

amounts to the eligible agency to be reallocated under section 2351 or 2352 of this title, as appropriate.

(2) Redistribution of amounts returned late in an academic year

In any academic year in which amounts are returned to the eligible agency under section 2351 or 2352 of this title and the eligible agency is unable to reallocate such amounts according to such sections in time for such amounts to be expended in such academic year, the eligible agency shall retain such amounts for distribution in combination with amounts provided under section 2322(a)(1) of this title for the following academic year.

(c) Construction

Nothing in section 2351 or 2352 of this title shall be construed—

(1) to prohibit a local educational agency or a consortium thereof that receives assistance under section 2351 of this title, from working with an eligible institution or consortium thereof that receives assistance under section 2352 of this title, to carry out career and technical education programs at the secondary level in accordance with this subchapter;

(2) to prohibit an eligible institution or consortium thereof that receives assistance under section 2352 of this title, from working with a local educational agency or consortium thereof that receives assistance under section 2351 of this title, to carry out postsecondary and adult career and technical education programs in accordance with this subchapter; or

(3) to require a charter school, that provides career and technical education programs and is considered a local educational agency under State law, to jointly establish the charter school's eligibility for assistance under this subchapter unless the charter school is explicitly permitted to do so under the State's charter school statute.

(d) Consistent application

For purposes of this section, the eligible agency shall provide funds to charter schools offering career and technical education programs in the same manner as the eligible agency provides those funds to other schools. Such career and technical education programs within a charter school shall be of sufficient size, scope, and quality to be effective.

(Pub. L. 88-210, title I, §133, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 731; amended Pub. L. 115-224, title I, §132, July 31, 2018, 132 Stat. 1612.)

AMENDMENT OF SUBSECTIONS (c) AND (d)

Pub. L. 115-224, § 4, title I, §132, July 31, 2018, 132 Stat. 1564, 1612, provided that, effective July 1, 2019, this section is amended by inserting “or programs of study” after “career and technical education programs” wherever appearing. See 2018 Amendment note below.

PRIOR PROVISIONS

A prior section 2353, Pub. L. 88-210, title I, §133, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3113, related to special rules for vocational and technical education, prior to the general amendment of this chapter by Pub. L. 109-270.

AMENDMENTS

2018—Subsecs. (c), (d). Pub. L. 115-224 inserted “or programs of study” after “career and technical education programs” wherever appearing.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-224 effective July 1, 2019, see section 4 of Pub. L. 115-224, set out as a note under section 2301 of this title.

§ 2354. Local plan for career and technical education programs

(a) Local plan required

Any eligible recipient desiring financial assistance under this part shall, in accordance with requirements established by the eligible agency (in consultation with such other educational training entities as the eligible agency determines to be appropriate) submit a local plan to the eligible agency. Such local plan shall cover the same period of time as the period of time applicable to the State plan submitted under section 2342 of this title.

(b) Contents

The eligible agency shall determine the requirements for local plans, except that each local plan shall—

(1) describe how the career and technical education programs required under section 2355(b) of this title will be carried out with funds received under this subchapter;

(2) describe how the career and technical education activities will be carried out with respect to meeting State and local adjusted levels of performance established under section 2323 of this title;

(3) describe how the eligible recipient will—

(A) offer the appropriate courses of not less than 1 of the career and technical programs of study described in section 2342(c)(1)(A) of this title;

(B) improve the academic and technical skills of students participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education programs to ensure learning in—

(i) a well-rounded education (as defined in section 7801 of this title); and

(ii) career and technical education subjects;

(C) provide students with strong experience in, and understanding of, all aspects of an industry;

(D) ensure that students who participate in such career and technical education programs are taught to the same coherent and rigorous content aligned with challenging academic standards as are taught to all other students; and

(E) encourage career and technical education students at the secondary level to enroll in rigorous and challenging courses in order to provide a well-rounded education (as defined in section 7801 of this title);

(4) describe how comprehensive professional development (including initial teacher prepa-

ration) for career and technical education, academic, guidance, and administrative personnel will be provided that promotes the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education (including curriculum development);

(5) describe how parents, students, academic and career and technical education teachers, faculty, administrators, career guidance and academic counselors, representatives of tech prep consortia (if applicable), representatives of the entities participating in activities described in section 3122 of title 29 (if applicable), representatives of business (including small business) and industry, labor organizations, representatives of special populations, and other interested individuals are involved in the development, implementation, and evaluation of career and technical education programs assisted under this subchapter, and how such individuals and entities are effectively informed about, and assisted in understanding, the requirements of this subchapter, including career and technical programs of study;

(6) provide assurances that the eligible recipient will provide a career and technical education program that is of such size, scope, and quality to bring about improvement in the quality of career and technical education programs;

(7) describe the process that will be used to evaluate and continuously improve the performance of the eligible recipient;

(8) describe how the eligible recipient will—

(A) review career and technical education programs, and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the programs, for special populations;

(B) provide programs that are designed to enable the special populations to meet the local adjusted levels of performance; and

(C) provide activities to prepare special populations, including single parents and displaced homemakers, for high skill, high wage, or high demand occupations that will lead to self-sufficiency;

(9) describe how individuals who are members of special populations will not be discriminated against on the basis of their status as members of the special populations;

(10) describe how funds will be used to promote preparation for non-traditional fields;

(11) describe how career guidance and academic counseling will be provided to career and technical education students, including linkages to future education and training opportunities; and

(12) describe efforts to improve—

(A) the recruitment and retention of career and technical education teachers, faculty, and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession; and

(B) the transition to teaching from business and industry.

(Pub. L. 88-210, title I, §134, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 732; amend-

ed Pub. L. 113-128, title V, §512(e)(5), July 22, 2014, 128 Stat. 1707; Pub. L. 114-95, title IX, §9215(n)(8), Dec. 10, 2015, 129 Stat. 2170; Pub. L. 115-224, title I, §133, July 31, 2018, 132 Stat. 1612.)

AMENDMENT OF SECTION

Pub. L. 115-224, § 4, title I, § 133, July 31, 2018, 132 Stat. 1564, 1612, made amendments to this section, effective July 1, 2019. After July 1, 2019, this section will read as follows:

§ 2354. *Local application for career and technical education programs*

(a) *Local application required*

Any eligible recipient desiring financial assistance under this part shall, in accordance with requirements established by the eligible agency (in consultation with such other educational training entities as the eligible agency determines to be appropriate) submit a local application to the eligible agency. Such local application shall cover the same period of time as the period of time applicable to the State plan submitted under section 2342 of this title.

(b) *Contents*

The eligible agency shall determine the requirements for local applications, except that each local application shall contain—

(1) *a description of the results of the comprehensive needs assessment conducted under subsection (c);*

(2) *information on the career and technical education course offerings and activities that the eligible recipient will provide with funds under this part, which shall include not less than 1 program of study approved by a State under section 2344(b)(2) of this title, including—*

(A) *how the results of the comprehensive needs assessment described in subsection (c) informed the selection of the specific career and technical education programs and activities selected to be funded;*

(B) *a description of any new programs of study the eligible recipient will develop and submit to the State for approval; and*

(C) *how students, including students who are members of special populations, will learn about their school's career and technical education course offerings and whether each course is part of a career and technical education program of study;*

(3) *a description of how the eligible recipient, in collaboration with local workforce development boards and other local workforce agencies, one-stop delivery systems described in section 3151(e)(2) of title 29, and other partners, will provide—*

(A) *career exploration and career development coursework, activities, or services;*

(B) *career information on employment opportunities that incorporate the most up-to-date information on high-skill, high-wage, or in-demand industry sectors or occupations, as determined by the comprehensive needs assessment described in subsection (c); and*

(C) *an organized system of career guidance and academic counseling to students before enrolling and while participating in a career and technical education program;*

(4) *a description of how the eligible recipient will improve the academic and technical skills of*

students participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education programs to ensure learning in the subjects that constitute a well-rounded education (as defined in section 7801 of this title);

(5) a description of how the eligible recipient will—

(A) provide activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations that will lead to self-sufficiency;

(B) prepare CTE participants for non-traditional fields;

(C) provide equal access for special populations to career and technical education courses, programs, and programs of study; and

(D) ensure that members of special populations will not be discriminated against on the basis of their status as members of special populations;

(6) a description of the work-based learning opportunities that the eligible recipient will provide to students participating in career and technical education programs and how the recipient will work with representatives from employers to develop or expand work-based learning opportunities for career and technical education students, as applicable;

(7) a description of how the eligible recipient will provide students participating in career and technical education programs with the opportunity to gain postsecondary credit while still attending high school, such as through dual or concurrent enrollment programs or early college high school, as practicable;

(8) a description of how the eligible recipient will coordinate with the eligible agency and institutions of higher education to support the recruitment, preparation, retention, and training, including professional development, of teachers, faculty, administrators, and specialized instructional support personnel and paraprofessionals who meet applicable State certification and licensure requirements (including any requirements met through alternative routes to certification), including individuals from groups underrepresented in the teaching profession; and

(9) a description of how the eligible recipient will address disparities or gaps in performance as described in section 2323(b)(3)(C)(ii)(II) of this title in each of the plan years, and if no meaningful progress has been achieved prior to the third program year, a description of the additional actions such recipient will take to eliminate those disparities or gaps.

(c) *Comprehensive needs assessment*

(1) *In general*

To be eligible to receive financial assistance under this part, an eligible recipient shall—

(A) conduct a comprehensive local needs assessment related to career and technical education and include the results of the needs assessment in the local application submitted under subsection (a); and

(B) not less than once every 2 years, update such comprehensive local needs assessment.

(2) *Requirements*

The comprehensive local needs assessment described in paragraph (1) shall include each of the following:

(A) An evaluation of the performance of the students served by the eligible recipient with respect to State determined and local levels of performance established pursuant to section 2323 of this title, including an evaluation of performance for special populations and each subgroup described in section 6311(h)(1)(C)(ii) of this title.

(B) A description of how career and technical education programs offered by the eligible recipient are—

(i) sufficient in size, scope, and quality to meet the needs of all students served by the eligible recipient; and

(ii)(I) aligned to State, regional, Tribal, or local in-demand industry sectors or occupations identified by the State workforce development board described in section 3111 of title 29 (referred to in this section as the “State board”) or local workforce development board, including career pathways, where appropriate; or

(II) designed to meet local education or economic needs not identified by State boards or local workforce development boards.

(C) An evaluation of progress toward the implementation of career and technical education programs and programs of study.

(D) A description of how the eligible recipient will improve recruitment, retention, and training of career and technical education teachers, faculty, specialized instructional support personnel, paraprofessionals, and career guidance and academic counselors, including individuals in groups underrepresented in such professions.

(E) A description of progress toward implementation of equal access to high-quality career and technical education courses and programs of study for all students, including—

(i) strategies to overcome barriers that result in lower rates of access to, or performance gaps in, the courses and programs for special populations;

(ii) providing programs that are designed to enable special populations to meet the local levels of performance; and

(iii) providing activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations in competitive, integrated settings that will lead to self-sufficiency.

(d) *Consultation*

In conducting the comprehensive needs assessment under subsection (c), and developing the local application described in subsection (b), an eligible recipient shall involve a diverse body of stakeholders, including, at a minimum—

(1) representatives of career and technical education programs in a local educational agency or educational service agency, including teachers, career guidance and academic counselors, principals and other school leaders, administrators, and specialized instructional support personnel and paraprofessionals;

(2) representatives of career and technical education programs at postsecondary educational institutions, including faculty and administrators;

(3) representatives of the State board or local workforce development boards and a range of local or regional businesses or industries;

(4) parents and students;

(5) representatives of special populations;

(6) representatives of regional or local agencies serving out-of-school youth, homeless children and youth, and at-risk youth (as defined in section 6472 of this title);

(7) representatives of Indian Tribes and Tribal organizations in the State, where applicable; and

(8) any other stakeholders that the eligible agency may require the eligible recipient to consult.

(e) Continued consultation

An eligible recipient receiving financial assistance under this part shall consult with stakeholders described in subsection (d) on an ongoing basis, as determined by the eligible agency. This may include consultation in order to—

(1) provide input on annual updates to the comprehensive needs assessment required under subsection (c)(1)(B);

(2) ensure programs of study are—

(A) responsive to community employment needs;

(B) aligned with employment priorities in the State, regional, tribal, or local economy identified by employers and the entities described in subsection (d), which may include in-demand industry sectors or occupations identified by the local workforce development board;

(C) informed by labor market information, including information provided under section 491-2(e)(2)(C) of title 29;

(D) designed to meet current, intermediate, or long-term labor market projections; and

(E) allow employer input, including input from industry or sector partnerships in the local area, where applicable, into the development and implementation of programs of study to ensure such programs of study align with skills required by local employment opportunities, including activities such as the identification of relevant standards, curriculum, industry-recognized credentials, and current technology and equipment;

(3) identify and encourage opportunities for work-based learning; and

(4) ensure funding under this part is used in a coordinated manner with other local resources.

See 2018 Amendment notes below.

PRIOR PROVISIONS

A prior section 2354, Pub. L. 88-210, title I, §134, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3114, related to local plan for vocational and technical education programs, prior to the general amendment of this chapter by Pub. L. 109-270.

AMENDMENTS

2018—Pub. L. 115-224, §133(1), substituted “Local application” for “Local plan” in section catchline.

Subsec. (a). Pub. L. 115-224, §133(2), substituted “Local Application” for “Local plan” in heading and “local application” for “local plan” in two places in text.

Subsecs. (b) to (e). Pub. L. 115-224, §133(3), added subsecs. (b) to (e) and struck out former subsec. (b) which related to contents of local plans.

2015—Subsec. (b)(3)(B)(i). Pub. L. 114-95, §9215(n)(8)(A), substituted “a well-rounded education (as defined in

section 7801 of this title)” for “the core academic subjects (as defined in section 7801 of this title)”.

Subsec. (b)(3)(E). Pub. L. 114-95, §9215(n)(8)(B), substituted “in order to provide a well-rounded education (as defined in section 7801 of this title)” for “in core academic subjects (as defined in section 7801 of this title)”.

2014—Subsec. (b)(5). Pub. L. 113-128 substituted “entities participating in activities described in section 3122 of title 29 (if applicable)” for “entities participating in activities described in section 2832 of title 29 (if applicable)”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-224 effective July 1, 2019, see section 4 of Pub. L. 115-224, set out as a note under section 2301 of this title.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

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.

§ 2355. Local uses of funds

(a) General authority

Each eligible recipient that receives funds under this part shall use such funds to improve career and technical education programs.

(b) Requirements for uses of funds

Funds made available to eligible recipients under this part shall be used to support career and technical education programs that—

(1) strengthen the academic and career and technical skills of students participating in career and technical education programs, by strengthening the academic and career and technical education components of such programs through the integration of academics with career and technical education programs through a coherent sequence of courses, such as career and technical programs of study described in section 2342(c)(1)(A) of this title, to ensure learning in—

(A) a well-rounded education (as defined in section 7801 of this title); and

(B) career and technical education subjects;

(2) link career and technical education at the secondary level and career and technical education at the postsecondary level, including by offering the relevant elements of not less than 1 career and technical program of study described in section 2342(c)(1)(A) of this title;

(3) provide students with strong experience in and understanding of all aspects of an industry, which may include work-based learning experiences;

(4) develop, improve, or expand the use of technology in career and technical education, which may include—

(A) training of career and technical education teachers, faculty, and administrators