

103^D CONGRESS
1ST SESSION

H.R. 2884

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

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1993

Mr. FORD of Michigan (for himself, Mr. GEPHARDT, Mr. MILLER of California, Mr. MURPHY, Mr. KILDEE, Mr. WILLIAMS, Mr. MARTINEZ, Mr. OWENS, Mr. SAWYER, Mr. PAYNE of New Jersey, Mrs. UNSOELD, Mrs. MINK, Mr. ANDREWS of New Jersey, Mr. REED, Mr. ROEMER, Mr. ENGEL, Mr. BECERRA, Mr. GENE GREEN of Texas, Ms. WOOLSEY, Mr. ROMERO-BARCELÓ, Mr. KLINK, Mr. STRICKLAND, Mr. DE LUGO, Mr. GOODLING, Mr. GUNDERSON, Ms. MOLINARI, Mr. RANGEL, Mr. MCCURDY, Ms. PELOSI, Mrs. LOWEY, Mr. SERRANO, Ms. DELAURO, Mr. CLAY, Mr. BAESLER, and Mr. ROUKEMA) introduced the following bill; which was referred to the Committee on Education and Labor

OCTOBER 7, 1993

Additional sponsors: Mr. HOYER, Mr. FALEOMAVAEGA, Mr. FROST, Mr. MAZZOLI, Mr. CASTLE, Mr. HOUGHTON, Mr. LEVIN, Mr. BONIOR, Mr. MENENDEZ, Mr. SCOTT, Mr. GIBBONS, Ms. ENGLISH of Arizona, Mr. OLVER, and Mr. RUSH

A BILL

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,*

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 1993”.

4 (b) TABLE OF CONTENTS.—The table of contents is
5 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.

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.

TITLE III—FEDERAL IMPLEMENTATION GRANTS TO
PARTNERSHIPS

- Sec. 301. Purpose.
- Sec. 302. Federal implementation grants to partnerships.
- Sec. 303. School-to-Work Opportunities program grants in high poverty areas.

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 regulatory 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. Safeguards.
Sec. 505. Authorization of appropriations.
Sec. 506. Acceptance of gifts, and other matters.
Sec. 507. Effective date.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) three-fourths of America’s high school stu-
4 dents enter the workforce 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 workplace;

8 (2) unemployment among American youth is in-
9 tolerably high, and earnings of high school graduates
10 have been falling relative to those with more edu-
11 cation;

12 (3) the American workplace is changing in re-
13 sponse to heightened international competition and
14 new technologies, and these forces, which are ulti-
15 mately beneficial to the Nation, are shrinking the
16 demand for and undermining the earning power of
17 unskilled labor;

18 (4) the United States is the only industrialized
19 Nation that lacks a comprehensive and coherent sys-
20 tem to help its youth acquire knowledge, skills, abili-
21 ties, and information about and access to the labor
22 market necessary to make an effective transition

1 from school to career-oriented work or to further
2 education and training;

3 (5) American students can achieve to high
4 standards, and many learn better and retain more
5 when they learn in context, rather than in the ab-
6 stract;

7 (6) work-based learning, which is modeled after
8 the time-honored apprenticeship concept, integrates
9 theoretical instruction with structured on-the-job
10 training, and this approach, combined with school-
11 based learning, can be very effective in engaging stu-
12 dent interest, enhancing skill acquisition, and pre-
13 paring youth for high-skill, high-wage careers; and

14 (7) Federal resources currently fund a series of
15 categorical, work-related education and training pro-
16 grams that are not administered as a coherent
17 whole.

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

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

20 (1) establish a national framework within which
21 all States can create statewide School-to-Work Op-
22 portunities systems that are integrated with the sys-
23 tems developed under the Goals 2000: Educate
24 America Act and that offer young Americans access
25 to a performance-based education and training pro-

1 gram that will enable them to earn portable creden-
2 tials, prepare them for a first job in a high-skill,
3 high-wage career, and increase their opportunities
4 for further education;

5 (2) transform workplaces into active learning
6 components by making employers full partners in
7 providing high-quality, work-based learning experi-
8 ences to students;

9 (3) use Federal funds under this Act as venture
10 capital, to underwrite the initial costs of planning
11 and establishing statewide School-to-Work Opportu-
12 nities systems that will be maintained with other
13 Federal, State, and local resources;

14 (4) promote the formation, among secondary
15 and postsecondary educational institutions, private
16 and public employers, labor organizations, govern-
17 ment, community groups, parents, and students, of
18 local education and training systems that are dedi-
19 cated to linking the worlds of school and work;

20 (5) help students attain high academic and oc-
21 cupational standards;

22 (6) build on and advance a range of promising
23 programs, such as tech-prep education, career acad-
24 emies, school-to-apprenticeship programs, coopera-
25 tive education, youth apprenticeship, and business-

1 education compacts, that can be developed into pro-
2 grams funded under this Act;

3 (7) improve the knowledge and skills of youth
4 by integrating academic and occupational learning,
5 integrating school-based and work-based learning,
6 and building effective linkages between secondary
7 and postsecondary education;

8 (8) motivate youth, especially low-achieving
9 youth and dropouts, to stay in or return to school
10 and strive to succeed by providing enriched learning
11 experiences and assistance in obtaining good jobs;
12 and

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

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

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

23 (2) contributes to reinventing government by
24 building on State and local capacity, eliminating du-
25 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 As used in this Act—

5 (1) the term “elements of an industry” means,
6 with respect to a particular industry that a student
7 is preparing to enter, such elements as planning,
8 management, finances, technical and production
9 skills, underlying principles of technology, labor and
10 community issues, health and safety, and environ-
11 mental issues related to that industry;

12 (2) the term “all students” means students
13 from the broad range of backgrounds and cir-
14 cumstances, including disadvantaged students, stu-
15 dents of diverse racial, ethnic, and cultural back-
16 grounds, students with disabilities, students with
17 limited English proficiency, and academically tal-
18 ented students;

19 (3) the term “approved State plan” or “ap-
20 proved plan” means a School-to-Work Opportunities
21 plan that is submitted by a State, is determined by
22 the Secretaries to include the basic program compo-
23 nents and otherwise meet the requirements of this
24 Act, and is consistent with the State’s plan under
25 the Goals 2000: Educate America Act;

1 (4) the term “career major” means a coherent
2 sequence of courses or field of study that prepares
3 a student for a first job and that—

4 (A) integrates occupational and academic
5 learning, integrates work-based and school-
6 based learning, and establishes linkages be-
7 tween secondary and postsecondary education;

8 (B) prepares the student for employment
9 in broad occupational clusters or industry sec-
10 tors;

11 (C) typically includes at least two years of
12 secondary school and one or two years of post-
13 secondary education;

14 (D) results in the award of a high school
15 diploma, a certificate or diploma recognizing
16 successful completion of one or two years of
17 postsecondary education (if appropriate), and a
18 skill certificate; and

19 (E) may lead to further training, such as
20 entry into a registered apprenticeship program;

21 (5) the term “employer” includes both public
22 and private employers;

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

1 (7) the term “local educational agency” shall
2 have the same meaning as provided in paragraph 12
3 of section 1471 of the Elementary and Secondary
4 Education Act of 1965 (20 U.S.C. 2891(12));

5 (8) the term “partnership” means a local entity
6 that is responsible for local School-to-Work Opportu-
7 nities programs and that consists of employers, pub-
8 lic secondary and postsecondary educational institu-
9 tions or agencies, and labor organizations or em-
10 ployee representatives as defined in section
11 403(c)(1)(B) of the Goals 2000: Educate America
12 Act, and may include other entities, such as non-
13 profit or community-based organizations, rehabilita-
14 tion agencies and organizations, registered appren-
15 ticeship agencies, local vocational education entities,
16 local government agencies, parent organizations and
17 teacher organizations, private industry councils es-
18 tablished under the Job Training Partnership Act,
19 and federally recognized Indian tribes and Alaska
20 Native villages;

21 (9) the term “postsecondary education institu-
22 tion” means a public or private nonprofit institution
23 that is authorized within a State to provide a pro-
24 gram of education beyond secondary education, and
25 includes a community college, a technical college, a

1 postsecondary vocational institution, or a tribally
2 controlled community college;

3 (10) the term “registered apprenticeship agen-
4 cy” means either the Bureau of Apprenticeship and
5 Training in the United States Department of Labor
6 or a State apprenticeship agency recognized and ap-
7 proved by the Bureau of Apprenticeship and Train-
8 ing as the appropriate body for State registration or
9 approval of local apprenticeship programs and agree-
10 ments for Federal purposes;

11 (11) the term “registered apprenticeship pro-
12 gram” means a program registered by a registered
13 apprenticeship agency;

14 (12) the term “Secretaries” means the Sec-
15 retary of Education and the Secretary of Labor;

16 (13) the term “skill certificate” means a port-
17 able, industry-recognized credential issued by a
18 School-to-Work Opportunities program under an ap-
19 proved plan, that certifies that a student has mas-
20 tered skills at levels that are at least as challenging
21 as skill standards endorsed by the National Skill
22 Standards Board established under the Goals 2000:
23 Educate America Act, except that until such skill
24 standards are developed, the term “skill certificate”

1 means a credential issued under a process described
2 in a State's approved plan;

3 (14) the term "State" means each of the sev-
4 eral States, the District of Columbia and the Com-
5 monwealth of Puerto Rico;

6 (15) the term "workplace mentor" means an
7 employee at the workplace who possesses the skills
8 to be mastered by a student, and who instructs the
9 student, critiques the student's performance, chal-
10 lenges the student to perform well, and works in
11 consultation with classroom teachers and the em-
12 ployer.

13 **SEC. 5. FEDERAL ADMINISTRATION.**

14 (a) Notwithstanding the Department of Education
15 Organization Act (20 U.S.C. 3401 et seq.), the General
16 Education Provisions Act (20 U.S.C. 1221 et seq.), the
17 statutory provisions regarding the establishment of the
18 Department of Labor (29 U.S.C. 551 et seq.), and section
19 166 of the Job Training Partnership Act (29 U.S.C.
20 1576), the Secretaries shall jointly provide for the admin-
21 istration of the programs established by this Act, and may
22 issue whatever procedures, guidelines, and regulations, in
23 accordance with section 553 of title 5, United States Code,
24 they deem necessary and appropriate to administer and
25 enforce the provisions of this Act.

1 (b) Section 431 of the General Education Provisions
2 Act (20 U.S.C. 1232), shall not apply to any programs
3 under this Act.

4 **TITLE I—SCHOOL-TO-WORK OPPORTUNI-**
5 **TIES BASIC PROGRAM COMPONENTS**

6 **SEC. 101. GENERAL PROGRAM REQUIREMENTS.**

7 A School-to-Work Opportunities program under this
8 Act shall—

9 (1) integrate work-based learning and school-
10 based learning, as provided for in sections 102 and
11 103;

12 (2) provide a student with the opportunity to
13 complete a career major as defined in section 4 of
14 this Act; and

15 (3) incorporate the basis program components
16 provided in sections 102 through 104.

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

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

20 (1) a planned program of job training and expe-
21 riences, including skills to be mastered at progres-
22 sively higher levels, that are relevant to a student's
23 career major and lead to the award of a skill certifi-
24 cate;

25 (2) paid work experience;

1 (3) workplace mentoring;

2 (4) instruction in general workplace com-
3 petencies; and

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

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

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

9 (1) career exploration and counseling in order
10 to help students who may be interested to identify,
11 and select or reconsider, their interests, goals, and
12 career majors;

13 (2) initial selection by interested students of a
14 career major not later than the beginning of the
15 eleventh grade;

16 (3) a program of study designed to meet the
17 same challenging academic standards established by
18 States for all students under the Goals 2000: Edu-
19 cate America Act, and to meet the requirements nec-
20 essary for a student to earn a skill certificate; and

21 (4) regularly scheduled evaluations to identify
22 academic strengths and weaknesses of students and
23 the need for additional learning opportunities to
24 master core academic skills.

1 **SEC. 104. CONNECTING ACTIVITIES COMPONENT.**

2 The connecting activities component of a School-to-
3 Work Opportunities program shall include—

4 (1) matching students with employers' work-
5 based learning opportunities;

6 (2) serving as a liaison among the employer,
7 school, teacher, parent, and student;

8 (3) providing technical assistance and services
9 to employers and others in designing work-based
10 learning components and counseling and case man-
11 agement services, and in training teachers, work-
12 place mentors, and counselors;

13 (4) providing assistance to students who have
14 completed the program in finding an appropriate
15 job, continuing their education, or entering into an
16 additional training program;

17 (5) collecting and analyzing information regard-
18 ing post-program outcomes of students who partici-
19 pate in the School-to-Work Opportunities program;
20 and

21 (6) linking youth development activities under
22 this Act with employer strategies or upgrading the
23 skills of their workers.

1 **TITLE II—SCHOOL-TO-WORK OPPORTUNI-**
2 **TIES SYSTEM DEVELOPMENT AND IM-**
3 **PLEMENTATION GRANTS TO STATES**

4 **Subtitle A—State Development Grants**

5 **SEC. 201. PURPOSE.**

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

9 **SEC. 202. STATE DEVELOPMENT GRANTS.**

10 (a) **IN GENERAL.**—Upon the application of a State,
11 the Secretaries may award a development grant to a State
12 in such amount as the Secretaries determine is necessary
13 to enable the State to complete development (that may
14 have begun with funds awarded under the Job Training
15 Partnership Act (29 U.S.C. 1501 et seq.), and the Carl
16 D. Perkins Vocational and Applied Technology Education
17 Act (20 U.S.C. 2301 et seq.), of a comprehensive, state-
18 wide School-to-Work Opportunities system, except that a
19 development grant under this subtitle may not exceed
20 \$1,000,000 in any fiscal year.

21 (b) **APPLICATION CONTENTS.**—The application for a
22 development grant shall—

23 (1) include a timetable and an estimate of the
24 amount of funding needed to complete the planning
25 and development necessary to implement a com-

1 prehensive, statewide School-to-Work Opportunities
2 system;

3 (2) describe how the Governor; the chief State
4 school officer; the State agency officials responsible
5 for job training and employment, economic develop-
6 ment, and postsecondary education; and other ap-
7 propriate officials will collaborate in the planning
8 and development of the State School-to-Work Oppor-
9 tunities system;

10 (3) describe how the State will enlist the active
11 and continued participation in the planning and de-
12 velopment of the statewide School-to-Work Opportu-
13 nities system of employers and other interested par-
14 ties such as locally elected officials, secondary and
15 postsecondary educational institutions or agencies,
16 business associations, employees, labor organizations
17 or associations thereof, teachers, students, parents,
18 community-based organizations, rehabilitation agen-
19 cies and organizations, registered apprenticeship
20 agencies, and local vocational educational agencies;

21 (4) describe how the State will coordinate its
22 planning activities with any local School-to-Work
23 Opportunities program that has received a grant
24 under title III of this Act;

1 (5) designate a fiscal agent to receive and be
2 accountable for funds awarded under this subtitle;
3 and

4 (6) include such other information as the Sec-
5 retaries may require.

6 (c) STATE DEVELOPMENT ACTIVITIES.—Funds
7 awarded under this section shall be expended by a State
8 only for activities undertaken to develop a statewide
9 School-to-Work Opportunities system, which may in-
10 clude—

11 (1) identifying or establishing an appropriate
12 State structure to administer the School-to-Work
13 Opportunities system;

14 (2) identifying or establishing broad-based part-
15 nerships among employers, labor, education, govern-
16 ment, and other community organizations to partici-
17 pate in the design, development, and administration
18 of School-to-Work Opportunities programs;

19 (3) developing a marketing plan to build con-
20 sensus and support for School-to-Work Opportuni-
21 ties programs;

22 (4) promoting the active involvement of busi-
23 ness in planning and developing local School-to-
24 Work Opportunities programs;

1 (5) supporting local School-to-Work Opportuni-
2 ties planning and development activities to provide
3 guidance in the development of School-to-Work Op-
4 portunities programs;

5 (6) initiating pilot programs for testing key
6 components of State program design;

7 (7) developing a State process for issuing skill
8 certificates that takes into account the work of the
9 National Skill Standards Board and the criteria es-
10 tablished under Goals 2000: Educate America Act;

11 (8) designing challenging curricula;

12 (9) developing a system for labor market analy-
13 sis and strategic planning for local targeting of in-
14 dustry sectors or broad occupational clusters;

15 (10) analyzing the post high school employment
16 experiences of recent high school graduates and
17 dropouts; and

18 (11) preparing the plan required for submission
19 of an application for an Implementation Grant
20 under subtitle B.

21 **Subtitle B—State Implementation Grants**

22 **SEC. 211. PURPOSE.**

23 The purpose of this subtitle is to assist States
24 in the implementation of comprehensive, statewide
25 School-to-Work Opportunities systems.

1 **SEC. 212. STATE IMPLEMENTATION GRANTS.**

2 (a) ELIGIBILITY AND APPLICATION.—A State may
3 apply to the Secretaries for a competitive implementation
4 grant by submitting an application that contains—

5 (1) a plan for a comprehensive, statewide
6 School-to-Work Opportunities system that meets the
7 content requirements provided in subsection (b);

8 (2) a description of how the State will allocate
9 funds under this Act to local School-to-Work Oppor-
10 tunities partnerships;

11 (3) a request, if the State decides to submit
12 such a request, for one or more waivers of certain
13 statutory or regulatory requirements, as provided for
14 under title V of this Act; and

15 (4) such other information as the Secretaries
16 may require.

17 (b) CONTENTS OF STATE PLAN.—A State plan
18 shall—

19 (1) designate the geographical areas to be
20 served by partnerships, which shall, to the extent
21 feasible, reflect local labor market areas;

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

1 (3) describe the procedure by which the Gov-
2 ernor; the chief State school officer; the State agen-
3 cy officials responsible for job training and employ-
4 ment, economic development, and postsecondary
5 education; and other appropriate officials will col-
6 laborate in the implementation of the School-to-
7 Work Opportunities system:

8 (4) describe the procedure for obtaining the ac-
9 tive and continued involvement in the statewide
10 School-to-Work Opportunities system of employers
11 and other interested parties such as locally elected
12 officials, secondary and postsecondary educational
13 institutions or agencies, business associations, em-
14 ployees, labor organizations or associations thereof,
15 teachers, students, parents, community-based orga-
16 nizations, rehabilitation agencies and organizations,
17 registered apprenticeship agencies, and local voca-
18 tional educational agencies;

19 (5) describe how the School-to-Work Opportuni-
20 ties system will coordinate the use of education and
21 training funds from State and private sources with
22 funds available from such related Federal programs
23 as the Adult Education Act (20 U.S.C. 1201 et
24 seq.), the Carl D. Perkins Vocational and Applied
25 Technology Education Act (20 U.S.C. 2301 et seq.),

1 the Elementary and Secondary Education Act of
2 1965 (20 U.S.C. 2701 et seq.), the Family Support
3 Act of 1988 (42 U.S.C. 602 note, 606 note), the
4 Goals 2000: Educate America Act, the Individuals
5 With Disabilities Education Act (20 U.S.C. 1400 et
6 seq.), the Job Training Partnership Act (29 U.S.C.
7 1501 et seq.), the National Apprenticeship Act (29
8 U.S.C. 50 et seq.), and the Rehabilitation Act of
9 1973 (29 U.S.C. 701 et seq.);

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

14 (7) describe how the State will ensure opportu-
15 nities for all students to participate in School-to-
16 Work Opportunities programs;

17 (8) describe how the State will ensure opportu-
18 nities for young women to participate in School-to-
19 Work Opportunities programs in a manner that
20 leads to employment in high-performance, high-pay-
21 ing jobs, including jobs in which women traditionally
22 have been underrepresented;

23 (9) describe how the State will ensure opportu-
24 nities for low achieving students, students with dis-
25 abilities, and former students who have dropped out

1 of school to participate in School-to-Work Opportu-
2 nities programs;

3 (10) describe the State's process for assessing
4 the skills and knowledge required in career majors,
5 and awarding skill certificates that take into account
6 the work of the National Skill Standards Board and
7 the criteria established under Goals 2000: Educate
8 America Act;

9 (11) describe the manner in which the State
10 will, to the extent feasible, continue and incorporate
11 programs funded under section 302 of this Act in
12 the State School-to-Work Opportunities system;

13 (12) describe the performance standards that
14 the State intends to meet; and

15 (13) designate a fiscal agent to receive and be
16 accountable for School-to-Work Opportunities funds
17 awarded under this subtitle.

18 (c) REVIEW OF APPLICATIONS.—The Secretaries
19 shall submit each application to a peer review process, de-
20 termine whether to approve the State's School-to-Work
21 Opportunities plan, and, if such determination is affirma-
22 tive, further determine whether to take one or a combina-
23 tion of the following actions—

24 (1) award an implementation grant;

1 (2) approve the State’s request, if any, for a
2 waiver in accordance with the procedures in title V
3 of this Act; and

4 (3) inform the State of the opportunity to apply
5 for further development funds, except that further
6 development funds may not be awarded to a State
7 that receives an implementation grant.

8 (d) AMOUNT OF GRANT.—The Secretaries shall es-
9 tablish the minimum and maximum amounts available for
10 an implementation grant, and shall determine the actual
11 amount granted to any State based on such criteria as
12 the scope and quality of the plan and the number of pro-
13 jected program participants.

14 (e) STATE IMPLEMENTATION ACTIVITIES.—Funds
15 awarded under this section shall be expended by a State
16 only for activities undertaken to implement the State’s
17 School-to-Work Opportunities system, which may in-
18 clude—

19 (1) recruiting and providing assistance to em-
20 ployers to provide work-based learning for students;

21 (2) conducting outreach activities to promote
22 and support collaboration in School-to-Work Oppor-
23 tunities programs by businesses, labor organizations,
24 and other organizations;

1 (3) providing training for teachers, employers,
2 workplace mentors, counselors, and others;

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

6 (5) designing or adapting model curricula that
7 can be used to integrate academic and vocational
8 learning, school-based and work-based learning, and
9 secondary and postsecondary education;

10 (6) designing or adapting model work-based
11 learning programs and identifying best practices;
12 and

13 (7) conducting outreach activities and providing
14 technical assistance to other States that are develop-
15 ing or implementing School-to-Work Opportunities
16 systems.

17 (f) ALLOCATION OF FUNDS TO PARTNERSHIPS.—A
18 State shall award subgrants to partnerships, according to
19 criteria established by the State, that total no less than
20 65 per centum of the sums awarded to it under this sec-
21 tion in the first year, 75 per centum of such sums in the
22 second year, and 85 per centum of such sums in each year
23 thereafter.

24 (g) STATE SUBGRANTS TO PARTNERSHIPS.—

1 (1) APPLICATION.—A partnership that seeks a
2 subgrant to carry out a local School-to-Work Oppor-
3 tunities program shall submit an application to the
4 State that—

5 (A) describes how the program would in-
6 clude the basic program components and other-
7 wise meet the requirements of title I of this
8 Act;

9 (B) sets forth measurable program goals
10 and outcomes;

11 (C) describes the local strategies and time-
12 tables to provide School-to-Work Opportunities
13 program opportunities for all students; and

14 (D) provides such other information as the
15 State may require.

16 (2) ALLOWABLE ACTIVITIES.—A partnership
17 shall expend funds awarded under this section only
18 for activities undertaken to carry out School-to-Work
19 Opportunities programs as defined in this Act, and
20 such activities may include—

21 (A) recruiting and providing assistance to
22 employers to provide the work-based learning
23 components in the School-to-Work Opportuni-
24 ties program;

1 (B) establishing consortia of employers to
2 support the School-to-Work Opportunities pro-
3 gram and provide access to jobs related to stu-
4 dents' career majors;

5 (C) supporting or establishing
6 intermediaries to perform the activities de-
7 scribed in section 104 and to provide assistance
8 to students in obtaining jobs and further edu-
9 cation and training;

10 (D) designing or adapting school curricula
11 that can be used to integrate academic and vo-
12 cational learning, school-based and work-based
13 learning, and secondary and postsecondary edu-
14 cation;

15 (E) providing training to work-based and
16 school-based staff on new curricula, student as-
17 sessments, student guidance, and feedback to
18 the school regarding student performance;

19 (F) establishing in schools participating in
20 a School-to-Work Opportunities program a
21 graduation assistance program to assist at-risk
22 and low-achieving students in graduating from
23 high school, enrolling in postsecondary edu-
24 cation or training, and finding or advancing in
25 jobs;

1 (G) conducting or obtaining an indepth
2 analysis of the local labor market and the ge-
3 neric and specific skill needs of employers to
4 identify high-demand, high-wage careers to
5 target;

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

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

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

18 **TITLE III—FEDERAL IMPLEMENTATION**

19 **GRANTS TO PARTNERSHIPS**

20 **SEC. 301. PURPOSE.**

21 The purposes of this title are—

22 (1) to authorize the Secretaries to award com-
23 petitive grants to partnerships in States that have
24 not received an implementation grant under section
25 212, in order to provide funding for communities

1 that have built a sound planning and development
2 base for School-to-Work Opportunities programs and
3 are ready to begin implementing a local School-to-
4 Work Opportunities program; and

5 (2) to authorize the Secretaries to award com-
6 petitive grants to implement School-to-Work Oppor-
7 tunities programs in high poverty areas of urban
8 and rural communities to provide support for a com-
9 prehensive range of education, training, and support
10 services for youth residing in designated high pov-
11 erty areas.

12 **SEC. 302. FEDERAL IMPLEMENTATION GRANTS TO PART-**
13 **NERSHIPS.**

14 (a) **IN GENERAL.**—The Secretaries may award
15 School-to-Work Opportunities implementation grants to
16 partnerships in States that have not received an imple-
17 mentation grant under section 212, according to competi-
18 tive criteria established by the Secretaries.

19 (b) **APPLICATION PROCEDURE.**—A partnership that
20 desires to receive a direct Federal grant under this section
21 shall submit an application to the Secretaries in accord
22 with procedures specified by the Secretaries, but before
23 the partnership submits the application to the Secretaries
24 it shall first submit the application to the State for review
25 and comment.

1 (c) APPLICATION CONTENTS.—The grant application
2 from a partnership shall include a plan for local School-
3 to-Work Opportunities programs that—

4 (1) describes how the partnership will meet the
5 requirements of this Act;

6 (2) includes the State’s comments, if any;

7 (3) contains information that is consistent with
8 the content requirements for a State plan that are
9 specified in section 212(b) (4) through (10);

10 (4) designates a fiscal agent to receive and be
11 accountable for funds under this section; and

12 (5) provides other information that the Sec-
13 retaries may require.

14 (d) CONFORMITY WITH APPROVED STATE PLAN.—
15 The Secretaries shall not award a grant under this section
16 to a partnership in a State that has an approved plan un-
17 less the Secretaries determines, after consultation with the
18 State, that the plan submitted by the partnership is in
19 accord with the approved State plan.

20 (e) IMPLEMENTATION ACTIVITIES.—Funds awarded
21 under this section shall be expended by a partnership only
22 for activities undertaken to implement School-to-Work Op-
23 portunities programs under this Act, including, but not
24 limited to, the activities specified in section 212(g)(2).

1 **SEC. 303. SCHOOL-TO-WORK OPPORTUNITIES PROGRAM**
2 **GRANTS IN HIGH POVERTY AREAS.**

3 (a) IN GENERAL.—From the funds reserved under
4 section 505(b), the Secretaries are authorized to award
5 grants to implement School-to-Work Opportunities pro-
6 grams, that include the basic program components and
7 otherwise meet the requirements of title I of this Act, in
8 high poverty areas, as provided in this section, of urban
9 and rural communities, in order to provide support for a
10 comprehensive range of education, training, and support
11 services for youth residing in such areas. The Secretaries
12 are authorized to award such grants according to criteria
13 established by the Secretaries, except that the Secretaries
14 shall not award a grant under this section to a School-
15 to-Work Opportunities program unless the Secretaries de-
16 termine after consultation with the State and partnership
17 that it is in accord with approved State and local plans,
18 if any.

19 (b) DEFINITION.—For purposes of this section, the
20 term “high poverty area” means an urban census tract,
21 a nonmetropolitan county, a Native American Indian res-
22 ervation, or an Alaska Native village, with a poverty rate
23 of 30 per centum or more, as determined by the Bureau
24 of the Census.

25 (c) ALLOWABLE ACTIVITIES.—Funds awarded under
26 this section may be expended for activities such as those

1 that support school-based job specialists to assist students
2 in obtaining employment, and that recruit employers and
3 assist them to develop work-based learning opportunities
4 for students.

5 (d) USE OF FUNDS.—Funds available under this sec-
6 tion may be awarded in combination with funds appro-
7 priated for the Youth Fair Chance Program.

8 **TITLE IV—NATIONAL PROGRAMS**

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

11 (a) IN GENERAL.—With funds reserved under section
12 505(c), the Secretaries shall conduct research and develop-
13 ment and establish a program of experimental and dem-
14 onstration projects, to further the purposes of this Act.

15 (b) ADDITIONAL USE OF FUNDS.—Funds reserved
16 under section 505(c) may also be used for programs or
17 services authorized under any other provision of this Act
18 that are most appropriately administered at the national
19 level and that will operate in, or benefit more than, one
20 State.

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

22 (a) IN GENERAL.—The Secretaries, in collaboration
23 with the States, shall by grants, contracts, or otherwise,
24 establish a system of performance measures for assessing
25 State and local programs regarding—

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

5 (2) participation in School-to-Work Opportuni-
6 ties programs by employers, schools, and students;

7 (3) progress in developing and implementing
8 strategies for addressing the needs of in-school and
9 out-of-school, at-risk youth;

10 (4) student outcomes, including—

11 (A) academic learning gains;

12 (B) staying in school and attaining a high
13 school diploma, skill certificate, and college
14 degree;

15 (C) placement and retention in further
16 education or training, particularly in the stu-
17 dent's career major; and

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

20 (5) the extent to which the program has met
21 the needs of employers.

22 (b) EVALUATION.—The Secretaries shall conduct a
23 national evaluation of School-to-Work Opportunities pro-
24 grams funded under this Act that will track and assess
25 the progress of implementation of State and local pro-

1 grams and their effectiveness based on measures such as
2 those described in subsection (a).

3 (c) REPORTS.—Each State shall provide periodic re-
4 ports, at such intervals as the Secretaries determine, con-
5 taining information described in paragraphs (1) through
6 (4) of subsection (a).

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

8 (a) PURPOSE.—The Secretaries shall work in co-
9 operation with the States, employers and their associa-
10 tions, schools, labor organizations, and community organi-
11 zations to increase their capacity to develop and imple-
12 ment effective School-to-Work Opportunities programs.

13 (b) AUTHORIZED ACTIVITIES.—The Secretaries shall
14 provide, through grants, contracts, or other arrange-
15 ments—

16 (1) training, technical assistance, and other ac-
17 tivities that will:

18 (A) enhance the skills, knowledge, and ex-
19 pertise of the personnel involved in planning
20 and implementing State and local School-to-
21 Work Opportunities programs; and

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

24 (2) assistance to States and partnerships in
25 order to integrate resources available under this Act

1 with resources available under other Federal, State,
2 and local authorities;

3 (3) assistance to States and partnerships to re-
4 cruit employers to provide the work-based learning
5 component of School-to-Work Opportunities pro-
6 grams.

7 (c) PEER REVIEW.—The Secretaries may use funds
8 under section 505(c) for the peer review of State applica-
9 tions and plans under section 212 and applications under
10 title III of this Act.

11 **TITLE V—GENERAL PROVISIONS**

12 **SEC. 501. STATE REQUEST AND RESPONSIBILITIES FOR A** 13 **WAIVER OF STATUTORY AND REGULATORY** 14 **REQUIREMENTS.**

15 (a) STATE REQUEST FOR WAIVER.—A State with an
16 approved plan may, at any point during the development
17 or implementation of a School-to-Work Opportunities pro-
18 gram, request a waiver of one or more statutory or regu-
19 latory provisions from the Secretaries in order to carry
20 out the purposes of the Act.

21 (b) PARTNERSHIP REQUEST FOR WAIVER.—A part-
22 nership that seeks a waiver of any of the laws specified
23 in sections 502 and 503 shall submit an application for
24 such waiver to the State, and the State shall determine

1 whether to submit the application for a waiver to the Sec-
2 retaries.

3 (c) WAIVER CRITERIA.—The request by the State
4 shall meet the criteria contained in section 502 or section
5 503 and shall specify the laws or regulations referred to
6 in those sections that the State wants waived.

7 **SEC. 502. WAIVERS OF STATUTORY AND REGULATORY RE-**
8 **QUIREMENTS BY THE SECRETARY OF EDU-**
9 **CATION.**

10 (a) IN GENERAL.—(1) Except as provided in sub-
11 section (c), the Secretary of Education may waive any re-
12 quirement of any statute listed in subsection (b) or of the
13 regulations issued under such statute for a State that re-
14 quests such a waiver—

15 (A) if, and only to the extent that, the Sec-
16 retary of Education determines that such require-
17 ment impedes the ability of the State or a partner-
18 ship to carry out the purposes of this Act;

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

21 (C) if the State—

22 (i) has provided all partnerships, and local
23 educational agencies participating in a partner-
24 ship, in the State with notice and an oppor-

1 tunity to comment on the State’s proposal to
2 seek a waiver; and

3 (ii) has submitted the comments of the partner-
4 ships and local educational agencies to the Secretary
5 of Education.

6 (2) The Secretary of Education shall act promptly on
7 any request submitted pursuant to paragraph (1).

8 (3) Each waiver approved pursuant to this subsection
9 shall be for a period not to exceed five years, except that
10 the Secretary of Education may extend such period if the
11 Secretary of Education determines that the waiver has
12 been effective in enabling the State or partnership to carry
13 out the purposes of this Act.

14 (b) INCLUDED PROGRAMS.—The statutes subject to
15 the waiver authority of this section are as follows—

16 (1) chapter 1 of title I of the Elementary and
17 Secondary Education Act of 1965, including the
18 Even Start Act;

19 (2) part A of chapter 2 of title I of the Elemen-
20 tary and Secondary Education Act of 1965;

21 (3) the Dwight D. Eisenhower Mathematics and
22 Science Education Act (title II, part A of the Ele-
23 mentary and Secondary Education Act of 1965);

1 (4) the Emergency Immigrant Education Act of
2 1984 (title IV, part D of the Elementary and Sec-
3 ondary Education Act of 1965);

4 (5) the Drug-Free Schools and Communities
5 Act of 1986 (title V of the Elementary and Second-
6 ary Education Act of 1965); and

7 (6) the Carl D. Perkins Vocational and Applied
8 Technology Education Act.

9 (c) WAIVERS NOT AUTHORIZED.—The Secretary of
10 Education may not waive any statutory or regulatory re-
11 quirement of the programs listed in subsection (b) relating
12 to—

13 (1) the basic purposes or goals of the affected
14 programs;

15 (2) maintenance of effort;

16 (3) comparability of services;

17 (4) the equitable participation of students at-
18 tending private schools;

19 (5) parental participation and involvement;

20 (6) the distribution of funds to State or to local
21 educational agencies;

22 (7) the eligibility of an individual for participa-
23 tion in the affected programs;

1 impedes the ability of the State or a partnership to
2 carry out the purposes of this Act;

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

5 (C) if the State—

6 (i) has provided all partnerships in the
7 State with notice and an opportunity to com-
8 ment on the State’s proposal to seek a waiver;
9 and

10 (ii) has submitted the comments of the
11 partnerships to the Secretary of Labor.

12 (2) The Secretary of Labor shall act promptly on any
13 request submitted pursuant to paragraph (1).

14 (3) Each waiver approved pursuant to this subsection
15 shall be for a period not to exceed five years, except that
16 the Secretary of Labor may extend such period if the Sec-
17 retary of Labor determines that the waiver has been effec-
18 tive in enabling the State or partnership to carry out the
19 purposes of this Act.

20 (b) INCLUDED PROGRAMS.—The statutory provisions
21 subject to the waiver authority of this section are as fol-
22 lows—

23 (1) section 106(b)(4) (performance standards),
24 section 107 (selection of service providers), section
25 108 (limitation on certain costs), section 141 (gen-

1 eral program requirements), and section 142 (bene-
2 fits) of the Job Training Partnership Act, except
3 that section 141(c) and section 141(q) shall not be
4 waived;

5 (2) section 123 of the Job Training Partnership
6 Act (State education coordination and grants);

7 (3) part B of title II of the Job Training Part-
8 nership Act (Summer Youth Employment and
9 Training Programs);

10 (4) part C, title II of the Job Training Partner-
11 ship Act (Youth Training Program), except that sec-
12 tion 263 (eligibility for services) shall not be waived;
13 and

14 (5) part A (Employment and Training Pro-
15 grams for Native Americans and Migrant and Sea-
16 sonal Farmworkers), part B (Job Corps), and part
17 H (Youth Fair Chance Program) of title IV of the
18 Job Training Partnership Act.

19 (c) WAIVERS NOT AUTHORIZED.—The Secretary of
20 Labor may not waive any statutory or regulatory require-
21 ment of the programs listed in subsection (b) relating to—

22 (1) the basic purposes or goals of the affected
23 programs;

24 (2) the eligibility of an individual for participa-
25 tion in the affected programs;

1 (3) the allocation of funds under the affected
2 programs;

3 (4) public health or safety, labor standards,
4 civil rights, occupational safety and health, or envi-
5 ronmental protection;

6 (5) maintenance of effort; or

7 (6) prohibitions or restrictions relating to the
8 construction of buildings or facilities.

9 (d) TERMINATION OF WAIVERS.—The Secretary of
10 Labor shall periodically review the performance of any
11 State or partnership for which the Secretary of Labor has
12 granted a waiver and shall terminate the waiver under this
13 section if the Secretary determines that the performance
14 of the State or partnership affected by the waiver has been
15 inadequate to justify a continuation of the waiver, or the
16 State fails to waive similar requirements of State law as
17 required or agreed to in accord with section 503(a)(1)(B).

18 **SEC. 504. SAFEGUARDS.**

19 The following safeguards shall apply to School-to-
20 Work Opportunities programs under this Act:

21 (1) No student shall displace any currently em-
22 ployed worker (including a partial displacement,
23 such as a reduction in the hours of non-overtime
24 work, wages, or employment benefits).

1 (2) No School-to-Work Opportunities program
2 shall impair existing contracts for services or collec-
3 tive bargaining agreements, except that no program
4 under this Act that would be inconsistent with the
5 terms of a collective bargaining agreement shall be
6 undertaken without the written concurrence of the
7 labor organization and employer concerned.

8 (3) No student shall be employed or job open-
9 ing filled—

10 (A) when any other individuals is on tem-
11 porary layoff from the participating employer,
12 with the clear possibility of recall, from the
13 same or any substantially equivalent job; or

14 (B) when the employee has terminated the
15 employment of any regular employer or other-
16 wise reduced its workforce with the intention of
17 filling the vacancy so created with a student.

18 (4) Students shall be provided with adequate
19 and safe equipment and a safe and healthful work-
20 place in conformity with all health and safety stand-
21 ards of Federal, State, and local law.

22 (5) Nothing in this Act shall be construed to
23 modify or affect any Federal or State law prohibit-
24 ing discrimination on the basis of race, religion,

1 color, ethnicity, national origin, gender, age, or dis-
2 ability.

3 (6) Funds appropriated under authority of this
4 Act shall not be expended for wages of students.

5 (7) The Secretaries shall provide such other
6 safeguards as they may deem appropriate in order
7 to ensure that School-to-Work Opportunities partici-
8 pants are afforded adequate supervision by skilled
9 adult workers, or, otherwise, to further the purposes
10 of this Act.

11 **SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) AUTHORIZATION.—There are authorized to be ap-
13 propriated to the Secretaries \$300,000,000 in fiscal year
14 1995, and such sums as may be necessary in each of the
15 seven succeeding fiscal years for allocations to carry out
16 this Act.

17 (b) HIGH POVERTY AREAS.—The Secretaries may re-
18 serve up to \$30,000,000 in fiscal year 1995, and such
19 sums as may be necessary in each of the succeeding seven
20 years under this Act, to carry out section 303, which may
21 be used in conjunction with funds available under the
22 Youth Fair Chance Program, title IV–H of the Job Train-
23 ing Partnership Act (29 U.S.C. 1671 et seq.).

24 (c) NATIONAL PROGRAMS.—The Secretaries may re-
25 serve up to \$30,000,000 in fiscal year 1995 and such

1 sums as they may deem necessary under this Act, in each
2 of the seven succeeding fiscal years to carry out title IV.

3 (d) TERRITORIES.—The Secretaries may reserve up
4 to one quarter of one percent for School-to-Work Opportu-
5 nities programs under this Act for the territories of the
6 United States, which are the Virgin Islands, Guam, the
7 Northern Mariana Islands, American Samoa, the Fed-
8 erated States of Micronesia, and the Republic of the Mar-
9 shall Islands, and which include Palau until the Compact
10 of Free Association is signed.

11 (e) NATIVE AMERICAN PROGRAMS.—(1) The Sec-
12 retaries may reserve up to one quarter of one percent of
13 the funds appropriated for any fiscal year under section
14 505(a) for School-to-Work Opportunities programs for In-
15 dian youth that are consistent with School-to-Work Op-
16 portunities programs carried out under title II of this Act
17 and that involve Bureau funded schools, as defined in sec-
18 tion 1139(3) of the Education Amendments of 1978 (25
19 U.S.C. 2019(3)).

20 (2) The Secretaries may carry out this subsection
21 through such means as they find appropriate, including,
22 but not limited to—

23 (A) the transfer of funds to the Secretary of the
24 Interior; and

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

3 (f) AVAILABILITY OF FUNDS.—Funds obligated for
4 any fiscal year for programs authorized under this Act
5 shall remain available until expended.

6 **SEC. 506. ACCEPTANCE OF GIFTS, AND OTHER MATTERS.**

7 The Secretaries are authorized, in carrying out this
8 Act, to accept, purchase, or lease in the name of the De-
9 partment of Labor or the Department of Education, and
10 employ or dispose of in furtherance of the purposes of this
11 Act, any money or property, real, personal, or mixed, tan-
12 gible or intangible, received by gift, devise, bequest, or oth-
13 erwise, and to accept voluntary and uncompensated serv-
14 ices notwithstanding the provisions of section 1342 of title
15 31.

16 **SEC. 507. EFFECTIVE DATE.**

17 This Act shall take effect on the day of enactment.

○

HR 2884 SC—2

HR 2884 SC—3

HR 2884 SC—4