

103^D CONGRESS
1ST SESSION

H. R. 2884

AN ACT

To establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

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To establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “School-to-Work Opportunities Act of 1993”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes and congressional intent.
- Sec. 4. Definitions.
- Sec. 5. Federal administration.
- Sec. 6. Authorization of appropriations.

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. Authorization.
- Sec. 203. Application.
- Sec. 204. Use of amounts.
- Sec. 205. Allocation requirement.
- Sec. 206. Reports.

Subtitle B—State Implementation Grants

- Sec. 211. Purpose.
- Sec. 212. Authorization.
- Sec. 213. Application.
- Sec. 214. Review of application.
- Sec. 215. Use of amounts.
- Sec. 216. Allocation requirement.
- Sec. 217. Administrative costs.
- Sec. 218. Reports.

Subtitle C—Development and Implementation Grants for School-to-Work
Programs for Indian Youths

- Sec. 221. Authorization.
- Sec. 222. Requirements.

TITLE III—FEDERAL IMPLEMENTATION GRANTS TO LOCAL
PARTNERSHIPS

- Sec. 301. Purposes.
- Sec. 302. Authorization.
- Sec. 303. Application.
- Sec. 304. Use of amounts.
- Sec. 305. Conformity with approved State plan.
- Sec. 306. Reports.

Sec. 307. High poverty area defined.

TITLE IV—NATIONAL PROGRAMS AND REPORTS

Sec. 401. Research, demonstration, and other projects.

Sec. 402. Performance outcomes and evaluation.

Sec. 403. Training and technical assistance.

Sec. 404. Amendment to Job Training Partnership Act to provide school-to-work opportunities activities for Capacity Building and Information and Dissemination Network.

Sec. 405. Reports to Congress.

TITLE V—WAIVER OF STATUTORY AND REGULATORY REQUIREMENTS

Sec. 501. State and local partnership requests and responsibilities for waivers.

Sec. 502. Waiver authority of Secretary of Education.

Sec. 503. Waiver authority of Secretary of Labor.

Sec. 504. Combination of Federal funds for high poverty schools.

TITLE VI—SAFEGUARDS

Sec. 601. Safeguards.

TITLE VII—REAUTHORIZATION OF JOB TRAINING FOR THE HOMELESS DEMONSTRATION PROGRAM UNDER THE STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT

Sec. 701. Reauthorization.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) three-fourths of all high school students in
4 the United States enter the workforce without bac-
5 calaureate degrees, and many do not possess the
6 academic and entry-level occupational skills nec-
7 essary to succeed in the changing workplace;

8 (2) a substantial number of youths in the
9 United States, especially disadvantaged students,
10 students of diverse racial, ethnic, and cultural back-
11 grounds, and students with disabilities, do not com-
12 plete school;

1 (3) unemployment among youths in the United
2 States is intolerably high, and earnings of high
3 school graduates have been falling relative to those
4 individuals with more education;

5 (4) the workplace in the United States is
6 changing in response to heightened international
7 competition and new technologies, and these forces,
8 which are ultimately beneficial to the Nation, are
9 shrinking the demand for and undermining the earn-
10 ing power of unskilled labor;

11 (5) the United States lacks a comprehensive
12 and coherent system to help its youths acquire
13 knowledge, skills, abilities, and information about
14 and access to the labor market necessary to make an
15 effective transition from school to career-oriented
16 work or to further education and training;

17 (6) students in the United States can achieve
18 high academic and occupational standards, and
19 many learn better and retain more when they learn
20 in context, rather than in the abstract;

21 (7) while many students in the United States
22 have part-time jobs, there is infrequent linkage be-
23 tween those work experiences and either the stu-
24 dent's career planning or exploration, or with school-
25 based learning;

1 (8) work-based learning, which is modeled after
2 the time-honored apprenticeship concept, integrates
3 theoretical instruction with structured on-the-job
4 training, and this approach, combined with school-
5 based learning, can be very effective in engaging stu-
6 dent interest, enhancing skill acquisition, developing
7 positive work attitudes, and preparing youths for
8 high-skill, high-wage careers;

9 (9) Federal resources currently fund a series of
10 categorical, work-related education and training pro-
11 grams, many of which serve disadvantaged youths,
12 that are not administered in a coordinated manner;
13 and

14 (10) in 1992 approximately 3,400,000 individ-
15 uals in the United States ages 16 through 24 had
16 not completed high school and were not currently
17 enrolled in school, a number representing approxi-
18 mately 11 percent of all individuals in this age
19 group, which indicates that these young persons are
20 particularly unprepared for the demands of a 21st
21 century workforce.

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

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

24 (1) establish a national framework within which
25 all States can create statewide School-to-Work Op-

1 opportunities systems that are a part of comprehensive
2 education reform, that are integrated with the sys-
3 tems developed under the Goals 2000: Educate
4 America Act, and that offer opportunities for all stu-
5 dents to participate in a performance-based edu-
6 cation and training program that will enable them to
7 earn portable credentials, prepare them for a first
8 job in a high-skill, high-wage career, and increase
9 their opportunities for further education;

10 (2) utilize workplaces as active learning compo-
11 nents in the educational process by making employ-
12 ers joint partners with educators in providing oppor-
13 tunities for all students to participate in high-qual-
14 ity, work-based learning experiences;

15 (3) use Federal funds as venture capital, to un-
16 derwrite the initial costs of planning and establish-
17 ing statewide School-to-Work Opportunities systems
18 that will be maintained with other Federal, State,
19 and local resources;

20 (4) promote the formation of partnerships that
21 are dedicated to linking the worlds of school and
22 work among secondary and postsecondary edu-
23 cational institutions, private and public employers,
24 organized labor, government, community-based orga-

1 nizations, parents, students, and local education and
2 training agencies;

3 (5) promote the formation of partnerships be-
4 tween elementary, middle, and secondary schools and
5 local businesses as an investment in future work-
6 place productivity and competitiveness;

7 (6) help all students attain high academic and
8 occupational standards;

9 (7) build on and advance a range of promising
10 school-to-work programs, such as tech-prep edu-
11 cation, career academies, school-to-apprenticeship
12 programs, cooperative education, youth apprentice-
13 ship, business-education compacts, and promising
14 strategies that assist school dropouts that can be de-
15 veloped into programs funded under this Act;

16 (8) improve the knowledge and skills of youths
17 by integrating academic and occupational learning,
18 integrating school-based and work-based learning,
19 and building effective linkages between secondary
20 and postsecondary education;

21 (9) motivate all youths, including low-achieving
22 youths, school dropouts, and youths with disabilities
23 to stay in or return to school or a classroom setting
24 and strive to succeed by providing enriched learning
25 experiences and assistance in obtaining high skill,

1 high wage employment and continuing their edu-
2 cation in secondary and postsecondary educational
3 institutions;

4 (10) expose students to the vast array of career
5 opportunities and facilitate the selection of career
6 majors based on individual interests, goals,
7 strengths, and abilities;

8 (11) increase opportunities for minorities and
9 women by enabling individuals to prepare for careers
10 which are not traditional for their race or gender;
11 and

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

15 (b) CONGRESSIONAL INTENT.—It is the intent of the
16 Congress that the Secretary of Labor and the Secretary
17 of Education jointly administer this Act in a flexible man-
18 ner that—

19 (1) promotes State and local discretion in es-
20 tablishing and implementing School-to-Work Oppor-
21 tunities systems and programs; and

22 (2) contributes to reinventing government by
23 building on State and local capacity, eliminating du-
24 plication, supporting locally established initiatives,

1 requiring measurable goals for performance, and of-
2 fering flexibility in meeting these goals.

3 **SEC. 4. DEFINITIONS.**

4 For purposes of this Act, the following definitions
5 apply:

6 (1) ALL STUDENTS.—The term “all students”
7 means male and female students from a broad range
8 of backgrounds and circumstances, including dis-
9 advantaged students, students with diverse racial,
10 ethnic, and cultural backgrounds, American Indians,
11 Alaskan Natives, Native Hawaiians, students with
12 disabilities, students with limited English pro-
13 ficiency, migrant children, school dropouts, and aca-
14 demically talented students.

15 (2) APPROVED STATE PLAN.—The term “ap-
16 proved State plan” or “approved plan” means a
17 State plan to establish a School-to-Work Opportuni-
18 ties system that is submitted by a State to the Sec-
19 retaries under section 213 and approved by the Sec-
20 retaries in accordance with section 214.

21 (3) CAREER GUIDANCE AND COUNSELING.—
22 The term “career guidance and counseling” means
23 programs—

24 (A) which pertain to the body of subject
25 matter and related techniques and methods or-

1 organized for the development in individuals of
2 career awareness, career planning, career deci-
3 sionmaking, placement skills, and knowledge
4 and understanding of local, State, and national
5 occupational, educational, and labor market
6 needs, trends, and opportunities;

7 (B) which assist individuals in making and
8 implementing informed educational and occupa-
9 tional choices; and

10 (C) which aid students to develop career
11 options with attention to surmounting gender,
12 race, ethnic, disability, language, or socio-
13 economic impediments to career options and en-
14 couraging careers in nontraditional occupations.

15 (4) CAREER MAJOR.—The term “career major”
16 means a coherent sequence of courses or field of
17 study that prepares a student for a first job and
18 that—

19 (A) integrates occupational and academic
20 learning, integrates work-based and school-
21 based learning, and establishes linkages be-
22 tween secondary and postsecondary education;

23 (B) prepares the student for employment
24 in broad occupational clusters or industry sec-
25 tors;

1 (C) typically includes at least 2 years of
2 secondary school and 1 or 2 years of post-
3 secondary education;

4 (D) results in the award of a high school
5 diploma, a General Equivalency Diploma, or al-
6 ternative diploma or certificate for those stu-
7 dents with disabilities for whom such alter-
8 native diploma or certificate is appropriate, a
9 certificate or diploma recognizing successful
10 completion of 1 or 2 years of postsecondary
11 education (if appropriate), and a skill certifi-
12 cate; and

13 (E) may lead to further training, such as
14 entry into a registered apprenticeship program,
15 or admission into a degree-granting college or
16 university.

17 (5) COMMUNITY-BASED ORGANIZATIONS.—The
18 term “community-based organizations” has the
19 meaning given such term in section 4(5) of the Job
20 Training Partnership Act (29 U.S.C. 1503(5)).

21 (6) ELEMENTS OF AN INDUSTRY.—The term
22 “elements of an industry” means, with respect to a
23 particular industry that a student is preparing to
24 enter, such elements as planning, management, fi-
25 nances, technical and production skills, underlying

1 principles of technology, labor and community is-
2 sues, health and safety, and environmental issues re-
3 lated to that industry.

4 (7) EMPLOYER.—The term “employer” includes
5 both public and private employers.

6 (8) GOVERNOR.—The term “Governor” means
7 the chief executive of a State.

8 (9) LOCAL EDUCATIONAL AGENCY.—The term
9 “local educational agency” means a public board of
10 education or other public authority legally con-
11 stituted within a State for either administrative con-
12 trol or direction of, or to perform a service function
13 for, public elementary or secondary schools in a city,
14 county, township, school district, or other political
15 subdivision of a State, or such combination of school
16 districts or counties as are recognized in a State as
17 an administrative agency for its public elementary or
18 secondary schools. Such term includes any other
19 public institution or agency having administrative
20 control and direction of a public elementary or sec-
21 ondary school.

22 (10) LOCAL PARTNERSHIP.—The term “local
23 partnership” means a local entity that is responsible
24 for local School-to-Work Opportunities programs
25 and that—

1 (A) consists of employers, representatives
2 of local educational agencies and local post-
3 secondary educational institutions (including
4 representatives of area vocational education
5 schools, where applicable), local educators (such
6 as teachers, counselors, or administrators), rep-
7 resentatives of organized labor, other represent-
8 atives of non-managerial employees, and stu-
9 dents; and

10 (B) may include other entities, such as—

11 (i) employer organizations;

12 (ii) community-based organizations;

13 (iii) national trade associations work-
14 ing at the local levels;

15 (iv) industrial extension centers;

16 (v) rehabilitation agencies and organi-
17 zations;

18 (vi) registered apprenticeship agen-
19 cies;

20 (vii) local vocational education enti-
21 ties;

22 (viii) proprietary institutions of higher
23 education (as defined in section 481(b) of
24 the Higher Education Act of 1965 (20
25 U.S.C. 1088(b)) which continue to meet

1 the eligibility and certification require-
2 ments under section 498 of such Act;

3 (ix) local government agencies;

4 (x) parent organizations;

5 (xi) teacher organizations;

6 (xii) vocational student organizations;

7 (xiii) private industry councils estab-
8 lished under section 102 of the Job Train-
9 ing Partnership Act (29 U.S.C. 1512);

10 (xiv) federally recognized Indian
11 tribes, Indian organizations, and Alaska
12 Native villages; and

13 (xv) Native Hawaiians.

14 (11) POSTSECONDARY EDUCATIONAL INSTITU-
15 TION.—The term “postsecondary education institu-
16 tion” means an institution of higher education (as
17 such term is defined in section 481 of the Higher
18 Education Act of 1965 (20 U.S.C. 1088)) which
19 continues to meet the eligibility and certification re-
20 quirements under section 498 of such Act.

21 (12) REGISTERED APPRENTICESHIP AGENCY.—
22 The term “registered apprenticeship agency” means
23 either—

24 (A) the Bureau of Apprenticeship and
25 Training in the Department of Labor; or

1 (B) a State apprenticeship agency recog-
2 nized and approved by the Bureau of Appren-
3 ticeship and Training as the appropriate body
4 for State registration or approval of local ap-
5 prenticeship programs and agreements for Fed-
6 eral purposes.

7 (13) REGISTERED APPRENTICESHIP PRO-
8 GRAM.—The term “registered apprenticeship pro-
9 gram” means a program registered by a registered
10 apprenticeship agency.

11 (14) RELATED SERVICES.—The term “related
12 services” includes the types of services described in
13 section 602(17) of the Individuals with Disabilities
14 Education Act (20 U.S.C. 1401(17)).

15 (15) SCHOOL DROPOUT.—The term “school
16 dropout” means an individual who is no longer at-
17 tending any school, is subject to a compulsory at-
18 tendance law, and who has not received a secondary
19 school diploma or a certificate from a program of
20 equivalency for such a diploma.

21 (16) SCHOOL SITE MENTOR.—The term “school
22 site mentor” means a professional employed at the
23 school who is designated as the advocate for a par-
24 ticular student, and who works in consultation with
25 classroom teachers, counselors, and the employer to

1 design and monitor the progress of the student's
2 school-to-work program.

3 (17) SECRETARIES.—The term “Secretaries”
4 means the Secretary of Education and the Secretary
5 of Labor.

6 (18) SKILL CERTIFICATE.—The term “skill cer-
7 tificate” means a portable, industry-recognized cre-
8 dential issued by a School-to-Work Opportunities
9 program under an approved plan, that certifies that
10 a student has mastered skills at levels that are at
11 least as challenging as skill standards endorsed by
12 the National Skill Standards Board established
13 under the Goals 2000: Educate America Act, except
14 that until such skill standards are developed, the
15 term “skill certificate” means a credential issued
16 under a process described in a State's approved
17 plan.

18 (19) STATE.—

19 (A) IN GENERAL.—Except as provided in
20 subparagraph (B), the term “State” means
21 each of the several States, the District of Co-
22 lumbia, and the Commonwealth of Puerto Rico.

23 (B) TITLES IV AND V.—For purposes of ti-
24 tles IV and V, the term “State” means each of
25 the several States, the District of Columbia, the

1 Commonwealth of Puerto Rico, the Common-
2 wealth of the Northern Mariana Islands, Amer-
3 ican Samoa, Guam, the Virgin Islands, the Fed-
4 erated States of Micronesia, the Republic of the
5 Marshall Islands, and Palau.

6 (20) STATE EDUCATIONAL AGENCY.—The term
7 “State educational agency” means the officer or
8 agency primarily responsible for the State super-
9 vision of public elementary and secondary schools.

10 (21) WORKPLACE MENTOR.—The term “work-
11 place mentor” means an employee at the workplace
12 who possesses the skills and knowledge to be mas-
13 tered by a student, and who instructs the student,
14 critiques the student’s performance, challenges the
15 student to perform well, and works in consultation
16 with classroom teachers and the employer.

17 **SEC. 5. FEDERAL ADMINISTRATION.**

18 (a) JOINT ADMINISTRATION.—

19 (1) IN GENERAL.—Notwithstanding the Depart-
20 ment of Education Organization Act (20 U.S.C.
21 3401 et seq.), the General Education Provisions Act
22 (20 U.S.C. 1221 et seq.), the statutory provisions
23 relating to the establishment of the Department of
24 Labor (29 U.S.C. 551 et seq.), and section 166 of
25 the Job Training Partnership Act (29 U.S.C. 1576),

1 the Secretaries shall jointly provide for the adminis-
2 tration of this Act, and may issue whatever proce-
3 dures, guidelines, and regulations, in accordance
4 with section 553 of title 5, United States Code, they
5 deem necessary and appropriate to administer and
6 enforce the provisions of this Act.

7 (2) SUBMISSION OF PLAN.—Not later than 120
8 days after the date of the enactment of this Act, the
9 Secretaries shall develop and submit a plan for the
10 joint administration of this Act to the Committee on
11 Education and Labor of the House of Representa-
12 tives and the Committee on Labor and Human Re-
13 sources of the Senate for review and comment on
14 such plan by such committees.

15 (b) TERMINATION OR SUSPENSION OF ASSIST-
16 ANCE.—

17 (1) IN GENERAL.—The Secretaries may termi-
18 nate or suspend any financial assistance under this
19 Act, in whole or in part, or not extend payments
20 under an existing grant under this Act, if the Sec-
21 retaries determine that a recipient has failed to meet
22 any requirements of this Act, including—

23 (A) reporting requirements under section
24 402(c);

25 (B) regulations under this Act; or

1 (C) an approved plan submitted pursuant
2 to this Act.

3 (2) NOTICE AND OPPORTUNITY FOR HEAR-
4 ING.—If the Secretaries terminate or suspend finan-
5 cial assistance, or do not extend payments under an
6 existing grant under paragraph (1), with respect to
7 recipient or proposed recipient, then the Secretaries
8 shall provide—

9 (A) prompt notice to such recipient or pro-
10 posed recipient; and

11 (B) the opportunity for a hearing to such
12 recipient or proposed recipient not later than 30
13 days after the date on which such notice is
14 provided.

15 (3) NONDELEGATION.—The Secretaries shall
16 not delegate any of the functions or authority speci-
17 fied under this subsection, other than to an officer
18 whose appointment was required to be made by and
19 with the advice and consent of the Senate.

20 (c) ACCEPTANCE OF GIFTS.—The Secretaries are au-
21 thorized, in carrying out this Act, to accept, purchase, or
22 lease in the name of the Department of Labor or the De-
23 partment of Education, and employ or dispose of in fur-
24 therance of the purposes of this Act, any money or prop-

erty, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

(d) USE OF VOLUNTARY AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretaries are authorized to accept voluntary and uncompensated services in furtherance of the purposes of this Act.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretaries to carry out this Act \$300,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996 through 2002.

(b) RESERVATIONS.—From amounts appropriated under subsection (a) for any fiscal year, the Secretaries—

(1) shall reserve an amount equal to not more than one half of 1 percent of such amounts for such fiscal year to provide grants under sections 202(b) and 212(b) to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau;

(2) shall reserve an amount equal to not more than one half of 1 percent of such amounts for such fiscal year to provide grants under subtitle C of title

1 II to establish and carry out School-to-Work Oppor-
2 tunities programs for Indian youths that involve Bu-
3 reau funded schools (as defined in section 1139(3)
4 of the Education Amendments of 1978 (25 U.S.C.
5 2019(3)));

6 (3) shall reserve an amount equal to 10 percent
7 of such amounts for such fiscal year to provide
8 grants under section 302(b) to local partnerships lo-
9 cated in high poverty areas; and

10 (4) may reserve an amount equal to not more
11 than 5 percent of such amounts for such fiscal year
12 to carry out title IV.

13 (c) AVAILABILITY OF FUNDS.—Amounts authorized
14 to be appropriated under subsection (a) are authorized to
15 remain available until expended.

16 **TITLE I—SCHOOL-TO-WORK OP-**
17 **PORTUNITIES BASIC PRO-**
18 **GRAM COMPONENTS**

19 **SEC. 101. GENERAL PROGRAM REQUIREMENTS.**

20 A School-to-Work Opportunities program under this
21 Act shall—

22 (1) integrate work-based learning and school-
23 based learning, as provided for in sections 102 and
24 103, integrate academic and occupational learning,

1 and build effective linkages between secondary and
2 postsecondary education;

3 (2) provide all students opportunities to com-
4 plete a career major; and

5 (3) incorporate the basic program components
6 provided in sections 102 through 104.

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

8 The work-based learning component of a School-to-
9 Work Opportunities program shall include—

10 (1) a planned program of job training and work
11 experiences, including pre-employment and employ-
12 ment skills to be mastered at progressively higher
13 levels, that are relevant to a student's career major
14 and lead to the award of a skill certificate;

15 (2) paid work experience;

16 (3) workplace mentoring;

17 (4) instruction in general workplace com-
18 petencies; and

19 (5) broad instruction in a variety of elements of
20 an industry.

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

22 The school-based learning component of a School-to-
23 Work Opportunities program shall include—

24 (1) career awareness and career exploration and
25 counseling (beginning at the earliest possible age,

1 but beginning no later than the middle school
2 grades) in order to help students who may be inter-
3 ested to identify, and select or reconsider, their in-
4 terests, goals, and career majors, including those op-
5 tions that may not be traditional for their gender,
6 race, or ethnicity;

7 (2) initial selection by interested students of a
8 career major not later than the beginning of the
9 11th grade;

10 (3) a program of study designed to meet the
11 same academic content standards the State has es-
12 tablished for all students, including, where applica-
13 ble, standards established under the Goals 2000:
14 Educate America Act, and to meet the requirements
15 necessary for a student to earn a skill certificate;

16 (4) a program of instruction and curriculum
17 that integrates academic and vocational learning (in-
18 cluding applied methodologies and team-teaching
19 strategies), and incorporates instruction in a variety
20 of elements of an industry, appropriately tied to a
21 participant's career major;

22 (5) regularly scheduled evaluations involving on-
23 going consultation with students and school dropouts
24 to identify their academic strengths and weaknesses,
25 academic progress, workplace knowledge, goals, and

1 the need for additional learning opportunities to
2 master core academic and vocational skills; and

3 (6) mechanisms which allow students partici-
4 pating in a school-to-work program to transfer to a
5 post-secondary program.

6 **SEC. 104. CONNECTING ACTIVITIES COMPONENT.**

7 The connecting activities component of a School-to-
8 Work Opportunities program shall include—

9 (1) matching students with employers' work-
10 based learning opportunities;

11 (2) serving as a liaison among the employer,
12 school, teacher, parent, student, and, if appropriate,
13 other community partners;

14 (3) providing technical assistance and services
15 to employers, including small and medium sized
16 businesses, and others in designing work-based and
17 school-based learning components, counseling and
18 case management services, and in the training of
19 teachers, workplace mentors, school site mentors,
20 and counselors;

21 (4) providing assistance to schools and employ-
22 ers to integrate school-based and work-based learn-
23 ing and integrate academic and occupational learn-
24 ing;

1 (5) providing assistance to participants who
2 have completed the program in finding an appro-
3 priate job, continuing their education, or entering
4 into an additional training program, and linking stu-
5 dents with other community services which may be
6 necessary to assure a successful transition from
7 school to work;

8 (6) collecting information regarding post-pro-
9 gram outcomes of participants in the School-to-Work
10 Opportunities program and analyzing such informa-
11 tion, to the extent practicable, on the basis of socio-
12 economic status, race, gender, ethnicity, disability,
13 limited English proficiency, school dropouts, and
14 academically talented students; and

15 (7) linking youth development activities under
16 this Act with employer and industry strategies for
17 upgrading the skills of their workers.

1 **TITLE II—SCHOOL-TO-WORK OP-**
2 **PORTUNITIES SYSTEM DE-**
3 **VELOPMENT AND IMPLEMEN-**
4 **TATION GRANTS TO STATES**
5 **Subtitle A—State Development**
6 **Grants**

7 **SEC. 201. PURPOSE.**

8 The purpose of this subtitle is to assist States and
9 the territories in planning and developing comprehensive,
10 statewide systems for school-to-work opportunities.

11 **SEC. 202. AUTHORIZATION.**

12 (a) IN GENERAL.—The Secretaries may provide de-
13 velopment grants to States in such amounts as the Sec-
14 retaries determine is necessary to enable such States to
15 complete development of comprehensive, statewide School-
16 to-Work Opportunities systems that may have begun with
17 funds provided under the Job Training Partnership Act
18 (29 U.S.C. 1501 et seq.) and the Carl D. Perkins Voca-
19 tional and Applied Technology Education Act (20 U.S.C.
20 2301 et seq.).

21 (b) GRANTS TO TERRITORIES.—From amounts re-
22 served under section 6(b)(1), the Secretaries shall provide
23 grants in accordance with this subtitle to the Common-
24 wealth of the Northern Mariana Islands, American
25 Samoa, Guam, the Virgin Islands, the Federated States

1 of Micronesia, the Republic of the Marshall Islands, and
2 Palau, to complete development of comprehensive School-
3 to-Work Opportunities systems in those territories.

4 **SEC. 203. APPLICATION.**

5 (a) IN GENERAL.—The Secretaries may not provide
6 a development grant under section 202 to a State unless
7 the State submits to the Secretaries an application in such
8 form and containing such information as the Secretaries
9 may reasonably require.

10 (b) COORDINATION WITH GOALS 2000: EDUCATE
11 AMERICA ACT.—A State seeking assistance under both
12 this Act and the Goals 2000: Educate America Act may—

13 (1) submit a single application containing plans
14 that meet the requirements of both Acts and ensure
15 that both plans are coordinated and not duplicative;
16 or

17 (2) if such State has already submitted its ap-
18 plication for funds under the Goals 2000: Educate
19 America Act, submit its application under this Act
20 as an amendment to the Goals 2000: Educate Amer-
21 ica Act application so long as such amendment
22 meets the requirements of this Act and is coordi-
23 nated with and not duplicative of the Goals 2000:
24 Educate America Act application.

25 (c) CONTENTS.—Such application shall include—

1 (1) a timetable and an estimate of the amount
2 of funding needed to complete the planning and de-
3 velopment necessary to implement a comprehensive,
4 statewide School-to-Work Opportunities system for
5 all students;

6 (2) a description of how the Governor, the State
7 educational agency, the State agency officials re-
8 sponsible for vocational education, job training, and
9 employment, economic development, and postsecond-
10 ary education, the State sex equity coordinator as-
11 signed under section 111(b)(1) of the Carl D. Per-
12 kins Vocational and Applied Technology Education
13 Act (20 U.S.C. 2321(b)(1)), and other appropriate
14 officials will collaborate in the planning and develop-
15 ment of the State School-to-Work Opportunities sys-
16 tem;

17 (3) a description of how the State has enlisted
18 and will continue to enlist the active and continued
19 participation in the planning and development of the
20 statewide School-to-Work Opportunities system of
21 employers and other interested parties such as lo-
22 cally elected officials, secondary and postsecondary
23 educational institutions or agencies, business asso-
24 ciations, industrial extension centers, employees, or-
25 ganized labor, teachers, related services personnel,

1 students, parents, community-based organizations,
2 Indian tribes, rehabilitation agencies and organiza-
3 tions, registered apprenticeship agencies, and voca-
4 tional educational agencies;

5 (4) a description of how the State will coordi-
6 nate its planning activities with each local partner-
7 ship within the State that has received a grant
8 under title III, if any;

9 (5) a designation of a fiscal agent to receive
10 and be accountable for funds provided from a grant
11 under section 202; and

12 (6) a description of how the State will provide
13 opportunities for students from low-income families,
14 low achieving students, students with limited Eng-
15 lish proficiency, and school dropouts to participate in
16 school-to-work programs.

17 **SEC. 204. USE OF AMOUNTS.**

18 The Secretaries may not provide a development grant
19 under section 202 to a State unless the State agrees that
20 it will use all amounts received from such grant to develop
21 a statewide School-to-Work Opportunities system, which
22 may include—

23 (1) identifying or establishing an appropriate
24 State structure to administer the School-to-Work
25 Opportunities system;

1 (2) identifying existing secondary and post-
2 secondary school-to-work programs which might be
3 incorporated into the State system;

4 (3) identifying or establishing broad-based part-
5 nerships among employers, labor, education, govern-
6 ment, and other community-based organizations and
7 parent organizations to participate in the design, de-
8 velopment, and administration of School-to-Work
9 Opportunities programs;

10 (4) developing a marketing plan to build con-
11 sensus and support for School-to-Work Opportuni-
12 ties programs;

13 (5) promoting the active involvement of busi-
14 ness (including small and medium sized businesses)
15 in planning, developing, and implementing local
16 School-to-Work Opportunities programs, and in es-
17 tablishing partnerships with elementary, middle, and
18 secondary schools;

19 (6) identifying ways that existing local school-
20 to-work programs could be coordinated with the
21 statewide School-to-Work Opportunities system;

22 (7) supporting local School-to-Work Opportuni-
23 ties planning and development activities to provide
24 guidance, training and technical assistance for
25 teachers, employers, mentors, counselors, adminis-

1 trators, and others, in the development of School-to-
2 Work Opportunities programs;

3 (8) developing training programs for teachers,
4 counselors, mentors, and others on counseling and
5 training women, minorities, and individuals with dis-
6 abilities for high-skill, high-wage careers in non-tra-
7 ditional occupations;

8 (9) initiating pilot programs for testing key
9 components of State program design;

10 (10) developing a State process for issuing skill
11 certificates that is consistent with the work of the
12 National Skill Standards Board and the criteria es-
13 tablished under Goals 2000: Educate America Act;

14 (11) designing challenging curricula in coopera-
15 tion with representatives of local partnerships;

16 (12) developing a system for labor market anal-
17 ysis and strategic planning for local targeting of in-
18 dustry sectors or broad occupational clusters;

19 (13) analyzing the post high school employment
20 experiences of recent high school graduates and
21 dropouts;

22 (14) preparing the plan required for submission
23 of an application for an implementation grant under
24 subtitle B;

1 (15) working with localities to develop strate-
2 gies to recruit and retain all students in programs
3 under this Act, including those from a broad range
4 of backgrounds and circumstances, through collabo-
5 rations with community-based organizations, where
6 appropriate, and other entities with expertise in
7 working with these students; and

8 (16) coordinating recruitment of out-of-school,
9 at-risk, and disadvantaged youths with those organi-
10 zations and institutions who have a successful his-
11 tory of working with such youths.

12 **SEC. 205. ALLOCATION REQUIREMENT.**

13 The Secretaries may not provide a development grant
14 under section 202 to any State in an amount exceeding
15 \$1,000,000 in any fiscal year.

16 **SEC. 206. REPORTS.**

17 The Secretaries may not provide a development grant
18 under section 202 to a State unless the State agrees that
19 it will submit to the Secretaries such periodic reports as
20 the Secretaries may reasonably require relating to the use
21 of amounts from such grant.

1 **Subtitle B—State Implementation**
2 **Grants**

3 **SEC. 211. PURPOSE.**

4 The purpose of this subtitle is to assist States and
5 the territories in the implementation of comprehensive,
6 statewide School-to-Work Opportunities systems.

7 **SEC. 212. AUTHORIZATION.**

8 (a) IN GENERAL.—The Secretaries may provide im-
9 plementation grants to States in such amounts as the Sec-
10 retaries determine is necessary to enable such States to
11 implement comprehensive, statewide School-to-Work
12 Opportunities systems.

13 (b) GRANTS TO TERRITORIES.—From amounts re-
14 served under section 6(b)(1), the Secretaries shall provide
15 grants in accordance with this subtitle to the Common-
16 wealth of the Northern Mariana Islands, American
17 Samoa, Guam, the Virgin Islands, the Federated States
18 of Micronesia, the Republic of the Marshall Islands, and
19 Palau, to implement comprehensive School-to-Work
20 Opportunities systems in those territories.

21 (c) PERIOD OF GRANT.—The provision of payments
22 under a grant under subsection (a) or subsection (b) shall
23 extend over a period of 5 fiscal years and shall be subject
24 to the annual approval of the Secretaries and subject to

1 the availability of appropriations for the fiscal year in-
2 volved to make the payments.

3 (d) LIMITATION.—A State or territory shall be eligi-
4 ble to receive only 1 implementation grant under sub-
5 section (a) or subsection (b), as the case may be.

6 **SEC. 213. APPLICATION.**

7 (a) IN GENERAL.—The Secretaries may not provide
8 an implementation grant under section 212 to a State un-
9 less the State submits to the Secretaries an application
10 in such form and containing such information as the Sec-
11 retaries may reasonably require.

12 (b) COORDINATION WITH GOALS 2000: EDUCATE
13 AMERICA ACT.—A State seeking assistance under both
14 this Act and the Goals 2000: Educate America Act may—

15 (1) submit a single application containing plans
16 that meet the requirements of both Acts and ensure
17 that both plans are coordinated and not duplicative;
18 or

19 (2) if such State has already submitted its ap-
20 plication for funds under the Goals 2000: Educate
21 America Act, submit its application under this Act
22 as an amendment to the Goals 2000: Educate Amer-
23 ica Act application so long as such amendment
24 meets the requirements of this Act and is coordi-

1 nated with and not duplicative of the Goals 2000:
2 Educate America Act application.

3 (c) CONTENTS.—Such application shall include—

4 (1) a plan for a comprehensive, statewide
5 School-to-Work Opportunities system under a State
6 plan that meets the requirements described in sub-
7 section (d);

8 (2) a description of how the State will allocate
9 funds under this Act to local partnerships; and

10 (3) a request, if the State decides to submit
11 such a request, for 1 or more waivers of certain stat-
12 utory or regulatory requirements, as provided for
13 under title V.

14 (d) STATE PLAN.—A State plan shall—

15 (1) designate the geographical areas to be
16 served by local partnerships, which shall, to the ex-
17 tent feasible, reflect local labor market areas;

18 (2) describe how the State will stimulate and
19 support local School-to-Work Opportunities pro-
20 grams that meet the requirements of this Act, and
21 how the State's system will be expanded over time
22 to cover all geographic areas in the State, including
23 urban and rural areas;

24 (3) describe the procedure by which the Gov-
25 ernor, the State educational agency, the State agen-

1 cy officials responsible for vocational education, job
2 training and employment, economic development,
3 and postsecondary education, the State sex equity
4 coordinator assigned under section 111(b)(1) of the
5 Carl D. Perkins Vocational and Applied Technology
6 Education Act (20 U.S.C. 2321(b)(1)), and other
7 appropriate officials will collaborate in the imple-
8 mentation of the School-to-Work Opportunities sys-
9 tem;

10 (4) describe how the State has obtained and
11 will continue to obtain the active involvement in the
12 statewide School-to-Work Opportunities system of
13 employers and other interested parties such as lo-
14 cally elected officials, secondary and postsecondary
15 educational institutions or agencies, business asso-
16 ciations, industrial extension centers, employees, or-
17 ganized labor, teachers, related services personnel,
18 students, parents, community-based organizations,
19 rehabilitation agencies and organizations, registered
20 apprenticeship agencies, local vocational educational
21 agencies, vocational student organizations, and State
22 or regional cooperative education associations;

23 (5) describe how the School-to-Work Opportuni-
24 ties system will coordinate with or integrate existing
25 local school-to-work programs and other appropriate

1 programs, including those financed from State and
2 private sources, with funds available from related
3 programs under other provisions of Federal law,
4 such as—

5 (A) the Adult Education Act (20 U.S.C.
6 1201 et seq.);

7 (B) the Carl D. Perkins Vocational and
8 Applied Technology Education Act (20 U.S.C.
9 2301 et seq.);

10 (C) the Elementary and Secondary Edu-
11 cation Act of 1965 (20 U.S.C. 2701 et seq.);

12 (D) the Higher Education Act of 1965 (20
13 U.S.C. 2701 et seq.);

14 (E) the Job Opportunities and Basic Skills
15 Training Program authorized under part F of
16 title IV of the Social Security Act (42 U.S.C.
17 681 et seq.);

18 (F) the Goals 2000: Educate America Act;

19 (G) the Individuals With Disabilities Edu-
20 cation Act (20 U.S.C. 1400 et seq.);

21 (H) the Job Training Partnership Act (29
22 U.S.C. 1501 et seq.);

23 (I) the National Apprenticeship Act (29
24 U.S.C. 50 et seq.);

1 (J) the Rehabilitation Act of 1973 (29
2 U.S.C. 701 et seq.); and

3 (K) the National and Community Service
4 Trust Act of 1993;

5 (6) describe the State's strategy for providing
6 training for teachers, employers, mentors, coun-
7 selors, and others, including programs which focus
8 on the counseling and training of women, minorities,
9 and individuals with disabilities for high-skill, high-
10 wage careers in non-traditional occupations, and
11 provide assurance of coordination with such activi-
12 ties in other Acts;

13 (7) describe how the State will adopt, develop,
14 or assist local partnerships in the development of
15 model curricula and innovative instructional meth-
16 odologies, to be used in the secondary, and where
17 possible, the elementary grades, that integrate aca-
18 demic and vocational learning and promote career
19 awareness, and that are consistent with academic
20 and skill standards established pursuant to the
21 Goals 2000: Educate America Act;

22 (8) describe how the State will expand and im-
23 prove career and academic counseling in the elemen-
24 tary and secondary grades, which may include link-

1 ages to career counseling and labor market informa-
2 tion services outside of the school system;

3 (9) describe the resources, including private sec-
4 tor resources, the State intends to employ in main-
5 taining the School-to-Work Opportunities system
6 when funds under this Act are no longer available;

7 (10) describe how the State will ensure effective
8 and meaningful opportunities for all students to par-
9 ticipate in School-to-Work Opportunities programs;

10 (11) describe the State's goals and the methods
11 it will use, such as awareness and outreach, to en-
12 sure opportunities for young women to participate in
13 School-to-Work Opportunities programs in a manner
14 that leads to employment in high-performance, high-
15 paying jobs, including non-traditional employment,
16 and goals to ensure an environment free from racial
17 and sexual harassment;

18 (12) describe how the State will ensure oppor-
19 tunities for low achieving students, students with
20 disabilities, and school dropouts to participate in
21 School-to-Work Opportunities programs;

22 (13) describe the State's process for assessing
23 the skills and knowledge required in career majors
24 and awarding skill certificates that is consistent with
25 the work of the National Skill Standards Board and

1 the criteria established under Goals 2000: Educate
2 America Act;

3 (14) describe the manner in which the State
4 will, to the extent feasible, continue programs fund-
5 ed under title III in the State School-to-Work Op-
6 portunities system;

7 (15) describe how local school-to-work pro-
8 grams, including those funded under title III, if any,
9 will be integrated into the State School-to-Work Op-
10 portunities system;

11 (16) describe the performance standards that
12 the State intends to meet in establishing and carry-
13 ing out the School-to-Work Opportunities system, in-
14 cluding how the standards developed under section
15 115 of the Carl D. Perkins Vocational and Applied
16 Technology Education Act (20 U.S.C. 2301 et seq.)
17 have been incorporated into such performance stand-
18 ards or are used in coordination with such stand-
19 ards;

20 (17) designate a fiscal agent to receive and be
21 accountable for funds provided from a grant under
22 section 212; and

23 (18) describe the means by which students who
24 are involved in a school-to-work program may trans-
25 fer to a post-secondary program.

1 (e) APPROVAL OF STATE PLAN.—In developing the
2 State plan that meets the requirements described in sub-
3 section (d)—

4 (1) the Governor shall approve those portions of
5 the plan under the jurisdiction of the Governor; and

6 (2) other appropriate officials or entities shall
7 approve those portions that address matters that,
8 under State or other applicable law, are not under
9 the jurisdiction of the Governor.

10 **SEC. 214. REVIEW OF APPLICATION.**

11 (a) IN GENERAL.—The Secretaries shall review each
12 application submitted by a State under section 213, in-
13 cluding the State plan contained in such application, and
14 shall approve or disapprove such application in accordance
15 with this section.

16 (b) APPROVAL CRITERIA.—The Secretaries may ap-
17 prove an application only if the State demonstrates in the
18 application—

19 (1) that the State plan is replicable, sustain-
20 able, and innovative;

21 (2) that the officials listed in section 213(d)(3)
22 will collaborate in the planning and development of
23 the proposed plan;

24 (3) that other Federal, State, and local re-
25 sources will be used to implement the proposed plan;

1 (4) the extent to which such plan would limit
2 administrative costs and increase amounts spent on
3 delivery of services to students enrolled in programs
4 under this Act; and

5 (5) if the State, according to census data, has
6 at least 1 urban and at least 1 rural area, the State
7 will ensure the establishment of a partnership in at
8 least 1 urban and 1 rural area in the State.

9 (c) DISAPPROVAL.—If the Secretaries determine that
10 an application submitted by a State does not meet the cri-
11 teria under subsection (b), or that the application is in-
12 complete or otherwise unsatisfactory, the Secretaries
13 shall—

14 (1) notify the State of the reasons for the fail-
15 ure to approve the application;

16 (2) if the application does not meet the criteria
17 under subsection (b), inform the State of the oppor-
18 tunity to apply for a development grant under sub-
19 title A, except that further development funds may
20 not be awarded to a State that receives an imple-
21 mentation grant; and

22 (3) if the application is incomplete or otherwise
23 unsatisfactory, permit the State to resubmit a cor-
24 rected or amended application.

1 (d) USE OF FUNDS FOR REVIEW OF APPLICA-
2 TIONS.—The Secretaries may use amounts reserved under
3 section 6(b)(4) for the review of applications submitted
4 under subsection (a).

5 **SEC. 215. USE OF AMOUNTS.**

6 The Secretaries may not provide an implementation
7 grant under section 212 to a State unless the State agrees
8 that it will use all amounts received from such grant to
9 implement the State's School-to-Work Opportunities sys-
10 tem in accordance with the following requirements:

11 (1) SUBGRANTS TO LOCAL PARTNERSHIPS.—

12 (A) AUTHORITY.—

13 (i) IN GENERAL.—Except as provided
14 in clause (ii), the State shall provide
15 subgrants to local partnerships, according
16 to criteria established by the State, for the
17 purpose of carrying out School-to-Work
18 Opportunities programs described in title
19 I.

20 (ii) PROHIBITION.—The State shall
21 not provide subgrants to local partnerships
22 that have received implementation grants
23 under title III, except that this prohibition
24 shall not apply with respect to local part-

1 nerships that are located in high poverty
2 areas, as such term is defined in such title.

3 (B) APPLICATION BY LOCAL PARTNER-
4 SHIP.—The State may not provide a subgrant
5 under subparagraph (A) to a local partnership
6 unless the partnership submits to the State an
7 application that—

8 (i) describes how the program will in-
9 clude the basic program components and
10 otherwise meet the requirements of this
11 Act;

12 (ii) sets forth measurable program
13 goals and outcomes;

14 (iii) describes the local strategies and
15 timetables to provide School-to-Work Op-
16 portunities program opportunities for all
17 students as appropriate for the specific lo-
18 cality;

19 (iv) provides assurances that, to the
20 extent practicable, school-to-work opportu-
21 nities provided to students will be in indus-
22 tries and occupations offering high-skill,
23 high-wage employment opportunities; and

24 (v) provides such other information as
25 the State may require.

1 (C) DISAPPROVAL OF APPLICATION.—If
2 the State determines that an application sub-
3 mitted by a local partnership does not meet the
4 criteria under subparagraph (B), or that the
5 application is incomplete or otherwise unsatis-
6 factory, the State shall—

7 (i) notify the local partnership of the
8 reasons for the failure to approve the ap-
9 plication; and

10 (ii) if the application is incomplete or
11 otherwise unsatisfactory, permit the local
12 partnership to resubmit a corrected or
13 amended application.

14 (D) USE OF AMOUNTS BY LOCAL PART-
15 NERSHIP.—The State may not provide a
16 subgrant under subparagraph (A) to a local
17 partnership unless the partnership agrees that
18 it will use all amounts received from such
19 subgrant to carry out activities to implement
20 School-to-Work Opportunities programs de-
21 scribed in title I, and such activities may in-
22 clude—

23 (i) recruiting and providing assistance
24 to employers, including small- and me-
25 dium-sized businesses, to provide the work-

1 based learning components in the School-
2 to-Work Opportunities program;

3 (ii) establishing consortia of employers
4 to support the School-to-Work Opportuni-
5 ties program and provide access to jobs re-
6 lated to students' career majors;

7 (iii) supporting or establishing
8 intermediaries to perform the activities de-
9 scribed in section 104 and to provide as-
10 sistance to students and school dropouts in
11 obtaining jobs and further education and
12 training;

13 (iv) designing or adapting school cur-
14 ricula that can be used to integrate aca-
15 demic and vocational learning, school-based
16 and work-based learning, and secondary
17 and postsecondary education;

18 (v) providing training to work-based
19 and school-based staff on new curricula,
20 student assessments, student guidance,
21 and feedback to the school regarding stu-
22 dent performance;

23 (vi) designing or expanding and im-
24 proving career awareness, exploration, and
25 counseling activities, beginning at the earli-

1 est possible age, but beginning no later
2 than the middle school grades;

3 (vii) establishing in schools participat-
4 ing in a School-to-Work Opportunities pro-
5 gram a graduation assistance program to
6 assist at-risk students, low-achieving stu-
7 dents, and students with disabilities in
8 graduating from high school, enrolling in
9 postsecondary education or training, and
10 finding or advancing in jobs;

11 (viii) providing supplementary and
12 support services, including child care and
13 transportation;

14 (ix) conducting or obtaining an in
15 depth analysis of the local labor market
16 and the generic and specific skill needs of
17 employers to identify high-demand, high-
18 wage careers to target;

19 (x) integrating work-based and school-
20 based learning into existing job training
21 programs for school dropouts;

22 (xi) establishing or expanding school-
23 to-apprenticeship programs in cooperation
24 with registered apprenticeship agencies and
25 apprenticeship sponsors;

1 (xii) assisting participating employers,
2 including small- and medium-size busi-
3 nesses, to identify and train workplace
4 mentors and to develop work-based learn-
5 ing components;

6 (xiii) promoting the formation of part-
7 nerships between elementary, middle, and
8 secondary schools and local businesses as
9 an investment in future workplace produc-
10 tivity and competitiveness;

11 (xiv) designing local strategies to pro-
12 vide adequate planning time and staff de-
13 velopment activities for teachers, school
14 counselors, and school site mentors, includ-
15 ing opportunities outside the classroom
16 which are in the worksite;

17 (xv) enhancing linkages between exist-
18 ing after-school, weekend, and summer
19 jobs, career exploration and school-based
20 learning; and

21 (xvi) coordinating recruitment of
22 dropouts and at-risk and disadvantaged
23 youths by the local partnership with re-
24 cruitment of these individuals by organiza-
25 tions and institutions which have a history

1 of success in working with these targeted
2 individuals.

3 (E) PARTNERSHIP COMPACT.—The State
4 may not provide a subgrant under subpara-
5 graph (A) to a local partnership unless the
6 partnership agrees that it will establish a proc-
7 ess by which the responsibilities and expecta-
8 tions of students, parents, employers, and
9 schools are clearly established and agreed upon
10 at the point of entry of the student into a ca-
11 reer major program of study.

12 (F) ADMINISTRATIVE COSTS.—The local
13 partnership may not use more than 5 percent
14 of amounts received from a subgrant under
15 subparagraph (A) for any fiscal year for admin-
16 istrative costs associated with activities in car-
17 rying out, but not including, activities under
18 subparagraphs (D) and (E) for such fiscal year.

19 (G) ALLOCATION REQUIREMENTS.—

20 (i) FIRST YEAR.—In the 1st fiscal
21 year for which a State receives amounts
22 from a grant under section 212, the State
23 shall use not less than 70 percent of such
24 amounts to provide subgrants to local part-
25 nerships under subparagraph (A).

1 (ii) SECOND YEAR.—In the 2d fiscal
2 year for which a State receives amounts
3 from a grant under section 212, the State
4 shall use not less than 80 percent of such
5 amounts to provide subgrants to local part-
6 nerships under subparagraph (A).

7 (iii) THIRD YEAR AND SUCCEEDING
8 YEARS.—In the 3d fiscal year for which a
9 State receives amounts from a grant under
10 section 212, and in each succeeding year,
11 the State shall use not less than 90 per-
12 cent of such amounts to provide subgrants
13 to local partnerships under subparagraph
14 (A).

15 (2) ADDITIONAL STATE ACTIVITIES.—The State
16 may also—

17 (A) recruit and provide assistance to em-
18 ployers to provide work-based learning for all
19 students;

20 (B) conduct outreach activities to promote
21 and support collaboration in School-to-Work
22 Opportunities programs by businesses, orga-
23 nized labor, and other organizations;

24 (C) provide training for teachers, employ-
25 ers, workplace mentors, counselors, and others;

1 (D) provide labor market information to
2 local partnerships that is useful in determining
3 which high-skill, high-wage occupations are in
4 demand;

5 (E) design or adapt model curricula that
6 can be used to integrate academic and voca-
7 tional learning, school-based and work-based
8 learning, and secondary and postsecondary edu-
9 cation;

10 (F) design or adapt model work-based
11 learning programs and identifying best prac-
12 tices;

13 (G) conduct outreach activities and provid-
14 ing technical assistance to other States that are
15 developing or implementing School-to-Work Op-
16 portunities systems;

17 (H) reorganize and streamline State sys-
18 tems to facilitate the development of a com-
19 prehensive School-to-Work Opportunities sys-
20 tem;

21 (I) identify ways that existing local school-
22 to-work programs could be integrated with the
23 statewide School-to-Work Opportunities system;

24 (J) design career awareness and explo-
25 ration activities (that may begin as early as the

1 elementary grades, but beginning no later than
2 middle school grades) such as job shadowing,
3 job site visits, school visits by individuals in var-
4 ious occupations, and mentoring;

5 (K) design and implement school-spon-
6 sored work experiences, such as school-spon-
7 sored enterprises and community development
8 projects;

9 (L) encourage the formation of partner-
10 ships between elementary, middle, and second-
11 ary schools and local businesses as an invest-
12 ment in future workplace productivity and com-
13 petitiveness;

14 (M) coordinate recruitment of out-of-
15 school, at-risk, and disadvantaged youths with
16 those organizations and institutions who have a
17 successful history of working with such youths;
18 and

19 (N) conduct outreach to all students in a
20 manner that most appropriately meets their
21 need and the needs of their communities.

22 **SEC. 216. ALLOCATION REQUIREMENT.**

23 The Secretaries shall establish the minimum and
24 maximum amounts available for an implementation grant
25 under section 212, and shall determine the actual amount

1 granted to any State based on such criteria as the scope
2 and quality of the plan and the number of projected pro-
3 gram participants.

4 **SEC. 217. ADMINISTRATIVE COSTS.**

5 The State may not use more than 5 percent of
6 amounts received from an implementation grant under
7 section 212 for any fiscal year for administrative costs as-
8 sociated with activities in carrying out, but not including,
9 activities under section 215 for such fiscal year.

10 **SEC. 218. REPORTS.**

11 The Secretaries may not provide an implementation
12 grant under section 212 to a State unless the State agrees
13 that it will submit to the Secretaries such periodic reports
14 as the Secretaries may reasonably require relating to the
15 use of amounts from such grant.

16 **Subtitle C—Development and Im-**
17 **plementation Grants for School-**
18 **to-Work Programs for Indian**
19 **Youths**

20 **SEC. 221. AUTHORIZATION.**

21 (a) IN GENERAL.—From amounts reserved under
22 section 6(b)(2), the Secretaries shall provide grants to es-
23 tablish and carry out School-to-Work Opportunities pro-
24 grams for Indian youths that involve Bureau funded

1 schools (as defined in section 1139(3) of the Education
2 Amendments of 1978 (25 U.S.C. 2019(3))).

3 (b) ADDITIONAL AUTHORITIES.—The Secretaries
4 may carry out subsection (a) through such means as they
5 find appropriate, including—

6 (1) the transfer of funds to the Secretary of the
7 Interior; and

8 (2) the provision of financial assistance to In-
9 dian tribes and Indian organizations.

10 **SEC. 222. REQUIREMENTS.**

11 In providing grants under section 221, the Secretar-
12 ies shall require recipients of such grants to comply with
13 requirements similar to those requirements imposed on
14 States under subtitles A and B of this title.

15 **TITLE III—FEDERAL IMPLEMEN-**
16 **TATION GRANTS TO LOCAL**
17 **PARTNERSHIPS**

18 **SEC. 301. PURPOSES.**

19 The purposes of this title are—

20 (1) to authorize the Secretaries to provide com-
21 petitive grants directly to local partnerships in order
22 to provide funding for communities that have built
23 a sound planning and development base for School-
24 to-Work Opportunities programs and are ready to

1 begin implementing a local School-to-Work Opportu-
2 nities program; and

3 (2) to authorize the Secretaries to provide com-
4 petitive grants to local partnerships to implement
5 School-to-Work Opportunities programs in high pov-
6 erty areas of urban and rural communities to pro-
7 vide support for a comprehensive range of education,
8 training, and support services for youths residing in
9 such areas.

10 **SEC. 302. AUTHORIZATION.**

11 (a) GRANTS TO LOCAL PARTNERSHIPS.—

12 (1) IN GENERAL.—Subject to paragraph (2),
13 the Secretaries may provide implementation grants
14 directly to local partnerships in States in such
15 amounts as the Secretaries determine is necessary to
16 enable such partnerships to implement a School-to-
17 Work Opportunities program.

18 (2) RESTRICTIONS.—A local partnership—

19 (A) shall be eligible to receive only 1 grant
20 under this subsection;

21 (B) shall not be eligible to receive a grant
22 under this subsection if such partnership is lo-
23 cated in a State that—

24 (i) has been provided an implementa-
25 tion grant under section 212; and

1 (ii) has received amounts from such
2 grant for any fiscal year after the 1st fis-
3 cal year under such grant; and

4 (C) that receives a grant under this sub-
5 section shall not be eligible to receive a grant
6 under subsection (b).

7 (b) GRANTS TO LOCAL PARTNERSHIPS IN HIGH POV-
8 ERTY AREAS.—

9 (1) IN GENERAL.—Subject to paragraphs (2)
10 and (3), the Secretaries shall, from amounts re-
11 served under section 6(b)(3), provide grants to local
12 partnerships which are located in high poverty areas
13 in States in such amounts as the Secretaries deter-
14 mine is necessary to enable such partnerships to im-
15 plement a School-to-Work Opportunities program in
16 such areas.

17 (2) RESTRICTIONS.—A local partnership—

18 (A) shall be eligible to receive only 1 grant
19 under this subsection; and

20 (B) that receives a grant under this sub-
21 section shall not be eligible to receive a grant
22 under subsection (a).

23 (3) PRIORITY.—In providing grants under
24 paragraph (1), the Secretaries shall give priority to
25 local partnerships that have a demonstrated effec-

1 tiveness in the delivery of comprehensive vocational
2 preparation programs with successful rates in job
3 placement through cooperative activities among local
4 educational agencies, local businesses, labor organi-
5 zations, and other organizations.

6 (c) PERIOD OF GRANT.—The provision of payments
7 under a grant under subsection (a) or (b) shall extend over
8 a period of 5 fiscal years and shall be subject to the annual
9 approval of the Secretaries and subject to the availability
10 of appropriations for the fiscal year involved to make the
11 payments.

12 **SEC. 303. APPLICATION.**

13 (a) IN GENERAL.—The Secretaries may not provide
14 an implementation grant under section 302 to a local part-
15 nership unless the partnership—

16 (1) submits to the State for review and com-
17 ment an application in such form and containing
18 such information as the Secretaries may reasonably
19 require; and

20 (2) submits such application to the Secretaries.

21 (b) TIME LIMIT FOR STATE REVIEW AND COM-
22 MENT.—

23 (1) IN GENERAL.—The State shall provide for
24 review and comment on the application under sub-
25 section (a) not later than 30 days after the date on

1 which the State receives the application from the
2 local partnership.

3 (2) SUBMISSION WITHOUT STATE REVIEW AND
4 COMMENT.—If the State does not provide review and
5 comment within the 30-day time period specified in
6 paragraph (1), the local partnership may submit the
7 application to the Secretaries without first obtaining
8 such review and comment.

9 (c) CONTENTS.—Such application shall include—

10 (1) the designation of a fiscal agent to receive
11 and be accountable for amounts received from a
12 grant under section 302;

13 (2) the State’s comments regarding such appli-
14 cation under subsection (a)(1);

15 (3) information that is consistent with the con-
16 tent requirements for a State plan that are specified
17 in paragraphs (4) through (10) of section 213(d);
18 and

19 (4) a description of how the partnership will
20 meet the other requirements of this Act.

21 (d) USE OF FUNDS FOR REVIEW OF APPLICA-
22 TIONS.—The Secretaries may use amounts reserved under
23 section 6(b)(4) for the review of applications submitted
24 under subsection (a).

1 **SEC. 304. USE OF AMOUNTS.**

2 The Secretaries may not provide an implementation
3 grant under section 302 to a local partnership unless the
4 partnership agrees that it will use all amounts from such
5 grant to carry out activities to implement a School-to-
6 Work Opportunities program described in title I, including
7 the activities described in clauses (i) through (xvi) of
8 section 215(1)(D).

9 **SEC. 305. CONFORMITY WITH APPROVED STATE PLAN.**

10 The Secretaries may not award a grant under section
11 302 to a local partnership located in a State that has an
12 approved plan unless the Secretaries determine, after con-
13 sultation with the State, that the plan submitted by the
14 partnership is in accord with the approved State plan.

15 **SEC. 306. REPORTS.**

16 The Secretaries may not provide an implementation
17 grant under section 302 to a local partnership unless the
18 partnership agrees that it will submit to the Secretaries
19 such periodic reports as the Secretaries may reasonably
20 require relating to the use of amounts from such grant.

21 **SEC. 307. HIGH POVERTY AREA DEFINED.**

22 For purposes of this title, the term “high poverty
23 area” means—

24 (1) a census tract, a contiguous group of census
25 tracts, a nonmetropolitan county, a Native American
26 Indian reservation, or an Alaska Native village, with

1 a poverty rate of 30 percent or more, as determined
2 by the Bureau of the Census; or

3 (2) an area that has an unemployment rate
4 greater than the national average unemployment for
5 the most recent 12 months for which satisfactory
6 data are available.

7 **TITLE IV—NATIONAL PROGRAMS** 8 **AND REPORTS**

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

11 (a) IN GENERAL.—From amounts reserved under
12 section 6(b)(4), the Secretaries shall conduct research and
13 development and establish a program of experimental and
14 demonstration projects, to further the purposes of this
15 Act.

16 (b) ADDITIONAL USE OF AMOUNTS.—Amounts re-
17 served under section 6(b)(4) may also be used for pro-
18 grams or services authorized under any other provision of
19 this Act that are most appropriately administered at the
20 national level and that will operate in, or benefit more
21 than, one State.

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

23 (a) IN GENERAL.—The Secretaries, in collaboration
24 with the States, shall by grants, contracts, or otherwise,

1 establish a system of performance measures for assessing
2 State and local programs regarding—

3 (1) progress in the development and implemen-
4 tation of State plans that include the basic program
5 components and otherwise meet the requirements of
6 title I;

7 (2) participation in School-to-Work Opportuni-
8 ties programs by employers, schools, students, and
9 school dropouts, including information on the gen-
10 der, race, ethnicity, socioeconomic background, lim-
11 ited English proficiency, and disability of all partici-
12 pants;

13 (3) progress in developing and implementing
14 strategies for addressing the needs of students and
15 school dropouts;

16 (4) progress in meeting the State's goals to en-
17 sure opportunities for young women to participate in
18 School-to-Work Opportunities programs;

19 (5) outcomes of participating students and
20 school dropouts, by gender, race, ethnicity, socio-
21 economic background, limited English proficiency,
22 and disability of the participants, including informa-
23 tion on—

24 (A) academic learning gains;

1 (B) staying in school and attaining a high
2 school diploma, or a General Equivalency Di-
3 ploma, or alternative diploma or certificate for
4 those students with disabilities for whom such
5 alternative diploma or certificate is appropriate,
6 skill certificate, and college degree;

7 (C) placement and retention in further
8 education or training, particularly in the stu-
9 dent's career major; and

10 (D) job placement, retention, and earnings,
11 particularly in the student's career major; and

12 (6) the extent to which the program has met
13 the needs of employers.

14 (b) EVALUATION.—The Secretaries shall conduct a
15 national evaluation of School-to-Work Opportunities pro-
16 grams funded under this Act by grants, contracts, or oth-
17 erwise, that will track and assess the progress of imple-
18 mentation of State and local programs and their effective-
19 ness based on measures such as those described in sub-
20 section (a).

21 (c) REPORTS.—Each State shall provide periodic re-
22 ports, at such intervals as the Secretaries determine, con-
23 taining—

24 (1) information described in paragraphs (1)
25 through (6) of subsection (a); and

1 (2) information on the extent to which current
2 Federal programs implemented at the State and
3 local level may be duplicative, outdated, overly re-
4 strictive, or otherwise counter-productive to the de-
5 velopment of comprehensive statewide School-to-
6 Work Opportunities systems.

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

8 (a) **PURPOSE.**—The Secretaries shall work in co-
9 operation with the States, the State sex equity coordina-
10 tors assigned under section 111(b)(1) of the Carl D. Per-
11 kins Vocational and Applied Technology Education Act
12 (20 U.S.C. 2321(b)(1)), employers and their associations,
13 secondary and postsecondary schools, student and teacher
14 organizations, organized labor, and community-based or-
15 ganizations to increase their capacity to develop and im-
16 plement effective School-to-Work Opportunities programs.

17 (b) **AUTHORIZED ACTIVITIES.**—The Secretaries shall
18 provide, through grants, contracts, or other arrange-
19 ments—

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

22 (A) enhance the skills, knowledge, and ex-
23 pertise of the personnel involved in planning
24 and implementing State and local School-to-

1 Work Opportunities programs, such as training
2 of personnel to assist students; and

3 (B) improve the quality of services pro-
4 vided to individuals served under this Act;

5 (2) assistance to States and local partnerships
6 in order to integrate resources available under this
7 Act with resources available under other Federal,
8 State, and local authorities; and

9 (3) assistance to States and local partnerships
10 to recruit employers to provide the work-based learn-
11 ing component of School-to-Work Opportunities pro-
12 grams.

13 **SEC. 404. AMENDMENT TO JOB TRAINING PARTNERSHIP**
14 **ACT TO PROVIDE SCHOOL-TO-WORK OPPOR-**
15 **TUNITIES ACTIVITIES FOR CAPACITY BUILD-**
16 **ING AND INFORMATION AND DISSEMINATION**
17 **NETWORK.**

18 Section 453(b)(2) of the Job Training Partnership
19 Act (29 U.S.C. 1733(b)(2)) is amended—

20 (1) in subparagraph (C)(ii)(V), by striking the
21 period at the end of such subparagraph and insert-
22 ing “; and”; and

23 (2) by adding at the end the following new sub-
24 paragraph:

1 “(D)(i) from the amount appropriated pur-
2 suant to section 6(a) of the School-to-Work Op-
3 portunities Act of 1993, collect and disseminate
4 information—

5 “(I) on successful school-to-work pro-
6 grams carried out pursuant to such Act
7 and innovative school and work-based cur-
8 riculum;

9 “(II) on research and evaluation con-
10 ducted concerning school-to-work opportu-
11 nities activities;

12 “(III) that will assist States and part-
13 nerships in undertaking labor market anal-
14 ysis, surveys or other activities related to
15 economic development;

16 “(IV) on skill certificates, skill stand-
17 ards and related assessment technologies;
18 and

19 “(V) on methods for recruiting and
20 building the capacity of employers to pro-
21 vide work-based learning opportunities;
22 and

23 “(ii) from such amount, facilitate commu-
24 nication and the exchange of information and
25 ideas among States and partnerships carrying

1 out school-to-work opportunities programs pur-
2 suant to such Act.”.

3 **SEC. 405. REPORTS TO CONGRESS.**

4 Not later than 24 months after the date of the enact-
5 ment of this Act, and every 12 months thereafter, the Sec-
6 retaries shall submit a report to the Congress on all
7 School-to-Work Opportunities programs carried out pur-
8 suant to this Act. The Secretaries shall, at a minimum,
9 include in each such report—

10 (1) information concerning the programs that
11 receive assistance under this Act;

12 (2) a summary of the information contained in
13 the State and local partnership reports submitted
14 under titles II and III and section 402(c); and

15 (3) information regarding the findings and ac-
16 tions taken as a result of any evaluation conducted
17 by the Secretaries.

18 **TITLE V—WAIVER OF STATU-**
19 **TORY AND REGULATORY RE-**
20 **QUIREMENTS**

21 **SEC. 501. STATE AND LOCAL PARTNERSHIP REQUESTS AND**
22 **RESPONSIBILITIES FOR WAIVERS.**

23 (a) STATE REQUEST FOR WAIVER.—A State may
24 submit, as a part of the State plan (or as an amendment
25 to the plan) described in section 213(d), a request for a

1 waiver of 1 or more statutory or regulatory provisions de-
2 scribed in section 502 or 503 from the Secretaries in order
3 to carry out the School-to-work Opportunity system estab-
4 lished by such State. Such request may include different
5 waivers with respect to different areas within the State.

6 (b) LOCAL PARTNERSHIP REQUEST FOR WAIVER.—

7 (1) IN GENERAL.—A local partnership that
8 seeks a waiver of any of the laws specified in section
9 502 or 503 shall submit an application for such
10 waiver to the State and the State shall determine
11 whether to submit the application for such waiver to
12 the Secretaries.

13 (2) TIME LIMIT.—

14 (A) IN GENERAL.—The State shall make a
15 determination to submit the application under
16 paragraph (1) not later than 30 days after the
17 date on which the State receives the application
18 from the local partnership.

19 (B) DIRECT SUBMISSION.—If the State
20 does not make a determination to submit the
21 application within the 30-day time period speci-
22 fied in subparagraph (A), the local partnership
23 may submit the application to the Secretaries
24 without first obtaining such review and com-
25 ment.

1 (c) WAIVER CRITERIA.—The request by the State
2 shall meet the criteria contained in section 502 or section
3 503 and shall specify the laws or regulations referred to
4 in those sections that the State wants waived.

5 **SEC. 502. WAIVER AUTHORITY OF SECRETARY OF EDU-**
6 **CATION.**

7 (a) WAIVER AUTHORITY.—

8 (1) IN GENERAL.—Except as provided in sub-
9 section (c), the Secretary of Education may waive
10 any requirement under any provision of law referred
11 to in subsection (b), or any regulation issued under
12 such provision, for a State that requests such a
13 waiver and has an approved State plan under section
14 214—

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

20 (B) if the State provides the Secretary
21 with documentation of the necessity for the
22 waiver, including—

23 (i) the specific requirement that will
24 be waived;

1 (ii) the specific positive outcomes ex-
2 pected from the waiver and why those out-
3 comes cannot be achieved while complying
4 with the requirement;

5 (iii) the process which will be used to
6 monitor the progress in implementing the
7 waiver; and

8 (iv) such other information as the
9 Secretary may require;

10 (C) if the State waives, or agrees to waive,
11 similar requirements of State law; and

12 (D) if the State—

13 (i) has provided all local partnerships
14 in the State, and local educational agencies
15 participating in a local partnership in the
16 State, with notice and an opportunity to
17 comment on the State’s proposal to seek a
18 waiver;

19 (ii) provides, to the extent feasible,
20 students, parents, and advocacy and civil
21 rights groups an opportunity to comment
22 on the State’s proposal to seek a waiver;
23 and

1 (iii) has submitted the comments of
2 the local partnerships and local educational
3 agencies to the Secretary of Education.

4 (2) APPROVAL OR DISAPPROVAL.—The Sec-
5 retary of Education shall promptly approve or dis-
6 approve any request submitted pursuant to para-
7 graph (1) and shall issue a decision that shall—

8 (A) include the reasons for approving or
9 disapproving the request, including a response
10 to comments; and

11 (B) be disseminated by the State seeking
12 the waiver to interested parties, including edu-
13 cators, parents, students, advocacy and civil
14 rights organizations, and the public.

15 (3) APPROVAL CRITERIA.—In approving a re-
16 quest under paragraph (2), the Secretary of Edu-
17 cation shall consider the amount of State resources
18 that will be used to implement the State plan.

19 (4) TIME PERIOD FOR WAIVER.—Each waiver
20 approved under paragraph (2) shall be for a period
21 not to exceed 5 years, except that the Secretary of
22 Education may extend such period if the Secretary
23 determines that the waiver has been effective in ena-
24 bling the State or local partnership to carry out the
25 purposes of this Act.

1 (b) APPLICABLE PROVISIONS OF LAW.—The applica-
2 ble provisions of law referred to in this subsection are the
3 following:

4 (1) Chapter 1 of title I of the Elementary and
5 Secondary Education Act of 1965, including the
6 Even Start Act.

7 (2) Part A of chapter 2 of title I of the Elemen-
8 tary and Secondary Education Act of 1965.

9 (3) The Dwight D. Eisenhower Mathematics
10 and Science Education Act (part A of title II of the
11 Elementary and Secondary Education Act of 1965).

12 (4) The Emergency Immigrant Education Act
13 of 1984 (part D of title IV of the Elementary and
14 Secondary Education Act of 1965).

15 (5) The Drug-Free Schools and Communities
16 Act of 1986 (title V of the Elementary and Second-
17 ary Education Act of 1965).

18 (6) The Carl D. Perkins Vocational and Applied
19 Technology Education Act.

20 (c) WAIVERS NOT AUTHORIZED.—The Secretary of
21 Education may not waive any requirement under any pro-
22 vision of law referred to in subsection (b), or any regula-
23 tion issued under such provision, relating to—

24 (1) the basic purposes or goals of such provi-
25 sion of law;

- 1 (2) maintenance of effort;
- 2 (3) comparability of services;
- 3 (4) the equitable participation of students at-
- 4 tending private schools;
- 5 (5) parental participation and involvement;
- 6 (6) the distribution of funds to State or to local
- 7 educational agencies;
- 8 (7) the eligibility of individuals for participation
- 9 in a program under such provision of law;
- 10 (8) public health or safety, labor standards,
- 11 civil rights, occupational safety and health, or envi-
- 12 ronmental protection; or
- 13 (9) prohibitions or restrictions relating to the
- 14 construction of buildings or facilities.

15 (d) TERMINATION OF WAIVERS.—The Secretary of
16 Education shall periodically review the performance of any
17 State or local partnership for which the Secretary has
18 granted a waiver under subsection (a) and shall terminate
19 the waiver if—

- 20 (1) the Secretary determines that the perform-
- 21 ance of the State, local partnership, or local edu-
- 22 cational agency affected by the waiver, as the case
- 23 may be, has been inadequate to justify a continu-
- 24 ation of the waiver; or

1 (2) the State fails to waive similar requirements
2 of State law as required or agreed to in accordance
3 with subsection (a)(1)(B).

4 **SEC. 503. WAIVER AUTHORITY OF SECRETARY OF LABOR.**

5 (a) WAIVER AUTHORITY.—

6 (1) IN GENERAL.—Except as provided in sub-
7 section (c), the Secretary of Labor may waive any
8 requirement under any provision of the Job Training
9 Partnership Act (29 U.S.C. 1501 et seq.), or any
10 regulation issued under such provision, for a State
11 that requests such a waiver and has an approved
12 State plan under section 214—

13 (A) if, and only to the extent that, the Sec-
14 retary of Labor determines that such require-
15 ment impedes the ability of the State or a local
16 partnership to carry out the purposes of this
17 Act;

18 (B) if the State provides the Secretary
19 with documentation of the necessity for the
20 waiver, including—

21 (i) the specific requirement that will
22 be waived;

23 (ii) the specific positive outcomes ex-
24 pected from the waiver and why those out-

1 comes cannot be achieved while complying
2 with the requirement;

3 (iii) the process which will be used to
4 monitor the progress in implementing the
5 waiver; and

6 (iv) such other information as the
7 Secretary may require;

8 (C) if the State waives, or agrees to waive,
9 similar requirements of State or territory law;
10 and

11 (D) if the State—

12 (i) has provided all local partnerships
13 in the State with notice and an oppor-
14 tunity to comment on the State's proposal
15 to seek a waiver;

16 (ii) provides, to the extent feasible,
17 students, parents, and advocacy and civil
18 rights groups an opportunity to comment
19 on the State's proposal to seek a waiver;
20 and

21 (iii) has submitted the comments of
22 the local partnerships to the Secretary of
23 Labor.

24 (2) APPROVAL OR DISAPPROVAL.—The Sec-
25 retary of Labor shall promptly approve or dis-

1 approve any request submitted pursuant to para-
2 graph (1) and shall issue a decision that shall—

3 (A) include the reasons for approving or
4 disapproving the request, including a response
5 to comments; and

6 (B) be disseminated by the State seeking
7 the waiver to interested parties, including edu-
8 cators, parents, students, advocacy and civil
9 rights organizations, and the public.

10 (3) APPROVAL CRITERIA.—In approving a re-
11 quest under paragraph (2), the Secretary of Labor
12 shall consider the amount of State resources that
13 will be used to implement the State plan.

14 (4) TIME PERIOD FOR WAIVER.—Each waiver
15 approved under paragraph (2) shall be for a period
16 not to exceed 5 years, except that the Secretary of
17 Labor may extend such period if the Secretary de-
18 termines that the waiver has been effective in ena-
19 bling the State or local partnership to carry out the
20 purposes of this Act.

21 (b) WAIVERS NOT AUTHORIZED.—The Secretary of
22 Labor may not waive any requirement under any provision
23 of the Job Training Partnership Act (29 U.S.C. 1501 et
24 seq.), or any regulation issued under such provision, relat-
25 ing to—

1 (1) the basic purposes or goals of such provi-
2 sion of law;

3 (2) the eligibility of individuals for participation
4 in a program under such provision of law;

5 (3) the allocation of funds under such provision
6 of law;

7 (4) public health or safety, labor standards,
8 civil rights, occupational safety and health, or envi-
9 ronmental protection;

10 (5) maintenance of effort; or

11 (6) prohibitions or restrictions relating to the
12 construction of buildings or facilities.

13 (c) TERMINATION OF WAIVERS.—The Secretary of
14 Labor shall periodically review the performance of any
15 State or local partnership for which the Secretary has
16 granted a waiver under subsection (a) and shall terminate
17 the waiver if—

18 (1) the Secretary determines that the perform-
19 ance of the State or local partnership affected by the
20 waiver has been inadequate to justify a continuation
21 of the waiver; or

22 (2) the State fails to waive similar requirements
23 of State or territory law as required or agreed to in
24 accordance with subsection (a)(1)(B).

1 **SEC. 504. COMBINATION OF FEDERAL FUNDS FOR HIGH**
2 **POVERTY SCHOOLS.**

3 (a) IN GENERAL.—In order to integrate existing
4 school-to-work transition activities with activities under
5 this Act and maximize the effective use of resources, a
6 local partnership may carry out schoolwide school-to-work
7 activities in schools that meet the requirements of sub-
8 paragraphs (A) and (B) of section 263(g)(1) of the Job
9 Training Partnership Act (29 U.S.C. 1643(g)(1)(A) and
10 (B)) by combining Federal funds under this Act with other
11 Federal funds from among those programs under—

12 (1) the provisions of law listed in paragraphs

13 (2) through (6) of section 502(b); and

14 (2) the Job Training Partnership Act (29
15 U.S.C. 1501 et seq.)

16 (b) USE OF FUNDS.—A local partnership may use
17 the Federal funds combined under subsection (a) under
18 the requirements of this Act, except that the provisions
19 contained in paragraphs (1) through (6) and paragraphs
20 (8) and (9) of section 502(c), and paragraph (1) and para-
21 graphs (3) through (6) of section 503(b) shall remain in
22 effect with respect to the use of such funds.

23 (c) ADDITIONAL INFORMATION IN APPLICATION.—A
24 local partnership seeking to combine funds under sub-
25 section (a) must include in its application under title II
26 or title III—

1 (1) a description of the funds it proposes to
2 combine under the requirements of this Act;

3 (2) the activities to be carried out with such
4 funds;

5 (3) the specific outcomes expected of partici-
6 pants in schoolwide school-to-work activities; and

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

9 (d) DISSEMINATION OF INFORMATION.—The local
10 partnership shall, to the extent feasible, provide informa-
11 tion on the proposed combination of Federal funds under
12 subsection (a) to parents, students, educators, advocacy
13 and civil rights organizations, and the public.

14 **TITLE VI—SAFEGUARDS**

15 **SEC. 601. SAFEGUARDS.**

16 The following safeguards shall apply to each School-
17 to-Work Opportunities program carried out under this
18 Act:

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

24 (2) PROHIBITION OF WAGES.—Funds appro-
25 priated pursuant to section 6 shall not be expended

1 for the wages of youth participants or workplace
2 mentors.

3 (3) LABOR STANDARDS.—The labor standards
4 contained in section 143 of the Job Training Part-
5 nership Act (29 U.S.C. 1553), except for the stand-
6 ards contained in subsection (a)(4) of such section,
7 shall apply to each program.

8 (4) INDIVIDUALS NOT ENTITLED TO SERV-
9 ICES.—Nothing in this Act shall be construed to
10 provide any individual with an entitlement to the
11 services authorized by this Act.

12 (5) SIMILAR AUTHORITY OF OTHER OFFICIALS
13 OR ENTITIES NOT SUPERSEDED.—Nothing in this
14 Act shall be construed to negate or supersede the
15 authority of any official or entity responsible under
16 State or other applicable law for authority that is
17 similar to authority specified under this Act.

18 (6) SUPPLEMENT NOT SUPPLANT REQUIRE-
19 MENT.—Funds provided under this Act shall be used
20 to supplement and not to supplant Federal, State,
21 and local public funds expended to provide services
22 for existing school-to-work opportunities systems and
23 programs.

24 (7) OTHER SAFEGUARDS.—The Secretaries
25 shall provide such other safeguards as they deem ap-

1 appropriate in order to ensure that participants in a
 2 program are afforded adequate supervision by skilled
 3 adult workers, or, otherwise, to further the purposes
 4 of this Act.

5 **TITLE VII—REAUTHORIZATION**
 6 **OF JOB TRAINING FOR THE**
 7 **HOMELESS DEMONSTRATION**
 8 **PROGRAM UNDER THE STEW-**
 9 **ART B. MCKINNEY HOMELESS**
 10 **ASSISTANCE ACT**

11 **SEC. 701. REAUTHORIZATION.**

12 Section 739(a) of the Stewart B. McKinney Homeless
 13 Assistance Act (42 U.S.C. 11449(a)) is amended by strik-
 14 ing “the following amounts:” and all that follows and in-
 15 serting “such sums as may be necessary for each of the
 16 fiscal years 1994 and 1995.”.

 Passed the House of Representatives November 15,
 1993.

Attest:

Clerk.

HR 2884 EH—2

HR 2884 EH—3

HR 2884 EH—4

HR 2884 EH—5

HR 2884 EH—6