

116TH CONGRESS
1ST SESSION

S. 1612

To amend the Higher Education Act of 1965 to support community college and industry partnerships, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2019

Ms. DUCKWORTH (for herself, Mrs. FEINSTEIN, Mr. DURBIN, Mrs. SHAHEEN, Mr. VAN HOLLEN, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to support community college and industry partnerships, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community College
5 to Career Fund in Higher Education Act”.

6 **SEC. 2. COMMUNITY COLLEGE TO CAREER FUND.**

7 Title VIII of the Higher Education Act of 1965 (20
8 U.S.C. 1161a et seq.) is amended by adding at the end
9 the following:

1 **“PART BB—COMMUNITY COLLEGE TO CAREER**
2 **FUND**
3 **“SEC. 899. COMMUNITY COLLEGE AND INDUSTRY PARTNER-**
4 **SHIPS GRANT PROGRAM.**

5 “(a) DEFINITIONS.—In this section:

6 “(1) WIOA DEFINITIONS.—The terms ‘career
7 pathway’, ‘integrated education and training’, ‘indi-
8 vidual with a barrier to employment’, ‘industry or
9 sector partnership’, and ‘in-demand industry sector
10 or occupation’ have the meanings given to such
11 terms in section 3 of the Workforce Innovation and
12 Opportunity Act (29 U.S.C. 3102).

13 “(2) COMMUNITY COLLEGE.—The term ‘com-
14 munity college’ means a public institution of higher
15 education at which the highest degree that is pre-
16 dominantly awarded to students is an associate’s de-
17 gree, including 2-year Tribal Colleges or Univer-
18 sities, as defined in section 316, and public 2-year
19 institutions of higher education.

20 “(3) EDUCATION AND WORKFORCE TRAINING
21 PROGRAM.—The term ‘education and workforce
22 training program’—

23 “(A) means a career pathway program, or
24 a program that utilizes integrated education
25 and training strategies, that leads to a recog-
26 nized postsecondary credential; and

1 “(B) includes a registered apprenticeship
2 program, on-the-job training program, or paid
3 internship, if the program or internship meets
4 the requirements of subparagraph (A).

5 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
6 tity’ means an institution of higher education, or a
7 consortium of institutions of higher education,
8 that—

9 “(A) is part of an industry or sector part-
10 nership, or is working directly with an industry
11 or sector partnership for purposes of a grant
12 under this section; and

13 “(B) may, for purposes of a grant under
14 this section and in addition to the industry or
15 sector partnership, partner with one or more of
16 the following:

17 “(i) An eligible provider, as defined in
18 section 203 of the Adult Education and
19 Family Literacy Act (29 U.S.C. 3272).

20 “(ii) An institution of higher edu-
21 cation, as defined in section 101.

22 “(iii) An elementary school or sec-
23 ondary school, as such terms are defined in
24 section 8101 of the Elementary and Sec-
25 ondary Education Act of 1965.

1 “(iv) Any other entity that the Secre-
 2 taries consider appropriate.

3 “(5) INSTITUTION OF HIGHER EDUCATION.—

4 The term ‘institution of higher education’—

5 “(A) means—

6 “(i) a community college; or

7 “(ii) a 4-year public institution of
 8 higher education (as defined in section
 9 101(a)) or a Tribal College or University
 10 (as defined in section 316(b)) that—

11 “(I) offers an associate degree;
 12 and

13 “(II) will use funds provided
 14 under this section for education and
 15 workforce training programs or activi-
 16 ties for courses of study that cul-
 17minate with a recognized postsec-
 18ondary credential, and not for courses
 19of study culminating in a bacca-
 20laureate or advanced degree; and

21 “(B) includes institutions described in sub-
 22 paragraph (A) that are located in the Common-
 23wealth of Puerto Rico, Guam, the United States
 24Virgin Islands, American Samoa, the Common-
 25wealth of the Northern Mariana Islands, the

1 Republic of the Marshall Islands, the Federated
2 States of Micronesia, or the Republic of Palau.

3 “(6) RECOGNIZED POSTSECONDARY CREDEN-
4 TIAL.—The term ‘recognized postsecondary creden-
5 tial’ means a credential consisting of an industry-
6 recognized certificate or certification, a certificate of
7 completion of an apprenticeship, a license recognized
8 by the State involved or Federal Government, or an
9 associate degree.

10 “(7) SECRETARIES.—The term ‘Secretaries’
11 means the Secretary of Education and the Secretary
12 of Labor, acting jointly in accordance with the inter-
13 agency agreement described in subsection (h).

14 “(b) GRANTS AUTHORIZED.—

15 “(1) IN GENERAL.—Not later than the last day
16 of the first full fiscal year following the date of en-
17 actment of the Community College to Career Fund
18 in Higher Education Act and from funds appro-
19 priated under subsection (g), the Secretaries shall
20 award competitive grants to eligible entities to en-
21 able the eligible entities to carry out education and
22 workforce training programs or activities described
23 in subsection (e).

1 “(2) DURATION OF GRANTS.—A grants award-
 2 ed under this section shall be for a period of not
 3 more than 5 years, subject to subsection (f)(3).

4 “(c) APPLICATION.—An eligible entity desiring a
 5 grant under this section shall submit to the Secretaries
 6 an application at such time, in such manner, and con-
 7 taining such information as the Secretaries determine is
 8 required. The application shall contain—

9 “(1) a grant proposal for each education and
 10 workforce training program or activity to be sup-
 11 ported under the grant that includes a detailed de-
 12 scription of—

13 “(A) the specific education and workforce
 14 training program or activity that will be sup-
 15 ported, and the quality of the program or activ-
 16 ity;

17 “(B) the extent to which the program or
 18 activity aligns with—

19 “(i) an overall strategic plan devel-
 20 oped by the eligible entity in collaboration
 21 with an industry sector partnership and, if
 22 applicable, other partner organizations;

23 “(ii) a statewide or regional workforce
 24 development strategy, including strategies
 25 established under the Workforce Innova-

tion and Opportunity Act (29 U.S.C. 3201 et seq.) and the Carl D. Perkins Career and Technical Education Act of 2006; and

“(iii) in-demand industry sectors or occupations;

“(C) quantitative data and evidence that demonstrates the extent to which the program or activity to be supported will meet the needs of employers in the area for skilled workers in in-demand industry sectors or occupations;

“(D) the extent to which the program or activity to be supported will meet the needs of students in the area;

“(E) how the program or activity to be supported meets the criteria established under subsection (d), including the manner in which the grant will be used to develop, offer, improve, or provide the program or activity; and

“(F) any previous experience of the eligible entity in providing education and workforce training programs or activities, the absence of which shall not automatically disqualify an eligible entity from receiving a grant under this section; and

1 “(2)(A) a detailed description of how the eligi-
 2 ble entity will ensure that any education and work-
 3 force training programs or activities supported
 4 under the grant will meet the performance measures
 5 described in subsection (f); and

6 “(B) an assurance that the entity will annually
 7 submit to the Secretaries information on the per-
 8 formance of each education and workforce training
 9 program or activity supported under the grant, in
 10 the context of the performance measures described
 11 in subsection (f).

12 “(d) CRITERIA FOR AWARD.—

13 “(1) IN GENERAL.—Grants under this section
 14 shall be awarded based on criteria established by the
 15 Secretaries that shall include, at a minimum, the fol-
 16 lowing:

17 “(A) A determination of the merits of the
 18 grant proposal submitted by the eligible entity
 19 to develop, offer, improve, or provide an edu-
 20 cation and workforce training program or activ-
 21 ity to be made available to students.

22 “(B) An assessment of the likely employ-
 23 ment opportunities available in the area to indi-
 24 viduals who complete an education and work-
 25 force training program or activity that the eligi-

1 ble entity proposes to develop, offer, improve or
2 provide under the grant, based on State or local
3 labor market data.

4 “(2) PRIORITY.—In awarding grants under this
5 section, the Secretaries shall give priority to eligible
6 entities that—

7 “(A) are working with an industry or sec-
8 tor partnership that prioritizes facilitating the
9 hiring of individuals who have obtained a recog-
10 nized postsecondary credential from the edu-
11 cation and workforce training programs or ac-
12 tivities offered by the eligible entity;

13 “(B) are focused on serving individuals
14 with barriers to employment, veterans, spouses
15 of members of the Armed Forces, or incumbent
16 workers who are low-skilled and who need to in-
17 crease their employability skills;

18 “(C) serve areas with high unemployment
19 rates; or

20 “(D) commit to increasing access to edu-
21 cation and workforce training programs or ac-
22 tivities that meet the needs of employers in in-
23 demand industry sectors or occupations.

1 “(e) USE OF FUNDS.—An eligible entity receiving a
2 grant under this section shall use grant funds for one or
3 more of the following:

4 “(1) The development, offering, improvement,
5 or provision of one or more education and workforce
6 training programs or activities leading to recognized
7 postsecondary credentials that will meet the needs of
8 employers in in-demand industry sectors or occupa-
9 tions.

10 “(2) The development and implementation of
11 policies, programs, or activities that expand opportu-
12 nities for students to earn a recognized postsec-
13 ondary credential in in-demand industry sectors or
14 occupations, including by—

15 “(A) facilitating the transfer of academic
16 credits between institutions of higher education
17 (as defined in section 101), including the trans-
18 fer of academic credits for courses in the same
19 field or program of study;

20 “(B) expanding articulation agreements
21 and policies that guarantee transfers between
22 such institutions, including through common
23 course numbering and use of general core cur-
24 riculum;

1 “(C) developing or enhancing student sup-
2 port service programs or activities; and

3 “(D) establishing policies and processes for
4 assessing and awarding postsecondary credit for
5 work-related learning or work-based learning
6 (as defined in section 3 of the Carl D. Perkins
7 Career and Technical Education Act of 2006).

8 “(3) The creation or alignment of career path-
9 ways that provide a sequence of education and occu-
10 pational training that leads to a recognized postsec-
11 ondary credential, including programs or activities
12 that—

13 “(A) blend basic skills and occupational
14 training;

15 “(B) facilitate means of transitioning par-
16 ticipants from noncredit occupational, basic
17 skills, or developmental coursework to for-credit
18 coursework within and across institutions;

19 “(C) build or enhance linkages between
20 secondary education or adult education and lit-
21 eracy programs (including those programs es-
22 tablished under the Carl D. Perkins Career and
23 Technical Education Act of 2006 or the Work-
24 force Innovation and Opportunity Act (29
25 U.S.C. 3201 et seq.)) and postsecondary insti-

tutions, including the development of dual or concurrent enrollment programs; or

“(D) are designed to increase the provision of workforce training for students, including students who are members of the Armed Forces (including members of the National Guard or Reserves) and veterans, in order to facilitate their entry into high-skill, high-wage jobs or in-demand industry sectors or occupations.

“(f) PERFORMANCE MEASURES.—

“(1) IN GENERAL.—The Secretaries shall establish performance measures for the education and workforce training programs and activities supported under this section, which shall consist of—

“(A) the primary indicators of performance, as described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i)); and

“(B) a level of performance for each indicator described in subparagraph (A).

“(2) MONITORING PROGRESS.—The Secretaries shall—

“(A) monitor the progress of eligible entities that receive grants under this section to ensure their education and workforce training

1 programs or activities supported under this sec-
 2 tion meet the performance measures established
 3 under paragraph (1); and

4 “(B) annually publish a report regarding
 5 the progress of such programs or activities in
 6 meeting the performance measures, including
 7 the results for each performance measure
 8 disaggregated by—

9 “(i) race and ethnicity;

10 “(ii) age intervals;

11 “(iii) gender; and

12 “(iv) Federal Pell Grant recipient sta-
 13 tus.

14 “(3) SATISFACTORY PROGRESS.—The Secre-
 15 taries shall not continue to provide funds under a
 16 grant under this section after the third year of the
 17 grant period unless the eligible entity has achieved
 18 satisfactory progress toward meeting the levels of
 19 performance on the performance measures, as deter-
 20 mined by the Secretaries.

21 “(g) AUTHORIZATION OF APPROPRIATIONS.—

22 “(1) IN GENERAL.—There are authorized to be
 23 appropriated to carry out this section such sums as
 24 may be necessary.

1 “(2) ADMINISTRATIVE COST.—Not more than 5
2 percent of the amounts made available under para-
3 graph (1) for a fiscal year may be used by the Sec-
4 retaries for the Federal administration of the pro-
5 gram under this section, including providing tech-
6 nical assistance and carrying out evaluations.

7 “(3) PERIOD OF AVAILABILITY.—Funds appro-
8 priated under paragraph (1) for a fiscal year shall
9 remain available for obligation for that fiscal year
10 and the succeeding 4 fiscal years.

11 “(h) INTERAGENCY AGREEMENT.—Not later than 90
12 days after the date of enactment of the Community Col-
13 lege to Career Fund in Higher Education Act, the Secre-
14 taries shall enter into a formal interagency agreement es-
15 tablishing the terms by which the Secretaries shall jointly
16 administer the program under this section.”.

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