

103RD CONGRESS
2^D SESSION

H. R. 2884

AMENDMENT

In the Senate of the United States,

February 8 (legislative day, January 25), 1994.

Resolved, That the bill from the House of Representatives (H.R. 2884) entitled “An Act to establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE.*—*This Act may be cited as the*

3 *“School-to-Work Opportunities Act of 1994”.*

1 (b) *TABLE OF CONTENTS.—The table of contents is as*
 2 *follows:*

- Sec. 1. Short title; table of contents.*
- Sec. 2. Findings.*
- Sec. 3. Purposes and congressional intent.*
- Sec. 4. Definitions.*
- Sec. 5. Federal administration.*

*TITLE I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM
COMPONENTS*

- Sec. 101. General program requirements.*
- Sec. 102. Work-based learning component.*
- Sec. 103. School-based learning component.*
- Sec. 104. Connecting activities component.*

*TITLE II—SCHOOL-TO-WORK OPPORTUNITIES SYSTEM
DEVELOPMENT AND IMPLEMENTATION GRANTS TO STATES*

Subtitle A—State Development Grants

- Sec. 201. Purpose.*
- Sec. 202. State development grants.*

Subtitle B—State Implementation Grants

- Sec. 211. Purpose.*
- Sec. 212. State implementation grants.*
- Sec. 213. Limitation on administrative costs.*

TITLE III—FEDERAL IMPLEMENTATION GRANTS TO PARTNERSHIPS

- Sec. 301. Purposes.*
- Sec. 302. Federal implementation grants to partnerships.*
- Sec. 303. School-to-work opportunities program grants in high poverty areas and
in congressional districts with low population densities.*

TITLE IV—NATIONAL PROGRAMS

- Sec. 401. Research, demonstration, and other projects.*
- Sec. 402. Performance outcomes and evaluation.*
- Sec. 403. Training and technical assistance.*

TITLE V—GENERAL PROVISIONS

- Sec. 501. State request and responsibilities for a waiver of statutory and regu-
latory requirements.*
- Sec. 502. Waivers of statutory and regulatory requirements by the Secretary of
Education.*
- Sec. 503. Waivers of statutory and regulatory requirements by the Secretary of
Labor.*
- Sec. 504. Combination of Federal funds for high poverty schools.*
- Sec. 505. Combination of Federal funds by States.*
- Sec. 506. Requirements.*
- Sec. 507. Sanctions.*
- Sec. 508. Authorization of appropriations.*

Sec. 509. Acceptance of gifts, and other matters.

Sec. 510. State authority.

Sec. 511. Construction.

Sec. 512. Additional Federal requirements.

Sec. 513. Sense of the Senate.

TITLE VI—OTHER PROGRAMS

Sec. 601. Tech-prep education.

TITLE VII—TECHNICAL PROVISIONS

Sec. 701. Effective date.

Sec. 702. Sunset.

TITLE VIII—ALASKA NATIVE ART AND CULTURE

Sec. 801. Short title.

Sec. 802. Alaska Native art and culture.

1 **SEC. 2. FINDINGS.**

2 *Congress finds that—*

3 *(1) three-fourths of America's high school stu-*
 4 *dents enter the work force without baccalaureate de-*
 5 *grees, and many do not possess the academic and*
 6 *entry-level occupational skills necessary to succeed in*
 7 *the changing American workplace;*

8 *(2) a substantial number of American youth, es-*
 9 *pecially disadvantaged students, students of diverse*
 10 *racial, ethnic, and cultural backgrounds, and students*
 11 *with disabilities, do not complete school;*

12 *(3) unemployment among American youth is in-*
 13 *tolerably high, and earnings of high school graduates*
 14 *have been falling relative to earnings of persons with*
 15 *more education;*

16 *(4) the American workplace is changing in re-*
 17 *sponse to heightened international competition and*

1 *new technologies, and such forces, which are ulti-*
2 *mately beneficial to the Nation, are shrinking the de-*
3 *mand for and undermining the earning power of un-*
4 *skilled labor;*

5 *(5) the United States lacks a comprehensive and*
6 *coherent system to help its youth acquire the knowl-*
7 *edge, skills, abilities, and information about and ac-*
8 *cess to the labor market necessary to make an effective*
9 *transition from school to career-oriented work or to*
10 *further education and training;*

11 *(6) American students can achieve to high stand-*
12 *ards, and many learn better and retain more when*
13 *the students learn in context, rather than in the ab-*
14 *stract;*

15 *(7) while many American students have part-*
16 *time jobs, there is infrequent linkage between—*

17 *(A) such jobs; and*

18 *(B) the career planning or exploration, or*
19 *the school-based learning, of such students;*

20 *(8) the work-based learning approach, which is*
21 *modeled after the time-honored apprenticeship con-*
22 *cept, integrates theoretical instruction with structured*
23 *on-the-job training, and this approach, combined with*
24 *school-based learning, can be very effective in engag-*
25 *ing student interest, enhancing skill acquisition, de-*

1 *veloping positive work attitudes, and preparing youth*
2 *for high-skill, high-wage careers; and*

3 *(9) Federal resources currently fund a series of*
4 *categorical, work-related education and training pro-*
5 *grams, many of which serve disadvantaged youth,*
6 *that are not administered as a coherent whole.*

7 **SEC. 3. PURPOSES AND CONGRESSIONAL INTENT.**

8 *(a) PURPOSES.—The purposes of this Act are to—*

9 *(1) establish a national framework within which*
10 *all States can create statewide School-to-Work Oppor-*
11 *tunities systems that—*

12 *(A) are a part of comprehensive education*
13 *reform;*

14 *(B) are integrated with the State education*
15 *systems reformed under the Goals 2000: Educate*
16 *America Act; and*

17 *(C) offer opportunities for all students to*
18 *participate in a performance-based education*
19 *and training program that will—*

20 *(i) enable the students to earn portable*
21 *credentials;*

22 *(ii) prepare the students for first jobs*
23 *in high-skill, high-wage careers; and*

1 (iii) increase their opportunities for
2 further education, including education in a
3 4-year college or university;

4 (2) create a universal, high-quality school-to-
5 work transition system that enables all young Ameri-
6 cans to identify and navigate paths to productive and
7 progressively more rewarding roles in the workplace;

8 (3) utilize workplaces as active learning environ-
9 ments in the educational process by making employ-
10 ers joint partners with educators in providing oppor-
11 tunities for all students to participate in high-qual-
12 ity, work-based learning experiences;

13 (4) use Federal funds under this Act as venture
14 capital, to underwrite the initial costs of planning
15 and establishing statewide School-to-Work Opportuni-
16 ties systems that will be maintained with other Fed-
17 eral, State, and local resources;

18 (5) promote the formation of partnerships that
19 are dedicated to linking the worlds of school and
20 work, among secondary schools and postsecondary
21 education institutions, private and public employers,
22 labor organizations, government, community-based
23 organizations, parents, students, State educational
24 agencies, local educational agencies, and training and
25 human service agencies;

1 (6) help all students attain high academic and
2 occupational standards;

3 (7) build on and advance a range of promising
4 school-to-work transition programs, such as tech-prep
5 education programs, career academies, school-to-ap-
6 prenticeship programs, cooperative education pro-
7 grams, youth apprenticeship programs, school-spon-
8 sored enterprises, and business-education compacts,
9 that can be developed into programs funded under
10 this Act;

11 (8) improve the knowledge and skills of youth by
12 integrating academic and occupational learning, inte-
13 grating school-based and work-based learning, and
14 building effective linkages between secondary and
15 postsecondary education;

16 (9) encourage the development and implementa-
17 tion of programs that will provide paid high-quality,
18 work-based learning experiences;

19 (10) motivate all youth, including low-achieving
20 youth, youth who have dropped out of school, and
21 youth with disabilities, to stay in or return to school
22 or a classroom setting and strive to succeed, by pro-
23 viding enriched learning experiences and assistance
24 in obtaining good jobs and continuing their education
25 in postsecondary education institutions;

1 (11) expose students to a vast array of career op-
2 portunities, and facilitate the selection of career ma-
3 jors, based on individual interests, goals, strengths,
4 and abilities; and

5 (12) further the National Education Goals set
6 forth in title I of the Goals 2000: Educate America
7 Act.

8 (b) CONGRESSIONAL INTENT.—It is the intent of Con-
9 gress that the Secretary of Labor and the Secretary of Edu-
10 cation jointly administer this Act, in consultation with the
11 Secretary of Commerce, in a flexible manner that—

12 (1) promotes State and local discretion in estab-
13 lishing and implementing School-to-Work Opportuni-
14 ties systems and programs; and

15 (2) contributes to reinventing government by—

16 (A) building on State and local capacity;

17 (B) eliminating duplication in education
18 and training programs for youth by integrating
19 such programs into one comprehensive system;

20 (C) maximizing the effective use of re-
21 sources;

22 (D) supporting locally established initia-
23 tives;

24 (E) requiring measurable goals for perform-
25 ance; and

1 (F) offering flexibility in meeting such
2 goals.

3 **SEC. 4. DEFINITIONS.**

4 As used in this Act—

5 (1) the term “all aspects of the industry” means
6 all aspects of the industry or industry sector a stu-
7 dent is preparing to enter, including planning, man-
8 agement, finances, technical and production skills,
9 underlying principles of technology, labor and com-
10 munity issues, health and safety issues, and environ-
11 mental issues, related to such industry or industry
12 sector;

13 (2) the term “all students” means students from
14 a broad range of backgrounds and circumstances, in-
15 cluding disadvantaged students, students with diverse
16 racial, ethnic, or cultural backgrounds, students with
17 disabilities, students with limited-English proficiency,
18 students who have dropped out of school, and aca-
19 demically talented students;

20 (3) the term “approved plan” means a School-
21 to-Work Opportunities system plan that is submitted
22 by a State under section 212(a), is determined by the
23 Secretaries to include the program components de-
24 scribed in sections 102 through 104 and otherwise
25 meet the requirements of this Act, and is consistent

1 *with the improvement plan of the State, if any, under*
2 *the Goals 2000: Educate America Act;*

3 *(4) the term “career major” means a coherent se-*
4 *quence of courses or field of study that prepares a stu-*
5 *dent for a first job and that—*

6 *(A) integrates academic and occupational*
7 *learning, integrates school-based and work-based*
8 *learning, establishes linkages between secondary*
9 *and postsecondary education, and prepares stu-*
10 *dents for admission to 2-year or 4-year post-*
11 *secondary education institutions;*

12 *(B) prepares the student for employment in*
13 *broad occupational clusters or industry sectors;*

14 *(C) typically includes at least 2 years of*
15 *secondary education and at least 1 or 2 years of*
16 *postsecondary education;*

17 *(D) provides the students, to the extent*
18 *practicable, with strong experience in and under-*
19 *standing of all aspects of the industry the stu-*
20 *dents are planning to enter;*

21 *(E) results in the award of—*

22 *(i) a high school diploma or its equiva-*
23 *lent, such as—*

24 *(I) a general equivalency diploma;*

25 *or*

1 (ii) an alternative diploma or
2 certificate for students with disabilities
3 for whom such alternative diploma or
4 certificate is appropriate;

5 (ii) a certificate or diploma recogniz-
6 ing successful completion of 1 or 2 years of
7 postsecondary education (if appropriate);
8 and

9 (iii) a skill certificate; and

10 (F) may lead to further education and
11 training, such as entry into a registered appren-
12 ticeship program, or may lead to admission to a
13 4-year college or university;

14 (5) the term “employer” includes both public and
15 private employers;

16 (6) the term “Governor” means the chief execu-
17 tive of a State;

18 (7) the term “local educational agency” has the
19 meaning given the term in section 1471(12) of the El-
20 ementary and Secondary Education Act of 1965 (20
21 U.S.C. 2891(12));

22 (8) the term “partnership” means a local entity
23 that—

24 (A) is responsible for carrying out local
25 School-to-Work Opportunities programs;

1 (B) consists of employers or employer orga-
2 nizations, public secondary schools and post-
3 secondary educational institutions (or represent-
4 atives, such as teachers, counselors, and adminis-
5 trators), and labor organizations or
6 nonmanagerial employee representatives; and

7 (C) may include other entities, such as com-
8 munity-based organizations, national trade asso-
9 ciations working at local levels, rehabilitation
10 agencies and organizations, registered appren-
11 ticeship agencies, local vocational education enti-
12 ties, proprietary institutions of higher education
13 as defined in section 481(b) of the Higher Edu-
14 cation Act of 1965 (20 U.S.C. 1088(b)) (so long
15 as such institutions meet the requirements speci-
16 fied in section 498 of such Act), local government
17 agencies, parent organizations and teacher orga-
18 nizations, vocational student organizations, pri-
19 vate industry councils established under section
20 102 of the Job Training Partnership Act (29
21 U.S.C. 1512), and Indian tribes, as defined in
22 section 1 of the Tribally Controlled Community
23 College Assistance Act of 1978 (25 U.S.C. 1801);

24 (9) the term “postsecondary education institu-
25 tion” means a public or private institution that is

1 *authorized within a State to provide a program of*
2 *education beyond secondary education, and includes a*
3 *community college, a technical college, a postsecond-*
4 *ary vocational institution, a tribally controlled com-*
5 *munity college, as defined in section 1 of the Tribally*
6 *Controlled Community College Assistance Act of 1978,*
7 *and a 4-year college or university;*

8 *(10) the term “registered apprenticeship agency”*
9 *means the Bureau of Apprenticeship and Training in*
10 *the Department of Labor or a State apprenticeship*
11 *agency recognized and approved by the Bureau of Ap-*
12 *prenticeship and Training as the appropriate body*
13 *for State registration or approval of local apprentice-*
14 *ship programs and agreements for Federal purposes;*

15 *(11) the term “registered apprenticeship pro-*
16 *gram” means a program registered by a registered*
17 *apprenticeship agency;*

18 *(12) the term “related services” includes the*
19 *types of services described in section 602(17) of the*
20 *Individuals with Disabilities Education Act (20*
21 *U.S.C. 1401(17));*

22 *(13) the term “school site mentor” means a pro-*
23 *fessional employed at a school who is designated as*
24 *the advocate for a particular student, and who works*
25 *in consultation with classroom teachers, counselors,*

1 *related services personnel, and the employer of the*
2 *student to design and monitor the progress of the*
3 *School-to-Work Opportunities program of the student;*

4 (14) *the term “School-to-Work Opportunities*
5 *program” means a program that meets the require-*
6 *ments of this Act, other than a program described in*
7 *section 401(a);*

8 (15) *the term “secondary school” has the mean-*
9 *ing given the term in section 1201(d) of the Higher*
10 *Education Act of 1965 (20 U.S.C. 1141(d));*

11 (16) *the term “Secretaries” means the Secretary*
12 *of Education and the Secretary of Labor;*

13 (17) *the term “skill certificate” means a port-*
14 *able, industry-recognized credential issued by a*
15 *School-to-Work Opportunities program under an ap-*
16 *proved plan, that certifies that a student has mastered*
17 *skills at levels that are at least as challenging as skill*
18 *standards endorsed by the National Skill Standards*
19 *Board established under the National Skill Standards*
20 *Act of 1993, except that until such skill standards are*
21 *developed, the term “skill certificate” means a creden-*
22 *tial issued under a process described in the approved*
23 *plan of a State;*

1 (18) the term “State” means each of the several
2 States, the District of Columbia, and the Common-
3 wealth of Puerto Rico;

4 (19) the term “State educational agency” has the
5 meaning given the term in section 1471(23) of the El-
6 elementary and Secondary Education Act of 1965 (20
7 U.S.C. 2891(23)); and

8 (20) the term “workplace mentor” means an em-
9 ployee or other individual, approved by the employer
10 at a workplace, who possesses the skills and knowledge
11 to be mastered by a student, and who instructs the
12 student, critiques the performance of the student, chal-
13 lenges the student to perform well, and works in con-
14 sultation with classroom teachers and the employer of
15 the student.

16 **SEC. 5. FEDERAL ADMINISTRATION.**

17 (a) *JOINT ADMINISTRATION.*—Notwithstanding the
18 Department of Education Organization Act (20 U.S.C.
19 3401 et seq.), the General Education Provisions Act (20
20 U.S.C. 1221 et seq.), the Act entitled “An Act To Create
21 a Department of Labor”, approved March 4, 1913 (29
22 U.S.C. 551 et seq.), and section 166 of the Job Training
23 Partnership Act (29 U.S.C. 1576), the Secretaries shall
24 jointly provide for the administration of the programs es-
25 tablished by this Act. The Secretaries shall jointly issue such

1 *uniform procedures, guidelines, and regulations, in accord-*
2 *ance with section 553 of title 5, United States Code, as the*
3 *Secretaries determine to be necessary and appropriate to*
4 *administer and enforce the provisions of this Act.*

5 (b) *REGULATIONS.*—*Section 431 of the General Edu-*
6 *cation Provisions Act (20 U.S.C. 1232) shall not apply to*
7 *regulations issued with respect to any programs under this*
8 *Act.*

9 (c) *PLAN.*—*Within 120 days after the date of enact-*
10 *ment of this Act, the Secretaries shall prepare a plan for*
11 *the joint administration of this Act and submit such plan*
12 *to the appropriate Committees of Congress for review and*
13 *comment.*

14 ***TITLE I—SCHOOL-TO-WORK OP-***
15 ***PORTUNITIES BASIC PRO-***
16 ***GRAM COMPONENTS***

17 ***SEC. 101. GENERAL PROGRAM REQUIREMENTS.***

18 *A School-to-Work Opportunities program under this*
19 *Act shall—*

20 (1) *integrate school-based learning and work-*
21 *based learning, as provided for in sections 102 and*
22 *103, integrate academic and occupational learning,*
23 *and establish effective linkages between secondary and*
24 *postsecondary education;*

1 (2) *provide participating students with the opportunity to complete career majors;*

3 (3) *incorporate the program components provided in sections 102 through 104;*

5 (4) *provide participating students, to the extent practicable, with strong experience in and understanding of all aspects of the industry the students are preparing to enter; and*

9 (5) *provide all students with equal access to the full range of such program components (including both school- and work-based learning components) and related activities and to recruitment, enrollment, and placement activities.*

14 **SEC. 102. WORK-BASED LEARNING COMPONENT.**

15 (a) *MANDATORY ACTIVITIES.*—*The work-based learning component of a School-to-Work Opportunities program shall include—*

18 (1) *work experience;*

19 (2) *a planned program of job training and work experiences (including training related to preemployment and employment skills to be mastered at progressively higher levels) that are coordinated with learning in the school-based learning component described in section 103 and are relevant to the career*

1 *majors of students and lead to the award of skill cer-*
2 *tificates;*

3 (3) *workplace mentoring; and*

4 (4) *instruction in general workplace com-*
5 *petencies, including instruction and activities devel-*
6 *oping positive work attitudes, and employability and*
7 *participative skills.*

8 (b) *PERMISSIBLE ACTIVITIES.*—*Such component may*
9 *include such activities as job shadowing, school-sponsored*
10 *enterprises, or on-the-job training for academic credit.*

11 ***SEC. 103. SCHOOL-BASED LEARNING COMPONENT.***

12 *The school-based learning component of a School-to-*
13 *Work Opportunities program shall include—*

14 (1) *career exploration and counseling, beginning*
15 *prior to the 11th grade year of the students, in order*
16 *to help students who may be interested to identify,*
17 *and select or reconsider, their interests, goals, and ca-*
18 *reer majors;*

19 (2) *initial selection by interested students of ca-*
20 *reer majors not later than the beginning of the 11th*
21 *grade;*

22 (3) *a program of study designed to meet aca-*
23 *demically established by the State for all stu-*
24 *dents, including, where applicable, any content stand-*
25 *ards developed under the Goals 2000: Educate Amer-*

1 *ica Act, and to meet the requirements necessary to*
2 *prepare students for postsecondary education and to*
3 *earn skill certificates; and*

4 *(4) regularly scheduled evaluations involving on-*
5 *going consultation and problem solving with students*
6 *to identify academic strengths and weaknesses, aca-*
7 *demic progress, workplace knowledge, goals, and the*
8 *need for additional learning opportunities to master*
9 *core academic and vocational skills.*

10 **SEC. 104. CONNECTING ACTIVITIES COMPONENT.**

11 *The connecting activities component of a School-to-*
12 *Work Opportunities program shall include—*

13 *(1) matching students with the work-based learn-*
14 *ing opportunities of employers;*

15 *(2) serving, with respect to each student, as a li-*
16 *aison among the student and the employer, school,*
17 *teacher, school administrator, and parent of the stu-*
18 *dent, and, if appropriate, other community partners;*

19 *(3) providing technical assistance and services to*
20 *employers, including small- and medium-sized busi-*
21 *nesses, and other parties in—*

22 *(A) designing work-based learning compo-*
23 *nents described in section 102 and counseling*
24 *and case management services; and*

1 (B) training teachers, workplace mentors,
2 school site mentors, and counselors;

3 (4) providing assistance to schools and employers
4 to integrate school-based and work-based learning and
5 integrate academic and occupational learning in the
6 program;

7 (5) encouraging the active participation of em-
8 ployers, in cooperation with local education officials,
9 in the implementation of local activities described in
10 section 102, 103, or this section;

11 (6)(A) providing assistance to participants who
12 have completed the program in finding an appro-
13 priate job, continuing their education, or entering
14 into an additional training program; and

15 (B) linking the participants with other commu-
16 nity services that may be necessary to assure a suc-
17 cessful transition from school to work;

18 (7) collecting and analyzing information regard-
19 ing post-program outcomes of participants in the
20 School-to-Work Opportunities program, including dis-
21 advantaged students, students with diverse racial, eth-
22 nic, or cultural backgrounds, students with disabil-
23 ities, students with limited-English proficiency, stu-
24 dents who have dropped out of school, and academi-
25 cally talented students; and

1 (8) linking youth development activities under
2 this Act with employer and industry strategies for
3 upgrading the skills of their workers.

4 **TITLE II—SCHOOL-TO-WORK OP-**
5 **PORTUNITIES SYSTEM DEVEL-**
6 **OPMENT AND IMPLEMENTA-**
7 **TION GRANTS TO STATES**
8 **Subtitle A—State Development**
9 **Grants**

10 **SEC. 201. PURPOSE.**

11 *The purpose of this subtitle is to assist States in plan-*
12 *ning and developing comprehensive, statewide systems for*
13 *school-to-work opportunities.*

14 **SEC. 202. STATE DEVELOPMENT GRANTS.**

15 (a) *IN GENERAL.*—

16 (1) *AWARD.*—*On the application of the Governor*
17 *on behalf of a State, the Secretaries may award a de-*
18 *velopment grant to the State in such amount as the*
19 *Secretaries determine to be necessary to enable the*
20 *State to complete development of a comprehensive,*
21 *statewide School-to-Work Opportunities system.*

22 (2) *AMOUNT.*—*The amount of a development*
23 *grant under this subtitle may not exceed \$1,000,000*
24 *for any fiscal year.*

1 (3) *COMPLETION.*—*The Secretaries may award*
2 *such grant to complete development initiated with*
3 *funds awarded under the Job Training Partnership*
4 *Act (29 U.S.C. 1501 et seq.) or the Carl D. Perkins*
5 *Vocational and Applied Technology Education Act*
6 *(20 U.S.C. 2301 et seq.).*

7 (b) *APPLICATION CONTENTS.*—*To be eligible to receive*
8 *a grant under subsection (a), a State shall submit an appli-*
9 *cation to the Secretaries that shall—*

10 (1) *include a timetable and an estimate of the*
11 *amount of funding needed to complete the planning*
12 *and development necessary to implement a com-*
13 *prehensive, statewide School-to-Work Opportunities*
14 *system, for all students;*

15 (2) *describe the manner in which—*

16 (A) *the Governor;*

17 (B) *the State educational agency;*

18 (C) *the State agency officials responsible for*
19 *job training and employment;*

20 (D) *the State agency officials responsible for*
21 *economic development;*

22 (E) *the State agency officials responsible for*
23 *postsecondary education;*

24 (F) *representatives of the private sector; and*

25 (G) *other appropriate officials,*

1 *will collaborate in the planning and development of*
2 *the statewide School-to-Work Opportunities system;*

3 *(3) describe the manner in which the State has*
4 *obtained and will continue to obtain the active and*
5 *continued participation, in the planning and develop-*
6 *ment of the statewide School-to-Work Opportunities*
7 *system, of employers and other interested parties such*
8 *as locally elected officials, secondary schools and post-*
9 *secondary educational institutions (or related agen-*
10 *cies), business associations, employees, labor organiza-*
11 *tions or associations of such organizations, teachers,*
12 *related services personnel, students, parents, commu-*
13 *nity-based organizations, clergy, rehabilitation agen-*
14 *cies and organizations, registered apprenticeship*
15 *agencies, vocational educational agencies, vocational*
16 *student organizations, and human service agencies;*

17 *(4) describe the manner in which the State will*
18 *coordinate planning activities with any local school-*
19 *to-work programs, including programs that have re-*
20 *ceived a grant under title III, if any;*

21 *(5) designate a fiscal agent to receive and be ac-*
22 *countable for funds awarded under this subtitle;*

23 *(6) include such other information as the Sec-*
24 *retaries may require; and*

1 (7) *be submitted at such time and in such man-*
2 *ner as the Secretaries may require.*

3 (c) *STATE DEVELOPMENT ACTIVITIES.*—*Funds award-*
4 *ed under this section shall be expended by a State only for*
5 *activities undertaken to develop a statewide School-to-Work*
6 *Opportunities system, which may include—*

7 (1) *identifying or establishing an appropriate*
8 *State structure to administer the School-to-Work Op-*
9 *portunities system;*

10 (2) *identifying secondary and postsecondary*
11 *school-to-work programs that might be incorporated*
12 *into the State system;*

13 (3) *identifying or establishing broad-based part-*
14 *nerships among employers, labor, education, govern-*
15 *ment, and other community and parent organizations*
16 *to participate in the design, development, and admin-*
17 *istration of School-to-Work Opportunities programs;*

18 (4) *developing a marketing plan to build consen-*
19 *sus and support for School-to-Work Opportunities*
20 *programs;*

21 (5) *promoting the active involvement of business,*
22 *including small- and medium-sized businesses, in*
23 *planning, developing, and implementing local School-*
24 *to-Work Opportunities programs;*

1 (6) *identifying ways that local school-to-work*
2 *programs could be coordinated with the statewide*
3 *School-to-Work Opportunities system;*

4 (7) *supporting local planning and development*
5 *activities to provide guidance, training, and technical*
6 *assistance in the development of School-to-Work Op-*
7 *portunities programs;*

8 (8) *identifying or establishing mechanisms for*
9 *providing training and technical assistance to en-*
10 *hance the development of a statewide School-to-Work*
11 *Opportunities system;*

12 (9) *initiating pilot programs for testing key*
13 *components of the program design of programs under*
14 *the system;*

15 (10) *developing a State process for issuing skill*
16 *certificates that is, to the extent feasible, consistent*
17 *with the efforts of the National Skill Standards Board*
18 *and the skill standards endorsed under the National*
19 *Skill Standards Act of 1993;*

20 (11) *designing challenging curricula, in coopera-*
21 *tion with representatives of local partnerships, that*
22 *take into account the diverse learning needs and*
23 *abilities of the student population served by the sys-*
24 *tem;*

1 (12) *developing a system for labor market analy-*
2 *sis and strategic planning for local targeting, of in-*
3 *dustry sectors or broad occupational clusters, that can*
4 *provide students with placements in high-skill work-*
5 *places;*

6 (13) *analyzing the post-high school employment*
7 *experiences of recent high school graduates and stu-*
8 *dents who have dropped out of school;*

9 (14) *preparing the plan described in section*
10 *212(b); and*

11 (15) *developing a training and technical support*
12 *system for teachers, employers, mentors, counselors,*
13 *related services personnel, and other parties.*

14 (d) *GRANTS TO CONSORTIA.*—

15 (1) *IN GENERAL.*—*The Secretaries may make*
16 *grants under subsection (a) to consortia of congres-*
17 *sional districts with low population densities, to en-*
18 *able each such consortium to complete development of*
19 *comprehensive, consortiawide School-to-Work Oppor-*
20 *tunities systems. Each such system shall be imple-*
21 *mented by individuals selected by the States in which*
22 *the system is located. Each such system shall meet the*
23 *requirements of this Act for such a system, except as*
24 *otherwise provided in this subsection.*

1 (2) *AMOUNT.*—Notwithstanding any other provi-
2 sion of this section, the amount of a development
3 grant under this subtitle to a consortium shall be in
4 such amount as the Secretaries may determine to be
5 appropriate.

6 (3) *APPLICATION.*—For purposes of the applica-
7 tion of this subtitle to a consortium:

8 (A) *GOVERNOR.*—References to a Governor
9 shall be deemed to be references to an official des-
10 ignated by the consortium to carry out the duties
11 of a Governor under this subtitle.

12 (B) *STATE.*—References to a State shall be
13 deemed to be references to the consortium.

14 (C) *OFFICIAL.*—References to an official of
15 a State shall be deemed to be references to such
16 an official of any of the States in which the con-
17 sortium is located.

18 (4) *ABILITY OF STATE TO CARRY OUT PRO-*
19 *GRAM.*—Nothing in this subsection shall limit the
20 ability of a State to carry out a statewide School-to-
21 Work Opportunities system in the State, even if a
22 congressional district located in the State participates
23 in a consortium under paragraph (1).

24 (5) *DEFINITION.*—As used in this subsection, the
25 term “consortia of congressional districts with low

1 *population densities” means a consortia of congres-*
2 *sional districts, each congressional district of which*
3 *has an average population density of less than 20.00*
4 *persons per square mile, based on 1993 data from the*
5 *Bureau of the Census.*

6 ***Subtitle B—State Implementation***
7 ***Grants***

8 ***SEC. 211. PURPOSE.***

9 *The purpose of this subtitle is to assist States in the*
10 *implementation of comprehensive, statewide School-to-Work*
11 *Opportunities systems.*

12 ***SEC. 212. STATE IMPLEMENTATION GRANTS.***

13 *(a) IN GENERAL.—*

14 *(1) ELIGIBILITY.—On the application of the*
15 *Governor on behalf of a State, the Secretaries may*
16 *award, on a competitive basis, a 5-year implementa-*
17 *tion grant to the State.*

18 *(2) APPLICATION.—To be eligible to receive a*
19 *grant under paragraph (1), a State shall submit an*
20 *application to the Secretaries that shall—*

21 *(A) contain—*

22 *(i) a plan for a comprehensive, state-*
23 *wide School-to-Work Opportunities system*
24 *that meets the requirements of subsection*

25 *(b);*

1 (ii) a description of the manner in
2 which the State will allocate funds made
3 available through such a grant to local
4 School-to-Work Opportunities partnerships
5 under subsection (g);

6 (iii) a request, if the State decides to
7 submit such a request, for one or more
8 waivers of certain statutory or regulatory
9 requirements, as provided for under title V;

10 (iv) a description of the manner in
11 which—

12 (I) the Governor;

13 (II) the State educational agency;

14 (III) the State agency officials re-
15 sponsible for job training and employ-
16 ment;

17 (IV) the State agency officials re-
18 sponsible for economic development;

19 (V) the State agency officials re-
20 sponsible for postsecondary education;

21 (VI) other appropriate officials;

22 and

23 (VII) the private sector,
24 collaborated in the development of the appli-
25 cation; and

1 (v) *such other information as the Sec-*
2 *retaries may require; and*

3 (B) *be submitted at such time and in such*
4 *manner as the Secretaries may require.*

5 (b) *CONTENTS OF STATE PLAN.*—*A State plan referred*
6 *to in subsection (a)(2)(A)(i) shall—*

7 (1) *designate the geographical areas, including*
8 *urban and rural areas, to be served by partnerships*
9 *that receive grants under subsection (g), which shall,*
10 *to the extent feasible, reflect local labor market areas;*

11 (2) *describe the manner in which the State will*
12 *stimulate and support local School-to-Work Opportu-*
13 *nities programs that meet the requirements of this*
14 *Act, and the manner in which the statewide School-*
15 *to-Work Opportunities system will be expanded over*
16 *time to cover all geographic areas in the State;*

17 (3) *describe the procedure by which—*

18 (A) *the Governor;*

19 (B) *the State educational agency;*

20 (C) *the State agency officials responsible for*
21 *job training and employment;*

22 (D) *the State agency officials responsible for*
23 *economic development;*

24 (E) *the State agency officials responsible for*
25 *postsecondary education;*

1 (F) representatives of the private sector; and

2 (G) other appropriate officials,

3 will collaborate in the implementation of the state-
4 wide School-to-Work Opportunities system;

5 (4) describe the manner in which the State has
6 obtained and will continue to obtain the active and
7 continued involvement, in the statewide School-to-
8 Work Opportunities system, of employers and other
9 interested parties such as locally elected officials, sec-
10 ondary schools and postsecondary educational institu-
11 tions (or related agencies), business associations, em-
12 ployees, labor organizations or associations of such or-
13 ganizations, teachers, related services personnel, stu-
14 dents, parents, community-based organizations, cler-
15 gy, rehabilitation agencies and organizations, reg-
16 istered apprenticeship agencies, vocational edu-
17 cational agencies, vocational student organizations,
18 State or regional cooperative education associations,
19 and human service agencies;

20 (5) describe the manner in which the School-to-
21 Work Opportunities system will coordinate with or
22 integrate local school-to-work programs, including
23 programs financed from State and private sources,
24 with funds available from such related Federal pro-
25 grams as programs under the Adult Education Act

1 *(20 U.S.C. 1201 et seq.), the Carl D. Perkins Voca-*
2 *tional and Applied Technology Education Act (20*
3 *U.S.C. 2301, et seq.), the Elementary and Secondary*
4 *Education Act of 1965 (20 U.S.C. 2701 et seq.), the*
5 *Higher Education Act of 1965 (20 U.S.C. 1001 et*
6 *seq.), part F of title IV of the Social Security Act (42*
7 *U.S.C. 681 et seq.), the Goals 2000: Educate America*
8 *Act, the National Skills Standards Act of 1993, the*
9 *Individuals with Disabilities Education Act (20*
10 *U.S.C. 1400 et seq.), the Job Training Partnership*
11 *Act (29 U.S.C. 1501 et seq.), the Act of August 16,*
12 *1937 (commonly known as the “National Apprentice-*
13 *ship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50*
14 *et seq.); the Rehabilitation Act of 1973 (29 U.S.C. 701*
15 *et seq.), and the National and Community Service*
16 *Act of 1990 (42 U.S.C. 12501 et seq.);*

17 *(6) describe the strategy of the State for provid-*
18 *ing training for teachers, employers, mentors, coun-*
19 *selors, related services personnel, and other parties;*

20 *(7) describe the strategy of the State for incor-*
21 *porating project-oriented, experiential learning pro-*
22 *grams which integrate theory and academic knowl-*
23 *edge with hands-on skills and applications into the*
24 *school curriculum for all students in the State;*

1 (8) describe the resources, including private sec-
2 tor resources, that the State intends to employ in
3 maintaining the School-to-Work Opportunities system
4 when funds under this Act are no longer available;

5 (9) describe the extent to which the School-to-
6 Work Opportunities system will include programs
7 that will provide paid high-quality, work-based learn-
8 ing experiences;

9 (10) describe the manner in which the State will
10 ensure effective and meaningful opportunities for all
11 students in the State to participate in School-to-Work
12 Opportunities programs;

13 (11) describe the goals of the State and the meth-
14 ods the State will use, such as awareness and out-
15 reach, to ensure opportunities for young women to
16 participate in School-to-Work Opportunities pro-
17 grams in a manner that leads to employment in high-
18 performance, high-paying jobs, including nontradi-
19 tional employment;

20 (12) describe the manner in which the State will
21 ensure opportunities for low-achieving students, stu-
22 dents with disabilities, and former students who have
23 dropped out of school, to participate in School-to-
24 Work Opportunities programs;

1 (13) describe the process of the State for assessing
2 the skills and knowledge required in career majors,
3 and the process for awarding skill certificates that is
4 consistent with the efforts of the National Skill Stand-
5 ards Board and the skill standards endorsed under
6 the National Skill Standards Act of 1993;

7 (14) describe the manner in which the State will
8 ensure that students participating in the programs
9 are provided, to the greatest extent possible, with
10 flexibility to develop new career goals over time and
11 to change career majors without adverse consequences;

12 (15) describe the manner in which the State will,
13 to the extent feasible, continue programs funded under
14 section 302 in the statewide School-to-Work Opportu-
15 nities system;

16 (16) describe the manner in which local school-
17 to-work programs, including programs funded under
18 section 302, if any, will be integrated into the state-
19 wide School-to-Work Opportunities system;

20 (17) describe the performance standards that the
21 State intends to meet; and

22 (18) designate a fiscal agent to receive and be ac-
23 countable for funds awarded under this subtitle.

24 (c) REVIEW OF APPLICATIONS.—In reviewing each ap-
25 plication submitted under subsection (a), the Secretaries

1 *shall submit the application to a peer review process, deter-*
2 *mine whether to approve the plan described in subsection*
3 *(b), and, if such determination is affirmative, further deter-*
4 *mine whether to take one or more of the following actions:*

5 (1) *Award an implementation grant described in*
6 *subsection (a) to the State submitting the application.*

7 (2) *Approve the request of the State, if any, for*
8 *a waiver in accordance with the procedures set forth*
9 *in title V.*

10 (3) *Inform the State of the opportunity to apply*
11 *for further development funds under subtitle A, by*
12 *submitting to the Secretaries an application that in-*
13 *cludes a timetable and an estimate of the amount of*
14 *funding needed to complete the planning and develop-*
15 *ment necessary to implement a comprehensive, state-*
16 *wide School-to-Work Opportunities system, except*
17 *that further development funds may not be awarded*
18 *to a State that receives an implementation grant*
19 *under subsection (e).*

20 (d) *REVIEW CONSIDERATIONS.—In evaluating an ap-*
21 *plication submitted under subsection (a), the Secretaries*
22 *shall—*

23 (1) *take into consideration the quality of the ap-*
24 *plication, including the replicability, sustainability,*

1 *and innovation of programs described in the applica-*
2 *tion;*

3 (2) *give priority to applications, based on the ex-*
4 *tent to which the system described in the application*
5 *would limit administrative costs and increase*
6 *amounts spent on delivery of services to students en-*
7 *rolled in programs carried out through the system*
8 *under this Act;*

9 (3) *give priority to applications that describe the*
10 *highest levels of—*

11 (A) *concurrence with the plan for the sys-*
12 *tem; and*

13 (B) *collaboration in the development and*
14 *implementation of the system; and*

15 (4) *give priority to applications that describe*
16 *systems that include programs that will provide paid*
17 *high-quality, work-based learning experiences;*
18 *by appropriate State agencies and officials and the*
19 *private sector.*

20 (e) *GRANT AMOUNT AND DURATION OF GRANT.—*

21 (1) *AMOUNT.—The Secretaries shall establish the*
22 *minimum and maximum amounts available for an*
23 *implementation grant under subsection (a), and shall*
24 *determine the actual amount granted to any State*
25 *under such subsection, based on such criteria as the*

1 *scope and quality of the plan described in subsection*
2 *(b) and the number of projected participants in pro-*
3 *grams carried out through the system.*

4 (2) *DURATION.—No State shall be awarded more*
5 *than one implementation grant.*

6 (f) *STATE IMPLEMENTATION ACTIVITIES.—A State*
7 *shall expend funds awarded through grants under sub-*
8 *section (a) only for activities undertaken to implement the*
9 *School-to-Work Opportunities system of the State, which*
10 *may include—*

11 (1) *recruiting and providing assistance to em-*
12 *ployers to provide work-based learning for all stu-*
13 *dents;*

14 (2) *conducting outreach activities to promote*
15 *and support collaboration, in School-to-Work Oppor-*
16 *tunities programs, by businesses, labor organizations,*
17 *and other organizations;*

18 (3) *providing training for teachers, employers,*
19 *workplace mentors, school site mentors, counselors, re-*
20 *lated services personnel, and other parties;*

21 (4) *providing labor market information to local*
22 *partnerships that is useful in determining which*
23 *high-skill, high-wage occupations are in demand;*

24 (5) *designing or adapting model curricula that*
25 *can be used to integrate academic and occupational*

1 *learning, school-based and work-based learning, and*
2 *secondary and postsecondary education, for all stu-*
3 *dents in the State;*

4 (6) *designing or adapting model work-based*
5 *learning programs and identifying best practices for*
6 *such programs;*

7 (7) *conducting outreach activities and providing*
8 *technical assistance to other States that are develop-*
9 *ing or implementing School-to-Work Opportunities*
10 *systems;*

11 (8) *reorganizing and streamlining School-to-*
12 *Work Opportunities systems in the State to facilitate*
13 *the development of a comprehensive statewide School-*
14 *to-Work Opportunities system;*

15 (9) *identifying ways that existing local school-to-*
16 *work programs could be integrated with the statewide*
17 *School-to-Work Opportunities system;*

18 (10) *designing career awareness and exploration*
19 *activities, which may begin as early as the elemen-*
20 *tary grades, such as job shadowing, job site visits,*
21 *school visits by individuals in various occupations,*
22 *and mentoring;*

23 (11) *designing and implementing school-spon-*
24 *sored work experiences, such as school-sponsored en-*
25 *terprises and community development projects; and*

1 (12) providing career exploration and awareness
2 services, counseling and mentoring services, college
3 awareness and preparation services, and other serv-
4 ices to prepare students for the transition from school
5 to work.

6 (g) *ALLOCATION OF FUNDS TO PARTNERSHIPS.*—A
7 State that receives a grant under subsection (a) shall award
8 grants, according to criteria established by the State, to
9 partnerships to carry out local School-to-Work Opportuni-
10 ties programs. In awarding such grants, the State shall use
11 not less than 65 percent of the sums awarded to the State
12 under subsection (a) in the first year in which the State
13 awards such grants, 75 percent of such sums in the second
14 such year, and 85 percent of such sums in each such year
15 thereafter.

16 (h) *STATE SUBGRANTS TO PARTNERSHIPS.*—

17 (1) *APPLICATION.*—A partnership that seeks a
18 grant to carry out a local School-to-Work Opportuni-
19 ties program, including a program initiated under
20 section 302, shall submit an application to the State
21 that—

22 (A) describes how the program would in-
23 clude the program components described in sec-
24 tions 102, 103, and 104 and otherwise meet the
25 requirements of this Act;

1 (B) sets forth measurable program goals
2 and outcomes;

3 (C) describes the local strategies and time-
4 tables of the partnership to provide School-to-
5 Work Opportunities program opportunities for
6 all students in the area served;

7 (D) describes the extent to which the pro-
8 gram will provide paid high-quality, work-based
9 learning experiences;

10 (E) describes the process that will be used to
11 ensure employer involvement in the development
12 and implementation of the School-to-Work Op-
13 portunities program;

14 (F) provides such other information as the
15 State may require; and

16 (G) is submitted at such time and in such
17 manner as the State may require.

18 (2) ALLOWABLE ACTIVITIES.—A partnership
19 shall expend funds awarded through grants under this
20 subsection only for activities undertaken to carry out
21 local School-to-Work Opportunities programs, and
22 such activities may include, for each such program—

23 (A) recruiting and providing assistance to
24 employers, including small- and medium-size
25 businesses, to provide the work-based learning

1 *components described in section 102 in the*
2 *School-to-Work Opportunities program;*

3 *(B) establishing consortia of employers to*
4 *support the School-to-Work Opportunities pro-*
5 *gram and provide access to jobs related to the ca-*
6 *reer majors of students;*

7 *(C) supporting or establishing*
8 *intermediaries (selected from among the members*
9 *of the partnership) to perform the activities de-*
10 *scribed in section 104 and to provide assistance*
11 *to students in obtaining jobs and further edu-*
12 *cation and training;*

13 *(D) designing or adapting school curricula*
14 *that can be used to integrate academic and occu-*
15 *pational learning, school-based and work-based*
16 *learning, and secondary and postsecondary edu-*
17 *cation for all students in the area served;*

18 *(E) providing training to work-based and*
19 *school-based staff on new curricula, student as-*
20 *sessments, student guidance, and feedback to the*
21 *school regarding student performance;*

22 *(F) establishing, in schools participating in*
23 *the School-to-Work Opportunities program, a*
24 *graduation assistance program to assist at-risk*
25 *students, low-achieving students, and students*

1 *with disabilities, in graduating from high school,*
2 *enrolling in postsecondary education or training,*
3 *and finding or advancing in jobs;*

4 (G) *conducting or obtaining an indepth*
5 *analysis of the local labor market and the generic*
6 *and specific skill needs of employers to identify*
7 *high-demand, high-wage careers to target;*

8 (H) *integrating work-based and school-*
9 *based learning into existing job training pro-*
10 *grams for youth who have dropped out of school;*

11 (I) *establishing or expanding school-to-ap-*
12 *prenticeship programs in cooperation with reg-*
13 *istered apprenticeship agencies and apprentice-*
14 *ship sponsors;*

15 (J) *assisting participating employers, in-*
16 *cluding small- and medium-size businesses, to*
17 *identify and train workplace mentors and to de-*
18 *velop work-based learning components;*

19 (K) *designing local strategies to provide*
20 *adequate planning time and staff development*
21 *activities for teachers, school counselors, related*
22 *services personnel, and school site mentors;*

23 (L) *enhancing linkages between—*

24 (i) *after-school, weekend, and summer*
25 *jobs; and*

1 (ii) opportunities for career explo-
2 ration and school-based learning; and

3 (M) providing career exploration and
4 awareness services, counseling and mentoring
5 services, college awareness and preparation serv-
6 ices, and other services to prepare students for
7 the transition from school to work.

8 (i) GRANTS TO CONSORTIA.—

9 (1) IN GENERAL.—The Secretaries may make
10 grants under subsection (a) to consortia of congres-
11 sional districts with low population densities, to en-
12 able each such consortium to implement comprehen-
13 sive, consortiawide School-to-Work Opportunities sys-
14 tems. Each such system shall be implemented by indi-
15 viduals selected by the States in which the system is
16 located. Each such system shall meet the requirements
17 of this Act for such a system, except as otherwise pro-
18 vided in this subsection.

19 (2) AMOUNT.—Notwithstanding any other provi-
20 sion of this section, the amount of an implementation
21 grant under this subtitle to a consortium shall be in
22 such amount as the Secretaries may determine to be
23 appropriate.

24 (3) APPLICATION.—For purposes of the applica-
25 tion of this subtitle to a consortium:

1 (A) *GOVERNOR.*—References to a Governor
2 shall be deemed to be references to an official des-
3 ignated by the consortium to carry out the duties
4 of a Governor under this subtitle.

5 (B) *STATE.*—References to a State shall be
6 deemed to be references to the consortium.

7 (C) *OFFICIAL.*—References to an official of
8 a State shall be deemed to be references to such
9 an official of any of the States in which the con-
10 sortium is located.

11 (4) *WAIVERS.*—In order for a consortium that
12 receives a grant under this section to receive a waiver
13 under title V with respect to an congressional district
14 located within a State, the State and officials of the
15 State shall comply with the applicable requirements
16 of title V for such a waiver.

17 (5) *ABILITY OF STATE TO CARRY OUT PRO-*
18 *GRAM.*—Nothing in this subsection shall limit the
19 ability of a State to carry out a statewide School-to-
20 Work Opportunities system in the State, even if a
21 congressional district located in the State participates
22 in a consortium under paragraph (1).

23 (6) *DEFINITION.*—As used in this subsection, the
24 term “consortia of congressional districts with low
25 population densities” means a consortia of congres-

1 sional district, each congressional district of which
2 has an average population density of less than 20.00
3 persons per square mile, based on 1993 data from the
4 Bureau of the Census.

5 **SEC. 213. LIMITATION ON ADMINISTRATIVE COSTS.**

6 (a) *STATE SYSTEM.*—A State that receives an imple-
7 mentation grant under section 212 may not use more than
8 15 percent of the amounts received through the grant for
9 any fiscal year for administrative costs associated with im-
10 plementing the School-to-Work Opportunities system of the
11 State for such fiscal year.

12 (b) *LOCAL PROGRAM.*—A partnership that receives a
13 grant under section 212 may not use more than 15 percent
14 of the amounts received through the grant for any fiscal
15 year for administrative costs associated with carrying out
16 the School-to-Work Opportunities programs of the partner-
17 ship for such fiscal year.

18 **TITLE III—FEDERAL IMPLEMEN-**
19 **TATION GRANTS TO PART-**
20 **NERSHIPS**

21 **SEC. 301. PURPOSES.**

22 *The purposes of this title are—*

23 (1) *to authorize the Secretaries to award com-*
24 *petitive grants to partnerships in States that have not*
25 *received, or have only recently received, implementa-*

1 *tion grants under section 212(a), in order to provide*
2 *funding for communities that have established a*
3 *sound planning and development base for School-to-*
4 *Work Opportunities programs and are ready to begin*
5 *implementing a local School-to-Work Opportunities*
6 *program; and*

7 *(2) to authorize the Secretaries to award com-*
8 *petitive grants to implement School-to-Work Opportu-*
9 *nities programs in high poverty areas of urban and*
10 *rural communities, and to implement such programs*
11 *in congressional districts with low population den-*
12 *sities, to provide support for a comprehensive range*
13 *of education, training, and support services for youth*
14 *residing in designated high poverty areas or in con-*
15 *gressional districts with low population densities.*

16 **SEC. 302. FEDERAL IMPLEMENTATION GRANTS TO PART-**
17 **NERSHIPS.**

18 *(a) IN GENERAL.—The Secretaries may award Federal*
19 *implementation grants, in accordance with competitive cri-*
20 *teria established by the Secretaries, to partnerships in*
21 *States that have not received an implementation grant*
22 *under section 212, or are carrying out activities for an ini-*
23 *tial year of an initial grant under such section, in order*
24 *to enable the partnerships to begin implementing local*
25 *School-to-Work Opportunities programs. A partnership*

1 *may not receive funds under this section for any fiscal year*
2 *subsequent to such initial fiscal year.*

3 (b) *APPLICATION PROCEDURE.*—A partnership that
4 *desires to receive or extend a Federal implementation grant*
5 *under this section shall submit an application to the Sec-*
6 *retaries at such time and in such manner as the Secretaries*
7 *may require. The partnership shall submit the application*
8 *to the State for review and comment before submitting the*
9 *application to the Secretaries. The Secretaries shall submit*
10 *the application to a peer review process.*

11 (c) *APPLICATION CONTENTS.*—The application de-
12 *scribed in subsection (b) shall include a plan for local*
13 *School-to-Work Opportunities programs that—*

14 (1) *describes the manner in which the partner-*
15 *ship will meet the requirements of this Act;*

16 (2) *includes the comments of the State on the*
17 *plan, if any;*

18 (3) *contains information that is consistent with*
19 *the information required to be submitted as part of*
20 *a State plan in accordance with paragraphs (4)*
21 *through (11) of section 212(b);*

22 (4) *designates a fiscal agent to receive and be ac-*
23 *countable for funds under this section; and*

24 (5) *provides such other information as the Sec-*
25 *retaries may require.*

1 (d) *CONFORMITY WITH APPROVED PLAN.*—The Sec-
2 retaries shall not award a grant under this section to a
3 partnership in a State that has an approved plan unless
4 the Secretaries determine, after consultation with the State,
5 that the plan submitted by the partnership is in accordance
6 with the approved plan.

7 (e) *IMPLEMENTATION ACTIVITIES.*—A partnership
8 shall expend funds awarded under this section only for ac-
9 tivities undertaken to implement School-to-Work Opportu-
10 nities programs, which may include the activities specified
11 in section 212(f).

12 **SEC. 303. SCHOOL-TO-WORK OPPORTUNITIES PROGRAM**
13 **GRANTS IN HIGH POVERTY AREAS AND IN**
14 **CONGRESSIONAL DISTRICTS WITH LOW POP-**
15 **ULATION DENSITIES.**

16 (a) *IN GENERAL.*—

17 (1) *AWARD OF GRANTS.*—From the funds re-
18 served under section 508(b), the Secretaries are au-
19 thorized and encouraged to award grants, in accord-
20 ance with competitive criteria established by the Sec-
21 retaries, to partnerships to implement School-to-Work
22 Opportunities programs that include the program
23 components described in sections 102, 103, and 104
24 and otherwise meet the requirements of title I, in high
25 poverty areas and to partnerships to implement such

1 *programs in congressional districts with low popu-*
2 *lation densities.*

3 (2) *HIGH POVERTY AREA.*—For purposes of this
4 *subsection, the term “high poverty area” means an*
5 *urban census tract, the block number area in a*
6 *nonmetropolitan county, or an Indian reservation (as*
7 *defined in section 403(9) of the Indian Child Protec-*
8 *tion and Family Violence Prevention Act (25 U.S.C.*
9 *3202(9)), with a poverty rate of 20 percent or more*
10 *among youth aged 5 to 17, inclusive, as determined*
11 *by the Bureau of the Census.*

12 (3) *CONGRESSIONAL DISTRICT WITH A LOW POP-*
13 *ULATION DENSITY.*—For purposes of this subsection,
14 *the term “congressional district with a low popu-*
15 *lation density” means a congressional district with*
16 *an average population density of less than 20.00 per-*
17 *sons per square mile, based on 1993 data from the*
18 *Bureau of the Census.*

19 (b) *APPLICATION PROCEDURE.*—A partnership that
20 *desires to receive a grant under this section, in addition*
21 *to any funds received under section 212 or 302, shall submit*
22 *an application to the Secretaries at such time and in such*
23 *manner as the Secretaries may require. The partnership*
24 *shall submit the application to the State for review and*
25 *comment before submitting the application to the Secretar-*

1 *ies. The Secretaries shall submit the application to a peer*
2 *review process.*

3 *(c) APPLICATION CONTENTS.—The application de-*
4 *scribed in subsection (b) shall include a plan for local*
5 *School-to-Work Opportunities programs that—*

6 *(1) describes the manner in which the partner-*
7 *ship will meet the requirements of this Act;*

8 *(2) includes the comments of the State on the*
9 *plan, if any;*

10 *(3) contains information that is consistent with*
11 *the information required to be submitted as part of*
12 *a State plan in accordance with paragraphs (4)*
13 *through (11) of section 212(b);*

14 *(4) designates a fiscal agent to receive and be ac-*
15 *countable for funds under this section; and*

16 *(5) provides such other information as the Sec-*
17 *retaries may require.*

18 *(d) CONFORMITY WITH APPROVED PLAN.—The Sec-*
19 *retaries shall not award a grant under this section to a*
20 *partnership in a State that has an approved plan unless*
21 *the Secretaries determine, after consultation with the State,*
22 *that the plan submitted by the partnership is in accordance*
23 *with the approved plan.*

24 *(e) IMPLEMENTATION ACTIVITIES.—A partnership*
25 *shall expend funds awarded under this section only for ac-*

1 *tivities undertaken to implement School-to-Work Opportu-*
2 *nities programs, including the activities specified in section*
3 *212(h)(2).*

4 *(f) USE OF FUNDS.—Funds awarded under this sec-*
5 *tion may be awarded in combination with funds awarded*
6 *under the Youth Fair Chance Program set forth in part*
7 *H of title IV of the Job Training Partnership Act (29*
8 *U.S.C. 1782 et seq.).*

9 **TITLE IV—NATIONAL PROGRAMS**

10 **SEC. 401. RESEARCH, DEMONSTRATION, AND OTHER** 11 **PROJECTS.**

12 *(a) IN GENERAL.—With funds reserved under section*
13 *508(c), the Secretaries shall conduct research and develop-*
14 *ment projects and establish a program of experimental and*
15 *demonstration projects, to further the purposes of this Act.*

16 *(b) ADDITIONAL USE OF FUNDS.—Funds reserved*
17 *under section 508(c) may be used for programs or services*
18 *authorized under any other provision of this Act that are*
19 *most appropriately administered at the national level and*
20 *that will operate in, or benefit, more than one State.*

21 **SEC. 402. PERFORMANCE OUTCOMES AND EVALUATION.**

22 *(a) IN GENERAL.—Using funds reserved under section*
23 *508(c), the Secretaries, in collaboration with the States,*
24 *shall establish a system of performance measures for assess-*

1 *ing State and local School-to-Work Opportunities programs*
2 *regarding—*

3 *(1) progress in the development and implementa-*
4 *tion of State plans described in section 212(b) with*
5 *respect to programs that include the program compo-*
6 *nents described in sections 102, 103, and 104 and*
7 *otherwise meet the requirements of title I;*

8 *(2) participation in School-to-Work Opportuni-*
9 *ties programs by employers, schools, and students;*

10 *(3) progress in developing and implementing*
11 *strategies for addressing the needs of all students in*
12 *the State;*

13 *(4) progress in meeting the goals of the State to*
14 *ensure opportunities for young women to participate*
15 *in School-to-Work Opportunities programs, including*
16 *participation in nontraditional employment;*

17 *(5) outcomes for students in the programs (in-*
18 *cluding disadvantaged students, students with diverse*
19 *racial, ethnic, or cultural backgrounds, students with*
20 *disabilities, students with limited-English proficiency,*
21 *students who have dropped out of school, and aca-*
22 *demically talented students), which outcomes shall in-*
23 *clude—*

24 *(A) academic learning gains;*

1 (B) *progress in staying in school and at-*
2 *taining—*

3 (i) *a high school diploma or its equiva-*
4 *lent, such as—*

5 (I) *a general equivalency diploma;*
6 *or*

7 (II) *an alternative diploma or*
8 *certificate for students with disabilities*
9 *for whom such alternative diploma or*
10 *certificate is appropriate;*

11 (ii) *a skill certificate; and*

12 (iii) *a postsecondary degree;*

13 (C) *attainment of strong experience in and*
14 *understanding of all aspects of the industry the*
15 *students are preparing to enter;*

16 (D) *placement and retention in further edu-*
17 *cation or training, particularly in the career*
18 *major of the student; and*

19 (E) *job placement, retention, and earnings,*
20 *particularly in the career major of the student;*
21 *and*

22 (6) *the extent to which the program has met the*
23 *needs of employers.*

24 (b) *EVALUATION.—Using funds reserved under section*
25 *508(c), the Secretaries shall conduct, through grants, con-*

1 *tracts, or other arrangements, a national evaluation of*
2 *School-to-Work Opportunities programs funded under this*
3 *Act that will track and assess the progress of implementa-*
4 *tion of State and local School-to-Work Opportunities pro-*
5 *grams and their effectiveness based on measures such as the*
6 *measures described in subsection (a).*

7 *(c) REPORTS TO THE SECRETARIES.—*

8 *(1) IN GENERAL.—Each State shall prepare and*
9 *submit to the Secretaries periodic reports, at such in-*
10 *tervals as the Secretaries may determine, containing*
11 *information described in paragraphs (1) through (5)*
12 *of subsection (a).*

13 *(2) FEDERAL PROGRAMS.—Each State shall pre-*
14 *pare and submit reports to the Secretaries, at such*
15 *intervals as the Secretaries may determine, contain-*
16 *ing information on the extent to which Federal pro-*
17 *grams implemented at the State and local level may*
18 *be duplicative, outdated, overly restrictive, or other-*
19 *wise counterproductive to the development of com-*
20 *prehensive statewide School-to-Work Opportunities*
21 *systems.*

22 *(d) REPORT TO THE CONGRESS.—Using funds re-*
23 *served under section 508(c), not later than 24 months after*
24 *the date of enactment of this Act, the Secretaries shall sub-*
25 *mit a report to the Congress on School-to-Work Opportuni-*

1 *ties programs and shall, at a minimum, include in such*
2 *report—*

3 *(1) information concerning the programs that re-*
4 *ceive assistance under this Act;*

5 *(2) a summary of the information contained in*
6 *the State reports submitted under subsection (c); and*

7 *(3) information regarding the findings and ac-*
8 *tions taken as a result of any evaluation conducted by*
9 *the Secretaries.*

10 **SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.**

11 *(a) PURPOSE.—The Secretaries shall work in coopera-*
12 *tion with States, employers and associations of employers,*
13 *secondary schools and postsecondary education institutions,*
14 *student and teacher organizations, labor organizations, and*
15 *community-based organizations, to increase their capacity*
16 *to develop and implement effective School-to-Work Opportu-*
17 *nities programs.*

18 *(b) AUTHORIZED ACTIVITIES.—Using funds reserved*
19 *under section 508(c), the Secretaries shall provide, through*
20 *grants, contracts, or other arrangements—*

21 *(1) training, technical assistance, and other ac-*
22 *tivities that will—*

23 *(A) enhance the skills, knowledge, and ex-*
24 *pertise of the personnel involved in planning and*

1 *implementing State and local School-to-Work*
2 *Opportunities programs; and*

3 *(B) improve the quality of services provided*
4 *to individuals served under this Act;*

5 *(2) assistance to States and partnerships in-*
6 *volved in carrying out School-to-Work Opportunities*
7 *programs in order to integrate resources available*
8 *under this Act with resources available under other*
9 *Federal, State, and local authorities;*

10 *(3) assistance to States and such partnerships to*
11 *recruit employers to provide the work-based learning*
12 *component, described in section 102, of School-to-*
13 *Work Opportunities programs; and*

14 *(4) assistance to States and such partnerships to*
15 *design and implement school-sponsored enterprises.*

16 *(c) PEER REVIEW.—The Secretaries may use funds re-*
17 *served under section 508(c) for the peer review of State ap-*
18 *plications and plans under section 212 and applications*
19 *under title III.*

20 *(d) NETWORKS AND CLEARINGHOUSES.—*

21 *(1) ESTABLISHMENT.—To carry out their re-*
22 *sponsibilities under subsection (b), the Secretaries*
23 *shall establish, through grants, contracts, or other ar-*
24 *rangements, a Clearinghouse and Capacity Building*

1 *Network (hereafter referred to in this subsection as the*
2 *“Clearinghouse”).*

3 (2) *FUNCTIONS.—The Clearinghouse shall—*

4 (A) *collect and disseminate information on*
5 *successful school-to-work programs, and innova-*
6 *tive school-based and work-based curricula;*

7 (B) *collect and disseminate information on*
8 *research and evaluation conducted concerning*
9 *activities carried out through School-to-Work*
10 *Opportunities programs;*

11 (C) *collect and disseminate information*
12 *that will assist States and partnerships in un-*
13 *dertaking labor market analysis, surveys, or*
14 *other activities related to economic development;*

15 (D) *collect and disseminate information on*
16 *skill certificates, skill standards, and related as-*
17 *essment technologies;*

18 (E) *collect and disseminate information on*
19 *methods for recruiting and building the capacity*
20 *of employers to provide work-based learning op-*
21 *portunities;*

22 (F) *facilitate communication and the ex-*
23 *change of information and ideas among States*
24 *and partnerships carrying out School-to-Work*
25 *Opportunities programs; and*

1 (G) carry out such other activities as the
2 Secretaries determine to be appropriate.

3 (3) *COORDINATION.*—The Secretaries shall co-
4 ordinate the activities of the Clearinghouse with the
5 activities of other similar entities to avoid duplica-
6 tion and enhance the sharing of relevant information.

7 **TITLE V—GENERAL PROVISIONS**

8 **SEC. 501. STATE REQUEST AND RESPONSIBILITIES FOR A** 9 **WAIVER OF STATUTORY AND REGULATORY** 10 **REQUIREMENTS.**

11 (a) *STATE REQUEST FOR WAIVER.*—A State with an
12 approved plan may, at any point during the development
13 or implementation of a School-to-Work Opportunities pro-
14 gram, request a waiver of one or more statutory or regu-
15 latory provisions from the Secretaries in order to carry out
16 the purposes of this Act, and such requests for waivers shall
17 be submitted as part of the plan or as amendments to the
18 plan.

19 (b) *PARTNERSHIP REQUEST FOR WAIVER.*—A part-
20 nership that seeks a waiver of any of the provisions speci-
21 fied in sections 502 and 503 shall submit an application
22 for such waiver to the State, and the State shall determine
23 whether to submit a request for a waiver to the Secretaries,
24 as provided in subsection (a).

1 (c) *WAIVER CRITERIA.*—Any such request by the State
2 shall meet the criteria contained in section 502 or 503 and
3 shall specify the provisions or regulations referred to in such
4 sections with respect to which the State seeks a waiver.

5 (d) *SUPPORT BY APPROPRIATE STATE AGENCIES.*—In
6 requesting such a waiver, the State shall provide evidence
7 of support for the waiver request by the State agencies or
8 officials with jurisdiction over the provisions or regulations
9 that would be waived.

10 **SEC. 502. WAIVERS OF STATUTORY AND REGULATORY RE-**
11 **QUIREMENTS BY THE SECRETARY OF EDU-**
12 **CATION.**

13 (a) *IN GENERAL.*—

14 (1) *WAIVER.*—Except as provided in subsection
15 (c), the Secretary of Education may waive any re-
16 quirement of any provisions specified in subsection
17 (b) or of the regulations issued under such provisions
18 for a State that requests such a waiver—

19 (A) if, and only to the extent that, the Sec-
20 retary of Education determines that such re-
21 quirement impedes the ability of the State or a
22 partnership to carry out the purposes of this Act;

23 (B) if the State waives, or agrees to waive,
24 similar requirements of State law; and

25 (C) if the State—

1 (i) has provided all partnerships that
2 carry out programs under this Act, and
3 local educational agencies participating in
4 such a partnership, in the State with notice
5 and an opportunity to comment on the pro-
6 posal of the State to seek a waiver; and

7 (ii) has submitted the comments of the
8 partnerships and local educational agencies
9 to the Secretary of Education.

10 (2) ACTION.—The Secretary of Education shall
11 act promptly on any request submitted pursuant to
12 paragraph (1).

13 (3) TERM.—Each waiver approved pursuant to
14 this subsection shall be for a period not to exceed 5
15 years, except that the Secretary of Education may ex-
16 tend such period if the Secretary of Education deter-
17 mines that the waiver has been effective in enabling
18 the State or partnership to carry out the purposes of
19 this Act.

20 (b) INCLUDED PROGRAMS.—The provisions subject to
21 the waiver authority of this section are—

22 (1) chapter 1 of title I of the Elementary and
23 Secondary Education Act of 1965 (20 U.S.C. 2701 et
24 seq.), including the Even Start programs carried out
25 under part B of such chapter (20 U.S.C. 2741 et seq.);

1 (2) *part A of chapter 2 of title I of the Element-*
2 *tary and Secondary Education Act of 1965 (20*
3 *U.S.C. 2921 et seq.);*

4 (3) *part A of title II of the Elementary and Sec-*
5 *ondary Education Act of 1965 (20 U.S.C. 2981 et*
6 *seq.);*

7 (4) *part D of title IV of the Elementary and Sec-*
8 *ondary Education Act of 1965 (20 U.S.C. 3121 et*
9 *seq.);*

10 (5) *title V of the Elementary and Secondary*
11 *Education Act of 1965 (20 U.S.C. 3171 et seq.); and*

12 (6) *the Carl D. Perkins Vocational and Applied*
13 *Technology Education Act (20 U.S.C. 2301 et seq.).*

14 (c) *WAIVERS NOT AUTHORIZED.—The Secretary of*
15 *Education may not waive any statutory or regulatory re-*
16 *quirement of the provisions specified in subsection (b) relat-*
17 *ing to—*

18 (1) *the basic purposes or goals of the affected*
19 *programs under such provisions;*

20 (2) *maintenance of effort;*

21 (3) *comparability of services;*

22 (4) *the equitable participation of students at-*
23 *tending private schools;*

24 (5) *student and parental participation and in-*
25 *volvement;*

1 (6) *the distribution of funds to State or to local*
2 *educational agencies;*

3 (7) *the eligibility of an individual for participa-*
4 *tion in the affected programs;*

5 (8) *public health or safety, labor, civil rights, oc-*
6 *cupational safety and health, or environmental pro-*
7 *tection; or*

8 (9) *prohibitions or restrictions relating to the*
9 *construction of buildings or facilities.*

10 (d) *TERMINATION OF WAIVERS.—The Secretary of*
11 *Education shall periodically review the performance of any*
12 *State or partnership for which the Secretary of Education*
13 *has granted a waiver under this section and shall terminate*
14 *the waiver under this section if the Secretary determines*
15 *that the performance of the State, partnership, or local edu-*
16 *cational agency affected by the waiver has been inadequate*
17 *to justify a continuation of the waiver, or the State fails*
18 *to waive similar requirements of State law as required or*
19 *agreed to in accordance with subsection (a)(1)(B).*

20 **SEC. 503. WAIVERS OF STATUTORY AND REGULATORY RE-**
21 **QUIREMENTS BY THE SECRETARY OF LABOR.**

22 (a) *IN GENERAL.—*

23 (1) *WAIVER.—Except as provided in subsection*
24 *(c), the Secretary of Labor may waive any require-*
25 *ment of the Act, or any provisions of the Act, speci-*

1 *fied in subsection (b) or of the regulations issued*
2 *under such Act or provisions for a State that requests*
3 *such a waiver—*

4 *(A) if, and only to the extent that, the Sec-*
5 *retary of Labor determines that such requirement*
6 *impedes the ability of the State or a partnership*
7 *to carry out the purposes of this Act;*

8 *(B) if the State waives, or agrees to waive,*
9 *similar requirements of State law; and*

10 *(C) if the State—*

11 *(i) has provided all partnerships that*
12 *carry out programs under this Act in the*
13 *State with notice and an opportunity to*
14 *comment on the proposal of the State to seek*
15 *a waiver; and*

16 *(ii) has submitted the comments of the*
17 *partnerships to the Secretary of Labor.*

18 *(2) ACTION.—The Secretary of Labor shall act*
19 *promptly on any request submitted pursuant to para-*
20 *graph (1).*

21 *(3) TERM.—Each waiver approved pursuant to*
22 *this subsection shall be for a period not to exceed 5*
23 *years, except that the Secretary of Labor may extend*
24 *such period if the Secretary of Labor determines that*

1 *the waiver has been effective in enabling the State or*
2 *partnership to carry out the purposes of this Act.*

3 *(b) INCLUDED PROGRAMS.—The Act subject to the*
4 *waiver authority of this section is the Job Training Part-*
5 *nership Act (29 U.S.C. 1501 et seq.).*

6 *(c) WAIVERS NOT AUTHORIZED.—The Secretary of*
7 *Labor may not waive any statutory or regulatory require-*
8 *ment of the Act, or any provision of the Act, specified in*
9 *subsection (b) relating to—*

10 *(1) the basic purposes or goals of the affected*
11 *programs under such provisions;*

12 *(2) maintenance of effort;*

13 *(3) the allocation of funds under the affected pro-*
14 *grams;*

15 *(4) the eligibility of an individual for participa-*
16 *tion in the affected programs;*

17 *(5) public health or safety, labor, civil rights, oc-*
18 *cupational safety and health, or environmental pro-*
19 *tection; or*

20 *(6) prohibitions or restrictions relating to the*
21 *construction of buildings or facilities.*

22 *(d) TERMINATION OF WAIVERS.—The Secretary of*
23 *Labor shall periodically review the performance of any*
24 *State or partnership for which the Secretary of Labor has*
25 *granted a waiver under this section and shall terminate the*

1 *waiver under this section if the Secretary determines that*
2 *the performance of the State or partnership affected by the*
3 *waiver has been inadequate to justify a continuation of the*
4 *waiver, or the State fails to waive similar requirements of*
5 *State law as required or agreed to in accordance with sub-*
6 *section (a)(1)(B).*

7 **SEC. 504. COMBINATION OF FEDERAL FUNDS FOR HIGH**
8 **POVERTY SCHOOLS.**

9 *(a) IN GENERAL.—*

10 *(1) PURPOSES.—The purposes of this section*
11 *are—*

12 *(A) to integrate activities under this Act*
13 *with school-to-work transition activities carried*
14 *out under other programs; and*

15 *(B) to maximize the effective use of re-*
16 *sources.*

17 *(2) COMBINATION OF FUNDS.—To carry out such*
18 *purposes, a local partnership that receives assistance*
19 *under title II or III may carry out schoolwide school-*
20 *to-work activities in schools that meet the require-*
21 *ments of subparagraphs (A) and (B) of section*
22 *263(g)(1) of the Job Training Partnership Act (29*
23 *U.S.C. 1643(g)(1)(A) and (B)) with funds obtained*
24 *by combining—*

25 *(A) Federal funds under this Act; and*

1 (B) other Federal funds made available
2 from among programs under—

3 (i) the provisions of law listed in para-
4 graphs (2) through (6) of section 502(b);
5 and

6 (ii) the Job Training Partnership Act
7 (29 U.S.C. 1501 et seq.); and

8 (b) *USE OF FUNDS.*—A local partnership may use the
9 Federal funds combined under subsection (a) under the re-
10 quirements of this Act, except that the provisions relating
11 to the matters specified in paragraphs (1) through (6) and
12 paragraphs (8) and (9) of section 502(c), and paragraph
13 (1) and paragraphs (3) through (6) of section 503(c), that
14 relate to the program through which the funds described in
15 subsection (a)(2)(B) were made available, shall remain in
16 effect with respect to the use of such funds.

17 (c) *ADDITIONAL INFORMATION IN APPLICATION.*—A
18 local partnership seeking to combine funds under subsection
19 (a) shall include in the application of the partnership under
20 title II or III—

21 (1) a description of the funds the partnership
22 proposes to combine under the requirements of this
23 Act;

24 (2) the activities to be carried out with such
25 funds;

1 (3) *the specific outcomes expected of participants*
2 *in schoolwide school-to-work activities; and*

3 (4) *such other information as the State, or Sec-*
4 *retaries, as the case may be, may require.*

5 (d) *DISSEMINATION OF INFORMATION.—The local*
6 *partnership shall, to the extent feasible, provide information*
7 *on the proposed combination of Federal funds under sub-*
8 *section (a) to parents, students, educators, advocacy and*
9 *civil rights organizations, and the public.*

10 **SEC. 505. COMBINATION OF FEDERAL FUNDS BY STATES.**

11 (a) *IN GENERAL.—*

12 (1) *PURPOSES.—The purposes of this section*
13 *are—*

14 (A) *to integrate activities under this Act*
15 *with State school-to-work transition activities*
16 *carried out under other programs; and*

17 (B) *to maximize the effective use of re-*
18 *sources.*

19 (2) *COMBINATION OF FUNDS.—To carry out such*
20 *purposes, a State that receives assistance under title*
21 *II may carry out activities necessary to develop and*
22 *implement a statewide School-to-Work Opportunities*
23 *system with funds obtained by combining—*

24 (A) *Federal funds under this Act; and*

1 (B) other Federal funds made available
2 from among programs under—

3 (i) the Carl D. Perkins Vocational and
4 Applied Technology Act, section 201; and

5 (ii) the Job Training Partnership Act
6 (29 U.S.C. 1501 et seq.).

7 (b) *USE OF FUNDS.*—A State may use the State por-
8 tion of the Federal funds combined under subsection (a)
9 under the requirements of this Act, except that the provi-
10 sions relating to the matters specified in section 502(c), and
11 section 503(c), that relate to the program through which
12 the funds described in subsection (a)(2)(B) were made
13 available, shall remain in effect with respect to the use of
14 such funds.

15 (c) *ADDITIONAL INFORMATION IN APPLICATION.*—A
16 State seeking to combine funds under subsection (a) shall
17 include in the application of the State under title II—

18 (1) a description of the funds the State proposes
19 to combine under the requirements of this Act;

20 (2) the activities to be carried out with such
21 funds;

22 (3) the specific outcomes expected of participants
23 in school-to-work activities;

1 (4) evidence of support for the waiver request by
2 the State agencies or officials with jurisdiction over
3 the funds that would be combined;

4 (5) a State's authority to combine funds under
5 this section shall not exceed 5 years, except that the
6 Secretaries may extend such period if the Secretaries
7 determine that such authority would further the pur-
8 poses of this Act; and

9 (6) such other information as the Secretaries
10 may require.

11 **SEC. 506. REQUIREMENTS.**

12 The following requirements shall apply to School-to-
13 Work Opportunities programs under this Act:

14 (1) No student participating in such a program
15 shall displace any currently employed worker (includ-
16 ing a partial displacement, such as a reduction in the
17 hours of nonovertime work, wages, or employment
18 benefits).

19 (2) No School-to-Work Opportunities program
20 shall impair existing contracts for services or collec-
21 tive bargaining agreements, and no program under
22 this Act that would be inconsistent with the terms of
23 a collective bargaining agreement shall be undertaken
24 without the written concurrence of the labor organiza-
25 tion and employer concerned.

1 (3) No student shall be employed or fill a posi-
2 tion—

3 (A) when any other individual is on tem-
4 porary layoff from the participating employer,
5 with the clear possibility of recall, from the same
6 or any substantially equivalent job; or

7 (B) when the employer has terminated the
8 employment of any regular employee or other-
9 wise reduced the work force of the employer with
10 the intention of filling the vacancy so created
11 with a student.

12 (4) Students participating in such programs
13 shall be provided with adequate and safe equipment
14 and safe and healthful workplaces in conformity with
15 all health and safety standards of Federal, State, and
16 local law.

17 (5) Nothing in this Act shall be construed to
18 modify or affect any Federal or State law prohibiting
19 discrimination on the basis of race, religion, color,
20 ethnicity, national origin, gender, age, or disability.

21 (6) Funds appropriated under authority of this
22 Act shall not be expended for wages of students par-
23 ticipating in such programs.

24 (7) The Secretaries shall establish such other re-
25 quirements as the Secretaries may determine to be

1 *appropriate, in order to ensure that participants in*
2 *such programs are afforded adequate supervision by*
3 *skilled adult workers, or to otherwise further the pur-*
4 *poses of this Act.*

5 **SEC. 507. SANCTIONS.**

6 *(a) IN GENERAL.—The Secretaries may terminate or*
7 *suspend financial assistance, in whole or in part, to a re-*
8 *ipient or refuse to extend a grant for a recipient, if the*
9 *Secretaries determine that the recipient has failed to meet*
10 *the requirements of this Act, including requirements under*
11 *section 402(c), or any regulations under this Act, or any*
12 *approved plan submitted pursuant to this Act. The Sec-*
13 *retaries shall provide to the recipient prompt notice of such*
14 *termination, suspension, or refusal to extend a grant and*
15 *the opportunity for a hearing within 30 days after such*
16 *notice.*

17 *(b) NONDELEGATION.—The Secretaries shall not dele-*
18 *gate any of the functions or authority specified in this sec-*
19 *tion, other than to an officer whose appointment is required*
20 *to be made by and with the advice and consent of the Sen-*
21 *ate.*

22 **SEC. 508. AUTHORIZATION OF APPROPRIATIONS.**

23 *(a) AUTHORIZATION.—There are authorized to be ap-*
24 *propriated to the Secretaries \$300,000,000 for fiscal year*
25 *1995, and \$400,000,000 for fiscal year 1996; \$400,000,000*

1 for fiscal year 1997; \$330,000,000 for fiscal year 1998; and
2 \$220,000,000 for fiscal year 1999.

3 (b) *HIGH POVERTY AREAS AND CONGRESSIONAL DIS-*
4 *TRICTS WITH LOW POPULATION DENSITIES.*—Of the
5 amounts appropriated under subsection (a) for a fiscal
6 year, the Secretaries may reserve not more than 10 percent
7 of such amounts for the fiscal year to carry out section 303,
8 which reserved funds may be used in conjunction with funds
9 available under the Youth Fair Chance Program set forth
10 in part H of title IV of the Job Training Partnership Act
11 (29 U.S.C. 1782 et seq.).

12 (c) *NATIONAL PROGRAMS.*—Of the amounts appro-
13 priated under subsection (a) for a fiscal year, the Secretar-
14 ies may reserve not more than 10 percent of such amounts
15 for the fiscal year to carry out title IV.

16 (d) *TERRITORIES.*—

17 (1) *IN GENERAL.*—Of the amounts appropriated
18 for a fiscal year under subsection (a), the Secretaries
19 may reserve up to $\frac{1}{4}$ of 1 percent to make Federal
20 implementation grants to territories under section
21 212 on the same basis as the Secretaries make grants
22 to States under such section. The territories shall use
23 funds made available through such grants to imple-
24 ment School-to-Work Opportunities programs in ac-

1 *cordance with the requirements applicable to States*
2 *under subtitle B of title II.*

3 (2) *DEFINITION.*—As used in this subsection, the
4 term “territory” means the United States Virgin Is-
5 lands, Guam, the Commonwealth of the Northern
6 Mariana Islands, American Samoa, the Federated
7 States of Micronesia, and the Republic of the Mar-
8 shall Islands, and includes the Republic of Palau
9 (until the Compact of Free Association is ratified).

10 (e) *NATIVE AMERICAN PROGRAMS.*—

11 (1) *RESERVATION.*—The Secretaries may reserve
12 up to $\frac{1}{4}$ of 1 percent of the funds appropriated for
13 any fiscal year under subsection (a) to make Federal
14 implementation grants to appropriate entities under
15 section 212 on the same basis as the Secretaries make
16 grants to States under such section. The territories
17 shall use funds made available through such grants to
18 implement School-to-Work Opportunities programs,
19 for students who are Indians (as defined in section
20 1(1) of the Tribally Controlled Community College
21 Assistance Act of 1978 (25 U.S.C. 1801(1)), that in-
22 volve Bureau funded schools, as defined in section
23 1139(3) of the Education Amendments of 1978 (25
24 U.S.C. 2019(3)), in accordance with the requirements
25 applicable to States under subtitle B of title II.

1 (2) *IMPLEMENTATION.*—*The Secretaries may*
2 *carry out this subsection through such means as the*
3 *Secretaries determine to be appropriate, including—*

4 (A) *the transfer of funds to the Secretary of*
5 *the Interior; and*

6 (B) *the provision of financial assistance to*
7 *tribes and Indian organizations, as defined in*
8 *paragraphs (13) and (7), respectively, of section*
9 *1139 of such Act.*

10 (f) *AVAILABILITY OF FUNDS.*—*Funds obligated for any*
11 *fiscal year for programs authorized under this Act shall re-*
12 *main available until expended.*

13 ***SEC. 509. ACCEPTANCE OF GIFTS, AND OTHER MATTERS.***

14 *The Secretaries are authorized, in carrying out this*
15 *Act, to accept, purchase, or lease in the name of the Depart-*
16 *ment of Labor or the Department of Education, and employ*
17 *or dispose of in furtherance of the purposes of this Act, any*
18 *money or property, real, personal, or mixed, tangible or in-*
19 *tangible, received by gift, devise, bequest, or otherwise, and*
20 *to accept voluntary and uncompensated services notwith-*
21 *standing the provisions of section 1342 of title 31, United*
22 *States Code.*

23 ***SEC. 510. STATE AUTHORITY.***

24 *Nothing in this Act shall be construed to supersede the*
25 *legal authority, under State law or other applicable law,*

1 *of any State agency or State public official over programs*
2 *that are under the jurisdiction of the agency or official.*

3 **SEC. 511. CONSTRUCTION.**

4 *Nothing in this Act shall be construed to establish a*
5 *right for any person to bring an action to obtain services*
6 *under this Act.*

7 **SEC. 512. ADDITIONAL FEDERAL REQUIREMENTS.**

8 *(a) PURPOSE.—The purpose of this section is to ensure*
9 *that the funds provided under this Act cannot be utilized*
10 *by the Federal Government to contribute to an unfunded*
11 *Federal mandate.*

12 *(b) REQUIREMENTS.—Subject to subsection (c) and*
13 *notwithstanding any other provision of Federal law, no*
14 *provision of Federal law shall require a State, in order to*
15 *receive funds under this Act, to comply with any Federal*
16 *requirement, other than a requirement of this Act as in ef-*
17 *fect on the effective date of this Act.*

18 *(c) RULE OF CONSTRUCTION.—Any provision of Fed-*
19 *eral statutory or regulatory law, in effect on or after the*
20 *effective date of this Act, shall be subject to subsection (b)*
21 *unless such law explicitly excludes the application of sub-*
22 *section (b) by reference to this section.*

23 **SEC. 513. SENSE OF THE SENATE.**

24 *It is the sense of the Senate that the Congress should*
25 *fund programs under this Act, for fiscal years 1996 through*

1 2002, predominately from the savings resulting from efforts
2 of the Department of Labor, the Department of Education,
3 and other Federal agencies, to eliminate, consolidate, or
4 streamline, duplicative or ineffective education or job train-
5 ing programs in existence on the date of enactment of this
6 Act.

7 **TITLE VI—OTHER PROGRAMS**

8 **SEC. 601. TECH-PREP EDUCATION.**

9 (a) *CONTENTS OF PROGRAM.*—Paragraph (2) of sec-
10 tion 344(b) of the Tech-Prep Education Act (20 U.S.C.
11 2394b(b)(2)) is amended by inserting “or 4 years” before
12 “of secondary school”.

13 (b) *SPECIAL CONSIDERATION; PRIORITY.*—Section 345
14 of the Tech-Prep Education Act (20 U.S.C. 2394c) is
15 amended—

16 (1) in subsection (d)—

17 (A) by redesignating paragraphs (2) and
18 (3) as paragraphs (3) and (4), respectively; and

19 (B) by inserting after paragraph (1) the fol-
20 lowing new paragraph:

21 “(2) are developed in consultation with institu-
22 tions of higher education that award baccalaureate
23 degrees;”;

24 (2) by redesignating subsections (e) and (f) as
25 subsections (f) and (g), respectively; and

1 (3) by inserting after subsection (d) the following
2 new subsection:

3 “(e) *PRIORITY.*—The Secretary or the State board, as
4 appropriate, shall give highest priority to applications that
5 provide for effective employment placement activities or
6 transfer of students to 4-year baccalaureate degree pro-
7 grams.”.

8 **TITLE VII—TECHNICAL** 9 **PROVISIONS**

10 **SEC. 701. EFFECTIVE DATE.**

11 This Act shall take effect on the date of enactment of
12 this Act.

13 **SEC. 702. SUNSET.**

14 The authority provided by this Act shall terminate on
15 October 1 of the ninth calendar year after the date of enact-
16 ment of this Act.

17 **TITLE VIII—ALASKA NATIVE ART** 18 **AND CULTURE**

19 **SEC. 801. SHORT TITLE.**

20 This title may be cited as “Alaska Native Culture and
21 Arts Development Act”.

22 **SEC. 802. ALASKA NATIVE ART AND CULTURE.**

23 Section 1521 of the Higher Education Amendments of
24 1986 (20 U.S.C. 4441) is amended to read as follows:

1 “PART B—NATIVE HAWAIIANS AND ALASKA NATIVES

2 “**SEC. 1521. PROGRAM FOR NATIVE HAWAIIAN AND ALASKA**

3 **NATIVE CULTURE AND ARTS DEVELOPMENT.**

4 “(a) *IN GENERAL.*—The Secretary of the Interior is
5 authorized to make grants for the purpose of supporting
6 programs for Native Hawaiian or Alaska Native culture
7 and arts development to any private, nonprofit organiza-
8 tion or institution which—

9 “(1) *primarily serves and represents Native Ha-*
10 *waiians or Alaska Natives, and*

11 “(2) *has been recognized by the Governor of the*
12 *State of Hawaii or the Governor of the State of Alas-*
13 *ka, as appropriate, for the purpose of making such or-*
14 *ganization or institution eligible to receive such*
15 *grants.*

16 “(b) *PURPOSE OF GRANTS.*—Grants made under sub-
17 section (a) shall, to the extent deemed possible by the Sec-
18 retary and the recipient of the grant, be used—

19 “(1) *to provide scholarly study of, and instruc-*
20 *tion in, Native Hawaiian or Alaska Native art and*
21 *culture,*

22 “(2) *to establish programs which culminate in*
23 *the awarding of degrees in the various fields of Native*
24 *Hawaiian or Alaska Native art and culture, or*

1 “(3) to establish centers and programs with re-
2 spect to Native Hawaiian or Alaska Native art and
3 culture that are similar in purpose to the centers and
4 programs described in subsections (b) and (c) of sec-
5 tion 1510.

6 “(c) MANAGEMENT OF GRANTS.—

7 “(1) Any organization or institution which is
8 the recipient of a grant made under subsection (a)
9 shall establish a governing board to manage and con-
10 trol the program with respect to which such grant is
11 made.

12 “(2) For any grants made with respect to Native
13 Hawaiian art and culture, the members of the govern-
14 ing board which is required to be established under
15 paragraph (1) shall—

16 “(A) be Native Hawaiians or individuals
17 widely recognized in the field of Native Hawai-
18 ian art and culture,

19 “(B) include a representative of the Office of
20 Hawaiian Affairs of the State of Hawaii,

21 “(C) include the president of the University
22 of Hawaii,

23 “(D) include the president of the Bishop
24 Museum, and

25 “(E) serve for a fixed term of office.

1 “(3) For any grants made with respect to Alaska
2 Native art and culture, the members of the governing
3 board which is required to be established under para-
4 graph (1) shall—

5 “(A) include Alaska Natives and individ-
6 uals widely recognized in the field of Alaska Na-
7 tive art and culture,

8 “(B) represent the Eskimo, Indian and
9 Aleut cultures of Alaska, and

10 “(C) serve for a fixed term.”.

Attest:

Secretary.

HR 2884 EAS—2

HR 2884 EAS—3

HR 2884 EAS—4

HR 2884 EAS—5

HR 2884 EAS—6

HR 2884 EAS—7

HR 2884 EAS—8

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