

(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 49l-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.

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

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 develop, coordinate, implement, or improve career and technical education programs to meet the needs identified in the comprehensive needs assessment described in section 2354(c) of this title.

(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 are of sufficient size, scope, and quality to be effective and that—

(1) provide career exploration and career development activities through an organized, systematic framework designed to aid students, including in the middle grades, before enrolling and while participating in a career and technical education program, in making informed plans and decisions about future education and career opportunities and programs of study, which may include—

(A) introductory courses or activities focused on career exploration and career awareness, including non-traditional fields;

(B) readily available career and labor market information, including information on—

- (i) occupational supply and demand;
- (ii) educational requirements;
- (iii) other information on careers aligned to State, local, or Tribal (as applicable) economic priorities; and
- (iv) employment sectors;

(C) programs and activities related to the development of student graduation and career plans;

(D) career guidance and academic counselors that provide information on postsecondary education and career options;

(E) any other activity that advances knowledge of career opportunities and assists students in making informed decisions about future education and employment goals, including non-traditional fields; or

(F) providing students with strong experience in, and comprehensive understanding of, all aspects of an industry;

(2) provide professional development for teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals, which may include—

(A) professional development on supporting individualized academic and career and technical education instructional approaches, including the integration of academic and career and technical education standards and curricula;

(B) professional development on ensuring labor market information is used to inform the programs, guidance, and advisement offered to students, including information provided under section 491-2(e)(2)(C) of title 29;

(C) providing teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals, as appropriate, with opportunities to advance knowledge, skills, and understanding of all aspects of an industry, including the latest workplace equipment, technologies, standards, and credentials;

(D) supporting school leaders and administrators in managing career and technical education programs in the schools, institutions, or local educational agencies of such school leaders or administrators;

(E) supporting the implementation of strategies to improve student achievement and close gaps in student participation and performance in career and technical education programs;

(F) providing teachers, faculty, specialized instructional support personnel, career guidance and academic counselors, principals, school leaders, or paraprofessionals, as appropriate, with opportunities to advance knowledge, skills, and understanding in pedagogical practices, including, to the extent the eligible recipient determines that such evidence is reasonably available, evidence-based pedagogical practices;

(G) training teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals, as appropriate, to provide appropriate accommodations for individuals with disabilities, and students with disabilities who are provided accommodations under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) or the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.];

(H) training teachers, faculty, specialized instructional support personnel, career guidance and academic counselors, and paraprofessionals in frameworks to effectively teach students, including a particular focus on students with disabilities and English learners, which may include universal design for learning, multi-tier systems of supports, and positive behavioral interventions and support; or

(I) training for the effective use of community spaces that provide access to tools, technology, and knowledge for learners and entrepreneurs, such as makerspaces or libraries;

(3) provide within career and technical education the skills necessary to pursue careers in high-skill, high-wage, or in-demand industry sectors or occupations;

(4) support integration of academic skills into career and technical education programs and programs of study to support—

(A) CTE participants at the secondary school level in meeting the challenging State academic standards adopted under section 6311(b)(1) of this title by the State in which the eligible recipient is located; and

(B) CTE participants at the postsecondary level in achieving academic skills;

(5) plan and carry out elements that support the implementation of career and technical education programs and programs of study and that result in increasing student achievement of the local levels of performance established under section 2323 of this title, which may include—

(A) a curriculum aligned with the requirements for a program of study;

(B) sustainable relationships among education, business and industry, and other community stakeholders, including industry or sector partnerships in the local area, where applicable, that are designed to facilitate the process of continuously updating and aligning programs of study with skills that are in demand in the State, regional, or local economy, and in collaboration with business outreach staff in one-stop centers, as defined in section 3 of the Workforce In-

novation and Opportunity Act (29 U.S.C. 3102), and other appropriate organizations, including community-based and youth-serving organizations;

(C) where appropriate, expanding opportunities for CTE concentrators to participate in accelerated learning programs (as described in section 7114(b)(3)(A)(i)(IV) of this title), including dual or concurrent enrollment programs, early college high schools, and the development or implementation of articulation agreements as part of a career and technical education program of study;

(D) appropriate equipment, technology, and instructional materials (including support for library resources) aligned with business and industry needs, including machinery, testing equipment, tools, implements, hardware and software, and other new and emerging instructional materials;

(E) a continuum of work-based learning opportunities, including simulated work environments;

(F) industry-recognized certification examinations or other assessments leading toward a recognized postsecondary credential;

(G) efforts to recruit and retain career and technical education program teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, and paraprofessionals;

(H) where applicable, coordination with other education and workforce development programs and initiatives, including career pathways and sector partnerships developed under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and other Federal laws and initiatives that provide students with transition-related services, including the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.];

(I) expanding opportunities for students to participate in distance career and technical education and blended-learning programs;

(J) expanding opportunities for students to participate in competency-based education programs;

(K) improving career guidance and academic counseling programs that assist students in making informed academic and career and technical education decisions, including academic and financial aid counseling;

(L) supporting the integration of employability skills into career and technical education programs and programs of study, including through family and consumer science programs;

(M) supporting programs and activities that increase access, student engagement, and success in science, technology, engineering, and mathematics fields (including computer science and architecture) for students who are members of groups underrepresented in such subject fields;

(N) providing career and technical education, in a school or other educational setting, for adults or out-of-school youth to complete secondary school education or upgrade technical skills;

(O) supporting career and technical student organizations, including student preparation for and participation in technical skills competitions aligned with career and technical education program standards and curricula;

(P) making all forms of instructional content widely available, which may include use of open educational resources;

(Q) supporting the integration of arts and design skills, when appropriate, into career and technical education programs and programs of study;

(R) partnering with a qualified intermediary to improve training, the development of public-private partnerships, systems development, capacity-building, and scalability of the delivery of high-quality career and technical education;

(S) support to reduce or eliminate out-of-pocket expenses for special populations participating in career and technical education, including those participating in dual or concurrent enrollment programs or early college high school programs, and supporting the costs associated with fees, transportation, child care, or mobility challenges for those special populations; or

(T) other activities to improve career and technical education programs; and

(6) develop and implement evaluations of the activities carried out with funds under this part, including evaluations necessary to complete the comprehensive needs assessment required under section 2354(c) of this title and the local report required under section 2323(b)(4)(B) of this title.

(c) Pooling funds

An eligible recipient may pool a portion of funds received under this chapter with a portion of funds received under this chapter available to one or more eligible recipients to support implementation of programs of study through the activities described in subsection (b)(2).

(d) Administrative costs

Each eligible recipient receiving funds under this part shall not use more than 5 percent of such funds for costs associated with the administration of activities under this section.

(Pub. L. 88-210, title I, §135, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 734; amended Pub. L. 113-128, title V, §512(e)(6), July 22, 2014, 128 Stat. 1707; Pub. L. 114-95, title IX, §9215(n)(9), Dec. 10, 2015, 129 Stat. 2170; Pub. L. 115-224, title I, §134, July 31, 2018, 132 Stat. 1616.)

REFERENCES IN TEXT

The Rehabilitation Act of 1973, referred to in subsec. (b)(2)(G), is Pub. L. 93-112, Sept. 26, 1973, 87 Stat. 355, which is classified generally to chapter 16 (§701 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 701 of Title 29 and Tables.

The Individuals with Disabilities Education Act, referred to in subsec. (b)(2)(G), (5)(H), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

The Workforce Innovation and Opportunity Act, referred to in subsec. (b)(5)(H), 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 this title, 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 2355, Pub. L. 88-210, title I, §135, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3115, related to local uses of funds, prior to the general amendment of this chapter by Pub. L. 109-270.

Prior sections 2361 to 2363 were omitted in the general amendment of this chapter by Pub. L. 105-332.

Section 2361, Pub. L. 88-210, title III, §311, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2458; amended Pub. L. 99-159, title VII, §706(b), Nov. 22, 1985, 99 Stat. 906; Pub. L. 101-392, title III, §302, Sept. 25, 1990, 104 Stat. 786, related to consumer and homemaking education grants.

Section 2362, Pub. L. 88-210, title III, §312, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2458; amended Pub. L. 99-159, title VII, §706(c), Nov. 22, 1985, 99 Stat. 906; Pub. L. 101-392, title III, §303, Sept. 25, 1990, 104 Stat. 786, related to use of funds from consumer and homemaking education grants.

Section 2363, Pub. L. 88-210, title III, §313, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2459; amended Pub. L. 99-159, title VII, §707, Nov. 22, 1985, 99 Stat. 906; Pub. L. 101-392, title III, §304, Sept. 25, 1990, 104 Stat. 786, related to information dissemination and leadership.

For prior sections 2371 to 2383, see Prior Provisions note preceding section 2391 of this title.

AMENDMENTS

2018—Pub. L. 115-224 amended section generally. Prior to amendment, section related to local uses of funds, including required and permissive uses.

2015—Subsec. (b)(1)(A). Pub. L. 114-95 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)”.

2014—Subsec. (c)(16). Pub. L. 113-128 substituted “such as through referral to the system established under section 3151 of title 29” for “such as through referral to the system established under section 2841 of title 29”.

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.

SUBCHAPTER II—GENERAL PROVISIONS

CODIFICATION

Pub. L. 115-224, title II, §201(a)(5), July 31, 2018, 132 Stat. 1621, redesignated subchapter III (§2391 et seq.) of this chapter as this subchapter.

PRIOR PROVISIONS

A prior subchapter II, consisting of sections 2371 to 2376, related to tech prep education, prior to repeal by

Pub. L. 115-224, §4, title II, §201(a)(5), July 31, 2018, 132 Stat. 1564, 1621, effective July 1, 2019.

Section 2371, Pub. L. 88-210, title II, §201, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 737, related to state allotment and application.

Another prior section 2371, Pub. L. 88-210, title II, §202, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3117, provided definitions, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2371, Pub. L. 88-210, title III, §321, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2459; amended Pub. L. 100-418, title VI, §6131(a)(2), Aug. 23, 1988, 102 Stat. 1509, provided findings and purposes of program, prior to repeal by Pub. L. 101-392, title III, §305, title VII, §702(a), Sept. 25, 1990, 104 Stat. 786, 843, effective July 1, 1991.

A prior section 201 of Pub. L. 88-210, as added by Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3117, which provided that former title II of Pub. L. 88-210 could be cited as the “Tech-Prep Education Act”, was set out as a note under former section 2301 of this title, prior to the general amendment of Pub. L. 88-210 by Pub. L. 109-270.

Section 2372, Pub. L. 88-210, title II, §202, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 738, related to consolidation of funds.

Another prior section 2372, Pub. L. 88-210, title II, §203, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3118, related to State allotment and application, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2372, Pub. L. 88-210, title III, §322, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2460; amended Pub. L. 100-418, title VI, §6131(a)(2), Aug. 23, 1988, 102 Stat. 1509; Pub. L. 101-476, title IX, §901(a)(2), Oct. 30, 1990, 104 Stat. 1142, authorized Secretary to make grants and specified uses of funds for program, prior to repeal by Pub. L. 101-392, title III, §305, title VII, §702(a), Sept. 25, 1990, 104 Stat. 786, 843, effective July 1, 1991.

A prior section 202 of Pub. L. 88-210 was classified to section 2371 of this title, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 202 of Pub. L. 88-210 was classified to section 2332 of this title, prior to the general amendment of former subchapter II of this chapter by Pub. L. 101-392.

Section 2373, Pub. L. 88-210, title II, §203, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 738; amended Pub. L. 110-315, title IX, §941(k)(2)(D)(iii), Aug. 14, 2008, 122 Stat. 3466; Pub. L. 114-95, title IX, §9215(n)(10), Dec. 10, 2015, 129 Stat. 2170, related to tech prep program.

Another prior section 2373, Pub. L. 88-210, title II, §204, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3118, related to tech-prep education, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2373, Pub. L. 88-210, title III, §323, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2461; amended Pub. L. 100-418, title VI, §6131(a)(2), Aug. 23, 1988, 102 Stat. 1509, provided for coordination of program with Job Training Partnership Act, prior to repeal by Pub. L. 101-392, title III, §305, title VII, §702(a), Sept. 25, 1990, 104 Stat. 786, 843, effective July 1, 1991.

A prior section 203 of Pub. L. 88-210 was classified to section 2372 of this title, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 203 of Pub. L. 88-210 was classified to section 2333 of this title, prior to the general amendment of former subchapter II of this chapter by Pub. L. 101-392.

Section 2374, Pub. L. 88-210, title II, §204, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 741, related to consortium applications.

Another prior section 2374, Pub. L. 88-210, title II, §205, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3120, related to consortium applications, prior to the general amendment of this chapter by Pub. L. 109-270.

A prior section 204 of Pub. L. 88-210 was classified to section 2373 of this title, prior to the general amendment of this chapter by Pub. L. 109-270.