

## AMENDMENTS

2008—Subsec. (a). Pub. L. 110-315, §941(j)(2)(A), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “The Secretary shall, subject to the availability of appropriations, make grants pursuant to this section to tribally controlled postsecondary career and technical institutions that are not receiving Federal support under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.) to provide basic support for the education and training of Indian students.”

Subsec. (d). Pub. L. 110-315, §941(j)(2)(B), added subsec. (d) and struck out former subsec. (d). Prior to amendment, text read as follows: “Any tribally controlled postsecondary career and technical institution that is not receiving Federal support under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.) that desires to receive a grant under this section shall submit an application to the Secretary in such manner and form as the Secretary may require.”

Subsec. (h)(1). Pub. L. 110-315, §941(k)(2)(D)(ii), substituted “the Tribally Controlled Colleges and Universities Assistance Act of 1978” for “the Tribally Controlled College or University Assistance Act of 1978”.

### § 2328. Occupational and employment information

#### (a) National activities

From funds appropriated under subsection (g), the Secretary, in consultation with appropriate Federal agencies, is authorized—

(1) to provide assistance to an entity to enable the entity—

(A) to provide technical assistance to State entities designated under subsection (c) to enable the State entities to carry out the activities described in such subsection;

(B) to disseminate information that promotes the replication of high quality practices described in subsection (c); and

(C) to develop and disseminate products and services related to the activities described in subsection (c); and

(2) to award grants to States that designate State entities in accordance with subsection (c) to enable the State entities to carry out the State level activities described in such subsection.

#### (b) State application

##### (1) In general

A jointly designated State entity described in subsection (c) that desires to receive a grant under this section shall submit an application to the Secretary at the same time the State submits its State plan under section 2342 of this title, in such manner, and accompanied by such additional information, as the Secretary may reasonably require.

##### (2) Contents

Each application submitted under paragraph (1) shall include a description of how the jointly designated State entity described in subsection (c) will provide information based on trends provided pursuant to section 15 of the Wagner-Peyser Act [29 U.S.C. 497-2] to inform program development.

#### (c) State level activities

In order for a State to receive a grant under this section, the eligible agency and the Gov-

ernor of the State shall jointly designate an entity in the State—

(1) to provide support for career guidance and academic counseling programs designed to promote improved career and education decision making by students (and parents, as appropriate) regarding education (including postsecondary education) and training options and preparations for high skill, high wage, or high demand occupations and non-traditional fields;

(2) to make available to students, parents, teachers, administrators, faculty, and career guidance and academic counselors, and to improve accessibility with respect to, information and planning resources that relate academic and career and technical educational preparation to career goals and expectations;

(3) to provide academic and career and technical education teachers, faculty, administrators, and career guidance and academic counselors with the knowledge, skills, and occupational information needed to assist parents and students, especially special populations, with career exploration, educational opportunities, education financing, and exposure to high skill, high wage, or high demand occupations and non-traditional fields, including occupations and fields requiring a baccalaureate degree;

(4) to assist appropriate State entities in tailoring career related educational resources and training for use by such entities, including information on high skill, high wage, or high demand occupations in current or emerging professions and on career ladder information;

(5) to improve coordination and communication among administrators and planners of programs authorized by this chapter and by section 15 of the Wagner-Peyser Act [29 U.S.C. 497-2] at the Federal, State, and local levels to ensure nonduplication of efforts and the appropriate use of shared information and data;

(6) to provide ongoing means for customers, such as students and parents, to provide comments and feedback on products and services and to update resources, as appropriate, to better meet customer requirements; and

(7) to provide readily available occupational information such as—

(A) information relative to employment sectors;

(B) information on occupation supply and demand; and

(C) other information provided pursuant to section 15 of the Wagner-Peyser Act [29 U.S.C. 497-2] as the jointly designated State entity considers relevant.

#### (d) Nonduplication

##### (1) Wagner-Peyser Act

The jointly designated State entity described under subsection (c) may use funds provided under subsection (a)(2) to supplement activities under section 15 of the Wagner-Peyser Act [29 U.S.C. 497-2] to the extent such activities do not duplicate activities assisted under such section.

##### (2) Workforce Innovation and Opportunity Act

None of the functions and activities assisted under this section shall duplicate the func-

tions and activities carried out under the Workforce Innovation and Opportunity Act.

**(e) Funding rule**

Of the amounts appropriated to carry out this section, the Federal entity designated under subsection (a) shall use—

- (1) not less than 85 percent to carry out subsection (c); and
- (2) not more than 15 percent to carry out subsection (a).

**(f) Report**

The Secretary, in consultation with appropriate Federal agencies, shall prepare and submit to the appropriate committees of Congress, an annual report that includes—

- (1) a description of activities assisted under this section during the prior program year;
- (2) a description of the specific products and services assisted under this section that were delivered in the prior program year; and
- (3) an assessment of the extent to which States have effectively coordinated activities assisted under this section with activities authorized under section 15 of the Wagner-Peyser Act [29 U.S.C. 491–2].

**(g) Authorization of appropriations**

There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2007 through 2012.

(Pub. L. 88–210, title I, §118, as added Pub. L. 109–270, §1(b), Aug. 12, 2006, 120 Stat. 713; amended Pub. L. 113–128, title V, §512(e)(1), July 22, 2014, 128 Stat. 1706.)

REFERENCES IN TEXT

The Workforce Innovation and Opportunity Act, referred to in subsec. (d)(2), is Pub. L. 113–128, July 22, 2014, 128 Stat. 1425, which enacted chapter 32 (§3101 et seq.) of Title 29, Labor, repealed chapter 30 (§2801 et seq.) of Title 29 and chapter 73 (§9201 et seq.) of Title 20, Education, and made amendments to numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 29 and Tables.

PRIOR PROVISIONS

A prior section 2328, Pub. L. 88–210, title I, §118, as added Pub. L. 105–332, §1(b), Oct. 31, 1998, 112 Stat. 3100, related to occupational and employment information, prior to the general amendment of this chapter by Pub. L. 109–270.

Another prior section 2328, Pub. L. 88–210, title I, §118, as added Pub. L. 101–392, title I, §116, Sept. 25, 1990, 104 Stat. 773, related to criteria for services and activities for individuals who are members of special populations, prior to the general amendment of this chapter by Pub. L. 105–332.

A prior section 2331, Pub. L. 88–210, title II, §201, as added Pub. L. 101–392, title II, §201, Sept. 25, 1990, 104 Stat. 776, related to State programs and State leadership activities, prior to the general amendment of this chapter by Pub. L. 105–332.

Another prior section 2331 and prior sections 2332 to 2334 were omitted in the general amendment of this subchapter by Pub. L. 101–392.

Section 2331, Pub. L. 88–210, title II, §201, as added Pub. L. 98–524, §1, Oct. 19, 1984, 98 Stat. 2450; amended Pub. L. 100–297, title II, §2401(a), Apr. 28, 1988, 102 Stat. 324, related to use of a portion of a State’s allotment to provide vocational education services and activities to meet special needs of handicapped individuals, dis-

advantaged individuals, single parents, homemakers, or single pregnant women, and other groups.

Section 2332, Pub. L. 88–210, title II, §202, as added Pub. L. 98–524, §1, Oct. 19, 1984, 98 Stat. 2452; amended Pub. L. 100–202, §101(h) [title III, §300], Dec. 22, 1987, 101 Stat. 1329–256, 1329–279; Pub. L. 100–297, title II, §2401(b), (c), Apr. 28, 1988, 102 Stat. 324, related to distribution of assistance from State allotment to provide vocational education opportunities.

Section 2333, Pub. L. 88–210, title II, §203, as added Pub. L. 98–524, §1, Oct. 19, 1984, 98 Stat. 2453; amended Pub. L. 99–159, title VII, §705, Nov. 22, 1985, 99 Stat. 905, related to allocation within individual States of the funds available for vocational education services and activities for the handicapped.

Section 2334, Pub. L. 88–210, title II, §204, as added Pub. L. 98–524, §1, Oct. 19, 1984, 98 Stat. 2454; amended Pub. L. 101–476, title IX, §901(a)(2), Oct. 30, 1990, 104 Stat. 1142, related to criteria for services and activities for the handicapped and for the disadvantaged.

Prior sections 2335 to 2336 were omitted in the general amendment of this chapter by Pub. L. 105–332.

Section 2335, Pub. L. 88–210, title II, §221, as added Pub. L. 101–392, title II, §201, Sept. 25, 1990, 104 Stat. 777, related to programs for single parents, displaced homemakers, and single pregnant women.

Section 2335a, Pub. L. 88–210, title II, §222, as added Pub. L. 101–392, title II, §201, Sept. 25, 1990, 104 Stat. 778, related to sex equity programs.

Section 2335b, Pub. L. 88–210, title II, §223, as added Pub. L. 101–392, title II, §201, Sept. 25, 1990, 104 Stat. 778, related to competitive award of amounts and evaluation of programs.

Section 2336, Pub. L. 88–210, title II, §225, as added Pub. L. 101–392, title II, §201, Sept. 25, 1990, 104 Stat. 778, related to programs for criminal offenders.

AMENDMENTS

2014—Subsec. (d)(2). Pub. L. 113–128 substituted “Workforce Innovation and Opportunity Act” for “Public Law 105–220” in heading and “functions and activities carried out under the Workforce Innovation and Opportunity Act” for “functions and activities carried out under Public Law 105–220” in text.

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113–128 effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113–128, set out as an Effective Date note under section 3101 of Title 29, Labor.

PART B—STATE PROVISIONS

**§ 2341. State administration**

**(a) Eligible agency responsibilities**

The responsibilities of an eligible agency under this subchapter shall include—

- (1) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this subchapter, including preparation for non-traditional fields;

- (2) consultation with the Governor and appropriate agencies, groups, and individuals including parents, students, teachers, teacher and faculty preparation programs, representatives of businesses (including small businesses), labor organizations, eligible recipients, State and local officials, and local program administrators, involved in the planning, administration, evaluation, and coordination of programs funded under this subchapter;

- (3) convening and meeting as an eligible agency (consistent with State law and proce-