



# National Alliance for Partnerships in Equity

October 28, 2015

The Honorable Michael B. Enzi  
Chairman, US Senate HELP  
Subcommittee on Primary Health and  
Retirement Security  
United States Senate  
Washington, D.C. 20510

The Honorable Robert P. Casey  
Ranking Member, US Senate HELP  
Subcommittee on Primary Health and  
Retirement Security  
United States Senate  
Washington, D.C. 20510

Re: National Alliance for Partnerships in Equity's recommendations in response to the Senate HELP Committee Perkins Reauthorization Principles

Dear Chairman Enzi and Senator Casey:

The Carl D. Perkins Act of 2006 is one of the most critical pieces of federal legislation affecting college and career readiness for secondary and community college students nationwide. As the United States continues to compete in the global economy, the development of a highly qualified technical workforce to meet the needs of business is critical. The Perkins Act is currently scheduled for reauthorization and includes important provisions in support of equitable access to high quality career and technical education. On behalf of National Alliance for Partnerships in Equity (NAPE), a national nonprofit organization of more than 35 state education agencies and hundreds of local education agencies implementing CTE programs. NAPE builds educators' capacity to implement effective solutions for increasing student access, educational equity and workforce diversity.

The Senate Health, Education, Labor and Pensions (HELP) Committee has released its eight principles for reauthorization of the Perkins Act. In response to the Senate HELP Committee's request for input NAPE submits the following recommendations and legislative language regarding each of these principles. The recommendations for Perkins reauthorization in this summary seek to simplify the equity language in the Perkins Act and to provide incentives and accountability to close gaps in participation and achievement (equity gaps) between student groups based on gender, race and special population status as compared to all students. These recommendations focus on the concept of closing gaps through: the use of an assessment of participation and performance on the core indicators to inform state and local planning; implementation of programs of study that include using funds to close the identified gaps; reporting results that hold states and locals accountable for closing participation and achievement gaps and providing incentive funding to encourage innovation and best practices for increasing equity in CTE. These recommendations identify provisions that should be retained and modified from current law, as well as new provisions to be added.

***Senate HELP Committee Principle #1 - Make it easier for States and locals to run their CTE programs to serve all students who desire to gain access to CTE coursework, including students with disabilities;***

*Access to CTE for all students is critical to ensuring that the US stays competitive in the global economy, to closing the skills gap and to providing access to high skill, high wage occupations that lead to a family sustaining wage. Access however, is more than making CTE available to students. It requires active outreach and recruitment to overcome career bias, stereotypes and the barriers students face to entering CTE programs, especially for students typically underserved in CTE, such as students pursuing nontraditional careers, English language learners, students with disabilities, low income students, and single parents. States and locals must be supported and held accountable for closing these participation and achievement gaps.*

NAPE recommends:

- Continue to require accountability for states and locals to increase the participation and completion of students in programs nontraditional for their gender, including women and girls in STEM related programs of study.
- Build into the accountability system the requirement that states and locals conduct a gap analysis of the core indicators of performance to determine where to focus program improvement activities to close achievement and participation gaps of student groups based on race, gender and special population status as compared to all students.
- Require states and locals to include in their state and local plans the results of their gap analysis and needs assessment and how state administration and leadership funds and local funds will be used to provide technical assistance, professional development and incentive funding to close identified gaps.
- Require states to provide technical assistance and professional development to locals to assist them in conducting annual participation and achievement gap analysis and needs assessment and develop effective policies, practices and programs to close the identified gaps.
- When states or locals are not able to show a closing of their annual reported gaps in participation or achievement over three years, require that at least 25% of the federal funds under this grant be used to support activities specifically focused on the persistent gaps and monitored through an annual improvement plan and progress report.
- Define achievement gaps as the difference in performance on the core indicators of performance in career and technical education programs of study of student groups based on gender, race and special population status as compared to all students served by the eligible agency.
- Define participation gaps as the difference in participation in career and technical education programs of study of student groups based on gender, race and special population status as compared to all students served by the eligible agency.

***Senate HELP Committee Principle #2- Increase access to, and support of, career counseling for all CTE students;***

*Career counseling programs, practices and personnel are the gateway to CTE for students seeking to be both college and career ready. When effective, career counseling can be a critical component in student engagement in CTE programs that are chosen based on student interest*

*generated from awareness and experience, a clear understanding of labor market information, and wage earning potential. Unbiased career counseling practices have the potential to break down stereotypes about career options and broaden the choices that students have to engage in a lifelong fulfilling career. Counselors play a critical role in encouraging and/or discouraging students to access CTE programs and careers. Professional development for career counselors on the elimination of career stereotyping and encouraging students to pursue careers regardless of gender stereotypes, such as women in STEM fields, must be explicitly supported in the Perkins Act.*

NAPE Recommends:

- Include career counseling as a required use of funds and ensure that counseling practices and introductory courses or activities support the exploration of nontraditional careers for all students
- Support professional development for counselors, in addition to teachers, on the implementation of career counseling practices that help close participation gaps of underserved students in CTE programs and increases the participation of students in nontraditional fields, such as women in STEM careers.
- Include in the definition of high quality career and technical education programs of study as those which include career guidance that assists students in exploring nontraditional career options and making informed career choices based on labor market information.

### ***Senate HELP Committee Principle #3- Maintain CTE as a formula program***

*NAPE supports maintaining CTE as a formula program to ensure widespread influence of the principles outlined in the Perkins Act on all CTE programs across the nation. Increasing access to high quality CTE programs can only be accomplished by using federal legislation to leverage state and local funding to invest in CTE programs that are accountable to States for closing participation and achievement gaps. Continuing to maintain CTE as a program accessible to all students, not just those in schools successful in winning competitive grant programs, is imperative if we are to prepare every student to be college and career ready.*

NAPE recommends:

- Maintain the current allocation and funding formula for the basic state grant.
- Change the current reserve fund from the basic state grant and allow states the flexibility to use it to incentivize local participation and achievement gap closing activities.
- Require states to reserve at least \$100,000 of state leadership funds to provide state level professional development and technical assistance to expand student career options by helping LEAs increase the participation and completion of students in nontraditional CTE programs.

### ***Senate HELP Committee Principle #4 Align with ESEA and WIOA (where applicable) to improve the efficiency and effectiveness of the education and workforce development programs***

*CTE programs offered at secondary institutions that serve adults and community colleges are most likely to be the WIOA partner that offers access to job training, basic skills attainment, GED completion and workplace skills development. In addition, CTE completers have higher*

*scores on state academic assessments and higher graduation rates under ESEA accountability, often attributed to the rigor and relevance of programs that integrate academic content with career development. Both WIOA and ESEA support programs that close participation and achievement gaps in academic achievement and workforce participation. The Perkins Act must continue to align with the principles in ESEA and WIOA that create opportunities for individuals, regardless of demographics, to be successful in school and work. This means continuing to explicitly fund support services for special population students and to hold states and locals accountable for their success in CTE. CTE can also contribute to diversifying the workforce, a critical business strategy, through student career exploration and by providing students with the opportunity to pursue careers regardless of their gender, race or other demographic characteristic.*

NAPE Recommends:

- Include in the definition of high quality career and technical education programs of study as those which provide student support services that lead to closing gaps in participation and performance.
- Include state and local Title IX Coordinators as individuals required to participate in the development of state and local CTE plans
- Retain the current definitions for special populations and nontraditional fields.
- Modify the current definition for support services to include supportive services included in report language from the current Perkins Act, such as: transportation, child care, dependent care, tuition, books, and supplies and other services necessary to enable an individual to participate in career and technical education activities.
- Define self-sufficiency or family sustaining wages as those wages which enable households to meet the local costs of their basic needs and build sufficient savings for the future.
- Maintain the accountability measure for increasing the participation and completion of students pursuing nontraditional fields
- Require that all data be reported disaggregated by gender, race and each of the special population groups.

***Senate HELP Committee Principle #5 Support the expansion of public/private collaborations with secondary and post-secondary programs, including alignment with State or locally-determined in-demand industries and occupations***

*Public/Private collaborations with secondary and postsecondary programs that are focused on in-demand industry sectors can help leverage both financial and human resources and provide a clearer pathway for students to college and career success. These partnerships can provide students with role models/mentors and work-based experiences that will broaden their career options in nontraditional fields. Aligned with private sector business diversity initiatives these kinds of collaborations can provide the incentive for secondary and post-secondary programs to close participation and achievement gaps for students typically underrepresented in the targeted in-demand industries and occupations.*

NAPE recommends:

- Provide incentives that expand partnerships with business and industry that support the development of innovative programs targeted to meet private sector business diversity

initiatives and close the current workforce participation gender gaps, especially in high tech STEM fields.

***Senate HELP Committee Principle #6- Support efforts to integrate into and strengthen career pathways at the state and local levels;***

*According to the Alliance for Quality Career Pathways, a career pathway is a well-articulated sequence of quality education and training offerings and supportive services that enable educationally underprepared youth and adults to advance over time to successively higher levels of education and employment in a given industry sector or occupation. Imperative to this definition and its implementation in the Perkins Act is the inclusion of supportive services to support the success of underprepared students.*

NAPE recommends:

- Require locals to use funds to implement career pathways or programs of study that lead to economic self-sufficiency, provide student support services and educator professional development to close participation and achievement gaps.

***Senate HELP Committee Principle #7- Address unfunded programs;***

*Title II has not been funded in the Perkins Act for many years providing an opportunity in the reauthorization process to create a CTE innovation fund over and above the Basic State Grant program. This fund could provide incentives to state and local education agencies to increase CTE student participation and performance on the core indicators, while reducing gaps between student groups based on race, gender and special population status. This innovation fund should address business driven innovations, such as: increasing the diversity of the workforce; engaging women in STEM fields; increasing the participation of low-income students and single parents/displaced homemakers in CTE programs in career fields that lead to family sustaining wages; and increasing the placement of students with disabilities in unsubsidized employment.*

If the Committee chooses to not reauthorize the current Perkins Act Title II Tech Prep NAPE Recommends:

- Create a Title II – CTE Innovation Fund that includes priorities for
  - closing participation and achievement gaps of students based on gender, race and special population status and all students served by the eligible agency.
  - Increasing the participation and completion of students in nontraditional CTE programs, including women in STEM related programs of study.

***Senate HELP Committee Principle #8- Improve evaluation and research to support innovation and best practices.***

*The current Perkins Act's national programs section needs to include explicit direction that research must be conducted on effective practices for implementing CTE programs that have shown to close participation and achievement gaps for students based on gender, race and special population status and all students in CTE. For example, since the accountability measures to increase the participation and completion of students in nontraditional CTE programs was included in the Perkins Act in 1998, the National Research Center on CTE has*

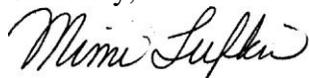
*never conducted any research on this topic nor has any research data been disaggregated by gender, race or special population. This lack of attention to equity in the CTE research has continued to marginalize these student populations and make it more difficult for educators to implement effective programs that meet the needs of the growing diversity of students seeking access to CTE programs. The reauthorization must recognize this dearth in the research knowledge and remedy the situation by requiring that research on gender equity, race equity and special population access in CTE be conducted to inform best practices and high quality CTE program development.*

NAPE Recommends:

- Require that both the National Research Center for Career and Technical Education and the National Assessment of Career and Technical Education includes studies and analysis of effective strategies for closing equity gaps in CTE, especially for women and girls in nontraditional and STEM related programs of study.

NAPE thanks the Senate HELP Committee for the opportunity to submit these comments, recommendations and suggested language for the Committee's consideration as it moves to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006. We look forward to working with you throughout this process and are prepared to be a resource for you regarding equity in CTE and how the legislation can support increasing access and success for underrepresented students in high quality CTE programs.

Sincerely,



Mimi Lufkin  
Chief Executive Officer

#### **TECHNICAL LEGISLATIVE LANGUAGE RECOMMENDATIONS TO TITLE I OF THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006**

The following technical legislative language recommendations provide suggestions to implement the summary recommendations made above.

NAPE recommends that all current language from the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) with reference to special populations, nontraditional fields and high wage occupations be retained. See appendix A for an analysis of Perkins IV and identification of all current legislative language pertaining to equity provisions.

Suggested technical changes to Perkins IV are outlined below. Each section identifies the current Section reference and provides a brief explanation provided in a text box. Deletions of current text are indicated by a ~~strike through~~, additions by *italics*, and no changes to the text by standard type.

**SECTION 2. PURPOSE.**

Include the goal of career development that leads to economic self-sufficiency or family sustaining wages into the purpose of the Act.

*The purpose of this Act is to support the development of and access to high-quality career and technical education programs of study that successfully prepare students for college and careers, thereby ensuring the global competitiveness of the United States and the economic self-sufficiency of its citizens.*

**SECTION 3 DEFINITIONS**

Retain the following definitions from Perkins IV

(10) DISPLACED HOMEMAKER

(16) INDIVIDUAL WITH LIMITED ENGLISH PROFICIENCY

(17) INDIVIDUAL WITH A DISABILITY

(20) NONTRADITIONAL FIELDS

(29) SPECIAL POPULATIONS

Modify the following definitions from Perkins IV

(31) SUPPORT SERVICES – The term ‘support services’ means services related to curriculum modification, equipment modification, classroom modification, supportive personnel, instructional aids and devices, *transportation, child care, dependent care, tuition, books, and supplies and other services necessary to enable an individual to participate in career and technical education activities*

Include the following new definitions.

(X) EQUITY GAP – *The term ‘equity gap’ means gaps in participation and performance on the core indicators of performance in career and technical education programs of study between student groups based on gender, race and special population status as compared to all students served by the eligible agency or eligible recipient under this Act*

(X) SELF-SUFFICIENCY – *The term ‘self-sufficiency’ or ‘family sustaining wage’ means wages which enable households to meet the local costs of their basic needs and build sufficient savings for the future.*

## SECTION 112 WITHIN STATE ALLOCATION

Modify the current language that requires states to retain State Leadership funds to support programs and services for students pursuing nontraditional fields to providing additional resources to support the closing of equity gaps.

SECTION 112(a)(2)(B) ~~not less than~~ *at a minimum an eligible agency shall reserve at least \$6100,000 and not more than \$150,000 shall be available for services that prepare individuals for non-traditional fields to provide technical assistance and professional development to LEAs on effective strategies for closing equity gaps;* and

Retain the “reserve” fund from the basic state grant and provide states the flexibility to hold back up to 10% to address the closing of equity gaps in career and technical education.

SECTION 112(c) Reserve- From amounts made available under subsection (a)(1) to carry out this subsection, an eligible agency may award grants to eligible recipients *to close equity gaps in* ~~for career and technical education activities described in section 135 in--~~

~~(1) rural areas;~~

~~(2) areas with high percentages of career and technical education students; and~~

~~(3) areas with high numbers of career and technical education students.~~

## SECTION 113 ACCOUNTABILITY

### SECTION 113(b)(2) INDICATORS OF PERFORMANCE

Retain the accountability measure for increasing the participation and completion of career and technical education programs that lead to nontraditional fields at the secondary level.

SECTION 113(b)(2)(A)(vi) Student participation in and completion of career and technical education programs that lead to non-traditional fields.

Retain the accountability measure for increasing the participation and completion of career and technical education programs that lead to nontraditional fields at the postsecondary level.

SECTION 113(b)(2)(A)(v) Student participation in and completion of career and technical education programs that lead to non-traditional fields

### SECTION 113(b)(3) STATE ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE

Integrate the practice of using an annual equity gap analysis of each of the core indicators of performance as part of the factors to be considered as part of the state plan and the agreement on determining the state adjusted levels of performance.

SECTION 113(b)(3)(A)(i)(II) require the State to continually make progress toward *closing equity gaps* and improving the performance of career and technical education students.

SECTION 113(b)(3)(A)(vi)(III) the extent to which such levels of performance promote continuous improvement *and the closing of equity gaps* on the indicators of performance by such State.

## **SECTION 113(b)(4) LOCAL LEVELS OF PERFORMANCE**

### **SECTION 113(b)(4)(A) LOCAL ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE**

Integrate the practice of using an annual equity gap analysis of each of the core indicators of performance as part of the factors to be considered as part of the local plan and the agreement on determining the local adjusted levels of performance.

SECTION 113(b)(4)(A)(i)(II) require the eligible recipient to continually make progress toward *closing equity gaps* and improving the performance of career and technical education students.

SECTION 113(b)(4)(A)(v)(II) the extent to which the local adjusted levels of performance promote continuous improvement *and close equity gaps* on the core indicators of performance by the eligible recipient.

### **SECTION 113(b)(4)(C) LOCAL REPORT**

Make clearer the requirements for disaggregating data and inclusion of the identification of equity gaps and how funds have been used to close them in the Local Report.

SECTION 113(b)(4)(C)(ii) DATA- Except as provided in clauses (iii) and (iv), each eligible recipient that receives an allocation described in section 112 shall--

- (I) disaggregate data for each of the indicators of performance under paragraph (2) *by gender, race and each special population.* ~~for the categories of students described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 and section 3(29) that are served under this Act;~~ and
- (II) identify and quantify any ~~disparities or equity gaps in performance~~ between any such category of students and the performance of all students served by the eligible recipient under this Act.
- (III) *report how the eligible recipient has used funds to provide programs and support services to close the equity gaps identified in the report.*

### **SECTION (113)(c) REPORT**

Include a requirement to report on the progress of the State in closing equity gaps in career and technical education programs in the state.

*SECTION (113)(c)(1)(B) the progress of the State in closing equity gaps in participation and on the State adjusted levels of performance on the core indicators of performance; and*

**SECTION (113)(c)(2)DATA**

Make clearer the requirements for disaggregating data and inclusion of the identification of equity gaps and how funds have been used to close them in the State Report.

SECTION (113)(c)(2) (A) disaggregate data for each of the indicators of performance under subsection (b)(2) *by gender, race and special population* ~~for the categories of students described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 and section 3(29) that are served under this Act;~~ and

SECTION (113)(c)(2)(B) identify and quantify any ~~disparities or~~ *equity gaps in performance* between any such category of students and the performance of all students served by the eligible agency under this Act, which shall include a quantifiable description of the progress each such category of students served by the eligible agency under this Act has made in meeting the State adjusted levels of performance.

SECTION (113)(c)(2)(C) *report how the eligible agency has used funds to provide programs and services for eligible recipients to close the equity gaps identified in the report.*

**SECTION 114 NATIONAL ACTIVITIES**

Require that members of the National Assessment Advisory Panel include individuals with expertise on the development of programs that have been effective in closing equity gaps.

SECTION 114(d)(1)(B) MEMBERS – The advisory panel shall consist of –

(x) *individuals with expertise on the development of programs that have been effective in closing equity gaps.*

**SECTION 114(2) EVALUATION AND ASSESSMENT (B) CONTENTS**

Include a requirement that the evaluation and assessment of career and technical education include an assessment of equity gaps and the effective strategies that states and locals have employed to close those gaps.

SECTION 114(2)(B)(i) the extent to which State, local and tribal entities have developed, implemented, or improved State and local career and technical education programs assisted under this Act *that have been successful in closing equity gaps;*

SECTION 114(2)(B)(iii) academic and career and technical education achievement and employment outcomes, *disaggregated by data identified in Section 113(b)(4)(C)(ii)(I),* of career and technical education, including analyses of –

**SECTION 114(4) RESEARCH**

Require that the research funded by the Secretary studies of career and technical education programs that have been successful in closing equity gaps, including those leading to nontraditional careers, and identify effective strategies that can be scaled nationally.

SECTION 114(4)(A)(i) to carry out scientifically based research and evaluation for the purpose of developing, improving, and identifying the most successful methods for *closing equity gaps* and addressing the education, employment, and training needs of participants, including special populations, in career and technical education programs, including research and evaluation in such activities as—

**SECTION 114(5) DEMONSTRATIONS AND DISSEMINATION**

Demonstration and dissemination activities conducted by the Secretary must include the dissemination of best practices for the closing of equity gaps in career and technical education. A high quality career and technical education program must be one that is effective in closing equity gaps and providing students with programs and services that ensure their equitable access and success.

SECTION 114(5) DEMONSTRATIONS AND DISSEMINATION.- The Secretary is authorized to carry out demonstration career and technical education programs, to replicate model career and technical education programs, to disseminate best practices information, and to provide technical assistance upon request of a State, for the purposes of developing, improving, and identifying the most successful methods and techniques for *closing equity gaps* by providing *high quality* career and technical education programs assisted under this Act.

**SECTION 121 STATE ADMINISTRATION**

Include language that requires States to conduct an equity gap analysis and develop plans for using funds to provide support, technical assistance and professional development, for locals to close the gaps.

*SECTION 121(a)(5) conducting an equity gap analysis of the core indicators of performance in career and technical education programs of study between student groups based on gender, race and special population status and all students served by the eligible agency.*

**SECTION 122 STATE PLAN**

Include provisions in the State Plan section that requires states to identify how they will use funds to support state technical assistance, professional development, programs and services to close equity gaps in career and technical education.

*SECTION 122(c)(1)(M) how funds will be used to support state technical assistance and professional development to close the equity gaps identified in SECTION 121(a)(5)*

SECTION 122(c)(2)(E) provides the knowledge and skills needed to *close equity gaps and work with and improve the instruction for special populations*;

SECTION 122(c)(9) describes the eligible agency's program strategies for ~~special populations~~ *closing equity gaps*, including a description of how individuals who are members of the special populations –

### **SECTION 123 IMPROVEMENT PLANS**

Include language that requires States and Local eligible recipients to conduct an equity gap analysis and develop improvement plans to close those gaps. Hold states and local accountable to closing equity gaps by including progress on improvement in the improvement plan, investment of resources and subsequent action provisions.

### **SECTION 123(a) STATE PROGRAM IMPROVEMENT**

SECTION 123(a)(1) PLAN- If a State fails to meet at least 90 percent of an agreed upon State adjusted level of performance *or fails to show closing of equity gaps identified in section 113(c)(2)* for any of the core indicators of performance described in section 113(b)(3), the eligible agency shall develop and implement a program improvement plan (with special consideration to performance gaps identified under section 113(c)(2)) in consultation with the appropriate agencies, individuals, and organizations during the first program year succeeding the program year for which the eligible agency failed to so meet the State adjusted level of performance, *or close equity gaps*, for any of the core indicators of performance

### **SECTION 123(a)(3) SUBSEQUENT ACTION**

SECTION 123(a)(3)(A)(ii) fails to make any improvement *in closing equity gaps or* in meeting any of the State adjusted levels of performance for the core indicators of performance identified under paragraph (1) within the first program year of implementation of its improvement plan described in paragraph (1); or

*SECTION 123(a)(3)(A)(iv) fails to show improvement on closing equity gaps for the populations identified in section 113(c)(2) for 3 consecutive years.*

*SECTION 123 (a)(3)(B) The eligible agency must use the funds made available under Section 112(c) for the purposes described in Section 124(b)(5)(c) when the eligible agency—*  
*(i) fails to make improvement in closing achievement gaps within the first program year of implementation of its improvement plan described in paragraph (1); or*  
*(ii) fails to show improvement on closing achievement gaps for the populations identified in section 113(c)(2) for 3 consecutive years.*

### **SECTION 123(b) LOCAL PROGRAM IMPROVEMENT**

SECTION 123 (b)(1) LOCAL EVALUATION- Each eligible agency shall conduct an equity gap analysis to 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.

SECTION 123 (b)(2) PLAN- If, after reviewing the evaluation in paragraph (1), the eligible agency determines that an eligible recipient failed to meet at least 90 percent of an agreed upon local adjusted level of performance, *or failed to show improvement on the closing of equity gaps identified in section 113(b)(4)(C)(ii)(II)*, for any of the core indicators of performance described in section 113(b)(4), the eligible recipient shall develop and implement a program improvement plan ~~(with special consideration to performance gaps identified under section 113(b)(4)(C)(ii)(II))~~ in consultation with the eligible agency, appropriate agencies, individuals, and organizations during the first program year succeeding the program year for which the eligible recipient failed to so meet any of the local adjusted levels of performance for any of the core indicators of performance.

### **SECTION 123(b)(4) SUBSEQUENT ACTION**

SECTION 123(b)(4)(A)(ii) fails to make any improvement *in closing equity gaps or* in meeting any of the local adjusted levels of performance for the core indicators of performance identified under paragraph (2) within the first program year of implementation of its improvement plan described in paragraph (2); or

*SECTION 123(b)(4)(A)(iv) fails to show improvement on closing equity gaps for the populations identified in section 113(b)(4)(C)(ii) for 3 consecutive years.*

*SECTION 123(b)(4)(B) The eligible recipient must use at least 10% of funds made available under Section 131 or 132 for the purposes described in Section 135(b)(2) when the eligible recipient—*

- (i) fails to make improvement in closing achievement gaps within the first program year of implementation of its improvement plan described in paragraph (1); or*
- (ii) fails to show improvement on closing achievement gaps for the populations identified in section 113(c)(2) for 3 consecutive years.*

### **SECTION 124 STATE LEADERSHIP ACTIVITIES**

Perkins IV already includes provisions that support equity through State Leadership (see attached Appendix A). These modifications seek to integrate the concept of the state's equity gap analysis as a tool to drive state leadership activity planning and delivery of technical assistance and professional development focused on closing the identified participation and performance gaps.

### **SECTION 124(b) REQUIRED USES OF FUNDS**

SECTION 124 (b)(1) an *equity gap* assessment 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 and how the career and technical education programs are designed to enable special populations to meet State adjusted levels of performance and prepare the special populations for further education, further training, or for high skill, high wage, or high demand occupations;

*SECTION 124(b)(x) delivering professional development, leadership and technical assistance for eligible recipients to close equity gaps identified in SECTION 124(b)(1) and on any of the core indicators of performance described in section 113(b)(4)*

## **SECTION 134 LOCAL PLAN FOR CAREER AND TECHNICAL EDUCATION PROGRAMS**

Perkins IV already includes provisions that support equity through the Local Plan (see attached Appendix A). These modifications seek to integrate the concept of the local equity gap analysis as a tool to local planning and uses of funds focused on closing the identified participation and performance gaps.

SECTION 134(b)(2) describe how the career and technical education activities will be carried out with respect to *closing equity gaps and* meeting State and local adjusted levels of performance established under section 113;

SECTION 134(b)(4) describe how comprehensive professional development (including initial teacher preparation) for career and technical education, academic, guidance, and administrative personnel will be provided that promotes *the closing of equity gaps*, and the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education (including curriculum development *and pedagogy*)

## **SECTION 135 LOCAL USES OF FUNDS**

SECTION 135(b)(5)(A)(x) *effective practices to close equity gaps in career and technical education programs of study.*

SECTION 135(b)(6) develop and implement evaluations of the career and technical education programs carried out with funds under this title, including an *equity gap* assessment of how the needs of special populations are being met;



**S.250 Carl D. Perkins Career and Technical Education Improvement Act of 2006**  
**Appendix A: Equity Related Provisions**

<b>Final Perkins Bill</b>
<b>TITLE I -- BASIC STATE GRANT</b>
<b>SEC. 2. PURPOSE</b>
The purpose of this Act is to develop more fully the academic and career and technical skills of secondary education students and postsecondary education students who elect to enroll in career and technical education programs, by-- (1) building on the efforts of States and localities to develop challenging academic and technical standards and to assist students in meeting such standards, including preparation for high skill, high wage, or high demand occupations in current or emerging professions;
<b>SEC. 3. DEFINITIONS</b>
(10) <b>DISPLACED HOMEMAKER-</b> The term `displaced homemaker' means an individual who-- (A)(i) has worked primarily without remuneration to care for a home and family, and for that reason has diminished marketable skills; ` (ii) has been dependent on the income of another family member but is no longer supported by that income; or ` (iii) is a parent whose youngest dependent child will become ineligible to receive assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) not later than 2 years after the date on which the parent applies for assistance under such title; and (B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
(16) <b>INDIVIDUAL WITH LIMITED ENGLISH PROFICIENCY-</b> The term `individual with limited English proficiency' means a secondary school student, an adult, or an out-of-school youth, who has limited ability in speaking, reading, writing, or understanding the English language, and-- (A) whose native language is a language other than English; or (B) who lives in a family or community environment in which a language other than English is the dominant language.
(17) <b>INDIVIDUAL WITH A DISABILITY-</b> (A) <b>IN GENERAL-</b> The term `individual with a disability' means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)). (B) <b>INDIVIDUALS WITH DISABILITIES-</b> The term `individuals with disabilities' means more than 1 individual with a disability.
(20) <b>NON-TRADITIONAL FIELDS-</b> The term `non-traditional fields' means occupations or fields of work, including careers in computer science, technology, and other current and emerging high skill occupations, for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.
(29) <b>SPECIAL POPULATIONS-</b> The term `special populations' means-- (A) individuals with disabilities; (B) individuals from economically disadvantaged families, including foster children; (C) individuals preparing for non-traditional fields; (D) single parents, including single pregnant women; (E) displaced homemakers; and

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(F) individuals with limited English proficiency.

(31) SUPPORT SERVICES- The term `support services' means services related to curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.

(33) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY- The term `tribally controlled college or university' has the meaning given the term in section 2(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)).

(34) TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTION- The term `tribally controlled postsecondary career and technical institution' means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965, except that subsection (a)(2) of such section shall not be applicable and the reference to Secretary in subsection (a)(5) of such section shall be deemed to refer to the Secretary of the Interior) that--

(A) is formally controlled, or has been formally sanctioned or chartered, by the governing body of an Indian tribe or Indian tribes;

(B) offers a technical degree or certificate granting program;

(C) is governed by a board of directors or trustees, a majority of whom are Indians;

(D) demonstrates adherence to stated goals, a philosophy, or a plan of operation, that fosters individual Indian economic and self-sufficiency opportunity, including programs that are appropriate to stated tribal goals of developing individual entrepreneurships and self-sustaining economic infrastructures on reservations;

(E) has been in operation for at least 3 years;

(F) holds accreditation with or is a candidate for accreditation by a nationally recognized accrediting authority for postsecondary career and technical education; and

(G) enrolls the full-time equivalent of not less than 100 students, of whom a majority are Indians.

#### SEC. 112. WITHIN STATE ALLOCATION.

(a) In General- From the amount allotted to each State under section 111 for a fiscal year, the eligible agency shall make available--

(1) not less than 85 percent for distribution under section 131 or 132, of which not more than 10 percent of the 85 percent may be used in accordance with subsection (c);

(c) Reserve- From amounts made available under subsection (a)(1) to carry out this subsection, an eligible agency may award grants to eligible recipients for career and technical education activities described in section 135 in--

(1) rural areas;

(2) areas with high percentages of career and technical education students; and

(3) areas with high numbers of career and technical education students.

(2) not more than 10 percent to carry out State leadership activities described in section 124, of which--

(A) an amount equal to not more than 1 percent of the amount allotted to the State under section 111 for the fiscal year shall be made available to serve individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities; and

(B) not less than \$60,000 and not more than \$150,000 shall be available for services that prepare individuals for non-traditional fields; and

(3) an amount equal to not more than 5 percent, or \$250,000, whichever is greater, for administration of the State plan, which may be used for the costs of--

(A) developing the State plan;

(B) reviewing a local plan;

(C) monitoring and evaluating program effectiveness;

(D) assuring compliance with all applicable Federal laws;

(E) providing technical assistance; and

(F) supporting and developing State data systems relevant to the provisions of this Act.

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<b>SEC. 113. ACCOUNTABILITY</b>
<b>^(A) CORE INDICATORS OF PERFORMANCE FOR CAREER AND TECHNICAL EDUCATION STUDENTS AT THE SECONDARY LEVEL</b>
<p>Each eligible agency shall identify in the State plan core indicators of performance for career and technical education students at the secondary level that are valid and reliable, and that include, at a minimum, measures of each of the following:</p> <ul style="list-style-type: none"> <li>(i) Student attainment of challenging academic content standards and student academic achievement standards, as adopted by a State in accordance with section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and measured by the State determined proficient levels on the academic assessments described in section 1111(b)(3) of such Act.</li> <li>(ii) Student attainment of career and technical skill proficiencies, including student achievement on technical assessments, that are aligned with industry-recognized standards, if available and appropriate.</li> <li>(iii) Student rates of attainment of each of the following: <ul style="list-style-type: none"> <li>(I) A secondary school diploma.</li> <li>(II) A General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities).</li> <li>(III) A proficiency credential, certificate, or degree, in conjunction with a secondary school diploma (if such credential, certificate, or degree is offered by the State in conjunction with a secondary school diploma).</li> </ul> </li> <li>(iv) Student graduation rates (as described in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965).</li> <li>(v) Student placement in postsecondary education or advanced training, in military service, or in employment.</li> <li>(vi) Student participation in and completion of career and technical education programs that lead to non-traditional fields.</li> </ul>
<b>^(B) CORE INDICATORS OF PERFORMANCE FOR CAREER AND TECHNICAL EDUCATION STUDENTS AT THE POSTSECONDARY LEVEL</b>
<p>Each eligible agency shall identify in the State plan core indicators of performance for career and technical education students at the postsecondary level that are valid and reliable, and that include, at a minimum, measures of each of the following:</p> <ul style="list-style-type: none"> <li>(i) Student attainment of challenging career and technical skill proficiencies, including student achievement on technical assessments, that are aligned with industry-recognized standards, if available and appropriate.</li> <li>(ii) Student attainment of an industry-recognized credential, a certificate, or a degree.</li> <li>(iii) Student retention in postsecondary education or transfer to a baccalaureate degree program.</li> <li>(iv) Student placement in military service or apprenticeship programs or placement or retention in employment, including placement in high skill, high wage, or high demand occupations or professions.</li> <li>(v) Student participation in, and completion of, career and technical education programs that lead to employment in non-traditional fields.</li> </ul>
<b>^(C) ADDITIONAL INDICATORS OF PERFORMANCE-</b>
<p>An eligible agency, with input from eligible recipients, may identify in the State plan additional indicators of performance for career and technical education activities authorized under this title, such as attainment of self-sufficiency.</p>
<b>^(3) STATE LEVELS OF PERFORMANCE-</b>
<p><b>(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE-</b></p> <ul style="list-style-type: none"> <li>(i) <b>IN GENERAL-</b> Each eligible agency, with input from eligible recipients, shall establish in the State plan submitted under section 122, 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--</li> </ul>

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

(II) require the State to continually make progress toward improving the performance of career and technical education students.

(ii) IDENTIFICATION IN THE STATE PLAN- Subject to section 4, each eligible agency shall identify, in the State plan submitted under section 122, levels of performance for each of the core indicators of performance for the first 2 program years covered by the State plan.

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

(iv) ROLE OF THE SECRETARY- The role of the Secretary in the agreement described in clauses (iii) and (v) is limited to reaching agreement on the percentage or number of students who attain the State adjusted levels of performance.

(v) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS- Prior to the third and fifth program years covered by the State plan, the Secretary and each eligible agency shall reach agreement on the State adjusted levels of performance for each of the core indicators of performance for the corresponding subsequent program years covered by the State plan, taking into account the factors described in clause (vi). The State adjusted levels of performance agreed to under this clause shall be considered to be the State adjusted levels of performance for the State for such years and shall be incorporated into the State plan.

(vi) FACTORS- The agreement described in clause (iii) or (v) shall take into account--

(I) how the levels of performance involved compare with the State adjusted levels of performance established for other States, 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 such levels of performance promote continuous improvement on the indicators of performance by such State.

(vii) REVISIONS- If unanticipated circumstances arise in a State resulting in a significant change in the factors described in clause (vi), the eligible agency may request that the State adjusted levels of performance agreed to under clause (iii) or (v) be revised. The Secretary shall issue objective criteria and methods for making such revisions.

(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS- Each eligible agency shall identify in the State plan State levels of performance for each of the additional indicators of performance described in paragraph (2)(C). Such levels shall be considered to be the State levels of performance for purposes of this title.

#### (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 performances, 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, consistent with the State levels of performance established under paragraph (3), so as to be objective, quantifiable, and measurable; and

(II) require the eligible recipient to continually make progress toward improving the performance 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

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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 in the State, 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 promote continuous 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 factors described in clause (v), 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) LOCAL REPORT-**

(i) **CONTENT OF REPORT-** Each eligible recipient that receives an allocation described in section 112 shall annually prepare and submit to the eligible agency a report, which shall include the data described in clause (ii)(I), regarding the progress of such recipient in achieving the local adjusted levels of performance on the core indicators of performance.

(ii) **DATA-** Except as provided in clauses (iii) and (iv), each eligible recipient that receives an allocation described in section 112 shall--

(I) disaggregate data for each of the indicators of performance under paragraph (2) for the categories of students described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 and section 3(29) that are served under this Act; and

(II) identify and quantify any disparities or gaps in performance between any such category of students and the performance of all students served by the eligible recipient under this Act.

(iii) **NONDUPLICATION-** The eligible agency shall ensure, in a manner that is consistent with the actions of the Secretary under subsection (c)(3), that each eligible recipient does not report duplicative information under this section.

(iv) **RULES FOR REPORTING OF DATA-** The disaggregation of data under clause (ii) shall not be required when the number of students in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual student.

(v) **AVAILABILITY-** The report described in clause (i) shall be made available to the public through a variety of formats, including electronically through the Internet.

### **(c) (State)Report-**

(1) **IN GENERAL-** Each eligible agency that receives an allotment under section 111 shall annually prepare and submit to the Secretary a report regarding--

(A) the progress of the State in achieving the State adjusted levels of performance on the core indicators of performance; and

(B) information on the levels of performance achieved by the State with respect to the additional indicators of performance, including the levels of

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performance for special populations.

- (2) DATA- Except as provided in paragraphs (3) and (4), each eligible agency that receives an allotment under section 111 or 201 shall--
- (A) disaggregate data for each of the indicators of performance under subsection (b)(2) for the categories of students described in section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 and section 3(29) that are served under this Act; and
  - (B) identify and quantify any disparities or gaps in performance between any such category of students and the performance of all students served by the eligible agency under this Act, which shall include a quantifiable description of the progress each such category of students served by the eligible agency under this Act has made in meeting the State adjusted levels of performance.
- (3) NONDUPLICATION- The Secretary shall ensure that each eligible agency does not report duplicative information under this section.
- (4) RULES FOR REPORTING OF DATA- The disaggregation of data under paragraph (2) shall not be required when the number of students in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual student.
- (5) INFORMATION DISSEMINATION- The Secretary--
- (A) shall make the information contained in such reports available to the general public through a variety of formats, including electronically through the Internet;
  - (B) shall disseminate State-by-State comparisons of the information; and
  - (C) shall provide the appropriate committees of Congress with copies of such reports.

### SEC. 114. NATIONAL ACTIVITIES

- (a) Program Performance Information-
- (1) IN GENERAL- The Secretary shall collect performance information about, and report on, the condition of career and technical education and on the effectiveness of State and local programs, services, and activities carried out under this title in order to provide the Secretary and Congress, as well as Federal, State, local, and tribal agencies, with information relevant to improvement in the quality and effectiveness of career and technical education. The Secretary shall report annually to Congress on the Secretary's aggregate analysis of performance information collected each year pursuant to this title, including an analysis of performance data regarding special populations.
- (1) 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 (2), 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, administrators, State directors of career and technical education, and chief executives, including those 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 workforce investment entities;
    - (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, the relevant committees of Congress, and the Library of Congress an independent analysis of the findings and recommendations resulting from the assessment described in paragraph (2).
  - (D) FACAA- The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the panel established under this paragraph.
- (2) EVALUATION AND ASSESSMENT-

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(A) IN GENERAL- From amounts made available under subsection (e), 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 2006, to the extent practicable, through studies and analyses conducted independently through grants, contracts, and cooperative agreements that are awarded on a competitive basis.

(B) CONTENTS- The assessment required under subparagraph (A) shall include descriptions and evaluations of--

(iii) academic and career and technical education achievement and employment outcomes of career and technical education, including analyses of--

(II) the extent to which career and technical education programs prepare students, including special populations, for subsequent employment in high skill, high wage occupations (including those in which mathematics and science skills are critical), or for participation in postsecondary education;

(v) the participation of students in career and technical education programs;

(vii) the effect of State and local adjusted levels of performance and State and local levels of performance on the delivery of career and technical education services, including the percentage of career and technical education and tech prep students meeting the adjusted levels of performance described in section 113.

(C) REPORTS-

(i) IN GENERAL- The Secretary shall submit to the relevant committees of Congress--

(I) an interim report regarding the assessment on or before January 1, 2010; and

(II) a final report, summarizing all studies and analyses that relate to the assessment and that are completed after the interim report, on or before July 1, 2011.

(ii) PROHIBITION- Notwithstanding any other provision of law, the reports required by this subsection shall not be subject to any review outside the Department of Education before their transmittal to the relevant committees of Congress and the Secretary, but the President, the Secretary, and the independent advisory panel established under paragraph (1) may make such additional recommendations to Congress with respect to the assessment as the President, the Secretary, or the panel determine to be appropriate.

(3) COLLECTION OF STATE INFORMATION AND REPORT-

(A) IN GENERAL- The Secretary may collect and disseminate information from States regarding State efforts to meet State adjusted levels of performance described in section 113(b).

(B) REPORT- The Secretary shall gather any information collected pursuant to subparagraph (A) and submit a report to the relevant committees in Congress.

(4) RESEARCH-

(A) IN GENERAL- From amounts made available under subsection (e), the Secretary, after consulting with the States, shall award a grant, contract, or cooperative agreement, on a competitive basis, to an institution of higher education, a public or private nonprofit organization or agency, or a consortium of such institutions, organizations, or agencies to establish a national research center--

(i) to carry out scientifically based research and evaluation for the purpose of developing, improving, and identifying the most successful methods for addressing the education, employment, and training needs of participants, including special populations, in career and technical education programs, including research and evaluation in such activities as--

(I) the integration of--

(aa) career and technical instruction; and

(bb) academic, secondary and postsecondary instruction;

(III) State adjusted levels of performance and State levels of performance that serve to improve career and technical education programs and student achievement;

(V) preparation for occupations in high skill, high wage, or high demand business and industry, including examination of—

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

(bb) academic and technical skills required for a regional or sectoral workforce, including small business;

(B) REPORT- The center conducting the activities described in subparagraph (A) shall annually prepare a report of the key research findings of such center and shall submit copies of the report to the Secretary, the relevant committees of Congress, the Library of Congress, and each eligible agency.

(C) DISSEMINATION- The center shall conduct dissemination and training activities based upon the research described in subparagraph (A).

(5) DEMONSTRATIONS AND DISSEMINATION- The Secretary is authorized to carry out demonstration career and technical education programs, to replicate model career and technical education programs, to disseminate best practices information, and to provide technical assistance upon request of a State, for the purposes of developing, improving, and identifying the most successful methods and techniques for providing career and technical education programs assisted under this Act.

#### SEC. 117. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS

(e) Expenses-

(1) IN GENERAL- The Secretary shall, subject to the availability of appropriations, provide for each program year to each tribally controlled postsecondary career and technical institution having an application approved by the Secretary, an amount necessary to pay expenses associated with--

(A) the maintenance and operation of the program, including development costs, costs of basic and special instruction (including special programs for individuals with disabilities and academic instruction), materials, student costs, administrative expenses, boarding costs, transportation, student services, daycare and family support programs for students and their families (including contributions to the costs of education for dependents), and student stipends;

#### SEC. 118. OCCUPATIONAL AND EMPLOYMENT INFORMATION

(c) State Level Activities- In order for a State to receive a grant under this section, the eligible agency and the Governor of the State shall jointly designate an entity in the State--

(1) to provide support for career guidance and academic counseling programs designed to promote improved career and education decision making by students (and parents, as appropriate) regarding education (including postsecondary education) and training options and preparations for high skill, high wage, or high demand occupations and non-traditional fields;

(2) to make available to students, parents, teachers, administrators, faculty, and career guidance and academic counselors, and to improve accessibility with respect to, information and planning resources that relate academic and career and technical educational preparation to career goals and expectations;

(3) to provide academic and career and technical education teachers, faculty, administrators, and career guidance and academic counselors with the knowledge, skills, and occupational information needed to assist parents and students, especially special populations, with career exploration, educational opportunities, education financing, and exposure to high skill, high wage, or high demand occupations and non-traditional fields, including occupations and fields requiring a baccalaureate degree;

(4) to assist appropriate State entities in tailoring career related educational resources and training for use by such entities, including information on high skill, high wage, or high demand occupations in current or emerging professions and on career ladder information;

(5) to improve coordination and communication among administrators and planners of programs authorized by this Act and by section 15 of the Wagner-Peyser Act at the Federal, State, and local levels to ensure nonduplication of efforts and the appropriate use of shared information and data;

(6) to provide ongoing means for customers, such as students and parents, to provide comments and feedback on products and services and to update resources, as appropriate, to better meet customer requirements; and

(7) to provide readily available occupational information such as--

(A) information relative to employment sectors;

(B) information on occupation supply and demand; and

(C) other information provided pursuant to section 15 of the Wagner-Peyser Act as the jointly designated State entity considers relevant.

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**SEC. 121. STATE ADMINISTRATION.**

- (a) Eligible Agency Responsibilities- The responsibilities of an eligible agency under this title shall include--
- (1) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this title, including preparation for non-traditional fields;

**SEC. 122. STATE PLAN**

- (a) State Plan-
- (1) IN GENERAL- Each eligible agency desiring assistance under this title for any fiscal year shall prepare and submit to the Secretary a State plan for a 6-year period, together with such annual revisions as the eligible agency determines to be necessary, except that, during the period described in section 4, each eligible agency may submit a transition plan that shall fulfill the eligible agency's obligation to submit a State plan under this section for the first fiscal year following the date of enactment of the Carl D. Perkins Career and Technical Education Improvement Act of 2006.
  - (2) REVISIONS- Each eligible agency--
    - (A) may submit such annual revisions of the State plan to the Secretary as the eligible agency determines to be necessary; and
    - (B) shall, after the second year of the 6-year period, conduct a review of activities assisted under this title and submit any revisions of the State plan that the eligible agency determines necessary to the Secretary.
  - (3) HEARING PROCESS- The eligible agency shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups (including charter school authorizers and organizers consistent with State law, employers, labor organizations, parents, students, and community organizations), an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the eligible agency's response to such recommendations shall be included in the State plan.
- (b) Plan Development-
- (1) IN GENERAL- The eligible agency shall--
    - (A) develop the State plan in consultation with--
      - (i) academic and career and technical education teachers, faculty, and administrators;
      - (ii) career guidance and academic counselors;
      - (iii) eligible recipients;
      - (iv) charter school authorizers and organizers consistent with State law;
      - (v) parents and students;
      - (vi) institutions of higher education;
      - (vii) the State tech prep coordinator and representatives of tech prep consortia (if applicable);
      - (viii) entities participating in activities described in section 111 of Public Law 105-220;
      - (ix) interested community members (including parent and community organizations);
      - (x) representatives of special populations;
      - (xi) representatives of business and industry (including representatives of small business); and
      - (xii) representatives of labor organizations in the State; and
    - (B) consult the Governor of the State with respect to such development.
  - (2) ACTIVITIES AND PROCEDURES- The eligible agency shall develop effective activities and procedures, including access to information needed to use such procedures, to allow the individuals and entities described in paragraph (1) to participate in State and local decisions that relate to development of the State plan.
- (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,

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including a description of-

- (G) how programs at the secondary level will prepare career and technical education students, including special populations, to graduate from secondary school with a diploma;
- (H) how such programs will prepare career and technical education students, including special populations, academically and technically for opportunities in postsecondary education or entry into high skill, high wage, or high demand occupations in current or emerging occupations, and how participating students will be made aware of such opportunities;
- (I) how funds will be used to improve or develop new career and technical education courses--
  - (iii) that lead to employment in high skill, high wage, or high demand occupations;
- (2) describes how comprehensive professional development (including initial teacher preparation and activities that support recruitment) for career and technical education teachers, faculty, administrators, and career guidance and academic counselors will be provided, especially professional development that--
  - (E) provides the knowledge and skills needed to work with and improve instruction for special populations;
  - (F) assists in accessing and utilizing data, including data provided under section 118, student achievement data, and data from assessments; and
- (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 Act;
  - (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) describes--
  - (A) the eligible agency's efforts to ensure that eligible recipients are given the opportunity to provide input in determining the State adjusted levels of performance described in section 113; and
  - (B) how the eligible agency, in consultation with eligible recipients, will develop a process for the negotiation of local adjusted levels of performance under section 113(b)(4) if an eligible recipient does not accept the State adjusted levels of performance under section 113(b)(3);
- (13) describes how the eligible agency will report data relating to students participating in career and technical education in order to adequately measure the progress of the students, including special populations, and 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;
- (14) describes how the eligible agency will adequately address the needs of students in alternative education programs, if appropriate;
- (15) 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 funds will be used to promote preparation for high skill, high wage, or high demand occupations and non-traditional fields;
- (19) describes how funds will be used to serve individuals in State correctional institutions; and
- (20) contains the description and information specified in sections 112(b)(8) and 121(c) of Public Law 105-220 concerning the provision of services only for postsecondary students and school dropouts.

### SEC. 123. IMPROVEMENT PLANS

(a) State Program Improvement-

- (1) PLAN- If a State fails to meet at least 90 percent of an agreed upon State adjusted level of performance for any of the core indicators of performance described in section 113(b)(3), the eligible agency shall develop and implement a program improvement plan (with special consideration to performance gaps identified under section 113(c)(2)) in consultation with the appropriate agencies, individuals, and organizations during the first program year

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succeeding the program year for which the eligible agency failed to so meet the State adjusted level of performance for any of the core indicators of performance.

(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 purposes of this Act, based on the State's adjusted levels of performance, the Secretary shall work with the eligible agency to implement the improvement activities consistent with the requirements of this Act.

(3) **SUBSEQUENT ACTION**-

(A) **IN GENERAL**- The Secretary may, after notice and opportunity for a hearing, withhold from an eligible agency all, or a portion, of the eligible agency's allotment under paragraphs (2) and (3) of section 112(a) if the eligible agency--

    (i) fails to implement an improvement plan as described in paragraph (1);

    (ii) fails to make any improvement in meeting any of the State adjusted levels of performance for the core indicators of performance identified under paragraph (1) within the first program year of implementation of its improvement plan described in paragraph (1); or

    (iii) fails to meet at least 90 percent of an agreed upon State adjusted level of performance for the same core indicator of performance for 3 consecutive years.

(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 the financial resources of the State.

(4) **FUNDS RESULTING FROM REDUCED ALLOTMENTS**- The Secretary shall use funds withheld under paragraph (3) for a State served by an eligible agency to provide technical assistance, to assist in the development of an improved State improvement plan, or for other improvement activities consistent with the requirements of this Act for such State.

(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**- If, after reviewing the evaluation in paragraph (1), the eligible agency determines that an eligible recipient failed to meet at least 90 percent of an agreed upon local adjusted level of performance for any of the core indicators of performance described in section 113(b)(4), the eligible recipient shall develop and implement a program improvement plan (with special consideration to performance gaps identified under section 113(b)(4)(C)(ii)(II)) in consultation with the eligible agency, appropriate agencies, individuals, and organizations during the first program year succeeding the program year for which the eligible recipient failed to so meet any of the local adjusted levels of performance for any of the core indicators of performance.

(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 purposes of this Act, based on the local adjusted levels of performance, the eligible agency shall work with the eligible recipient to implement improvement activities consistent with the requirements of this Act.

(4) **SUBSEQUENT ACTION**-

(A) **IN GENERAL**- 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 if the eligible recipient--

    (i) fails to implement an improvement plan as described in paragraph (2);

    (ii) fails to make any improvement in meeting any of the local adjusted levels of performance for the core indicators of performance identified under paragraph (2) within the first program year of implementation of its improvement plan described in paragraph (2); or

    (iii) fails to meet at least 90 percent of an agreed upon local adjusted level of performance for the same core indicator of performance for 3 consecutive years.

(B) **WAIVER FOR EXCEPTIONAL CIRCUMSTANCES**- In determining whether to impose sanctions under subparagraph (A), the eligible agency may waive imposing sanctions--

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- (i) due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the eligible recipient; or
- (ii) based on the impact on the eligible recipient's reported performance of the small size of the career and technical education program operated by the eligible recipient.

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

### SEC. 124. STATE LEADERSHIP ACTIVITIES.

- (b) Required Uses of Funds- The State leadership activities described in subsection (a) shall include-
- (1) an assessment 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 and how the career and technical education programs are designed to enable special populations to meet State adjusted levels of performance and prepare the special populations for further education, further training, or for high skill, high wage, or high demand occupations;
  - (2) developing, improving, or expanding the use of technology in career and technical education that may include--
    - (B) providing career and technical education students with the academic and career and technical skills (including the mathematics and science knowledge that provides a strong basis for such skills) that lead to entry into technology fields, including non-traditional fields; or
    - (C) encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs;
  - (3) professional development programs, including providing comprehensive professional development (including initial teacher preparation) for career and technical education teachers, faculty, 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 preservice training in career and technical education programs--
      - (ii) on effective teaching skills based on research that includes promising practices;
      - (iii) on effective practices to improve parental and community involvement; and
      - (iv) on effective use of scientifically based research and data to improve instruction;
    - (B) are high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom, and are not 1-day or short-term workshops or conferences;
    - (C) will help teachers and personnel to improve student achievement in order to meet the State adjusted levels of performance established under section 113;
  - (5) providing preparation for non-traditional fields in current and emerging professions, and other activities that expose students, including special populations, to high skill, high wage occupations;
  - (6) supporting partnerships among local educational agencies, institutions of higher education, adult education providers, and, as appropriate, other entities, such as employers, labor organizations, intermediaries, parents, and local partnerships, to enable students to achieve State academic standards, and career and technical skills, or complete career and technical programs of study, as described in section 122(c)(1)(A);
  - (7) serving individuals in State institutions, such as State correctional institutions and institutions that serve individuals with disabilities;
  - (8) support for programs for special populations that lead to high skill, high wage, or high demand occupations; and
  - (9) technical assistance for eligible recipients.
- (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--
    - (B) exposing students to high skill, high wage occupations and non-traditional fields;
  - (3) support for initiatives to facilitate the transition of sub baccalaureate career and technical education students into baccalaureate degree programs,

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including--

(D) other initiatives--

(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;

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

(10) awarding incentive grants to eligible recipients--

(A) for exemplary performance in carrying out programs under this Act, which awards shall be based on--

(i) eligible recipients exceeding the local adjusted levels of performance established under section 113(b) in a manner that reflects sustained or significant improvement;

(iv) eligible recipients' progress in having special populations who participate in career and technical education programs meet local adjusted levels of performance; or

(12) 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 the Adult Education and Family Literacy Act;

(13) providing assistance to individuals, who have participated in services and activities under this title, in continuing the individuals' education or training or finding appropriate jobs, such as through referral to the system established under section 121 of Public Law 105-220;

### SEC. 134. LOCAL PLAN FOR CAREER AND TECHNICAL EDUCATION PROGRAMS

(b) Contents- The eligible agency shall determine the requirements for local plans, except that each local plan shall--

(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;

(5) describe how parents, students, academic and career and technical education teachers, faculty, administrators, career guidance and academic counselors, representatives of tech prep consortia (if applicable), representatives of the entities participating in activities described in section 117 of Public Law 105-220 (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 and technical programs of study;

(8) describe how the eligible recipient will--

(A) 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;

(B) provide programs that are designed to enable the special populations to meet the local adjusted levels of performance; and

(C) provide activities to prepare special populations, including single parents and displaced homemakers, for high skill, high wage, or high demand occupations 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 non-traditional fields;

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- (b) Requirements for Uses of Funds- Funds made available to eligible recipients under this part shall be used to support career and technical education programs that--
- (4) develop, improve, or expand the use of technology in career and technical education, which may include--
    - (B) providing career and technical education students with the academic and career and technical skills (including the mathematics and science knowledge that provides a strong basis for such skills) that lead to entry into the technology fields; or
    - (C) encouraging schools to collaborate with technology industries to offer voluntary internships and mentoring programs, including programs that improve the mathematics and science knowledge of students;
  - (5) provide professional development programs that are consistent with section 122 to secondary and postsecondary teachers, faculty, administrators, and career guidance and academic counselors who are involved in integrated career and technical education programs, including--
    - (A) in-service and preservice training on--
      - (ii) effective teaching skills based on research that includes promising practices;
      - (iii) effective practices to improve parental and community involvement; and
      - (iv) effective use of scientifically based research and data to improve instruction;
  - (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 who are enrolled in career and technical education programs, for high skill, high wage, or high demand occupations that will lead to self-sufficiency.
- (c) Permissive- Funds made available to an eligible recipient under this title may be used--
- (4) to provide programs for special populations;
  - (6) for mentoring and support services;
  - (10) to develop initiatives that facilitate the transition of subbaccalaureate career and technical education students into baccalaureate degree programs, including--
    - (D) other initiatives--
      - (ii) to overcome barriers to enrollment in and completion of baccalaureate degree programs, including geographic and other barriers affecting rural students and special populations;
  - (12) for improving or developing new career and technical education courses, including the development of new proposed career and technical programs of study for consideration by the eligible agency and courses that prepare individuals academically and technically for high skill, high wage, or high demand occupations and dual or concurrent enrollment opportunities by which career and technical education students at the secondary level could obtain postsecondary credit to count towards an associate or baccalaureate degree;
  - (15) to provide career and technical education programs for adults and school dropouts to complete the secondary school education, or upgrade the technical skills, of the adults and school dropouts;
  - (16) to provide assistance to individuals who have participated in services and activities under this Act in continuing their education or training or finding an appropriate job, such as through referral to the system established under section 121 of Public Law 105-220 (29 U.S.C. 2801 et seq.);
  - (17) to support training and activities (such as mentoring and outreach) in non-traditional fields;
  - (18) to provide support for training programs in automotive technologies;
  - (20) to support other career and technical education activities that are consistent with the purpose of this Act.

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<b>TITLE II--TECH PREP EDUCATION</b>
<b>SEC. 203. TECH PREP PROGRAM</b>
<b>(c) Contents of Tech Prep Program</b>
<p>Each tech prep program shall--</p> <ul style="list-style-type: none"> <li>(2) consist of a program of study that-- <ul style="list-style-type: none"> <li>(C) provides technical preparation in a career field, including high skill, high wage, or high demand occupations;</li> <li>(F) leads to placement in high skill or high wage employment, or to further education; and</li> </ul> </li> <li>(5) include professional development programs for counselors designed to enable counselors to more effectively-- <ul style="list-style-type: none"> <li>(F) provide comprehensive career guidance and academic counseling to participating students, including special populations;</li> </ul> </li> <li>(6) provide equal access, to the full range of technical preparation programs (including preapprenticeship programs), to individuals who are members of special populations, including the development of tech prep program services appropriate to the needs of special populations;</li> </ul>
<b>(e) Indicators of Performance and Accountability</b>
<p>(1) IN GENERAL- Each consortium shall establish and report to the eligible agency indicators of performance for each tech prep program for which the consortium receives a grant under this title. The indicators of performance shall include the following:</p> <ul style="list-style-type: none"> <li>(A) The number of secondary education tech prep students and postsecondary education tech prep students served.</li> <li>(B) The number and percent of secondary education tech prep students enrolled in the tech prep program who-- <ul style="list-style-type: none"> <li>(i) enroll in postsecondary education;</li> <li>(ii) enroll in postsecondary education in the same field or major as the secondary education tech prep students were enrolled at the secondary level;</li> <li>(iii) complete a State or industry-recognized certification or licensure;</li> <li>(iv) successfully complete, as a secondary school student, courses that award postsecondary credit at the secondary level; and</li> <li>(v) enroll in remedial mathematics, writing, or reading courses upon entering postsecondary education.</li> </ul> </li> <li>(C) The number and percent of postsecondary education tech prep students who-- <ul style="list-style-type: none"> <li>(i) are placed in a related field of employment not later than 12 months after graduation from the tech prep program;</li> <li>(ii) complete a State or industry-recognized certification or licensure;</li> <li>(iii) complete a 2-year degree or certificate program within the normal time for completion of such program; and</li> <li>(iv) complete a baccalaureate degree program within the normal time for completion of such program.</li> </ul> </li> </ul>
<b>SEC. 204. CONSORTIUM APPLICATIONS</b>
<p>(d) Special Consideration- The eligible agency, as appropriate, shall give special consideration to applications that--</p> <ul style="list-style-type: none"> <li>(3) address effectively the issues of school dropout prevention and reentry, and the needs of special populations;</li> </ul> <p>(e) Performance Levels-</p> <ul style="list-style-type: none"> <li>(1) IN GENERAL- Each consortium receiving a grant under this title shall enter into an agreement with the eligible agency to meet a minimum level of performance for each of the performance indicators described in sections 113(b) and 203(e).</li> <li>(2) RESUBMISSION OF APPLICATION; TERMINATION OF FUNDS- An eligible agency-- <ul style="list-style-type: none"> <li>(A) shall require consortia that do not meet the performance levels described in paragraph (1) for 3 consecutive years to resubmit an application to the eligible agency for a tech prep program grant; and</li> <li>(B) may choose to terminate the funding for the tech prep program for a consortium that does not meet the performance levels described in paragraph (1) for 3 consecutive years, including when the grants are made on the basis of a formula determined by the eligible agency.</li> </ul> </li> </ul>
<b>SEC. 205. REPORT.</b>

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Each eligible agency that receives an allotment under this title annually shall prepare and submit to the Secretary a report on the effectiveness of the tech prep programs assisted under this title, including a description of how grants were awarded within the State.
<b>^TITLE III--GENERAL PROVISIONS</b>
<b>SEC. 315. LIMITATION FOR CERTAIN STUDENTS.</b>
No funds received under this Act may be used to provide career and technical education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used by such students.
<b>SEC. 316. FEDERAL LAWS GUARANTEEING CIVIL RIGHTS</b>
Nothing in this Act shall be construed to be inconsistent with applicable Federal law prohibiting discrimination on the basis of race, color, sex, national origin, age, or disability in the provision of Federal programs or services.
<b>^SEC. 317. PARTICIPATION OF PRIVATE SCHOOL PERSONNEL AND CHILDREN</b>
(a) Personnel- An eligible agency or eligible recipient that uses funds under this Act for in-service and pre-service career and technical education professional development programs for career and technical education teachers, administrators, and other personnel shall, to the extent practicable, upon written request, permit the participation in such programs of career and technical education secondary school teachers, administrators, and other personnel in nonprofit private schools offering career and technical secondary education programs located in the geographical area served by such eligible agency or eligible recipient.
(b) Student Participation- (1) STUDENT PARTICIPATION- Except as prohibited by State or local law, an eligible recipient may, upon written request, use funds made available under this Act to provide for the meaningful participation, in career and technical education programs and activities receiving funding under this Act, of secondary school students attending nonprofit private schools who reside in the geographical area served by the eligible recipient. (2) CONSULTATION- An eligible recipient shall consult, upon written request, in a timely and meaningful manner with representatives of nonprofit private schools in the geographical area served by the eligible recipient described in paragraph (1) regarding the meaningful participation, in career and technical education programs and activities receiving funding under this Act, of secondary school students attending nonprofit private schools.
<b>SEC. 324. STUDENT ASSISTANCE AND OTHER FEDERAL PROGRAMS.</b>
(a) Attendance Costs Not Treated as Income or Resources- The portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection (b) shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with Federal funds.
(b) Attendance Costs- The attendance costs described in this subsection are-- (1) tuition and fees normally assessed a student carrying an academic workload as determined by the institution, and including costs for rental or purchase of any equipment, materials, or supplies required of all students in that course of study; and (2) an allowance for books, supplies, transportation, dependent care, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.
(c) Costs of Career and Technical Education Services- Funds made available under this Act may be used to pay for the costs of career and technical education services required in an individualized education program developed pursuant to section 614(d) of the Individuals with Disabilities Education Act and services necessary to meet the requirements of section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to career and technical education.'