

115TH CONGRESS  
1ST SESSION

# S. 795

To amend the Carl D. Perkins Career and Technical Education Act of 2006 regarding dual or concurrent enrollment and early college high schools.

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IN THE SENATE OF THE UNITED STATES

MARCH 30, 2017

Mr. BENNET (for himself and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Carl D. Perkins Career and Technical Education Act of 2006 regarding dual or concurrent enrollment and early college high schools.

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 “Workforce Advance  
5 Act”.

1 **SEC. 2. AMENDMENTS TO THE CARL D. PERKINS CAREER**  
2 **AND TECHNICAL EDUCATION ACT OF 2006.**

3 (a) DEFINITIONS.—Section 3 of the Carl D. Perkins  
4 Career and Technical Education Act of 2006 (20 U.S.C.  
5 2302) is amended—

6 (1) paragraph (7)—

7 (A) in subparagraph (A), by inserting “op-  
8 portunities,” after “regarding career aware-  
9 ness”; and

10 (B) by amending subparagraph (B) to read  
11 as follows:

12 “(B) provides information to students (and  
13 parents, as appropriate) with respect to career  
14 options, financial aid, job training, and sec-  
15 ondary and postsecondary education options, in-  
16 cluding baccalaureate degree programs, dual or  
17 concurrent enrollment, and early college high  
18 schools, as appropriate.”;

19 (2) by redesignating paragraph (10), para-  
20 graphs (11) through (23), and paragraphs (24)  
21 through (34), as paragraph (11), paragraphs (14)  
22 through (26), and paragraphs (28) through (38), re-  
23 spectively;

24 (3) by inserting after paragraph (9) the fol-  
25 lowing:

1           “(10) CREDIT TRANSFER AGREEMENT.—The  
 2           term ‘credit transfer agreement’ refers to an oppor-  
 3           tunity for secondary school students to be awarded  
 4           transcripted postsecondary credit, supported with  
 5           formal agreements among secondary and postsec-  
 6           ondary education systems or different levels within  
 7           postsecondary systems, such as dual or concurrent  
 8           enrollment, dual credit, 2-year to 4-year college ar-  
 9           ticulation agreements, or articulated credit, which  
 10          may include credit awarded for performance on tech-  
 11          nical assessments.”;

12           (4) by inserting after paragraph (11), as redes-  
 13          ignated by paragraph (2), the following:

14           “(12) DUAL OR CONCURRENT ENROLLMENT.—  
 15          The term ‘dual or concurrent enrollment’ means a  
 16          dual or concurrent enrollment program as defined in  
 17          section 8101 of the Elementary and Secondary Edu-  
 18          cation Act of 1965.

19           “(13) EARLY COLLEGE HIGH SCHOOL.—The  
 20          term ‘early college high school’ has the meaning  
 21          given that term in section 8101 of the Elementary  
 22          and Secondary Education Act of 1965.”; and

23           (5) by inserting after paragraph (26), as redes-  
 24          ignated by paragraph (2), the following:

1           “(27) PRE-APPRENTICESHIP PROGRAM.—The  
 2           term ‘pre-apprenticeship program’ means a program  
 3           or set of strategies that—

4                   “(A) is designed to prepare individuals to  
 5                   enter and succeed in a registered apprenticeship  
 6                   program;

7                   “(B) is carried out in partnership with at  
 8                   least 1 sponsor of a registered apprenticeship  
 9                   program; and

10                  “(C) includes each of the following ele-  
 11                  ments:

12                           “(i) Training (including a curriculum  
 13                           for the training), aligned with industry  
 14                           standards and reviewed and approved an-  
 15                           nually by sponsors of the registered ap-  
 16                           prenticeships within the documented part-  
 17                           nership, that will prepare individuals by  
 18                           teaching the skills and competencies need-  
 19                           ed to enter one or more registered appren-  
 20                           ticeship programs.

21                           “(ii) Provision of hands-on training  
 22                           and theoretical education to individuals  
 23                           that—

24                                   “(I) accurately simulates the in-  
 25                                   dustry and occupational conditions of

1 the registered apprenticeship program  
2 described in subparagraph (B);

3 “(II) is carried out in a manner  
4 that includes proper observation of su-  
5 pervision and safety protocols; and

6 “(III) is carried out in a manner  
7 that does not displace a paid em-  
8 ployee.

9 “(iii) A formal agreement with a  
10 sponsor of a registered apprenticeship pro-  
11 gram that would enable participants who  
12 successfully complete the pre-apprentice-  
13 ship program to enter directly into the reg-  
14 istered apprenticeship program (if a place  
15 in the program is available), and includes  
16 agreements concerning earning credit rec-  
17 ognized by a postsecondary educational in-  
18 stitution for skills and competencies ac-  
19 quired during the pre-apprenticeship pro-  
20 gram.”.

21 (b) LOCAL REPORTING.—Section 113 of the Carl D.  
22 Perkins Career and Technical Education Act of 2006 (20  
23 U.S.C. 2323) is amended—

24 (1) in subsection (b)(4)(C)—

(A) in clause (i), by inserting before the period at the end the following: “and, in the case of an eligible recipient that is a local educational agency, the data described in clause (iii)”;

(B) by redesignating clauses (iii) through (v) as clauses (iv) through (vi), respectively;

(C) in clause (ii), by striking “clauses (iii) and (iv)” and inserting “clauses (iv) and (v)”;

and

(D) by inserting after clause (ii) the following:

“(iii) SECONDARY SCHOOL REPORTING.—Each eligible recipient that is a local educational agency and receives an allocation described in section 112 shall report, for each secondary school served by the eligible recipient under this part—

“(I) the number and percentage of students enrolled in, and the number and percentage of students completing, career and technical education courses as part of dual or concurrent enrollment or an early college high school;

1 “(II) the number and percentage  
 2 of students whose tuition and fees in  
 3 dual or concurrent enrollment or early  
 4 college high school were paid, in part  
 5 or in full, using funding under this  
 6 Act, and the per-pupil amount per  
 7 such student, if applicable; and

8 “(III) the number of teachers re-  
 9 ceiving support from funding under  
 10 this Act to obtain required creden-  
 11 tials, as described under section  
 12 135(c)(21), and the per-teacher  
 13 amount of such support, if applica-  
 14 ble.”; and

15 (2) in subsection (c)(1)—

16 (A) in subparagraph (A), by striking  
 17 “and” after the semicolon;

18 (B) in subparagraph (B), by striking the  
 19 period at the end and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(C) the information reported under sub-  
 22 section (b)(4)(C)(iii).”.

23 (c) NATIONAL ACTIVITIES.—Section 114(d) of the  
 24 Carl D. Perkins Career and Technical Education Act of  
 25 2006 (20 U.S.C. 2324(d)) is amended—

1 (1) in paragraph (4)(A)—

2 (A) by redesignating clause (iv) as clause

3 (v);

4 (B) in clause (iii)—

5 (i) in subclause (II), by striking

6 “and” after the semicolon; and

7 (ii) by adding at the end the fol-  
8 lowing:

9 “(IV) activities and strategies to  
10 provide teachers, principals, or other  
11 school leaders with opportunities to  
12 complete coursework or acquire skills,  
13 credentials, or certifications required  
14 to educate students in postsecondary  
15 career and technical education course-  
16 work as part of a career and technical  
17 education program through early col-  
18 lege high school or dual or concurrent  
19 enrollment;” and

20 (C) by inserting after clause (iii) the fol-  
21 lowing:

22 “(iv) to carry out evidence-based re-  
23 search and evaluation for the purpose of  
24 developing, improving, and identifying the  
25 most successful methods, best practices,



1 and models for providing dual or concur-  
2 rent enrollment, early college high schools,  
3 and other opportunities for students to  
4 earn postsecondary career and technical  
5 education credit while still in high school  
6 as part of career and technical education  
7 programs; and”;

8 (2) in paragraph (5)—

9 (A) by inserting “or eligible recipient”  
10 after “upon request of a State”; and

11 (B) by inserting “, including for providing  
12 and integrating dual or concurrent enrollment,  
13 early college high schools, pre-apprenticeship  
14 programs, and other opportunities for sec-  
15 ondary students to earn postsecondary edu-  
16 cation credit, in career and technical edu-  
17 cational programs” after “under this Act”.

18 (d) STATE PLAN.—Section 122(c) of the Carl D. Per-  
19 kins Career and Technical Education Act of 2006 (20  
20 U.S.C. 2342) is amended—

21 (1) in paragraph (1)—

22 (A) in subparagraph (I)—

23 (i) in clause (ii), by striking “and”  
24 after the semicolon;

1 (ii) in clause (iii), by inserting “and”  
2 after the semicolon; and

3 (iii) by adding at the end the fol-  
4 lowing:

5 “(iv) that allow secondary school stu-  
6 dents to earn postsecondary credit, such as  
7 through dual or concurrent enrollment and  
8 early college high schools, including how, if  
9 applicable, funds will be used to provide  
10 assistance to local educational agencies and  
11 students to defray the costs of postsec-  
12 ondary courses (such as tuition, fees, and  
13 textbooks), particularly for students who  
14 are underrepresented in higher education”;

15 (B) in subparagraph (K), by striking  
16 “and” after the semicolon;

17 (C) in subparagraph (L), by inserting  
18 “and” after the semicolon; and

19 (D) by adding at the end the following:

20 “(M) how the eligible agency will enable or  
21 support the development and implementation of  
22 dual or concurrent enrollment or early college  
23 high school career and technical education op-  
24 portunities as part of a career and technical  
25 education program, and ensure the dual or con-

1 current enrollment credit transferability toward  
 2 a postsecondary education credential or de-  
 3 gree;”; and

4 (2) in paragraph (2)—

5 (A) in subparagraph (F), by striking  
 6 “and” after the semicolon;

7 (B) in subparagraph (G), by inserting  
 8 “and” after the semicolon; and

9 (C) by adding at the end the following:

10 “(H) provides teachers, principals, or other  
 11 school leaders with the skills, coursework, cre-  
 12 dentials, or certifications required to educate  
 13 students in postsecondary career and technical  
 14 education coursework through early college high  
 15 school or dual or concurrent enrollment;”.

16 (e) STATE LEADERSHIP ACTIVITIES.—Section 124 of  
 17 the Carl D. Perkins Career and Technical Education Act  
 18 of 2006 (20 U.S.C. 2344) is amended—

19 (1) in subsection (b)—

20 (A) in paragraph (8), by striking “and”  
 21 after the semicolon;

22 (B) in paragraph (9), by striking the pe-  
 23 riod at the end and inserting “; and”; and

24 (C) by adding at the end the following:

1           “(10) the development and dissemination of  
 2           model articulation agreements and memoranda of  
 3           understanding to support local educational agencies,  
 4           secondary schools, and postsecondary institutions  
 5           with the process of arranging such agreements and  
 6           memoranda.”; and

7           (2) in subsection (c)—

8                   (A) in paragraph (2), by inserting “state-  
 9                   wide” before “articulation agreements”;

10                   (B) in paragraph (10)(A)(ii), by inserting  
 11                   “, including the development of dual or concur-  
 12                   rent enrollment or early college high school pro-  
 13                   grams” after “education and training”;

14                   (C) in paragraph (16)(B), by striking  
 15                   “and” after the semicolon;

16                   (D) in paragraph (17), by striking the pe-  
 17                   riod at the end and inserting a semicolon; and

18                   (E) by adding at the end the following:

19                   “(18) supporting, facilitating, or providing dual  
 20                   or concurrent enrollment or early college high school  
 21                   career and technical education opportunities as part  
 22                   of a career and technical education program in sec-  
 23                   ondary schools (particularly for students who are  
 24                   underrepresented in higher education and students  
 25                   in areas with limited access to higher education

1 courses, including rural communities), which may in-  
 2 clude—

3 “(A) providing distance learning or inter-  
 4 active video conferencing; or

5 “(B) paying for the costs of tuition, fees,  
 6 and books;

7 “(19) developing, or assisting local educational  
 8 agencies in developing, strategies that provide teach-  
 9 ers, principals, or other school leaders with the  
 10 skills, coursework, credentials, or certifications re-  
 11 quired to educate students in postsecondary career  
 12 and technical education coursework through early  
 13 college high school or dual or concurrent enrollment;  
 14 and

15 “(20) developing, or assisting local educational  
 16 agencies and postsecondary institutions in devel-  
 17 oping, processes and agreements to provide sec-  
 18 ondary and postsecondary education credit for ap-  
 19 prenticeships and work-based learning experiences.”.

20 (f) LOCAL PLAN.—Section 134(b)(3) of the Carl D.  
 21 Perkins Career and Technical Education Act of 2006 (20  
 22 U.S.C. 2354(b)(3)) is amended—

23 (1) in subparagraph (D), by striking “and”  
 24 after the semicolon;

1           (2) in subparagraph (E), by inserting “and”  
2     after the semicolon; and

3           (3) by adding at the end the following:

4                   “(F) provide secondary school students  
5     with opportunities for dual or concurrent enroll-  
6     ment, early college high school, or other oppor-  
7     tunities to earn postsecondary career and tech-  
8     nical education credit, if applicable;”.

9     (g) LOCAL USES OF FUNDS.—Section 135 of the  
10  Carl D. Perkins Career and Technical Education Act of  
11  2006 (20 U.S.C. 2355) is amended—

12           (1) in subsection (c)—

13                   (A) in paragraph (19)(D), by striking  
14     “and” after the semicolon;

15                   (B) by redesignating paragraph (20) as  
16     paragraph (22); and

17                   (C) by inserting after paragraph (19) the  
18     following:

19                   “(20) to support career and technical education  
20     dual or concurrent enrollment courses or career and  
21     technical education courses in early college high  
22     schools as part of a career and technical education  
23     program in accordance with subsection (d), including  
24     using funds for the costs associated with dual or  
25     concurrent enrollment or early college high school

1 career and technical education courses for eligible  
 2 students, which, if identified in the needs assess-  
 3 ment, may include paying for—

4 “(A) the costs of tuition, fees, books, and  
 5 required instructional materials for eligible stu-  
 6 dents in a relevant career and technical edu-  
 7 cation course or program; and

8 “(B) support services, including transpor-  
 9 tation costs to and from such courses or pro-  
 10 grams for eligible students;

11 “(21) to support activities and strategies that  
 12 provide teachers with the skills, postsecondary  
 13 coursework, credentials, or certifications, required to  
 14 educate students in postsecondary career and tech-  
 15 nical education coursework as part of a career and  
 16 technical education program through dual or concur-  
 17 rent enrollment or early college high school, in ac-  
 18 cordance with subsection (d); and”;

19 (2) by redesignating subsection (d) as sub-  
 20 section (e); and

21 (3) by adding after subsection (c) the following:

22 “(d) SPECIAL RULES.—

23 “(1) RULES RELATING TO SUPPORTING ELIGI-  
 24 BLE STUDENTS IN CERTAIN COURSES.—For pur-

1 poses of subparagraphs (A) and (B) of subsection  
2 (c)(20)—

3 “(A) an eligible recipient may use not  
4 more than a total of 15 percent of funds re-  
5 ceived under this part to support the activities  
6 described in subparagraphs (A) and (B) of sub-  
7 section (c)(20), in the aggregate, unless an eli-  
8 gible recipient—

9 “(i) receives approval from the State,  
10 in which case the eligible recipient may use  
11 not more than a total of 25 percent of  
12 such funds for such activities, in the aggre-  
13 gate; or

14 “(ii) is a rural local educational agen-  
15 cy with a locale code 32, 33, 41, 42, or 43,  
16 or an educational service agency rep-  
17 resenting rural local educational agencies  
18 with locale codes 32, 33, 41, 42, or 43,  
19 and receives approval from the State, in  
20 which case the eligible recipient may use  
21 not more than a total of 40 percent of  
22 such funds for such activities, in the aggre-  
23 gate;

24 “(B) in order to use funds under this Act  
25 for any activity described in subparagraph (A)



or (B) of subsection (c)(20), an eligible recipient must demonstrate that not less than 50 percent of any individualized student expenses for such activities are being met—

“(i) by funds other than those provided under this Act;

“(ii) through in-kind tuition reduction; or

“(iii) through a combination of the methods described in clauses (i) and (ii); and

“(C) the term ‘eligible student’ means a secondary school student who is eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

“(2) RULES RELATING TO TUITION AND FEES FOR SECONDARY SCHOOL TEACHERS.—As part of the activities described in subsection (c)(21), an eligible recipient may use not more than 40 percent of funds received under this part to pay the costs of the tuition and fees for a secondary school teacher employed, at the time such funds are used, in a school served under part A of title I of the Elementary and Secondary Education Act of 1965 in order

1 to enable that teacher to meet the requirements (in-  
2 cluding by completing postsecondary education  
3 coursework or professional development) to teach  
4 dual or concurrent enrollment or early college high  
5 school career and technical education courses as part  
6 of a career and technical education program that is  
7 offered or will be offered in such school.

8 “(3) EXCEPTION.—Notwithstanding paragraphs  
9 (1) and (2), activities that are a permissible use of  
10 such funds under a provision of this Act other than  
11 subparagraphs (A) and (B) of subsection (c)(20)  
12 and subsection (c)(21) shall not be subject to the  
13 spending caps under this subsection.”.

○