

read as follows: “Prior to the third and fifth program years covered by the local plan, the eligible agency and each eligible recipient shall reach agreement on the local adjusted levels of performance for each of the core indicators of performance for the corresponding subsequent program years covered by the local plan, taking into account the factors described in clause (v). The local adjusted levels of performance agreed to under this clause shall be considered to be the local adjusted levels of performance for the eligible recipient for such years and shall be incorporated into the local plan.”

Pub. L. 115-224, §112(1)(E)(i)(II), redesignated cl. (iv) as (iii) and struck out former cl. (iii). Prior to amendment, text of cl. (iii) read as follows: “The eligible agency and each eligible recipient shall reach agreement, as described in clause (i), on the eligible recipient’s levels of performance for each of the core indicators of performance for the first 2 program years covered by the local plan, taking into account the levels identified in the local plan under clause (ii) and the factors described in clause (v). The levels of performance agreed to under this clause shall be considered to be the local adjusted levels of performance for the eligible recipient for such years and shall be incorporated into the local plan prior to the approval of such plan.”

Subsec. (b)(4)(A)(iv). Pub. L. 115-224, §112(1)(E)(i)(II), redesignated cl. (iv) as (iii).

Subsec. (b)(4)(A)(v). Pub. L. 115-224, §112(1)(E)(i)(II), (VI), redesignated cl. (vi) as (v), substituted “If unanticipated circumstances arise, or changes occur related to improvements in data or measurement approaches, the eligible recipient may request that the local levels of performance agreed to under clauses (i) and (iii) be revised.” for “If unanticipated circumstances arise with respect to an eligible recipient resulting in a significant change in the factors described in clause (v), the eligible recipient may request that the local adjusted levels of performance agreed to under clause (iii) or (iv) be revised.”, and struck out former cl. (v) which set out factors the agreements in this subpar. were to take into account.

Subsec. (b)(4)(B). Pub. L. 115-224, §112(1)(E)(ii), redesignated subpar. (C) as (B) and struck out former subpar. (B). Prior to amendment, text of subpar. (B) read as follows: “Each eligible recipient may identify, in the local plan, local levels of performance for any additional indicators of performance described in paragraph (2)(C). Such levels shall be considered to be the local levels of performance for purposes of this subchapter.”

Subsec. (b)(4)(B)(i). Pub. L. 115-224, §112(1)(E)(iii)(I), substituted “the data on the actual performance levels described in clause (ii), including the progress of such recipient in achieving the local levels of performance” for “the data described in clause (ii)(I), regarding the progress of such recipient in achieving the local adjusted levels of performance”.

Subsec. (b)(4)(B)(ii)(I). Pub. L. 115-224, §112(1)(E)(iii)(II)(aa), substituted “section 6311(h)(1)(C)(ii)” for “section 6311(h)(1)(C)(i)” and “section 2302(48)” for “section 2302(29)” and struck out “and” at end.

Subsec. (b)(4)(B)(ii)(II). Pub. L. 115-224, §112(1)(E)(iii)(II)(bb)(AA)–(CC), inserted “, as described in paragraph 3(C)(ii)(II),” after “gaps in performance” and “as described in subclause (I) (including special populations)” after “category of students” and substituted “all CTE concentrators” for “all students”.

Subsec. (b)(4)(B)(ii)(III), (IV). Pub. L. 115-224, §112(1)(E)(iii)(II)(bb)(DD), added subcls. (III) and (IV).

Subsec. (b)(4)(B)(iii). Pub. L. 115-224, §112(1)(E)(iii)(III), substituted “paragraph (3)(C)(iii)” for “subsection (c)(3)”.

Subsec. (b)(4)(B)(iv). Pub. L. 115-224, §112(1)(E)(iii)(IV), substituted “this paragraph” for “clause (ii)”.

Subsec. (b)(4)(B)(v). Pub. L. 115-224, §112(1)(E)(iii)(V), added cl. (v) and struck out former cl. (v). Prior to amendment, text read as follows: “The report described in clause (i) shall be made available to the public through a variety of formats, including electronically through the Internet.”

Subsec. (b)(4)(C). Pub. L. 115-224, §112(1)(E)(ii), redesignated subpar. (C) as (B).

Subsec. (c). Pub. L. 115-224, §112(2), struck out subsec. (c) which related to annual reports from eligible agencies receiving allotments.

2015—Subsec. (b)(2)(A)(i). Pub. L. 114-95, §9215(n)(3)(A)(i), added cl. (i) and struck out former cl. (i) which read as follows: “Student attainment of challenging academic content standards and student academic achievement standards, as adopted by a State in accordance with section 6311(b)(1) of this title and measured by the State determined proficient levels on the academic assessments described in section 6311(b)(3) of this title.”

Subsec. (b)(2)(A)(iv). Pub. L. 114-95, §9215(n)(3)(A)(ii), substituted “(as described in section 6311(c)(4)(A)(i)(I)(bb) of this title)” for “(as described in section 6311(b)(2)(C)(vi) of this title)”.

Subsec. (b)(4)(C)(ii)(I). Pub. L. 114-95, §9215(n)(3)(B), substituted “subgroups” for “categories”.

Statutory Notes and Related Subsidiaries

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.

§ 2324. National activities

(a) Program performance information

(1) In general

The Secretary shall, in consultation with the Director, collect performance information about, and report on, the condition of career and technical education and on the effectiveness of State and local programs, services, and activities carried out under this subchapter in order to provide the Secretary and Congress, as well as Federal, State, local, and tribal agencies, with information relevant to improvement in the quality and effectiveness of career and technical education. The Secretary shall report annually to Congress on the Secretary’s aggregate analysis of performance information collected each year pursuant to this subchapter from eligible agencies under section 2323(b)(3)(C) of this title, including an analysis of performance data regarding special populations.

(2) Compatibility

The Secretary shall, to the extent feasible, ensure that the performance information system is compatible with other Federal information systems.

(3) Assessments

As a regular part of its assessments, the National Center for Education Statistics shall collect and report information on career and technical education for a nationally representative sample of students. Such assessment may include international comparisons in the aggregate.

(b) Reasonable cost

The Secretary shall take such action as may be necessary to secure at reasonable cost the in-

formation required by this subchapter. To ensure reasonable cost, the Secretary, in consultation with the National Center for Education Statistics and the Office of Career, Technical, and Adult Education shall determine the methodology to be used and the frequency with which such information is to be collected.

(c) Single plan for research, development, dissemination, evaluation, and assessment

(1) In general

The Secretary shall, directly or through grants, contracts, or cooperative agreements, carry out research, development, dissemination, evaluation and assessment, capacity building, and technical assistance with regard to the career and technical education programs under this chapter. The Secretary shall develop a single plan for such activities.

(2) Plan

Such plan shall—

(A) identify the career and technical education activities described in paragraph (1) that the Secretary will carry out under this section;

(B) describe how the Secretary, acting through the Director, will evaluate such career and technical education activities in accordance with subsection (d)(2); and

(C) include such other information as the Secretary, in consultation with the Director, determines to be appropriate.

(d) Advisory panel; evaluation; reports

(1) Independent advisory panel

(A) In general

The Secretary, acting through the Director, shall appoint an independent advisory panel to advise the Secretary on the implementation of the evaluation described in paragraph (2) and the plan developed under subsection (c), including the issues to be addressed and the methodology of the studies involved to ensure that the evaluation adheres to the highest standards of quality.

(B) Members

The advisory panel shall consist of—

(i) educators, administrators, State directors of career and technical education, and chief executives, including those with expertise in the integration of academic and career and technical education;

(ii) experts in evaluation, research, and assessment;

(iii) representatives of labor organizations and businesses, including small businesses, economic development entities, and workforce investment entities;

(iv) parents;

(v) career guidance and academic counseling professionals;

(vi) other individuals and qualified intermediaries with relevant expertise, which may include individuals with expertise in addressing inequities in access to, and in opportunities for, academic and technical skill attainment;

(vii) representatives of Indian Tribes and Tribal organizations; and

(viii) representatives of special populations.

(C) Independent analysis

The advisory panel shall transmit to the Secretary, the Director, the relevant committees of Congress, and the Library of Congress an independent analysis of the findings and recommendations resulting from the evaluation described in paragraph (2).

(D) Chapter 10 of title 5

Chapter 10 of title 5 shall not apply to the panel established under this paragraph.

(2) Evaluation

(A) In general

From amounts made available under subsection (f), the Secretary, acting through the Director, shall provide for the conduct of a series of research and evaluation initiatives for each year for which funds are appropriated to carry out this chapter, which are aligned with the plan in subsection (c)(2), of career and technical education programs under this chapter, including the implementation of the Strengthening Career and Technical Education for the 21st Century Act, to the extent practicable, through studies and analyses conducted independently through grants, contracts, and cooperative agreements that are awarded on a competitive basis. Whenever possible, data used for the evaluation for a fiscal year shall be data from the most recent fiscal year for which such data are available, and from the 5-year period preceding that fiscal year.

(B) Contents

The evaluation required under subparagraph (A) shall include descriptions and evaluations of—

(i) the extent and success of the integration of challenging State academic standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6311(b)(1)] and career and technical education for students participating in career and technical education programs, including a review of the effect of such integration on the academic and technical proficiency achievement of such students, including—

(I) the number of such students that receive a regular high school diploma, as such term is defined under section 8101 of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 7801] or a State-defined alternative diploma described in section 8101(25)(A)(ii)(I)(bb) of such Act;

(II) the number of such students that are high school students that receive a recognized postsecondary credential; and

(III) the number of such students that are high school students that earn credit toward a recognized postsecondary credential;

(ii) the extent to which career and technical education programs and programs of study prepare students, including special populations, for subsequent employment

in high-skill, high-wage occupations (including those in which mathematics and science skills are critical, which may include computer science), or for participation in postsecondary education;

(iii) employer involvement in, benefit from, and satisfaction with, career and technical education programs and programs of study and career and technical education students' preparation for employment;

(iv) efforts to expand access to career and technical education programs of study for all students;

(v) innovative approaches to work-based learning programs that increase participation and alignment with employment in high-growth industries, including in rural and low-income areas;

(vi) the effectiveness of different delivery systems and approaches for career and technical education, including comprehensive high schools, technical high schools, area technical centers, career academies, community and technical colleges, early college high schools, pre-apprenticeship programs, voluntary after-school programs, and individual course offerings, including dual or concurrent enrollment program courses, as well as communication strategies for promoting career and technical education opportunities involving teachers, school counselors, and parents or other guardians;

(vii) the extent to which career and technical education programs supported by this chapter are grounded on evidence-based research;

(viii) the impact of the amendments to this chapter made under the Strengthening Career and Technical Education for the 21st Century Act, including comparisons, where appropriate, of—

(I) the use of the comprehensive needs assessment under section 2354(c) of this title;

(II) the implementation of programs of study; and

(III) coordination of planning and program delivery with other relevant laws, including the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.];

(ix) changes in career and technical education program accountability as described in section 2323 of this title and any effects of such changes on program delivery and program quality;

(x) changes in student enrollment patterns; and

(xi) efforts to reduce disparities or performance gaps described in section 2323(b)(3)(C)(ii)(II) of this title.

(C) Reports

(i) In general

The Secretary, in consultation with the Director, shall submit to the relevant committees of Congress—

(I) not later than 2 years after July 31, 2018, an interim report regarding the

evaluation and summary of research activities carried out under this section that builds on studies and analyses existing as of such date;

(II) not later than 4 years after July 31, 2018, a final report summarizing the studies and analyses that relate to the evaluation and summary of research activities carried out under this section; and

(III) a biennial update to such final report for succeeding years.

(ii) Prohibition

Notwithstanding any other provision of law, the reports required by this subsection shall not be subject to any review outside the Department of Education before their transmittal to the relevant committees of Congress and the Secretary, but the President, the Secretary, the Director, and the independent advisory panel established under paragraph (1) may make such additional recommendations to Congress with respect to the assessment as the President, the Secretary, the Director, or the panel determine to be appropriate.

(iii) Dissemination

In addition to submitting the reports required under clause (i), the Secretary shall disseminate the results of the evaluation widely and on a timely basis in order to increase the understanding among State and local officials and educators of the effectiveness of programs and activities supported under the¹ chapter and of the career and technical education programs and programs of study that are most likely to produce positive educational and employment outcomes.

(3) Collection of State information and report

(A) In general

The Secretary may collect and disseminate information from States regarding State efforts to meet State determined levels of performance described in section 2323(b) of this title, as long as such information does not reveal any personally identifiable information.

(B) Report

The Secretary shall gather any information collected pursuant to subparagraph (A) and submit a report to the relevant committees in Congress.

(4) Research

(A) In general

From amounts made available under subsection (f), the Secretary, after consultation with the Director, the Commissioner for Education Research, and the States, and with input from the independent advisory panel established under subsection (d)(1)(A), shall award a grant, contract, or cooperative agreement, on a competitive basis, to an institution of higher education or to a consortium of one or more institutions of higher

¹ So in original. Probably should be "this".

education and one or more private nonprofit organizations or agencies, to carry out one or more of the activities described in subparagraph (B).

(B) Grant activities

An institution or consortium receiving a grant under this paragraph shall use grant funds to carry out one or more of the following activities:

(i) Evidence-based research and evaluation for the purpose of developing, improving, and identifying the most successful methods for—

(I) eliminating inequities in access to, and in opportunities for, learning, skill development, or effective teaching in career and technical education programs; and

(II) addressing the education, employment, and training needs of CTE participants, including special populations, in career and technical education programs or programs of study.

(ii) Research on, and evaluation of, the impact of changes made by the Strengthening Career and Technical Education for the 21st Century Act, including State-by-State comparisons, where appropriate, of—

(I) the use of the needs assessment under section 2354(c) of this title;

(II) the implementation of programs of study;

(III) how States have implemented provisions of the¹ chapter, including both fiscal and programmatic elements;

(IV) career and technical education funding and finance models; and

(V) coordination with other relevant laws, including the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.], and the Higher Education Act of 1965 [20 U.S.C. 1001 et seq.].

(iii) Evidence-based research and analyses that provide longitudinal information with respect to career and technical education programs and programs of study and student achievement.

(iv) The implementation of, evaluation of, or evidence-based research of, innovative methods that support high-quality implementation of career and technical education programs and programs of study and student achievement related to career and technical education, including—

(I) creating or expanding dual or concurrent enrollment program activities and early college high schools;

(II) awarding of academic credit or academic alignment for industry recognized credentials, competency-based education, or work-based learning;

(III) making available open, searchable, and comparable information on the quality of industry recognized credentials, including the related skills or competencies, attainment by CTE concentrators, related employment and earnings

outcomes, labor market value, and use by employers; or

(IV) initiatives to facilitate the transition of sub-baccalaureate career and technical education students into baccalaureate degree programs, including barriers affecting rural students and special populations.

(C) Report

The institution or consortium receiving a grant under this paragraph shall annually prepare a report containing information about the key research findings of such entity under this paragraph and shall submit copies of the report to the Secretary and the Director. The Secretary shall submit copies of the report to the relevant committees of Congress, the Library of Congress, and each eligible agency.

(D) Dissemination

The institution or consortium receiving a grant under this paragraph shall conduct dissemination and training activities based on the research carried out under this paragraph on a timely basis, including through dissemination networks and, as appropriate and relevant, technical assistance providers within the Department.

(e) Innovation and modernization

(1) Grant program

To identify, support, and rigorously evaluate evidence-based and innovative strategies and activities to improve and modernize career and technical education and align workforce skills with labor market needs as part of the State plan under section 2342 of this title and local application under section 2354 of this title and the requirements of this subsection, the Secretary may use not more than 20 percent of the amounts appropriated under subsection (f) to award grants to eligible entities, eligible institutions, or eligible recipients to carry out the activities described in paragraph (7).

(2) Non-Federal match

(A) Matching funds required

Except as provided under subparagraph (B), to receive a grant under this subsection, an eligible entity, eligible institution, or eligible recipient shall, through cash or in-kind contributions, provide matching funds from non-Federal sources in an amount equal to not less than 50 percent of the funds provided under such grant.

(B) Exception

The Secretary may waive the matching fund requirement under subparagraph (A) if the eligible entity, eligible institution, or eligible recipient demonstrates exceptional circumstances.

(3) Application

To receive a grant under this subsection, an eligible entity, eligible institution, or eligible recipient shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including, at a minimum—

(A) an identification and designation of the agency, institution, or school responsible for the administration and supervision of the program assisted under this paragraph;

(B) a description of the budget for the project, the source and amount of the matching funds required under paragraph (2)(A), and how the applicant will continue the project after the grant period ends, if applicable;

(C) a description of how the applicant will use the grant funds, including how such funds will directly benefit students, including special populations, served by the applicant;

(D) a description of how the program assisted under this subsection will be coordinated with the activities carried out under section 2344 or 2355 of this title;

(E) a description of how the career and technical education programs or programs of study to be implemented with grant funds reflect the needs of regional, State, or local employers, as demonstrated by the comprehensive needs assessment under section 2354(c) of this title;

(F) a description of how the program assisted under this subsection will be evaluated and how that evaluation may inform the report described in subsection (d)(2)(C); and

(G) an assurance that the applicant will—

(i) provide information to the Secretary, as requested, for evaluations that the Secretary may carry out; and

(ii) make data available to third parties for validation, in accordance with applicable data privacy laws, including section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”).

(4) Priority

In awarding grants under this subsection, the Secretary shall give priority to applications from eligible entities, eligible institutions, or eligible recipients that will predominantly serve students from low-income families.

(5) Geographic diversity

(A) In general

In awarding grants under this subsection, the Secretary shall award no less than 25 percent of the total available funds for any fiscal year to eligible entities, eligible institutions, or eligible recipients proposing to fund career and technical education activities that serve—

(i) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

(ii) an institution of higher education primarily serving the one or more areas served by such a local educational agency;

(iii) a consortium of such local educational agencies or such institutions of higher education;

(iv) a partnership between—

(I) an educational service agency or a nonprofit organization; and

(II) such a local educational agency or such an institution of higher education; or

(v) a partnership between—

(I) a grant recipient described in clause (i) or (ii); and

(II) a State educational agency.

(B) Exception

Notwithstanding subparagraph (A), the Secretary shall reduce the amount of funds made available under such clause if the Secretary does not receive a sufficient number of applications of sufficient quality.

(6) Duration

(A) In general

Grants awarded under this subsection shall be for a period of not more than 3 years.

(B) Extension

The Secretary may extend such grants for not more than 1 additional 2-year period if the grantee demonstrates to the Secretary that the grantee is achieving the grantee's program objectives and, as applicable, has improved education outcomes for career and technical education students, including special populations.

(7) Uses of funds

An eligible entity, eligible institution, or eligible recipient that is awarded a grant under this subsection shall use the grant funds to create, develop, implement, replicate, or take to scale evidence-based, field-initiated innovations to modernize and improve effectiveness and alignment of career and technical education and to improve student outcomes in career and technical education, and rigorously evaluate such innovations, through one or more of the following activities:

(A) Designing and implementing courses or programs of study aligned to labor market needs in new or emerging fields and working with industry to upgrade equipment, technology, and related curriculum used in career and technical education programs, which is needed for the development, expansion, and implementation of State-approved career and technical education programs of study, including—

(i) the development or acquisition of instructional materials associated with the equipment and technology purchased by an eligible entity, eligible institution, or eligible recipient through the grant; or

(ii) efforts to expand, develop, or implement programs designed to increase opportunities for students to take rigorous courses in coding or computer science subject areas, and support for statewide efforts to increase access and implementation of coding or computer science courses in order to meet local labor market needs in occupations that require skills in those subject areas.

(B) Improving career and technical education outcomes of students served by eligi-

ble entities, eligible institutions, or eligible recipients through activities such as—

(i) supporting the development and enhancement of innovative delivery models for career and technical education related work-based learning, including school-based simulated work sites, mentoring, work site visits, job shadowing, project-based learning, and skills-based and paid internships;

(ii) increasing the effective use of technology within career and technical education programs and programs of study;

(iii) supporting new models for integrating academic content at the secondary and postsecondary level in career and technical education; or

(iv) integrating science, technology, engineering, and mathematics fields, including computer science education, with career and technical education.

(C) Improving the transition of students—

(i) from secondary education to postsecondary education or employment through programs, activities, or services that may include the creation, development, or expansion of dual or concurrent enrollment programs, articulation agreements, credit transfer agreements, and competency-based education; or

(ii) from the completion of one postsecondary program to another postsecondary program that awards a recognized postsecondary credential.

(D) Supporting the development and enhancement of innovative delivery models for career and technical education.

(E) Working with industry to design and implement courses or programs of study aligned to labor market needs in new or emerging fields.

(F) Supporting innovative approaches to career and technical education by redesigning the high school experience for students, which may include evidence-based transitional support strategies for students who have not met postsecondary education eligibility requirements.

(G) Creating or expanding recruitment, retention, or professional development activities for career and technical education teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, and paraprofessionals, which may include—

(i) providing resources and training to improve instruction for, and provide appropriate accommodations to, special populations;

(ii) externships or site visits with business and industry;

(iii) the integration of coherent and rigorous academic content standards and career and technical education curricula, including through opportunities for appropriate academic and career and technical education teachers to jointly develop and implement curricula and pedagogical strategies;

(iv) mentoring by experienced teachers;

(v) providing resources or assistance with meeting State teacher licensure and credential requirements; or

(vi) training for career guidance and academic counselors at the secondary level to improve awareness of postsecondary education and postsecondary career options, and improve the ability of such counselors to communicate to students the career opportunities and employment trends.

(H) Improving CTE concentrator employment outcomes in non-traditional fields.

(I) Supporting the use of career and technical education programs and programs of study in a coordinated strategy to address identified employer needs and workforce shortages, such as shortages in the early childhood, elementary school, and secondary school education workforce.

(J) Providing integrated student support that addresses the comprehensive needs of students, such as incorporating accelerated and differentiated learning opportunities supported by evidence-based strategies for special populations.

(K) Establishing an online portal for career and technical education students, including special populations, preparing for postsecondary career and technical education, which may include opportunities for mentoring, gaining financial literacy skills, and identifying career opportunities and interests, and a platform to establish online savings accounts to be used exclusively for postsecondary career and technical education programs and programs of study.

(L) Developing and implementing a pay for success initiative.

(8) Evaluation

Each eligible entity, eligible institution, or eligible recipient receiving a grant under this subsection shall provide for an independent evaluation of the activities carried out using such grant and submit to the Secretary an annual report that includes—

(A) a description of how funds received under this paragraph were used;

(B) the performance of the eligible entity, eligible institution, or eligible recipient with respect to, at a minimum, the performance indicators described under section 2323 of this title, as applicable, and disaggregated by—

(i) subgroups of students described in section 1111(c)(2)(B) of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6311(c)(2)(B)];

(ii) special populations; and

(iii) as appropriate, each career and technical education program and program of study; and

(C) a quantitative analysis of the effectiveness of the project carried out under this paragraph.

(f) Authorization of appropriations

There are authorized to be appropriated to carry out this section—

(1) \$7,651,051 for fiscal year 2019;

- (2) \$7,758,166 for fiscal year 2020;
- (3) \$7,866,780 for fiscal year 2021;
- (4) \$7,976,915 for fiscal year 2022;
- (5) \$8,088,592 for fiscal year 2023; and
- (6) \$8,201,832 for fiscal year 2024.

(Pub. L. 88–210, title I, § 114, as added Pub. L. 109–270, § 1(b), Aug. 12, 2006, 120 Stat. 702; amended Pub. L. 113–76, div. H, title III, § 307(d), Jan. 17, 2014, 128 Stat. 399; Pub. L. 114–95, title IX, § 9215(n)(4), Dec. 10, 2015, 129 Stat. 2169; Pub. L. 115–224, title I, § 113, July 31, 2018, 132 Stat. 1588; Pub. L. 117–286, § 4(a)(149), Dec. 27, 2022, 136 Stat. 4322.)

Editorial Notes

REFERENCES IN TEXT

The Strengthening Career and Technical Education for the 21st Century Act, referred to in subsec. (d)(2)(A), (B)(viii), (4)(B)(ii), is Pub. L. 115–224, July 31, 2018, 132 Stat. 1563. For complete classification of this Act to the Code, see Short Title of 2018 Amendment note set out under section 2301 of this title and Tables.

The Workforce Innovation and Opportunity Act, referred to in subsec. (d)(2)(B)(viii)(III), (4)(B)(ii)(V), 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.

The Elementary and Secondary Education Act of 1965, referred to in subsec. (d)(2)(B)(viii)(III), (4)(B)(ii)(V), is Pub. L. 89–10, Apr. 11, 1965, 79 Stat. 27, which is classified generally to chapter 70 (§ 6301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of this title and Tables.

The Higher Education Act of 1965, referred to in subsec. (d)(4)(B)(ii)(V), is Pub. L. 89–329, Nov. 8, 1965, 79 Stat. 1219, which is classified generally to chapter 28 (§ 1001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables.

PRIOR PROVISIONS

A prior section 2324, Pub. L. 88–210, title I, § 114, as added Pub. L. 105–332, § 1(b), Oct. 31, 1998, 112 Stat. 3089, related to national activities, prior to the general amendment of this chapter by Pub. L. 109–270.

Another prior section 2324, Pub. L. 88–210, title I, § 114, as added Pub. L. 98–524, § 1, Oct. 19, 1984, 98 Stat. 2449; amended Pub. L. 101–392, title I, § 114, Sept. 25, 1990, 104 Stat. 769, related to development and approval of State plans, prior to the general amendment of this chapter by Pub. L. 105–332.

AMENDMENTS

2022—Subsec. (d)(1)(D). Pub. L. 117–286 substituted “Chapter 10 of title 5” for “FACA” in heading and “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)” in text.

2018—Subsec. (a)(1). Pub. L. 115–224, § 113(1), substituted “The Secretary shall, in consultation with the Director, collect” for “The Secretary shall collect” and inserted “from eligible agencies under section 2323(b)(3)(C) of this title” after “pursuant to this subchapter”.

Subsec. (b). Pub. L. 115–224, § 113(2), amended subsec. (b) generally. Prior to amendment, subsec. (b) required the collection of information at reasonable cost and the cooperation of eligible agencies receiving assistance under this chapter.

Subsec. (c)(1). Pub. L. 115–224, § 113(3)(A), substituted “Secretary shall, directly” for “Secretary may, directly”.

Subsec. (c)(2)(B). Pub. L. 115–224, § 113(3)(B)(i), inserted “, acting through the Director,” after “describe how the Secretary”.

Subsec. (c)(2)(C). Pub. L. 115–224, § 113(3)(B)(ii), inserted “, in consultation with the Director,” after “Secretary”.

Subsec. (d)(1)(A). Pub. L. 115–224, § 113(4)(A)(i), inserted “, acting through the Director,” after “The Secretary” and “and the plan developed under subsection (c)” after “described in paragraph (2)” and substituted “evaluation” for “assessment” in two places.

Subsec. (d)(1)(B)(vi). Pub. L. 115–224, § 113(4)(A)(ii)(II), inserted “qualified” before “intermediaries” and substituted “expertise, which may include individuals with expertise in addressing inequities in access to, and in opportunities for, academic and technical skill attainment;” for “expertise.”

Subsec. (d)(1)(B)(vii), (viii). Pub. L. 115–224, § 113(4)(A)(ii)(I), (III), added cls. (vii) and (viii).

Subsec. (d)(1)(C). Pub. L. 115–224, § 113(4)(A)(iii), inserted “the Director,” after “the Secretary,” and substituted “evaluation” for “assessment”.

Subsec. (d)(2). Pub. L. 115–224, § 113(4)(B)(i), struck out “and assessment” after “Evaluation” in heading.

Subsec. (d)(2)(A). Pub. L. 115–224, § 113(4)(B)(ii), substituted “subsection (f), the Secretary, acting through the Director,” for “subsection (e), the Secretary”, “a series of research and evaluation initiatives for each year for which funds are appropriated to carry out this chapter, which are aligned with the plan in subsection (c)(2),” for “an independent evaluation and assessment”, and “Strengthening Career and Technical Education for the 21st Century Act” for “Carl D. Perkins Career and Technical Education Improvement Act of 2006” and inserted at end “Whenever possible, data used for the evaluation for a fiscal year shall be data from the most recent fiscal year for which such data are available, and from the 5-year period preceding that fiscal year.”

Subsec. (d)(2)(B). Pub. L. 115–224, § 113(4)(B)(iii), amended subpar. (B) generally. Prior to amendment, subpar. (B) set out the contents of the assessment required under subpar. (A).

Subsec. (d)(2)(C)(i). Pub. L. 115–224, § 113(4)(B)(iv)(I), inserted “, in consultation with the Director,” after “The Secretary” in introductory provisions, added subcls. (I) to (III), and struck out former subcls. (I) and (II) which required an interim report by Jan. 1, 2010, and a final report by July 1, 2011.

Subsec. (d)(2)(C)(ii). Pub. L. 115–224, § 113(4)(B)(iv)(II), inserted “the Director,” after “the President, the Secretary,” in two places.

Subsec. (d)(2)(C)(iii). Pub. L. 115–224, § 113(4)(B)(iv)(III), added cl. (iii).

Subsec. (d)(3)(A). Pub. L. 115–224, § 113(4)(C), substituted “State determined levels of performance described in section 2323(b) of this title, as long as such information does not reveal any personally identifiable information” for “State adjusted levels of performance described in section 2323(b) of this title”.

Subsec. (d)(4), (5). Pub. L. 115–224, § 113(4)(D), added par. (4) and struck out former pars. (4) and (5) which related to grants for research and demonstration programs and dissemination of information.

Subsec. (e). Pub. L. 115–224, § 113(6), added subsec. (e). Former subsec. (e) redesignated (f).

Subsec. (f). Pub. L. 115–224, § 113(5), (7), redesignated subsec. (e) as (f) and amended it generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2007 through 2012.”

2015—Subsec. (d)(4)(A)(iii)(I)(aa). Pub. L. 114–95 substituted “integrating those programs with challenging State academic standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965;” for “integrating those programs with academic content standards and student academic achievement standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965;”.

2014—Subsec. (b)(1). Pub. L. 113-76 substituted “Office of Career, Technical, and Adult Education” for “Office of Vocational and Adult Education”.

Statutory Notes and Related Subsidiaries

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.

§ 2325. Assistance for the outlying areas

(a) Outlying areas

From funds reserved pursuant to section 2321(a)(1)(A) of this title, the Secretary shall—

- (1) make a grant in the amount of \$660,000 to Guam;
- (2) make a grant in the amount of \$350,000 to each of American Samoa and the Commonwealth of the Northern Mariana Islands; and
- (3) make a grant of \$160,000 to the Republic of Palau, subject to subsection (b).

(b) Restriction

The Republic of Palau shall cease to be eligible to receive funding under this section upon entering into an agreement for an extension of United States educational assistance under the Compact of Free Association, unless otherwise provided in such agreement.

(Pub. L. 88-210, title I, §115, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 706; amended Pub. L. 115-224, title I, §114, July 31, 2018, 132 Stat. 1597.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2325, Pub. L. 88-210, title I, §115, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3094, related to assistance for outlying areas, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2325, Pub. L. 88-210, title I, §115, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2449; amended Pub. L. 101-392, title I, §115, Sept. 25, 1990, 104 Stat. 770; Pub. L. 101-476, title IX, §901(a)(2), Oct. 30, 1990, 104 Stat. 1142; Pub. L. 103-382, title III, §391(s)(3), Oct. 20, 1994, 108 Stat. 4024, related to State and local standards and measures, prior to the general amendment of this chapter by Pub. L. 105-332.

AMENDMENTS

2018—Subsec. (a)(3). Pub. L. 115-224, §114(1), substituted “subject to subsection (b)” for “subject to subsection (d)”.

Subsecs. (b) to (d). Pub. L. 115-224, §114(2), (3), redesignated subsec. (d) as (b) and struck out former subsecs. (b) and (c) which provided for grants of the remainder of funds reserved pursuant to section 2321(a)(1)(A) of this title and established a limitation on use.

Statutory Notes and Related Subsidiaries

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.

§ 2326. Native American programs

(a) Definitions

In this section:

(1) Alaska Native

The term “Alaska Native” means a Native as such term is defined in section 1602 of title 43.

(2) Bureau-funded school

The term “Bureau-funded school” has the meaning given the term in section 2021 of title 25.

(3) Native Hawaiian

The term “Native Hawaiian” means any individual any of whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.

(4) Native Hawaiian organization

The term “Native Hawaiian organization” has the meaning given the term in section 7517 of this title.

(b) Program authorized

(1) Authority

From funds reserved under section 2321(a)(1)(B)(i) of this title, the Secretary shall make grants to or enter into contracts with Indian Tribes, Tribal organizations, and Alaska Native entities to carry out the authorized programs described in subsection (c), except that such grants or contracts shall not be awarded to secondary school programs in Bureau-funded schools.

(2) Indian Tribes and Tribal organizations

The grants or contracts described in this section that are awarded to any Indian Tribe or Tribal organization shall be subject to the terms and conditions of section 5321 of title 25 and shall be conducted in accordance with the provisions of sections 5345, 5346, and 5347 of title 25, which are relevant to the programs administered under this subsection.

(3) Special authority relating to secondary schools operated or supported by the Bureau of Indian Education

An Indian Tribe, a Tribal organization, or an Alaska Native entity, that receives funds through a grant made or contract entered into under paragraph (1) may use the funds to provide assistance to a secondary school operated or supported by the Bureau of Indian Education to enable such school to carry out career and technical education programs.

(4) Matching

If sufficient funding is available, the Bureau of Indian Education shall expend an amount equal to the amount made available under this subsection, relating to programs for Indians, to pay a part of the costs of programs funded under this subsection. During each fiscal year the Bureau of Indian Education shall expend not less than the amount expended during the prior fiscal year on career and technical education programs, services, and technical activities administered directly by, or under contract with, the Bureau of Indian Edu-