

115TH CONGRESS
1ST SESSION

S. 790

To amend the Carl D. Perkins Career and Technical Education Act of 2006 to encourage innovation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2017

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

A BILL

To amend the Carl D. Perkins Career and Technical Education Act of 2006 to encourage innovation, 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 “Innovation for Tomor-
5 row’s Workforce Act”.

6 **SEC. 2. INNOVATION FUND.**

7 Section 114 of the Carl D. Perkins Career and Tech-
8 nical Education Act of 2006 (20 U.S.C. 2324) is amend-
9 ed—

(1) in subsection (d), by adding at the end the following:

“(6) INNOVATION.—

“(A) GRANT PROGRAM.—To identify and support innovative strategies and activities to improve career and technical education and align workforce skills with labor market needs, the Secretary may award grants, by using early-phase, mid-phase, and expansion grants, to eligible entities to—

“(i) create, develop, implement, or take to scale evidence-based, field-initiated innovations, including through a pay for success initiative to improve student outcomes in career and technical education, which may include activities that—

“(I) improve career and technical education outcomes of students served by eligible entities under this title;

“(II) improve career and technical education teacher effectiveness;

“(III) improve the transition of students from secondary education to postsecondary education, apprenticeships, or employment;

1 “(IV) improve the incorporation
2 of comprehensive work-based learning
3 into career and technical education;

4 “(V) increase the effective use of
5 technology within career and technical
6 education programs;

7 “(VI) support new models for in-
8 tegrating academic content, career
9 and technical education, and pre-ap-
10 prenticeship and apprenticeship con-
11 tent in such programs;

12 “(VII) support the development
13 and enhancement of innovative deliv-
14 ery models for career and technical
15 education;

16 “(VIII) work with industry to de-
17 sign and implement courses or pro-
18 grams of study aligned to labor mar-
19 ket needs in new or emerging fields;

20 “(IX) integrate science, tech-
21 nology, engineering, and mathematics
22 fields, including computer science edu-
23 cation, with career and technical edu-
24 cation;

1 “(X) support innovative ap-
2 proaches to career and technical edu-
3 cation by redesigning the high school
4 experience for students, which may in-
5 clude evidence-based transitional sup-
6 port strategies for students who have
7 not met postsecondary education eligi-
8 bility requirements;

9 “(XI) improve career and tech-
10 nical education concentrator employ-
11 ment outcomes in nontraditional
12 fields; or

13 “(XII) support the use of career
14 and technical education programs and
15 career and technical programs of
16 study in a coordinated strategy to ad-
17 dress identified employer needs and
18 workforce shortages, such as short-
19 ages in the early childhood, elemen-
20 tary school, and secondary school edu-
21 cation workforce; and

22 “(ii) rigorously evaluate such innova-
23 tions.

24 “(B) MATCHING FUNDS.—

1 “(i) MATCHING FUNDS REQUIRED.—
2 Except as provided under clause (ii), to re-
3 ceive a grant under this paragraph, an eli-
4 gible entity shall demonstrate that match-
5 ing funds will be provided, through cash or
6 in-kind contributions, from public or pri-
7 vate sources in an amount equal to not less
8 than 25 percent of the funds provided
9 under such grant.

10 “(ii) EXCEPTION.—The Secretary
11 may waive the matching fund requirement
12 under clause (i) if the eligible entity dem-
13 onstrates exceptional circumstances.

14 “(C) APPLICATION.—To receive a grant
15 under this paragraph, an eligible entity shall
16 submit to the Secretary, at such time as the
17 Secretary may require, an application that—

18 “(i) identifies and designates the
19 agency, institution, or school responsible
20 for the administration and supervision of
21 the program assisted under this paragraph;

22 “(ii) provides an assurance that
23 matching funds will be obtained before im-
24 plementation of the grant;

1 “(iii) describes how the eligible entity
 2 will use the grant funds, including how
 3 such funds will directly benefit students,
 4 including special populations, served by the
 5 eligible entity; and

6 “(iv) describes how the program as-
 7 sisted under this paragraph will be coordi-
 8 nated with the activities carried out under
 9 section 124 or 135.

10 “(D) PRIORITY.—In awarding grants
 11 under this paragraph, the Secretary shall give
 12 priority to applications from eligible entities
 13 that will predominantly serve students from
 14 low-income families.

15 “(E) GEOGRAPHIC DIVERSITY.—In award-
 16 ing grants under this paragraph for a fiscal
 17 year, the Secretary shall award not less than 25
 18 percent of the total amount of funds available
 19 for such fiscal year to eligible entities proposing
 20 to fund career and technical education activities
 21 that serve—

22 “(i) a local educational agency with
 23 an urban-centric district locale code of 32,
 24 33, 41, 42, or 43, as determined by the
 25 Secretary;

1 “(ii) an institution of higher education
 2 primarily serving one or more areas served
 3 by such a local educational agency;

4 “(iii) a consortium of such local edu-
 5 cational agencies or such institutions of
 6 higher education;

7 “(iv) a partnership between—

8 “(I) an educational service agen-
 9 cy or a nonprofit organization; and

10 “(II) such a local educational
 11 agency or such an institution of high-
 12 er education; or

13 “(v) a partnership between—

14 “(I) a grant recipient described
 15 in clause (i) or (ii); and

16 “(II) a State educational agency.

17 “(F) USES OF FUNDS.—An eligible entity
 18 that is awarded a grant under this paragraph
 19 shall use the grant funds in a manner con-
 20 sistent with subparagraph (A)(i).

21 “(G) EVALUATION.—Each eligible entity
 22 receiving a grant under this paragraph shall—

23 “(i) provide for an independent eval-
 24 uation of the activities carried out using
 25 such grant; and

1 “(ii) submit to the Secretary an an-
2 nual report that includes—

3 “(I) a description of how funds
4 received under this paragraph were
5 used;

6 “(II) the performance of the eli-
7 gible entity with respect to, at a min-
8 imum, the performance indicators de-
9 scribed in section 113(b)(2), as appli-
10 cable, and disaggregated by—

11 “(aa) subgroups of students
12 described in section
13 1111(c)(2)(B) of the Elementary
14 and Secondary Education Act of
15 1965 (20 U.S.C. 6311(c)(2)(B)),
16 as amended by the Every Stu-
17 dent Succeeds Act (Public Law
18 114–95);

19 “(bb) special populations;
20 and

21 “(cc) as appropriate, each
22 career and technical education
23 program and career and technical
24 education program of study; and

1 “(III) a quantitative analysis of
2 the effectiveness of the project carried
3 out under this paragraph.

4 “(H) DEFINITIONS.—In this paragraph:

5 “(i) ELIGIBLE ENTITY.—The term ‘el-
6 igible entity’ means a consortium that
7 meets the following requirements:

8 “(I) The consortium includes one
9 or more of the following:

10 “(aa) A local educational
11 agency.

12 “(bb) An educational service
13 agency.

14 “(cc) An area career and
15 technical education school.

16 “(dd) A postsecondary edu-
17 cational institution receiving
18 funds under this Act.

19 “(ee) A State educational
20 agency.

21 “(ff) The Bureau of Indian
22 Education.

23 “(gg) A State apprenticeship
24 agency or apprenticeship sponsor.

1 “(II) The consortium may also
 2 include regional, State, or local public
 3 or private organizations or employers,
 4 including community-based organiza-
 5 tions.

6 “(III) The consortium is led by
 7 an entity, or partnership of entities,
 8 described in subclause (I) and identi-
 9 fied as the leader of the eligible entity
 10 in its application submitted under
 11 subparagraph (C).

12 “(ii) PAY FOR SUCCESS INITIATIVE.—
 13 The term ‘pay for success initiative’ has
 14 the meaning given that term in section
 15 8101 of the Elementary and Secondary
 16 Education Act of 1965 (20 U.S.C. 7801).

17 “(I) AUTHORIZATION OF APPROPRIA-
 18 TIONS.—There are authorized to be appro-
 19 priated such sums as may be necessary to carry
 20 out this paragraph.”; and

21 (2) in subsection (e), by inserting “(except for
 22 subsection (d)(6))” after “section”.

1 **SEC. 3. OPEN EDUCATION RESOURCES.**

2 (a) STATE LEADERSHIP ACTIVITIES.—Section
3 124(c) of the Carl D. Perkins Career and Technical Edu-
4 cation Act of 2006 (20 U.S.C. 2344(c)) is amended—

5 (1) in paragraph (16)(B), by striking “and”
6 after the semicolon;

7 (2) in paragraph (17), by striking the period at
8 the end and inserting a semicolon; and

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

10 “(18) making all forms of instructional content
11 widely available, which may include use of open edu-
12 cational resources;”.

13 (b) LOCAL USES OF FUNDS.—Section 135(c) of the
14 Carl D. Perkins Career and Technical Education Act of
15 2006 (20 U.S.C. 2355(c)) is amended—

16 (1) in paragraph (19)(D), by striking “and”
17 after the semicolon;

18 (2) by redesignating paragraph (20) as para-
19 graph (23); and

20 (3) by inserting after paragraph (19) the fol-
21 lowing:

22 “(20) to make all forms of instructional content
23 widely available, which may include use of open edu-
24 cational resources;”.

1 **SEC. 4. PAY-FOR-SUCCESS.**

2 (a) STATE LEADERSHIP ACTIVITIES.—Section
3 124(c) of the Carl D. Perkins Career and Technical Edu-
4 cation Act of 2006 (20 U.S.C. 2344(c)), as amended by
5 section 3, is further amended by adding at the end the
6 following:

7 “(19) supporting pay for success initiatives (as
8 defined in section 8101 of the Elementary and Sec-
9 ondary Education Act of 1965); and”.

10 (b) LOCAL USES OF FUNDS.—Section 135(c) of the
11 Carl D. Perkins Career and Technical Education Act of
12 2006 (20 U.S.C. 2355(c)), as amended by section 3, is
13 further amended by inserting after paragraph (20) the fol-
14 lowing:

15 “(21) to support pay for success initiatives (as
16 defined in section 8101 of the Elementary and Sec-
17 ondary Education Act of 1965);”.

18 **SEC. 5. WORK-BASED LEARNING OPPORTUNITIES AND AP-**
19 **PRENTICESHIPS.**

20 (a) STATE LEADERSHIP ACTIVITIES.—Section
21 124(c) of the Carl D. Perkins Career and Technical Edu-
22 cation Act of 2006 (20 U.S.C. 2344(c)), as amended by
23 sections 3 and 4, is further amended by adding at the end
24 the following:

25 “(20) providing or supporting work-based learn-
26 ing opportunities, which may include employer-led

1 training resulting in a recognized credential and ap-
 2 prenticeship programs.”.

3 (b) LOCAL USES OF FUNDS.—Section 135(b)(3) of
 4 the Carl D. Perkins Career and Technical Education Act
 5 of 2006 (20 U.S.C. 2355(b)(3)) is amended by striking
 6 “which may include work-based learning experiences” and
 7 inserting “which may include work-based learning oppor-
 8 tunities, such as employer-led training resulting in a rec-
 9 ognized credential and apprenticeship programs”.

10 **SEC. 6. JOINT DEMONSTRATION PROJECTS.**

11 (a) EVALUATIONS.—Section 114(d)(2)(B) of the Carl
 12 D. Perkins Career and Technical Education Act of 2006
 13 (20 U.S.C. 2324(d)(2)(B)) is amended—

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

16 (2) in clause (vii), by striking the period and in-
 17 serting “; and”; and

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

19 “(viii) the effectiveness of projects au-
 20 thorized under paragraph (7), including
 21 whether such projects achieved intended
 22 outcome goals and improved the quality
 23 and alignment of career and technical edu-
 24 cation and workforce education and train-
 25 ing programs.”.

1 (b) JOINT DEMONSTRATION PROJECTS.—Section
 2 114(d) of the Carl D. Perkins Career and Technical Edu-
 3 cation Act of 2006 (20 U.S.C. 2324(d)), as amended by
 4 section 2, is further amended by adding at the end the
 5 following:

6 “(7) JOINT PROJECTS.—The Secretary, under
 7 the authority provided under subparagraph (5), and
 8 the Secretary of Labor, under the authority provided
 9 under sections 156 and 171 of the Workforce Inno-
 10 vation and Opportunity Act (29 U.S.C. 3206, 3226),
 11 are authorized to carry out, in consultation with the
 12 Director, joint experimental, research, pilot, or dem-
 13 onstration projects regarding integrated, aligned, co-
 14 ordinated, and effective career and technical edu-
 15 cation and workforce education and training pro-
 16 grams in order to address employment and training
 17 needs.”.

18 **SEC. 7. COMPETENCY-BASED EDUCATION.**

19 Section 135(c) of the Carl D. Perkins Career and
 20 Technical Education Act of 2006 (20 U.S.C. 2325(c)), as
 21 amended by sections 3 and 4, is further amended by in-
 22 serting after paragraph (21) the following:

- 1 “(22) expanding opportunities for students to
- 2 participate in competency-based education programs;
- 3 and”.

