on others as well.

I will just mention that we also passed out of committee the Child Care Development Block Grant Program, with which my friend and colleague, Senator DODD, has had so much to do. It will make a large difference in terms of child care for families. Also, there are some important protections, in

terms of the FDA, on the whole issue of contact lenses. And then there is a very important piece of legislation dealing with the improvement of patient safety, to reduce the incidents of events that adversely affect patient safety. We are waiting to work out some minor details. That is an enormously important piece of legislation. This has been a very full agenda so far this year.

We have been on the floor over the last 6 or 7 days talking about a piece of legislation that has divided this institution. Today, we are strongly together on a matter that will make a great deal of difference to young people and old people alike.

Our chairman pointed out the importance of acquiring skills, retaining skills, and lifelong learning in the United States today. Especially in this age of globalization, we want every one of our citizens to have the learning and the skills essential to the continuing strength of our modern economy.

Investing in our education system, continuing education, continuing training, and the acquiring of skills is essential in terms of our national security as well. It is not always thought of in those terms, but it clearly is. This legislation, which has been upgraded in the course of this Congress, is essential for equipping millions of Americans with the skills they need to compete in the global economy.

It is a lifeline to many of those young people. With the changes we have made in this bill, and with a number of changes that have been made at the State level, we have the assurance that these young people are going to get a first-class education.

I ask my colleagues to look at this chart behind me. In my State of Massachusetts, we have some 78,000 students who are involved in vocational education. Years ago, vocational education simply meant an extra class in shop in many schools. That is not the case now. The kinds of skills these young people are getting are enormously sophisticated, complex, and incredibly important, as our whole economy has become that way. There are more than 74,000 students in career and technical education programs who passed what we call the MCAS test, our State assessment exam. We have over 74,000 career and technical education students who passed the test out of 78,376. That is 95 percent. That percentage is extraordinary.

The MCAS test is a difficult test. The extraordinary thing about Massachusetts—if I can take 10 more seconds on this—is that the State publishes the MCAS test, and makes public the items on the test each year. So every parent and school teacher, and people around the country, know the quality of the test itself and know the demands that this puts on young people. What these results demonstrate is that these young people are acquiring skills and also developing very, very important academic skills in their career and technical programs.

Now, look at this chart, which says, "What does the Perkins program mean in Massachusetts?" We have students in Brockton who received onsite clinical training in health care facilities. In New Bedford, a city that has suffered tremendously with the outsourcing of manufacturing jobs, the regional school has begun an engineering program. The program partners with 2- and 4-year colleges, Texas Instruments, and Bose. Students will be able to earn \$22,000 directly after high school and far more when they go on to earn their college degree. All Massachusetts community colleges have instructional support staff and a major source of funding for adaptive equipment for students with disabilities who are enrolled in technical education programs.

Now, this chart shows the positive placement rates of five vocational schools in Massachusetts—all are over 90 percent. We have shown the academic rates and accomplishments of career and technical education students. The bottom line is, when we are looking for accountability and results, we should look at the placement rates for these young students. It is 98 percent at Assabet Valley Regional Vocational School in Marlborough. At Worcester Vocational High, it is 96 percent. At Northeast Metropolitan Vocational in Wakefield, it is 95 percent. At New Bedford Regional Technical, 90 to 95 percent of the graduates go on to the workforce or postsecondary education. This is true also at Upper Cape Cod Tech, at 90 percent.

I want to mention a couple of stories. I will mention one other very significant, impressive result of a technical school. At Shawsheen Technical High School, we have 600 eighth-grade students vying for 320 seats in the program. A third of the students are in special education. Yet, the school has a 100 percent pass rate on the Statewide student assessment exam. That is an extraordinary outcome.

These are outcomes we can see, and they make a difference for young students who need special education. At Shawsheen Tech, special education students have an outstanding rate of passing the Statewide student assessment exams. Learning academic skills in an applied context is responsible for this success. Ninety-seven percent of the graduates go on to immediate employment in their field or continue their education.

Let me mention a couple of other interesting facts about this extraordinary school. Shawsheen has developed an intensive Licensed Practical Nurses program for adults. Students serve in clinical rotations on alternate weekends at one of the great medical centers, the Leahy Clinic, which my family has benefitted from for three generations—it is a first-rate clinic in Massachusetts. These students are able to gain jobs in this very prestigious and important clinic. Fifty percent of the students enrolled in this program

are minority students. Sixty percent are Pell recipients. The first 3 classes of 40 students each had a 90 percent retention rate and a 98 percent pass rate for the program completers, and their average starting salary is more than \$23 an hour.

These are extraordinary outcomes. Let me mention one other example. Kerry is a student at Middlesex Community College in the dental hygiene program. She is the mother of two preschool-age children and struggled at several different colleges because of a learning disability. At Middlesex she receives support and accommodation from disability support services and works closely with a disability support specialist. That specialist's salary is paid for with Perkins funding. There we have a tie of special needs students into these well-organized, structured programs, and the outcome has been a very important success. Kerry's success in school is due to the fact that she receives Perkins funding.

The story really is in the outcome. I see my friend from Rhode Island. He knows and values the importance of vocational training because of the excellent programs in the State of Rhode Island. In our region of the country, training programs have made an enormous contribution to the industrial and commercial success of so many of our industries. This program has played a very important role. It has been upgraded and improved from an academic point of view, from a training point of view, from the expectations of results, of working with businesses to give new emphasis to the kinds of specialties which are in short supply, and we have benefitted from broad participation.

Chairman ENZI pointed out the very good work of the various communities that have given valuable help and assistance to us and the incredible staff of all the Members on both sides of the aisle. We have approached this legislation with an attitude of how we can make it better, how we can improve on it, and the lessons we have learned in the past that are going to strengthen this program.

This is an important program that makes a real difference in the lives of people. I know the President has some reservations about this program and does not support Perkins in his budget. We take important steps in this bill to strengthen the program and address a number of the concerns the President has.

With that in mind, we are very hopeful we will continue to have the support of our colleagues in the Senate.

I again thank Senator ENZI for his hard work. As we are finding out, he and his staff have welcomed ideas and suggestions. He does not always say yes, but he does not always say no. It has been a real pleasure to work with him. We on our side are in very strong support of this legislation. We believe it is a stronger bill than exists at the current time. We believe it will help in

critical areas for young people and old people—continuing education and the adult education programs.

This legislation is about acquiring skills—skills, skills, skills, skills—which we all understand is absolutely essential if this country is going to continue to be the leader of the free world economically and from a national security point of view.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senator from Massachusetts for his outstanding comments, and I appreciate the charts he had giving real-life examples of some things happening in his State. I can tell you that those are happening throughout the Nation.

The issue our committee is concerned about is the high dropout rate in high schools in the United States. Mr. President, 68 percent of the kids who start as freshmen will not graduate. They will drop out of the program at some time. For minorities, it is considerably higher. We are trying to figure out some way to keep them more interested in school, keep them on a learning program, which they will have to be for the rest of their lives if they are going to have high-quality jobs. We believe this bill is the first leg of a three-legged stool that will provide that. We will have other bills we will be bringing along at a later time.

I thank our fellow Senators for their indulgence in allowing us to bring this bill up. I look forward to getting it through the Senate.

Mr. BINGAMAN. Mr. President, I rise today to speak in support of a critical piece of legislation, the reauthorization of the Carl D. Perkins Vocational and Technical Education Act. More than ever, we need rigorous, relevant career and technical education programs to help students prepare for postsecondary education and to address the shortage of highly skilled workers necessary to meet the demands of the contemporary workforce. A skilled and flexible workforce is essential to building a strong and dynamic economy and to maintaining our country's ability to compete in a global economy.

According to a recent U.S. Chamber of Commerce survey, 75 percent of employers report severe difficulties when trying to hire qualified workers, with 40 percent of job applicants having poor skills. Further, a survey by the National Association of Manufacturers found that 80 percent of manufacturers experience a shortage of qualified workers. Most troubling, as many as 3.3 million jobs may be sent overseas in the next 15 years, resulting in American workers losing \$136 billion in wages.

With this reality, it is vitally important to support S. 250, the Carl D. Perkins Career and Technical Education, CTE, Improvement Act of 2005. This legislation promotes a rigorous curriculum, innovative learning environments, and relevant coursework and

training, thus ensuring students receive the education and training necessary to develop a highly skilled workforce. Strong career and technical education programs are essential in addressing this shortage of highly skilled workers and in preserving American jobs.

Career and technical education must be academically rigorous and enhance students' critical thinking and applied skills. Accordingly, this bill makes a number of significant improvements to ensure that CTE students participate in a rigorous and challenging curriculum, and realize positive educational and employment outcomes.

For example, the bill integrates challenging academic and technical standards, aligned with No Child Left Behind and nationally-recognized industry standards, into CTE instruction. The bill also strengthens educational and career pathways for students beyond high school and makes significant strides in building alliances among high schools, 2- and 4-year colleges, business and industry, and community organizations. Further, the bill expands career guidance and academic counseling services to ensure that students have a career plan and career objectives.

Well-prepared CTE teachers and good professional development are essential components of an effective, rigorous CTE curriculum. CTE teachers must possess the knowledge and skills to teach effectively. Hence, this bill dedicates resources to promoting the leadership, initial preparation, and professional development of career and technical education teachers to foster effective practices.

Mr. President, this bill is designed to improve student educational and employment outcomes, including their technical and workplace knowledge and skills. But, we must be able to measure how well CTE programs are meeting the needs of its students. Accordingly, the legislation will require states to identify core indicators of performance that include measures of student achievement on technical assessments and attainment of career and technical skill proficiencies.

Thus, it is essential to develop valid and reliable assessments of technical and career competencies that are aligned with national industry standards and integrate industry certification assessments, if available and appropriate. To address this need for high-quality technical assessments, this bill permits State leadership funds to be used to develop valid and reliable assessments of technical skills that are integrated with industry certification assessments where available.

Yet, increasing academic and technical rigor alone is not enough to prepare students to enter into and compete in the 21st century workforce. The learning environment students experience also heavily impacts academic performance and student outcomes. When smaller learning communities

are in place, students benefit greatly: they experience a greater sense of belonging to their schools and they have fewer discipline, crime, violence, and substance abuse problems.

I would like to highlight two high schools in my home State of New Mexico which demonstrate some of the best practices of rigorous and innovative career and technical education. Rio Rancho High School, in partnership with Intel Corporation, has served as a model example of how academic rigor, hands-on-learning, strong professional development, defined career pathways, and robust alliances are elements of a successful, quality CTE program. Rio Rancho has created academies of study for all students, which allow students to: pursue career pathways to postsecondary education and beyond; take core courses geared toward interests, skills, and competitive careers; form partnerships with instructors; and become part of a smaller learning community within the larger high school. The academies allow students to explore personal strengths and interests in relationship to career planning and job markets. Accordingly, Rio Rancho has been designated as a Microsoft Center of Innovation and Time Magazine has called Rio Rancho one of the ten most innovative career and technical schools in the nation.

Another great example of innovative career and technical education can be found at Albuquerque High School. In just a couple of years, the career academies at Albuquerque High School have demonstrated very positive student outcomes. The first students in Albuquerque's Academy of Advanced Technology have lower dropout rates and improved academic achievement.

Accordingly, this legislation recognizes that smaller learning communities are a critical educational investment and thus allows local funds to be used to support and develop personalized career themed learning communities. As Rio Rancho and Albuquerque High Schools demonstrate, rigorous career and technical education and smaller learning environments enhance students' achievement and motivation to learn.

Mr. President, this country is facing a crisis. Only 68 percent of our Nation's students are graduating high school with a regular diploma in four years. We must devote more attention and resources to increase graduation rates and promote dropout prevention. Providing quality career and technical education is one crucial way to increase graduation rates. CTE programs provide students with relevance, and are themselves a form of dropout prevention. In fact, quality CTE programs result in positive educational and employment outcomes for students. Effective career and technical education results in increased school attendance, reduced high school dropout rates, increased entry into post-secondary education and greater access to high-tech careers.

Accordingly, we must improve our ability to measure the effectiveness of career and technical education programs. High-quality data systems are essential to collect and analyze information regarding educational and employment outcomes and to inform the development of effective career and technical education programs. The data reported, however, must be complete, accurate, and reliable. Yet present data and data systems are too often incapable of meeting the requirements of career and technical education programs, of states, and of this Act. Accordingly, the bill includes several new provisions for data collection, utilization, and analysis, including provisions which allow the State allocation to be used to support and develop State data systems, and State leadership funds to be used to develop and enhance data systems to collect and analyze data on postsecondary and employment outcomes.

Effective career and technical education programs are necessary to build a strong and dynamic economy and to maintain a competitive American workforce. This legislation evinces some of the best principles of strong, effective career and technical education. Mr. President, I fully support Senate passage of S. 250.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mrs. CLINTON. Mr. President, I am pleased to rise in support of the Carl D. Perkins Vocation and Technical Education Improvement Act. I am proud to be a cosponsor of this legislation and am extremely pleased that this bill was written in a bipartisan fashion. I thank Senator ENZI, Senator KENNEDY, and their staff members, Scott Fleming, Ilyse Schulman, and Jane Oates, for working so hard on this legislation. I sincerely hope that we continue in this spirit of bipartisanship in the HELP Committee.

The bill before us today recognizes the important role of career and technical education for preparing today's workforce and rejects the Bush administration's proposal to eliminate the Perkins program, a proposal that would cost New York approximately \$65 million a year. The bill before us today is evidence of a strong bipartisan commitment to maintaining and strengthening the program.

It is an often overlooked fact that the Perkins program is the largest Federal investments in our Nation's high schools. Over 66 percent of all public high schools have at least one vocational and technical education program and 96 percent of high school students in this country will take at least one vocational or technical course while they are in high school.

The Perkins program also plays a key role in postsecondary education. According to the National Center for Education Statistics, nearly 38 percent of all degree-seeking undergraduates are pursuing vocational careers. These

programs play a key role in educating our workforce, and census data consistently shows that people with higher educational attainment have higher median incomes. Nearly 75 percent of employers say they have a very hard time when trying to hire qualified workers, according to a 2002 survey by the U.S. Chamber of Commerce.

In New York, the demand for business career and technical education programs in New York increased by 44 percent between the 2002 to 2003 school year and the 2003 to 2004 school year. In New York City, there was a 211 percent increase in enrollment in the approved business program and a 55 percent increase in the technology and communications programs. And the vast majority of these students are succeeding academically. Eighty-five percent of New York students that completed a career and technical education program passed all of the required regent's exams.

The Perkins program is extremely important—not just for the numbers of students it serves but for the communities that benefit from a better prepared workforce as a result of these programs. This is why for the last 3 years I have spearheaded a letter to the Senate Appropriations Committee requesting additional funding for Perkins. I also offered an amendment to the budget resolution in 2003 to protect the Perkins programs from cuts because I was deeply concerned that President Bush's proposal to slash the Perkins program by 25 percent would be reflected in the Senate's budget.

The Carl D. Perkins Vocation and Technical Education Improvement Act will go a long way towards strengthening vocational and technical education in New York and across the country. Among other things, it will provide for comprehensive professional development for career and technical education teachers, increase States' flexibility to meet their unique needs, and align secondary and postsecondary indicators with those established in other programs to ultimately reduce paperwork.

I am particularly pleased that this bill also improves programs and services for women and girls pursuing non-traditional occupations. Last fall, at a HELP Committee hearing on vocational education, an inspiring woman from New York, Angela Olszewski, testified about how important it is that we support and encourage women and girls in their pursuit of non-traditional, traditionally "male" careers—in technology, math, science, and the construction and building trades. Unfortunately, women are still significantly underrepresented in these fields. For example, we know that while the number of women carpenters has tripled since 1972, they still only represent 1.7 percent of all carpenters. You can say the same about many other high-skill, high-wage trades.

Many of these skilled trades industries are experiencing a significant

labor shortage and experts expect these shortages to get worse over the next two decades as many workers retire. If women were to enter these professions, most of which are unionized and pay a livable paycheck and benefits, women would increase their earnings and standard of living for their families. For example, a journey-level electrician will make over \$1,000,000 more than a typical cashier in a 30-year career.

This bill requires States to measure students' participation and completion in career and technical programs in nontraditional fields and to disaggregate their data on performance by gender and race. In addition, programs will be required to prepare special populations for high skill, high wage occupations that will lead to self-sufficiency. These important provisions will go a long way toward helping more women follow in Angela's footsteps.

Finally, I am pleased that the bill maintains Tech Prep as a separate program, rejecting the Bush administration proposal to eliminate it. Innovative Tech Prep programs in New York have made a real difference in the lives of students. For example, the Syracuse City Health Center Tech Prep program reduced the achievement gap between ethnic groups, white vs. non-white—to 2.8 percent. And at least 65 percent of students in the Syracuse City Health Careers Tech Prep program enroll in health-related professions, where New York has a critical shortage, after high school. In New York State, the average age of nurses is 47 and 80 percent of current nurses will reach retirement age within 10 years.

For all of these reasons, I am thrilled that we are passing this legislation today.●

Ms. MIKULSKI. Mr. President, I rise in support of the Carl D. Perkins Vocational and Technical Education Improvement Act of 2005. To compete in this global economy, we need to make sure our students have 21st century skills for 21st century jobs. Vocational and technical education is an extremely important part of this effort. The Perkins Act, which provides \$1.3 billion to help train more than 10 million Americans across the country, is a vital investment in our nation's high schools, community colleges, and our students.

The Carl D. Perkins Career and Technical program gives a boost to America's workforce development system by providing funds to schools that teach technical skills ranging from auto shop to computer programming. The Perkins Act also supports practical career programs and links between secondary and post-secondary education, helping students to move up the opportunity ladder and prepare them for high-skill, high-wage jobs. Students who have completed Perkins-supported programs are better prepared not only for higher education but for the workplace.

The President has proposed eliminating funding for all vocational and

technical education programs. This is the wrong way to go. If Perkins was eliminated, high schools, technical schools, and community colleges in every state would suffer. In Maryland, our schools would lose almost \$19 million. Last year, we had more than 150,000 students enrolled in career and technical programs in Maryland. In the United States, 97 percent of high school students take at least one career and technical education course. One-third of college students are involved in career and technical programs. And almost 40 million adults attend short-term occupational training. If these schools had to close their doors or shut down their vocational programs, where would these students go to learn the skills they need to get good paying jobs?

Vocational and technical education provides students across the country with opportunities to develop academic and technical skills that are critical for economic and workforce development. It is our job in the United States Senate to make sure these opportunities are there for the people who need them and to invest in our human capital to create a world class workforce. That is why I strongly support this bipartisan bill and I oppose any cuts to the Perkins Vocational and Technical Education programs.

Mr. DURBIN. Mr. President, I rise in support of the Carl D. Perkins Vocational and Technical Education program.

By the year 2010, 80 percent of all jobs in the Nation will require secondary and postsecondary education and training as a prerequisite for a job that supports a middle-class lifestyle. The Perkins Vocational and Technical Education program provides business and industry with the skilled workers they need to compete in the 21st century economy and provides a future of hope for those workers.

Unfortunately, President Bush has proposed eliminating Federal funding for these programs in his fiscal year 2006 budget. This would have a tremendous negative impact across the nation and especially in Illinois, which is receiving \$49.6 million dollars in fiscal year 2005 for these programs. In fact, in Illinois, 3 out of 5 high school students are enrolled in Vocational and Technical Education annually, representing more than 348,000 students.

The Senate's strong support for this legislation today demonstrates that the Bush administration is out of touch with regular people and the state of our economy. We need to create more good jobs in America; that's what vocation education programs do.

For example, we need more teachers. Stacy J. attended Capital Area Career center and went on to graduate from Lincoln Land Community College and from there to the University of Illinois Springfield. She earned a Bachelor's in Psychology and an elementary teaching certificate and now works for the Springfield School District. Her path

was largely funded by the Carl D. Perkins Vocational and Technical Education program.

We need car specialists. Nick O. graduated from the welding program at Capital Area Career Center and now works for Ray Evernham Motorsports in research and development and as a tire specialist. Again, Nick took advantage of the Perkins program.

We need electricians, x-ray technicians, dental assistants, and plumbers. Justin K. is an apprentice plumber in Springfield after completed the Perkins program at the Capital Career Center.

We need nurses, carpenters, and firefighters. Andy, Josh and Dustin studied Fire Science at the Kishwaukee Education Consortium.

Because we need these people, we need the Carl D. Perkins Vocational and Technical Education program.

Of course, we also need our students to graduate. Another Perkins program student, Jessica G., began her career as a co-op student from Limestone Community College. She works for the RSM McGladrey Network and is now one course away from earning her masters of business administration. One of the most spectacular attributes of the Perkins program is the increase in the probability of graduation. Participation in a career and technical program raises the probability of graduation by 15 percentage points for those who registered for at least one course and nearly 28 percentage points for those who completed a career and technical program.

The school-based programs supported through the Perkins program provide a foundation for our Nation's workforce development system, by teaching technical skills based on industry standards and workplace skills and employability skills common to all occupations. This program is the single largest Federal investment in the nation's high schools.

We want our students to succeed in their education. This means we need the Carl D. Perkins Vocational and Technical Education program. Research proves students engaged in Perkins-supported programs are better prepared to transition into postsecondary education and the workplace. Students who complete a rigorous academic core coupled with a career concentration have test scores that equal or exceed college prep students. These dual concentrators are more likely to pursue postsecondary education, have a higher grade point average in college and are less likely to drop out in the first year. Fifty-two per cent of all career and technical education students enroll in college.

I strongly support this legislation and commend Chairman ENZI and Senator KENNEDY for their leadership in ensuring that the Carl D. Perkins Vocational and Technical Education program continues.

Mr. BURNS. Mr. President, I rise to speak on behalf of the Carl D. Perkins

Career and Technical Education Improvement Act. This bill reauthorizes the Carl D. Perkins Vocational and Technical Education Act of 1998 and supports a key goal for this country's future: to ensure America's students have the knowledge and skills to be competitive in today's global economy. Specifically, this legislation supports the creation of stronger partnerships between high schools, colleges, and businesses to allow for career and technical education programs to better meet the needs of the workforce, including small businesses. Also, S. 250 provides for the creation of outlines for logical sequences of courses, including high school and college courses, that will lead to an industry recognized credential, certificate, or postsecondary degree. Furthermore, this measure promotes activities to improve the recruitment and retention of career and technical education teachers, including those underrepresented in the profession.

As a former member of the organization previously known as Future Farmers of America FFA, I am proud of Montana's highly successful vocational education programs. Montana has over 500 approved career and technical education programs and more than 800 certified teachers in agriculture, business, marketing, family and consumer sciences, industrial technology, and health occupations. Over 160 Montana high schools participate in the Federal Carl D. Perkins and State career and technical education grant programs in order to support and improve their career and technical education programs. These valuable programs prepare Montana K-12 students for a variety of careers and post secondary education programs.

I will continue my strong support of vocational education programs and look forward to working with the leadership as the Senate examines education programs during the 109th Congress.

Mrs. FEINSTEIN. Mr. President, I rise today to support the reauthorization of the Perkins Career and Technical Education Improvement Act of 2005.

This bill is critically important to ensure that students are entering the workforce with the academic, vocational, and technical skills they will need to be successful in today's job market.

According to 2003 U.S. Census data, only 27 percent of Americans have a college degree. Therefore, vocational education programs are necessary to provide occupational training to the majority of high school students who do not go on to earn a bachelor's degree.

Without adequate vocational and technical training programs, these individuals have few career options. Unfortunately, high schools currently offer fewer vocational education classes than in the past, due to funding shortages.

There are many ways in which Perkins funds are used, and I would like to share a few examples of how these dollars are utilized in my State of California which typically receives approximately 11 percent of Federal funding for vocational education through Perkins.

The Fresno Unified School District uses about \$1 million in Perkins money to fund vocational education classes in areas such as introductory business, computers, and multimedia for students in grades 7-10.

Perkins funding also helps to pay for 10 resource center facilitators who assist students in researching colleges and registering for entrance exams.

The Los Angeles Unified School District receives Perkins funds to build career and technical education, CTE, programs. With these funds, the district has created 15 "industry clusters," each of which contains a specific career pathway. These industry clusters range from agriculture to the arts to engineering to medical technology.

I understand the importance of Federal support for vocational and technical education, and I will continue to do all I can to ensure that all students have access to the educational opportunities that will allow them to become productive and successful adults.

Mr. GREGG. Mr. President, I am pleased to support S. 250, the Carl D. Perkins Career and Technical Education Improvement Act of 2005. The product of a true bipartisan effort, this bill reauthorizes and strengthens the federal investment in career and technical education programs, which touch students of all ages in communities across the Nation.

I commend Senator Enzi for his extraordinary leadership on this issue. His dedication to creating opportunities for lifelong learning and ensuring that students of all ages have the skills they need to succeed in higher education and in the workforce is reflected throughout this bill.

Nearly every student in America enrolls in at least one career and technical education class during high school, and millions of adults update their skills at the postsecondary level each year. Career and technical education provides increasingly rigorous, relevant learning that prepares students for success in postsecondary education and in a wide array of occupations. Given that a majority of jobs created over the next decade will require skills that only a relative few workers currently possess, it is important that we provide opportunities for students and workers to gain the skills they need to secure and succeed in these jobs.

In many communities, including those in my own State of New Hampshire, innovative career and technical education programs are helping to fill pressing workforce needs, including in fast growing fields like technology and health care. High school students in health science programs may earn CPR

and, first aid certifications and gain valuable clinical experience in hospitals and nursing homes, as well as enroll in certified nursing assistant programs. Through Project Running Start, high school students can earn community college credit in a variety of disciplines. New Hampshire Community Technical College in Nashua offers programs ranging from an FAA-approved aviation technology program to a telecommunications program in partnership with Verizon. Such opportunities at both the secondary and postsecondary level are constantly expanding, offering students more options than ever before.

Career and technical education programs are also helping alleviate shortages of skilled workers in certain industries, such as the automotive industry. The Automotive Youth Educational Systems program, which operates in New Hampshire and 44 other States, is widely regarded as a successful education and business partnership, and has been praised by both the Department of Labor and the Department of Education. The AYES program affords high school juniors and seniors the opportunity to gain valuable experience as interns working alongside skilled auto technicians who serve as mentors. Upon graduation, this work experience then translates into high-skill, high-wage, high-demand jobs for students.

The Carl D. Perkins Career and Technical Education Improvement Act of 2005 would strengthen career and technical education programs in a number of ways. Among the improvements are stronger accountability provisions, increased flexibility for States, and greater emphasis on the integration of academic and technical course content, on connecting programs with business and industry to ensure that students gain relevant skills, and on building pathways from secondary to postsecondary programs and the workforce. All of these efforts will help ensure that students acquire the tools and knowledge necessary to acquire and excel in high-skill, high wage occupations.

S. 250, which I am pleased to cosponsor, stands as an example of what is possible when we work in a bipartisan way in good faith. I would like to thank Senator KENNEDY and my colleagues on the other side of the aisle for their commitment to career and technical education and for helping move the reauthorization process forward.

This bill was also crafted with significant input and support from the career and technical education community, which helped us refine and improve the legislation. The result is a work product of which we can all be proud. I look forward to the bill's final passage.

Mr. REED. Mr. President, I am pleased to be a cosponsor of the Carl D. Perkins Career and Technical Education Improvement Act. By passing

this legislation today, the Senate recognizes the critical need to maintain the Perkins program—the Federal Government's single biggest investment in our nation's high schools.

The Carl D. Perkins Career and Technical Education Act provides a vital link between students and the high-skilled workforce American business depends on to thrive. It funds rigorous and challenging career and technical education programs that give more than 10 million Americans the opportunity to attain the specific skills needed to successfully embark on careers and undertake further education.

The President's decision to eliminate this program in his fiscal year 2006 budget proposal is exceedingly shortsighted. It would aggravate the skills gap that employers already face and cost our country in future competitiveness, productivity, and innovation. The President seeks to eliminate a \$1.3 billion investment, \$6.4 million of which would be a loss to my state, Rhode Island.

Instead, the Senate's action today will help ensure this program's continued success.

I am especially pleased that this legislation contains provisions I authored to address the needs expressed to me by educators in Rhode Island. As I have in other education reauthorization bills, I worked to strengthen professional development programs for career and technical educators, principals, administrators, and counselors. I also ensured the legislation gives states more flexibility in their use of funding and in implementing innovative statewide initiatives. In addition, I added language to ensure schools can offer students the benefit of real-world internships and other work-based learning experiences to enhance their skills.

These and other provisions in the bill will strengthen the Perkins Act. I sincerely hope that we will maintain the same cooperative and bipartisan spirit as we work toward final passage of this bill.

Mr. KENNEDY. Mr. President, I commend my friend, Chairman ENZI, for his bipartisan leadership on this legislation and his effective work in bringing it before the full Senate today.

One of our highest priorities in Congress is to expand educational opportunities for every American. Especially in this age of globalization, we want every one of our citizens to have the learning and the skills essential to the continuing strength of our modern economy. We want them to fulfill their hopes and dreams, to raise healthy families, and contribute to their communities. We will be a fairer and stronger America when every citizen takes part and contributes.

We know that in today's global economy, every person counts more than ever. We cannot afford to leave out anyone. We must equip our citizens to compete in the global economy—not by lowering their pay and sending their jobs overseas, but by increasing their skills.

The legislation before us today will strengthen our commitment to a vital aspect of that mission, by equipping millions of young Americans with the skills they need through career and technical education.

There was a time in many schools when vocational education meant simply an extra class in shop. But today in Massachusetts, and many other states, we see the vital role that vocational education—now appropriately called career and technical education—can have in transforming the lives of students and workers, and in strengthening our economy.

Career and technical students are high school students who want to link their learning to a career. They are students who want a real world application of their high school education. They are students who earn college credits or earn industry-recognized credentials and pass state licensing exams while still in high school. Career and technical education today is designed to prepare and train students for 21st century jobs.

Career and technical education students go on to higher education—almost two-thirds of all high school graduates of career and technical programs enter college or another form of postsecondary education.

In addition, through its educational programs at the postsecondary level, the Perkins Act also serves adults who are seeking critical training to be competitive in the job market. Whether we are talking about new immigrants, struggling adults, or women who are seeking employment outside the home for the first time, these are adults who need specially designed programs.

In Massachusetts, career and technical education serves more than 70,000 students. Through Perkins funding, high school programs in partnership with community colleges and local businesses, provide students with the academic and technical skills they need to continue their education or to compete for high-skill, high-wage jobs immediately. The outcomes of these programs are extraordinary. Last year, 95 percent of career and technical education students in Massachusetts passed our state assessment—the MCAS exams.

The Perkins program has worked to reduce the gender imbalance in earnings by emphasizing the importance of eliminating discrimination and actively recruiting students for non-traditional employment. The segregation of certain demographic groups into low-wage industries can and should be corrected as soon as possible through education. The program sets aside specific dollars for the collection and dissemination of occupational and employment information. Providing the most complete and up-to-date information is essential if counselors are to help their students make good decisions about course selection and career choice.

To be competitive in today's economy, we need a renaissance in math, in

science, and in technical skills. Technology and innovation are essential for America's economic strength and competitiveness in the future. The Tech Prep program in this bill addresses these needs by creating programs that integrate technology skills based on employer needs. At Springfield Technical Community College in Massachusetts, students can enroll in the Diagnostic Medical Imaging Program. They take rigorous math and science courses that prepare them to use today's newest technology.

It has always been a priority for our committee to see that all students have the opportunity for high quality educational opportunities. Ensuring strong career and technical programs is an essential part of reaching that goal. In the legislation before us today, we were able to address critical issues for the continued growth of this program—the integration of academic and technical education, the use of funds for secondary and post-secondary programs, and the importance of the Tech Prep programs that form the bridge between the high school and college programs.

Our bill also builds on existing provisions designed to ensure that students, parents and teachers have the information they need to select the courses that will give them the best options for obtaining a good job or continuing with their education after high school.

This bill also addresses the unique professional development needs of Career and Technical Education teachers. Every day, we see rapid pace of change in industry. Cell phones and computers can become obsolete in a year. Teachers need to see the changing aspects of the industries that they teach about in the classroom, so that their students of all ages can receive the best possible training. Local schools and districts must provide opportunities for these teachers to spend time with the industries they are teaching about. They are preparing the next workforce generation, and their knowledge base must be state of the art.

In Massachusetts, Perkins grants fund a wide variety of important programs. Students in Brockton have received onsite clinical training in health care facilities.

In New Bedford, a city that has suffered tremendously with the outsourcing of manufacturing jobs, the regional technical school has begun an engineering program in partnership with 2 and 4-year colleges, Texas Instruments and Bose.

Graduates will be able to earn \$22,000 a year directly after high school, and far more when they go on to earn their college degree.

At Shawsheen Technical High School, six hundred 8th grade students are vying for 320 seats in the program. A third of the students are special education, yet the school has a 100 percent pass rate on the statewide student assessment exams. Learning academic skills in an applied context is respon-

sible for this success. Ninety-seven percent of the graduates go on to immediate employment in their field or continue their education.

Responding to the critical shortage in the nursing profession, Shawsheen has developed an intensive Licensed Practical Nurses program for adults. Classes are held for 10 months, four nights a week from 5:30 to 10 p.m. Students serve in clinical rotations on alternate weekends at the Lahey Clinic. The program has become an entry to a good career for many low-income adults; 50 percent of those enrolled are minority students and 60 percent are Pell recipients. The first three classes of 40 students each have had a 90 percent retention rate, a 98 percent pass rate for program completers and a 100 percent placement rate in the Merrimack Valley and the graduates are in jobs with an average starting salary of \$23 an hour.

In addition, because of Perkins grants, all Massachusetts community colleges have instructional support staff and major funding for adaptive equipment for students with disabilities enrolled in technical education.

None of this would be possible without Perkins dollars.

Again, I commend Chairman ENZI and his staff for all their good work. Special thanks go to Scott Fleming and Beth Buehlmann with Senator ENZI, Kelly Scott with Senator GREGG, Meredith Davis with Senator FRIST, Kristin Bannerman with Senator ALEXANDER, Jenny Hanson with Senator BURR, Bradford Swann and Glee Smith with Senator ISAKSON, Lindsay Morris with Senator DEWINE, Lindsay Lovlien with Senator ENSIGN, Juliann Andreen with Senator HATCH, Prim Formby with Senator SESSIONS, Jennifer Swenson with Senator ROBERTS, Dana Lewis with Senator REID, Mary Ellen McGuire with Senator DODD, Laura Prebeck with Senator HARKIN, Dvora Lovinger with Senator MIKULSKI, Sherry Kaiman with Senator JEFFORDS, Michael Yudin with Senator BINGAMAN, Jamie Fasteau with Senator MURRAY, Catherine Brown with Senator CLINTON, Kristen Romero and Amy Gaynor from Legislative Counsel, and Carmel Martin and Liz Maher of my staff.

And I want particularly to express my appreciation to Jane Oates who had principle responsibility for this bill for my staff. I am grateful for her important contributions and insights on this legislation.

I thank our Chairman, Senator ENZI, for moving this bill so quickly through our Committee and am pleased we are able to move it to final passage today. I urge my colleagues to support it.

Mr. DODD. Mr. President, I am here today in support of a bipartisan bill that would reauthorize the Perkins Vocational and Technical Education Act. Few issues are as critically important to the future of the country as the competitiveness of our workforce. This bill will help to ensure America's economic dominance for years to come.

Essential to strengthening the workforce, the Carl D. Perkins Career and Technical Education Improvement Act not only prepares youth and adults for the careers of today, it prepares them for the careers of tomorrow. For that reason, it is the first line of defense in ensuring America's competitive advantage in a global economy.

We have heard a lot lately about American students losing their competitive edge. In math and science our fourth graders are among the best in the world but by their senior year of high school, they score near the bottom of all industrialized nations. Our college dropout rate is one of the highest in the world. The United States has dropped from first to fifth in the percentage of young adults with a college degree. Singapore has displaced the United States as the top economy in information technology competitiveness. And, the number of patents awarded to Americans is declining. Clearly, all of this is having an effect on our global competitiveness.

The problem is further compounded by the fact that our universities are facing intense competition in higher education and are slipping in their ability to attract the world's best students. Yesterday, the Council of Graduate Schools released a study showing that foreign applications to graduate schools are down 6 percent. These are individuals that contribute to the cutting-edge research American universities and corporations have long been known for.

Do we need to increase our efforts to attract these students back? Yes. Do we also need to do everything we can to increase our competitiveness from within? Yes. The bill before us will help us to do that.

The bill before us does a number of important things. First and foremost, it emphasizes accountability and improved results. Second, it improves monitoring and enforcement. Third, it disaggregates performance goals and report information by special populations so no one falls through the cracks. And fourth, it strengthens the ties between industry, high schools, and higher education by ensuring that teachers are well trained, that students are academically ready for college, and that high schools are training students for the actual needs of their communities.

The premise of the bill is that high schools, industry and higher education need to work together to provide our workforce with the skills that they need in order to achieve and compete in the 21st century. This bill works to ensure that American students are not just getting a world-class education, but the best education in the world.

I would be remiss in my remarks if I did not mention the President's proposed elimination of the Perkin's program in his fiscal year 2006 budget. And, I would be remiss if I did not commend the leadership of Senator ENZI, our committee chair, in bringing this

bill forward despite the President's plan. Senator ENZI's unwavering commitment in this area is unparalleled. I hope that the administration understands that our decision to make this the first major piece of education legislation that we take up this Congress is reflective of our unwavering commitment to career and technical education. We will not let this program fall by the wayside. Perkins will not be eliminated.

We often hear the pledge that we will leave no child behind. May I suggest that we also make every effort to ensure that we leave no career and technical education student behind? Passage of these important provisions today will go a long way toward ensuring that career and vocational education students are not left behind in the classroom, that they are being held to high academic standards, that their teachers are provided with the training they need to keep up to date with the latest industry needs, and that high schools, industry and higher education work seamlessly together to provide our workforce with the skills that they need to maintain America's economic dominance in the 21st century.

Career and vocational programs are an essential part of keeping students in school and helping our Nation train its workforce. I am confident that this bill will go a long way in helping another generation of Americans succeed, and, in doing so, strengthen our economy.

Mr. KENNEDY. Mr. President, I will be glad to yield back my time.

Mr. ENZI. I yield back my time.

Mr. KENNEDY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the committee substitute is adopted and the bill will be read a third time.

The committee amendment, in the nature of a substitute, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that the next series of votes begin at 4:30 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. For the information of my colleagues, the next vote, which will begin at 4:30 p.m., will be on passage of the Perkins vocational education bill which was just debated, to be followed

by a series of rollcall votes on the remaining amendments to the bankruptcy bill, to be followed by final passage. That means there could be up to seven rollcall votes in this next series of consecutive rollcall votes. Once again, we urge Members to stay close to the Chamber during these votes to avoid missing any.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005—Continued

Mr. HATCH. Mr. President, I rise today to speak in favor of S. 256, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, and to thank all of the people who made this bill possible. This bankruptcy bill has been a long time coming. We all know how bankruptcy claims have skyrocketed since the last major bankruptcy reform bill in 1978. We all know about the abuses of the system.

Well, that is about to change for the better. This bill is about fairness and accountability. We have made some important changes in this legislation. This bill contains a debtor's bill of rights with new protections that prevent bad actors from preying upon the uninformed.

The bill also includes new consumer protections under the Truth in Lending Act, such as new required disclosures regarding minimum monthly payments and introductory rates for credit cards. It protects consumers from unscrupulous creditors, with new penalties on creditors who refuse to negotiate reasonable payment schedules outside of bankruptcy.

S. 256 provides for protection of educational savings accounts, and it gives equal protection for retirement savings in bankruptcy. It helps women and children by providing a comprehensive set of protections for child and domestic support throughout the bankruptcy process.

This legislation dramatically revises the reaffirmation agreement provisions of the Code. It imposes critical disclosure requirements that will put a stop to abusive practices. It makes the provisions relating to farmers in chapter 12 permanent and broadens its provisions. It cleans up the law governing complex exchanges and thereby reduces systemic risk in our marketplace. It acts to stop abuse.

When this bill hit the floor on Monday, February 28, I mentioned that we were in the last leg of a legislative marathon. The finish line is finally in sight. I am pleased to have been a part

of this process and I am even more pleased we are able to pass this important legislation, and I anticipate that it will pass shortly. This bill has been a long time in development. I am proud of what we have been able to accomplish. Today it seems it is finally going to cross the finish line, and it is well worth it.

This bill may not lead to a severe reduction in the number of bankruptcies. I believe, though, that it will reduce the number of fraudulent and abusive filings and help educate consumers to keep their financial houses in order. This is always an important goal. No responsible society can long countenance the open flouting and abuse of its laws.

This bill, with its means test, will discourage such abusive filings by restricting access to chapter 7 liquidation by those with relatively high incomes. We should all stand behind a law that requires people with the ability to repay their debts to actually repay those debts.

Most of our debate on this bill has focused around the means test. There is no doubt that this will discourage some bankruptcy filings, but I also hope our credit counseling provisions will work to persuade even some low-income debtors that there is another way out.

Right now, too many are only hearing one part of the story: Declare bankruptcy. Liquidate your debts. Some attorneys pushing this line, however, leave out the part about the years of ruined credit that result, the inability to get a car loan or a house loan. My hope is our modest credit counseling provisions will persuade some people to stay out of bankruptcy and meet their obligations, do what is right, and keep their credit alive.

While a great majority of Senators support this bill, I know not all of my colleagues are pleased. Last night my friend from Massachusetts, Senator KENNEDY, again voiced his strong opposition to this legislation. This was probably clear from my response. I vehemently disagree with his opinions about this bill, but I hope he understands that we are trying our best.

Could we have done better? I have no doubt about that, not for a second, but I also know this bill has benefitted from some of Senator KENNEDY's suggestions over the years. We have not ignored him, and I hope he understands we appreciate his participation.

I also understand some of my colleagues feel that they may not have been treated fairly in this process. My desire throughout this process, and the desire of my colleagues who supported this bill, was always to act as an honest broker who took the suggestions of the other side with appropriate seriousness. I understand the frustration from some on the other side at the inability to get amendments agreed to or considered on the floor, but I hope they in turn can understand that we have tried our best on this side to balance all of the competing interests in this body