



H.R. 2353 — Strengthening Career and Technical Education for the 21st Century Act (Rep. Thompson, R-PA)

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FLOOR SCHEDULE:

Scheduled for consideration on June 22, 2017 under suspension of the rules, which requires 2/3 vote for passage.

Clause 1 or rule XV of the Rules of the House provides that “the Speaker may not entertain a motion that the House suspend the rules except on Mondays, Tuesdays, and Wednesdays and during the last six days of a session of Congress.” Authority to entertain suspensions on Thursdays and Fridays can be granted in a rule, and such authority is contained in the rule providing for consideration for H.R. 2842.

TOPLINE SUMMARY:

[H.R. 2353](#) would amend, and reauthorize through 2022, the Carl D. Perkins Career and Technical Education Act that provides fund to support to local and state career and technical education (CTE) programs. This bill makes changes that bring the program’s standards into alignment with those set in the Workforce Innovation and Opportunity Act (WIOA) and the Every Student Succeeds Act (ESSA).

COST:

A Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 2353 would cost \$4.4 billion over the 2018-2022 period, and about \$4 billion after 2022, assuming appropriation of the authorized amounts. The bill would authorize the appropriation of \$5.9 billion over the 2018-2022 period, and an additional \$1.2 billion in 2023. Under the General Education Provisions Act, those authorizations would be extended automatically for an additional year through 2024.

CONSERVATIVE CONCERNS:

Some conservatives may feel that the federal government should not be involved in funding career or technical education at either the secondary or post-secondary level; however, this bill makes improvements to the current law by ensuring more state and local control over CTE programs, and strengthens the current prohibition on a federal curriculum and mandates.

- **Expand the Size and Scope of the Federal Government?** No
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would amend the [Carl D. Perkins Career and Technical Education Act](#), which was last reauthorized in 2006, and is the principle source of federal funding to states for the improvement of secondary and postsecondary career and technical education (CTE) programs. The purpose of the bill is to develop the academic knowledge, technical skills, and employability of secondary and post-secondary education students who elect to enroll in career and technical education programs. This bill reauthorizes the program through fiscal year 2022. It is important to note, in many instances this bill replaces “such sums as necessary” with authorization levels consistent with current spending.

The bill would strengthen the existing prohibition on centralized federal curriculum and testing tied to federal funding. It would prohibit coercion to adopt or implement specific academic standards, assessments or curriculum as a condition to receiving any federal funding. This language mirrors the Every Student Succeeds Act (ESSA).

This bill would increase the current funding allocation levels to allow states to prioritize more funding for rural areas, areas with a high percentage of CTE participants or students with a CTE concentration to promote the development and adoption of programs of study aligned with state-identified in-demand occupations or industries. It would also increase (from 1% to 2%) the allowable funding made available to serve individuals in state institutions, including juvenile justice facilities.

The bill would update accountability standards to bring this act into alignment with both ESSA and the Workforce Innovation and Opportunity Act (WIOA). Specifically, it would decrease the number of core indicators of performance for CTE concentrators at the secondary level from six to five. These core indicators include factors such as: percentage who graduates from high school, the attainment of state academic standards, percentage who continue to receive further CTE credentials, and other measures of student success. It would also strike the centralized technical skills proficiency indicator and replace it with a state-determined quality indicator that is ambitious enough to allow for a meaningful evaluation of program quality.

Next, this bill would end the National Center for Education Statistics annual performance report. It would require the secretary, in acting with the Director of the Institute for Education Sciences, to conduct a series of research and evaluation initiatives for each year to provide for an assessment on this act and CTE programs. This evaluation would include reporting on the success of the integration of challenging state academic standards, the extent to which CTE programs prepare students for employment, employer satisfaction with CTE programs, and innovative learning opportunities.

The secretary would award grants to identify innovative strategies and activities to improve CTE and align workforce skills with labor market needs. Eligible grantees must have enough cash or in-kind contributions to provide matching funds equal to at least 50% of the funds provided through the grant.

To streamline the application process, this bill clarifies a state plan may be submitted in combination with a Workforce Development Activity plan submitted under WIOA. A state plan would be developed in consultation with a wide array of stake holders, including the state workforce development board. The state plan would include: state-supported workforce activities; a strategic vision and goals for meeting the needs of employers; a description of CTE programs that would be supported; and, how the state agency would approve eligible recipients for funds. As seen in ESSA, the secretary would be required to approve a state plan, or a revision to a plan, unless it does not meet the requirements of this act and provides immediate written notice.

In addition, reins in the power of the secretary by prohibiting him from withholding funding for failure to meet at least 90% performance level on state adjusted core indicators after the first year. Instead, states would be required to implement an improvement plan and would subject to the improvement plan until the eligible agency meets at least 90% of the core indicators of performance for which the plan was revised. At the local level, improvement plans would be developed in collaboration with local stakeholders.

Aside from a narrowed list of required elements, eligible agencies would determine the requirements for local applications. As part of the application for funds, eligible local recipients must conduct a comprehensive local needs assessment least one every two years. This assessment would include: the performance of students served by the eligible recipient; how the CTE program would align with regional and state goals; and, how the recipient will improve all aspects of CTE education and career success. Local recipients would be required to consult with area stakeholders, including parents and students, and CTE representatives.

This bill would require a state's fiscal effort per student or the aggregate expenditures of the state with respect to CTE to be at least equal to the preceding fiscal year. If a state fails to meet this requirement the secretary would reduce the state's amount of allotment funds. A waiver could be issued due to exceptional or uncontrollable circumstances affecting the state. Some conservatives may be concerned that maintenance of effort requirements like this tend to increase spending regardless of need or effectiveness of the underlying program, and discourage efficiency.

Finally, this bill would amend the [Wagner-Peyser Act](#) to require states to consult with [Perkins-eligible agencies](#), state educational agencies, and local educational agencies concerning the provision of workforce and labor market information in order to meet the need of secondary and postsecondary school students who seek information.

H.R. 2353 contains similar language to H.R. [5587](#), which was passed the House in the 114th Congress by a vote of [405-5](#) on September 13, 2016. The RSC's legislative bulletin for H.R. 5587 can be found [here](#).

Additions to Previously Passed Legislation (H.R. 5587 from the 114th):

- Allows the Secretary an additional 30 days to approve or disapprove of the state plan.
- Requires agencies that fail to meet the performance indicators of state plan to consult with stakeholders to revise their state plan. The secretary is also required to provide technical assistance, monitoring and oversight.
- Under H.R. 5587 when establishing the state baseline, the state may establish a new level of fiscal effort. H.R. 2353 adds that the new level of fiscal effort must be at least 90% of the State's fiscal effort per student or the aggregate expenditures of the State.

COMMITTEE ACTION:

H.R. 2353 was introduced on May 4, 2017 where it was referred to the Committee on Education and the Workforce. A mark-up session was held and the bill was reported by voice-vote.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill's sponsor: Congress has the power to enact this legislation pursuant to the following: "Article I, section 8 of the Constitution of the United States". No specific enumerating clause was cited.