

118TH CONGRESS
2D SESSION

S. 4580

To establish, improve, or expand high-quality workforce development programs
at community colleges, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2024

Mr. WARNOCK (for himself and Mr. BRAUN) introduced the following bill;
which was read twice and referred to the Committee on Health, Edu-
cation, Labor, and Pensions

A BILL

To establish, improve, or expand high-quality workforce de-
velopment programs at community colleges, and for other
purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pathways to Prosperity
5 Act”.

6 **SEC. 2. STRENGTHENING COMMUNITY COLLEGES GRANT**
7 **PROGRAM.**

8 Subtitle D of title I of the Workforce Innovation and
9 Opportunity Act (29 U.S.C. 3221 et seq.) is amended—

1 (1) by redesignating section 172 as section 173;

2 and

3 (2) by inserting after section 171 the following:

4 **“SEC. 172. STRENGTHENING COMMUNITY COLLEGES WORK-**
 5 **FORCE DEVELOPMENT GRANTS PROGRAM.**

6 “(a) PURPOSES.—The purposes of this section are—

7 “(1) to establish, improve, or expand high-quality
 8 workforce development programs at community
 9 colleges;

10 “(2) to expand opportunities for individuals to
 11 obtain recognized postsecondary credentials that are
 12 nationally or regionally portable and stackable for
 13 in-demand industry sectors or occupations;

14 “(3) to better align high-quality workforce de-
 15 velopment programs at community colleges with
 16 local industry needs and in-demand industry sectors
 17 or occupations; and

18 “(4) to strengthen partnerships between em-
 19 ployers in in-demand industry sectors or occupations
 20 and community colleges for the purpose of ensuring
 21 high-quality workforce development curriculums.

22 “(b) STRENGTHENING COMMUNITY COLLEGES
 23 WORKFORCE DEVELOPMENT GRANTS PROGRAM.—

24 “(1) IN GENERAL.—From the amounts appro-
 25 priated to carry out this section under section

1 173(e) and not reserved under paragraph (2), the
2 Secretary shall, on a competitive basis, award grants
3 to eligible institutions, to work with eligible partner-
4 ships to carry out the activities described in sub-
5 section (e).

6 “(2) RESERVATION.—Of the amounts appro-
7 priated to carry out this section under section
8 173(e), the Secretary may reserve not more than 2
9 percent for the administration of grants awarded
10 under this section, including—

11 “(A) providing technical assistance and
12 targeted outreach to support eligible institu-
13 tions serving a high number or high percentage
14 of low-income individuals or individuals with
15 barriers to employment, and rural-serving eligi-
16 ble institutions, to provide guidance and assist-
17 ance in the process of applying for grants under
18 this section; and

19 “(B) evaluating and reporting on the per-
20 formance and impact of programs funded under
21 this section in accordance with subsections (f)
22 through (h).

23 “(c) AWARD PERIOD.—

1 “(1) INITIAL GRANT PERIOD.—Each grant
2 awarded under this section shall be awarded for an
3 initial period of not more than 4 years.

4 “(2) SUBSEQUENT GRANTS.—An eligible insti-
5 tution that receives an initial grant under this sec-
6 tion may receive one or more additional grants
7 under this section, for additional periods of not more
8 than 4 years each, if the eligible institution dem-
9 onstrates that, during the most recently completed
10 grant period for a grant received under this section,
11 the institution’s eligible partnership achieved the lev-
12 els of performance established under subsection (f)
13 with respect to the indicators of performance speci-
14 fied in subsection (f).

15 “(d) APPLICATION.—

16 “(1) IN GENERAL.—To be eligible to receive a
17 grant under this section, an eligible institution shall
18 submit an application to the Secretary at such time
19 and in such manner as the Secretary may require.

20 “(2) CONTENTS.—An application submitted by
21 an eligible institution under paragraph (1) shall in-
22 clude a description of each the following:

23 “(A) The extent to which the eligible insti-
24 tution has demonstrated success building part-
25 nerships with local employers in in-demand in-

1 industry sectors or occupations to carry out ac-
2 tivities to provide students with the skills need-
3 ed for such occupations or occupations in such
4 industry sectors and an explanation of the re-
5 sults of any such partnership activities.

6 “(B) The methods and strategies the eligi-
7 ble institution will use to engage with employers
8 in in-demand industry sectors or occupations,
9 including any arrangements the institution will
10 make to place individuals who complete the
11 workforce development program supported by
12 the grant into employment with such employers.

13 “(C) The proposed eligible partnership
14 that the eligible institution will establish and
15 maintain to comply with subsection (e)(1) (re-
16 ferred to in this section as an ‘eligible partner-
17 ship’), including—

18 “(i) the roles and responsibilities (in-
19 cluding serving as a provider), determined
20 by the eligible institution, of each em-
21 ployer, organization, agency, or institution
22 of higher education that the eligible insti-
23 tution will partner with to carry out the
24 activities under this section; and

1 “(ii) the needs that will be addressed
2 by such eligible partnership.

3 “(D) One or more industry sectors or oc-
4 cupations that such partnership will target and
5 real-time labor market data demonstrating that
6 those sectors or occupations are aligned with
7 employer demand in the geographic area to be
8 served by the eligible institution.

9 “(E) Information that consists of—

10 “(i) a description of the extent to
11 which the eligible institution will leverage
12 additional resources to support the pro-
13 gram to be funded with the grant, and an
14 assurance that the eligible institution will
15 obtain a written commitment for any lever-
16 aged funds (such as matching funds) for
17 the program;

18 “(ii) information demonstrating the
19 future sustainability of such program; and

20 “(iii) a description of any investments
21 or matching funds provided by employers
22 participating in the eligible partnerships.

23 “(F) The steps the institution will take to
24 ensure the high quality of the program to be

1 funded with the grant, including the career
2 pathways within such program.

3 “(G) The population and geographic area
4 to be served by the eligible institution, including
5 the number of individuals the eligible institution
6 intends to serve during the grant period.

7 “(H) The workforce development program
8 to be supported by the grant.

9 “(I) The recognized postsecondary creden-
10 tial that is expected to be earned by partici-
11 pants in such workforce development program
12 and the related in-demand industry sector or
13 occupation for which such program will prepare
14 participants.

15 “(J) The evidence upon which the edu-
16 cation and skills development strategies to be
17 used in such workforce development program
18 are based and an explanation of how such evi-
19 dence influenced the design of the program to
20 improve education and employment outcomes.

21 “(K) How activities of the eligible institu-
22 tion and its eligible partnership carried out
23 through the program are expected to align with
24 the workforce strategies identified in—

1 “(i) any State plan or local plan sub-
2 mitted under this Act by the State, out-
3 lying area, or locality in which the eligible
4 institution is expected to operate;

5 “(ii) any State plan submitted under
6 section 122 of the Carl D. Perkins Career
7 and Technical Education Act of 2006 (20
8 U.S.C. 2342) by such State or outlying
9 area; and

10 “(iii) any economic development plan
11 of the chief executive of such State or out-
12 lying area.

13 “(L) The expected measures of the eligible
14 institution, for the eligible partnership, with re-
15 spect to—

16 “(i) a capacity building indicator (as
17 described in subsection (f)(1)(B)); and

18 “(ii) the expected levels of perform-
19 ance of individuals participating in the pro-
20 gram to be offered by the eligible institu-
21 tion, with respect to any indicators of per-
22 formance applicable under subsection (f).

23 “(M) In the case of an eligible institution
24 proposing a workforce development program
25 that leads to a recognized postsecondary cre-

1 dential described in subsection (e)(2)(C)(i), the
2 information described in subclauses (I) through
3 (VI) of subsection (e)(2)(C)(i).

4 “(N) How the eligible institution will keep
5 tuition and other costs of attendance (as de-
6 scribed in subsection (e)(3)(D)) low or afford-
7 able for students who are participants.

8 “(O) How the eligible institution will work
9 with employers and industry partners in an eli-
10 gible partnership to design curricula and train-
11 ing programs aligned to industry needs for the
12 workforce development programs.

13 “(3) CONSIDERATION OF PREVIOUS EXPERI-
14 ENCE.—The Secretary may not disqualify an eligible
15 institution from receiving a grant under this section
16 solely because such institution lacks previous experi-
17 ence in building partnerships, as described in para-
18 graph (2)(A).

19 “(4) PRIORITY.—In awarding grants under this
20 section, the Secretary shall give priority to eligible
21 institutions that—

22 “(A) will use such a grant to serve—

23 “(i) individuals with barriers to em-
24 ployment; or

1 “(ii) incumbent workers who need to
2 gain or improve foundational skills to en-
3 hance their employability;

4 “(B) use competency-based assessments,
5 such as the covered assessment identified by the
6 State in which the eligible institution is located,
7 to award academic credit for prior learning for
8 the program supported by the grant; or

9 “(C) have, or will seek to have, the pro-
10 vider of the career education program within
11 the program supported by the grant included on
12 the list of eligible providers of training services
13 under section 122(d) for the State in which the
14 eligible institution is located.

15 “(e) USES OF FUNDS.—

16 “(1) ELIGIBLE PARTNERSHIP.—For the pur-
17 pose of carrying out the activities specified in para-
18 graphs (2) and (3), an eligible institution that re-
19 ceives a grant under this section shall establish a
20 partnership (including continuing an existing part-
21 nership) that shall include one or more employers in
22 an in-demand industry sector or occupation and may
23 include other organizations, agencies, or institutions
24 of higher education. The eligible institution shall
25 maintain such eligible partnership for the duration

1 of the grant period. The eligible institution shall en-
2 sure that the partnership, in carrying out its roles
3 and responsibilities under subsection (d)(2)(C) for
4 the program under the grant—

5 “(A) targets one or more specific in-de-
6 mand industry sectors or occupations;

7 “(B) carries out activities that include col-
8 laboration with the workforce development sys-
9 tem;

10 “(C) serves adult and dislocated workers,
11 incumbent workers, and new entrants to the
12 workforce;

13 “(D) uses an evidence-based program de-
14 sign that is appropriate for the activities carried
15 out by the partnership;

16 “(E) incorporates work-based learning op-
17 portunities, as defined in section 3 of the Carl
18 D. Perkins Career and Technical Education Act
19 of 2006 (20 U.S.C. 2302); and

20 “(F) incorporates, to the extent appro-
21 priate, virtual service delivery to facilitate tech-
22 nology-enabled learning.

23 “(2) REQUIRED ACTIVITIES.—An eligible insti-
24 tution that receives a grant under this section shall
25 use the grant funds, in consultation with the em-

1 ployers in the eligible partnership described in para-
2 graph (1), to—

3 “(A) establish, improve, or expand a high-
4 quality, evidence-based workforce development
5 program, such as a career pathway program, or
6 work-based learning program (including appren-
7 ticeship programs or pre-apprenticeships);

8 “(B) provide career services to individuals
9 participating in the program funded with the
10 grant to facilitate retention and program com-
11 pletion, which may include—

12 “(i) career navigation, coaching,
13 mentorship, and case management serv-
14 ices, including providing information and
15 outreach to individuals with barriers to
16 employment to encourage such individuals
17 to participate in the program funded with
18 the grant; and

19 “(ii) providing access to course mate-
20 rials, technological devices, required equip-
21 ment, and other supports necessary for
22 participation in and successful completion
23 of such program; and

1 “(C) make available, in a format that is
2 open, searchable, and easily comparable, infor-
3 mation on—

4 “(i) curricula and recognized postsec-
5 ondary credentials offered through the pro-
6 gram funded with the grant, including any
7 curricula or credentials created or further
8 developed using such grant, which for each
9 recognized postsecondary credential shall
10 include—

11 “(I) the issuing entity of such
12 credential;

13 “(II) any third-party endorse-
14 ment of such credential;

15 “(III) the occupations for which
16 the credential prepares individuals;

17 “(IV) the skills and competencies
18 necessary to achieve to earn such cre-
19 dential;

20 “(V) the level of mastery of such
21 skills and competencies (including how
22 mastery necessary to achieve to earn
23 such credential is assessed); and

24 “(VI) any transfer value or
25 stackability of the credential;

1 “(ii) any skills or competencies devel-
 2 oped by individuals who participate in such
 3 program beyond the skills and com-
 4 petencies identified as necessary to earn
 5 such credential; and

6 “(iii) related employment and earn-
 7 ings outcomes on the primary indicators of
 8 performance described in subclauses (I)
 9 through (III) of section 116(b)(2)(A)(i).

10 “(3) ADDITIONAL ACTIVITIES.—In addition to
 11 the activities required under paragraph (2), an eligi-
 12 ble institution that receives a grant under this sec-
 13 tion shall use the grant funds, in consultation with
 14 the employers in the eligible partnership described in
 15 paragraph (1), to carry out one or more of the fol-
 16 lowing activities:

17 “(A) Establish, improve, or expand for the
 18 workforce development program carried out
 19 under the grant—

20 “(i) articulation agreements (as de-
 21 fined in section 486A(a) of the Higher
 22 Education Act of 1965 (20 U.S.C.
 23 1093a(a)));

24 “(ii) credit transfer agreements;

1 “(iii) a corequisite remediation pro-
2 gram that enables a student to receive re-
3 medial education services while enrolled in
4 a postsecondary course rather than requir-
5 ing the student to receive remedial edu-
6 cation before enrolling in a such a course;

7 “(iv) a dual or concurrent enrollment
8 program;

9 “(v) competency-based education and
10 assessment; or

11 “(vi) policies and processes to award
12 academic credit for prior learning or for a
13 program described in paragraph (2)(A).

14 “(B) Establish or implement plans for pro-
15 viders of the program described in paragraph
16 (2)(A) to meet the criteria and information re-
17 quirements and carry out the procedures nec-
18 essary to be included on the eligible training
19 services provider list described in section
20 122(d), to provide training services through the
21 program.

22 “(C) Purchase, lease, or refurbish special-
23 ized equipment as necessary to carry out such
24 program, except that not more than 15 percent
25 of the funds awarded to the eligible institution

1 under this section may be used for activities de-
 2 scribed in this subparagraph.

3 “(D) Reduce or eliminate unmet financial
 4 need relating to the cost of attendance (as de-
 5 fined under section 472 of the Higher Edu-
 6 cation Act of 1965 (20 U.S.C. 1087ll)) of par-
 7 ticipants in such program.

8 “(4) ADMINISTRATIVE COST LIMIT.—An eligible
 9 institution may use not more than 7 percent of the
 10 funds awarded to the institution under this section
 11 for administrative costs, including costs related to
 12 collecting information, analysis, and coordination for
 13 purposes of subsection (f).

14 “(f) PERFORMANCE LEVELS AND PERFORMANCE
 15 REVIEWS.—

16 “(1) IN GENERAL.—The Secretary shall develop
 17 and implement guidance that establishes the levels
 18 of performance that are expected to be achieved by
 19 the eligible partnership established or maintained by
 20 the eligible institution under subsection (e)(1) receiv-
 21 ing a grant under this section. Such levels of per-
 22 formance shall be established on the following indi-
 23 cators of performance:

24 “(A) Each of the primary indicators of
 25 performance for adults described in section

1 116(b), which shall be applied for all individuals
2 who participate in a program that receives
3 funding from a grant under this section.

4 “(B) An indicator for the extent to which
5 the eligible partnership built capacity by—

6 “(i) increasing the breadth and depth
7 of employer engagement and investment in
8 a workforce development program in the
9 in-demand industry sector or occupation
10 targeted by the eligible partnership;

11 “(ii) designing or implementing new
12 and accelerated instructional techniques or
13 technologies, including the use of advanced
14 online and technology-enabled learning
15 (such as learning through immersive tech-
16 nology); and

17 “(iii) increasing program and policy
18 alignment across systems and decreasing
19 duplicative services or service gaps.

20 “(C) Indicators, with respect to individuals
21 who participated in the workforce development
22 program funded with the grant, for—

23 “(i) the percentage of participants
24 who successfully completed the program;
25 and

1 “(ii) of the participants who were in-
 2 cumbent workers at the time of enrollment
 3 in the program, the percentage who ad-
 4 vanced into higher-level positions during or
 5 after completing the program.

6 “(2) CONSULTATION AND DETERMINATION OF
 7 PERFORMANCE LEVELS.—

8 “(A) CONSIDERATION.—In developing lev-
 9 els of performance for the indicators of per-
 10 formance described in paragraph (1) in accord-
 11 ance with paragraph (1), the Secretary shall
 12 take into consideration the expected measures
 13 of the eligible institution pursuant to subsection
 14 (d)(2)(L).

15 “(B) DETERMINATION.—After completing
 16 the consideration required under subparagraph
 17 (A), the Secretary shall separately determine
 18 the levels of performance that will apply to each
 19 eligible partnership for the indicators, taking
 20 into account—

21 “(i) the expected levels of performance
 22 of the corresponding eligible institution
 23 with respect to the expected measures de-
 24 scribed by the eligible institution pursuant
 25 to subsection (d)(2)(L); and

1 “(ii) local economic conditions in the
 2 geographic area to be served by the eligible
 3 institution, including differences in unem-
 4 ployment rates and job losses or gains in
 5 particular industry sectors or occupations.

6 “(C) NOTICE AND ACKNOWLEDGMENT.—

7 “(i) NOTICE.—The Secretary shall
 8 provide each eligible institution with a
 9 written notification that sets forth the lev-
 10 els of performance that will apply to the el-
 11 igible partnership on the indicators as de-
 12 termined under subparagraph (B).

13 “(ii) ACKNOWLEDGMENT.—After re-
 14 ceiving the notification described in clause
 15 (i), each eligible institution shall submit to
 16 the Secretary written confirmation that the
 17 eligible institution—

18 “(I) received the notification; and

19 “(II) agrees that the eligible
 20 partnership shall be evaluated in ac-
 21 cordance with the levels of perform-
 22 ance determined by the Secretary.

23 “(3) PERFORMANCE REVIEWS.—On an annual
 24 basis during each year of the grant period, the Sec-
 25 retary shall evaluate the performance on the indica-

tors of performance during such year of the eligible partnership of each eligible institution receiving a grant under this section in a manner consistent with the levels of performance determined for such partnership pursuant to paragraph (2).

“(4) FAILURE TO MEET PERFORMANCE LEVELS.—After conducting an evaluation under paragraph (3), if the Secretary determines that an eligible partnership did not achieve the levels of performance applicable to the eligible partnership under paragraph (2), the Secretary shall—

“(A) provide technical assistance to the eligible partnership; and

“(B) develop a performance improvement plan for the eligible partnership.

“(g) EVALUATIONS AND REPORTS.—

“(1) IN GENERAL.—Not later than 4 years after the date on which the first grant is awarded under this section, the Secretary shall design and conduct an evaluation to determine the overall effectiveness of the eligible partnerships of eligible institutions receiving grants under this section.

“(2) ELEMENTS.—The evaluation of the effectiveness of eligible partnerships conducted under paragraph (1) shall include an assessment of the

1 general effectiveness of programs and activities sup-
2 ported by the grants awarded to the corresponding
3 eligible institutions under this section, including the
4 extent to which the eligible partnerships, through
5 the programs and activities—

6 “(A) developed new, or expanded existing,
7 successful industry sector or occupation strate-
8 gies, including the extent to which such eligible
9 partnerships deepened employer engagement in
10 workforce development programs, and developed
11 such programs that met industry skill needs;

12 “(B) created, expanded, or enhanced ca-
13 reer pathways, including the extent to which the
14 eligible partnerships developed or improved pro-
15 vision of competency-based assessment and edu-
16 cation, credit for prior learning, modularized
17 and self-paced curricula, integrated education
18 and workforce development, dual enrollment in
19 secondary and postsecondary career pathways,
20 stacked and latticed credentials, and online and
21 distance learning;

22 “(C) created alignment between eligible in-
23 stitutions and the workforce development sys-
24 tem;

1 “(D) assisted individuals with finding, re-
2 taining, or advancing in employment;

3 “(E) assisted individuals with earning rec-
4 ognized postsecondary credentials; and

5 “(F) provided equal access to various de-
6 mographic groups, including people of different
7 geographic locations, ages, races, national ori-
8 gins, and sexes.

9 “(3) DESIGN REQUIREMENTS.—The evaluation
10 under this subsection shall—

11 “(A) be designed by the Secretary (acting
12 through the Chief Evaluation Officer) in con-
13 junction with the eligible partnerships being
14 evaluated;

15 “(B) include analysis of program partici-
16 pant feedback and include outcome and process
17 measures; and

18 “(C) use designs that employ the most rig-
19 orous analytical and statistical methods that
20 are reasonably feasible, such as the use of con-
21 trol groups.

22 “(4) DATA ACCESSIBILITY.—The Secretary
23 shall make available on a publicly accessible website
24 of the Department of Labor data collected as part
25 of the evaluation under this subsection. Such data

1 shall be made available in an aggregated format that
2 does not reveal personally identifiable information
3 and that ensures compliance with relevant Federal
4 laws, including section 444 of the General Education
5 Provisions Act (20 U.S.C. 1232g), which shall be
6 applied as if the programs described in this section
7 are applicable programs under that section.

8 “(5) PUBLICATION AND REPORTING OF EVAL-
9 UATION FINDINGS.—The Secretary (acting through
10 the Chief Evaluation Officer) shall—

11 “(A) in accordance with the timeline deter-
12 mined to be appropriate by the Chief Evalua-
13 tion Officer, publish an interim report on the
14 preliminary results of the evaluation conducted
15 under this subsection;

16 “(B) not later than 60 days after the date
17 on which the evaluation is completed under this
18 subsection, submit to the Committee on Edu-
19 cation and the Workforce of the House of Rep-
20 resentatives and the Committee on Health,
21 Education, Labor, and Pensions of the Senate
22 a report on such evaluation; and

23 “(C) not later than 90 days after such
24 completion date, publish and make the results

1 of such evaluation available on a publicly acces-
 2 sible website of the Department of Labor.

3 “(h) ANNUAL REPORTS.—The Secretary shall make
 4 available on a publicly accessible website of the Depart-
 5 ment of Labor, in transparent, linked, open, and inter-
 6 operable data formats, information on each of the fol-
 7 lowing:

8 “(1) The performance of eligible partnerships
 9 on the indicators of performance set forth under
 10 subparagraphs (A), (B), and (C) of subsection
 11 (f)(1).

12 “(2) The number of individuals enrolled in
 13 workforce development programs funded with a
 14 grant under this section.

15 “(i) SUPPLEMENT NOT SUPPLANT.—Funds made
 16 available to carry out this section shall be used to supple-
 17 ment, and not supplant, other Federal, State, and local
 18 public funds made available for carrying out the activities
 19 described in this section.

20 “(j) DEFINITIONS.—In this section:

21 “(1) COMMUNITY COLLEGE.—The term ‘com-
 22 munity college’ means—

23 “(A) a public institution of higher edu-
 24 cation (as defined in section 101(a) of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1001(a))), at which—

3 “(i) the highest degree awarded is an
4 associate degree; or

5 “(ii) an associate degree is the most
6 frequently awarded degree;

7 “(B) a branch campus of a 4-year public
8 institution of higher education (as defined in
9 section 101 of the Higher Education Act of
10 1965 (20 U.S.C. 1001)), if, at such branch
11 campus—

12 “(i) the highest degree awarded is an
13 associate degree; or

14 “(ii) an associate degree is the most
15 frequently awarded degree;

16 “(C) a 2-year Tribal College or University
17 (as defined in section 316(b)(3) of the Higher
18 Education Act of 1965 (20 U.S.C.
19 1059c(b)(3))); or

20 “(D) a degree-granting Tribal College or
21 University (as defined in section 316(b)(3) of
22 the Higher Education Act of 1965 (20 U.S.C.
23 1059c(b)(3))) at which—

24 “(i) the highest degree awarded is an
25 associate degree; or

1 “(ii) an associate degree is the most
2 frequently awarded degree.

3 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-
4 ble institution’ means—

5 “(A) a community college;

6 “(B) a postsecondary vocational institution
7 (as defined in section 102(c) of the Higher
8 Education Act of 1965 (20 U.S.C. 1002(c))); or

9 “(C) a consortium of such colleges or insti-
10 tutions.”.

11 **SEC. 3. TABLE OF CONTENTS.**

12 The table of contents in section 1(b) of the Workforce
13 Innovation and Opportunity Act is amended by striking
14 the item relating to section 172 and inserting the fol-
15 lowing:

“Sec. 172. Strengthening community colleges workforce development grants
program.

“Sec. 173. Authorization of appropriations.”.

