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ABSTRACT

The bill proposes to provide financial assistance to States and other agencies and institutions to assist them to: operate and improve existing programs of vocational education; develop new programs of vocational education; provide vocational guidance, counseling, and placement; and provide part-time employment for those who need it. Details are set forth on the apportionment of funds and on the role of national and State advisory councils. Grants to States under this Act are to be used for: vocational-technical programs of instruction, work-experience programs, vocational education personnel development and training, and implementation of previously supported projects and activities. Grants may also be used to help provide specific vocational education services: guidance and counseling; provision of opportunities in private vocational schools; equipment, maintenance, and operation; administration, supervision, planning, and evaluation of programs; acquisition, analysis, and dissemination of data; personnel exchange; use of media and of student, parent, and citizen involvement; operation of business activities in connection with vocational education programs; placement and followup; maintenance and operation of industrial arts courses; and work-study programs. Grants are also provided for research, innovation, and demonstration. (Author/PR)

JUN 30 1975

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
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94TH CONGRESS
1ST SESSION**S. 1863**

IN THE SENATE OF THE UNITED STATES

JUNE 4, 1975

Mr. BEALL (for himself and Mr. PELL) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To consolidate existing authorities under the Vocational Education Act of 1963 in order to create a more efficient mechanism for Federal assistance to States for vocational education.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 *That this Act may be cited as the "Vocational Education Act*
4 *of 1975".*

5 **TITLE I—GENERAL PROVISIONS**6 **PURPOSE**

7 **Sec. 101.** It is the purpose of this Act to provide finan-
8 cial assistance to States and other public and private agencies
9 and institutions to assist them—

II—O

1 (1) to operate and improve existing programs of
2 vocational education;

3 (2) to develop new programs of vocational educa-
4 tion;

5 (3) to provide vocational guidance, counseling, and
6 placement; and

7 (4) to provide part-time employment for those who
8 need such financial assistance in order to undertake or
9 continue participation in programs eligible for assistance
10 under this Act—

11 so that anyone, including persons with special needs, and
12 regardless of place of residence or level of educational attain-
13 ment, may prepare for employment or for advanced higher
14 level vocational instruction or acquire new occupational
15 proficiencies through ready access to high quality vocational
16 education programs and services.

17 AUTHORIZATION OF APPROPRIATIONS

18 SEC. 102. There are authorized to be appropriated for
19 the fiscal year ending June 30, 1976, and each of the four
20 succeeding fiscal years, \$4,316,000 to carry out the purpose
21 of section 106 (f), \$358,690,000 to carry out the purposes of
22 title III, and \$160,000,000 to carry out the purposes of
23 title IV.

1

STATE ADMINISTRATION

2

SEC. 103. (a) Any State desiring to participate in the
3 programs authorized by this Act shall, consistent with State
4 law, designate or establish a State board or agency (herein-
5 after referred to as the "State board") which will be the sole
6 State agency responsible for the administration of such pro-
7 grams. The responsibility of the State board shall include
8 development of policy with respect to such programs, devel-
9 opment and submission to the Commissioner of the annual
10 and long-range plans required by title VI, and consultation
11 with the State Advisory Council for Vocational Education
12 and other appropriate State planning agencies as required
13 by section 202. Except with respect to those functions set
14 forth in the preceding sentence, the State board may dele-
15 gate its responsibilities for operating and supervising voca-
16 tional education programs to other appropriate State
17 agencies.

18

(b) In administering programs authorized under this
19 Act, the State board shall adopt procedures which will pro-
20 vide an opportunity for local educational agencies and institu-
21 tions involved in the provision of vocational education (in-
22 cluding groups of such institutions) to appeal and obtain a
23 hearing from the State board with respect to policies, pro-

1 cedures, programs, and allocation of resources under this
2 Act.

3 ALLOTMENTS AMONG STATES

4 SEC. 104. (a) From the amounts appropriated for any
5 fiscal year pursuant to section 102 for the purposes of title
6 III and from 50 per centum of the amount appropriated for
7 such year for the purpose of title IV, the Commissioner shall
8 allot to each State for each fiscal year—

9 (1) an amount which bears the same ratio to 50
10 per centum of the sums being allotted, as the product of
11 the population aged fifteen to nineteen, inclusive, in the
12 State in the preceding fiscal year and the State's allot-
13 ment ratio bears to the sum of the corresponding prod-
14 ucts for all the States; plus

15 (2) an amount which bears the same ratio to 20
16 per centum of the sums being allotted, as the product of
17 the population aged twenty to twenty-four, inclusive, in
18 the State in the preceding fiscal year and the State's
19 allotment ratio bears to the sum of the corresponding
20 products for all the States; plus

21 (3) an amount which bears the same ratio to 15
22 per centum of the sums being allotted, as the product
23 of the population aged twenty-five to sixty-five, inclusive,
24 in the State in the preceding fiscal year and the State's

1 allotment ratio bears to the sum of the corresponding
2 products for all the States; plus

3 (4) an amount which bears the same ratio to 15
4 per centum of the sums being allotted, as the sum of the
5 amounts allotted to the State under subparagraphs (1),
6 (2), and (3) for such years bears to the sum of the
7 amounts allotted to all the States under paragraphs (1),
8 (2), and (3) for such year.

9 (b) The amount of any State's allotment under sub-
10 section (a) for any fiscal year which the Commissioner de-
11 termines will not be required for such fiscal year or the suc-
12 ceeding fiscal year for carrying out the program for which
13 such amount has been allotted shall be available, from time
14 to time, for reallocation, on such dates during such year as
15 the Commissioner shall fix, on the basis of criteria established
16 by regulation, first among other programs authorized by this
17 Act within that State and then among other States, except
18 that funds appropriated for the purposes of title IV may only
19 be reallocated for the uses set forth in that title. Any amount
20 reallocated to a State under this subsection for any fiscal year
21 shall remain available for obligation during the succeeding
22 fiscal year and shall be deemed to be part of its allotment for
23 the year in which it is obligated.

1 (c) (1) The allotment ratio for any State shall be 1.00
2 less the product of—

3 (A) 0.50, and

4 (B) the quotient obtained by dividing the per cap-
5 ita income for the State by the per capita income for
6 all the States (exclusive of Puerto Rico, Guam, Ameri-
7 can Samoa, the Virgin Islands, and the Trust Territory
8 of the Pacific Islands), except that (i) the allotment
9 ratio in no case shall be more than 0.60 or less than
10 0.40, and (ii) the allotment ratio for Puerto Rico, Guam,
11 American Samoa, the Virgin Islands, and the Trust Ter-
12 ritory of the Pacific Islands shall be 0.60.

13 (2) The allotment ratios shall be promulgated by the
14 Commissioner for each fiscal year between October 1 and
15 December 31 of the preceding fiscal year. Allotment ratios
16 shall be computed on the basis of the average of the appro-
17 priate per capita incomes for the three most recent consecu-
18 tive fiscal years for which satisfactory data are available.

19 (3) The term "per capita income" means, with respect
20 to a fiscal year, the total personal income in the calendar
21 year ending in such year, divided by the population of the
22 area concerned in such year.

23 (4) For the purposes of this section population shall
24 be determined by the Commissioner on the basis of the lat-
25 est estimates available to him.

NATIONAL ADVISORY COUNCIL FOR VOCATIONAL
EDUCATION

SEC. 105. (a) The National Advisory Council for Vocational Education (hereinafter referred to as the "National Council") established pursuant to section 104(a) of the Vocational Education Act of 1963 shall continue to exist during the period for which appropriations are authorized under this Act. Individuals who are members of the Council on the date of the enactment of this Act may continue to serve for the terms for which they were appointed. Members appointed to succeed such individuals shall be appointed by the President for terms of three years. The Council shall consist of not more than twenty-one members each of whom shall be designated as representing one of the categories set forth in the following sentence. The Council shall include persons—

(1) representative of labor and management, including persons who have knowledge of the semiskilled, skilled, and technical employment in the labor market;

(2) representative of new and emerging occupational fields;

(3) in the field of career guidance and counseling;

(4) familiar with labor market problems and administration of employment programs;

(5) knowledgeable about the administration of

1 State and local vocational education programs, including
 2 members of local school boards and private institutions;

3 (6) experienced in the education and training of
 4 handicapped individuals;

5 (7) familiar with the unique problems of individuals
 6 disadvantaged by their socioeconomic backgrounds;

7 (8) experienced in the education and training of in-
 8 dividuals of limited English-speaking ability who require
 9 bilingual vocational training;

10 (9) having special knowledge of postsecondary vo-
 11 cational education programs: and

12 (10) representing the National Commission for
 13 Manpower Policy created pursuant to title V of the Com-
 14 prehensive Employment and Training Act of 1973; and

15 (11) representative of the general public (includ-
 16 ing parents and students) —

17 (A) who are not representative of categories

18 (1) through (10),

19 (B) fifty per centum of whom are not Federal
 20 employees, and

21 (C) who constitute no less than one-third of
 22 the total membership of the Council.

23 In appointing the National Council, the President shall
 24 insure that there is appropriate representation of both

1 sexes, racial and ethnic minorities, and the various
2 geographic regions of the country.

3 (b) (1) The National Council shall meet at the call of
4 the Chairman, who shall be selected by the President, but
5 not less than four times a year.

6 (2) The National Council shall—

7 (A) advise the Commissioner with regard to gen-
8 eral policy matters relating to vocational education,
9 including the administration of, preparation of regulations
10 for, and operation of, vocational education programs sup-
11 ported with assistance under this Act;

12 (B) review the administration and operation of
13 vocational education programs under this Act (includ-
14 ing the effectiveness of such programs in meeting the
15 purposes for which they are established and operated),
16 make recommendations with respect thereto, and make
17 annual reports of its findings and recommendations
18 (including recommendations for changes in the provi-
19 sions of the Act) to the Secretary for transmittal to the
20 Congress;

21 (C) make such interim reports or recommendations
22 to the Secretary, the Commissioner of Education, or to
23 the heads of other Federal departments and agencies
24 as it may deem desirable;

1 (D) identify, after consultation with the National
2 Commission for Manpower Policy, the vocational edu-
3 cation needs of the Nation and assess the extent to which
4 vocational education, employment training, vocational
5 rehabilitation, and other programs under this and re-
6 lated Acts represent a consistent, integrated, and coor-
7 dinated approach to meeting such needs;

8 (E) conduct such studies, hearings, or other activi-
9 ties as it deems necessary to enable it to formulate ap-
10 propriate recommendations;

11 (F) examine and evaluate the effectiveness of any
12 federally assisted vocational education programs (in-
13 cluding those assisted under this Act), with particular
14 reference to the contributions of such programs to the
15 achievement of objectives sought by the recommenda-
16 tions under clause (B) of this paragraph; and

17 (G) conduct independent evaluations of programs
18 carried out under this Act and publish and distribute the
19 results thereof.

20 (c) Members of the National Council who are not regu-
21 lar full-time employees of the United States shall, while
22 serving on business of the National Council, be entitled to
23 receive compensation in accordance with section 444 of the
24 General Education Provisions Act.

25 (d) The Council, in accordance with the provisions of

1 title 5, United States Code, governing appointment and
2 compensation of members of the Federal Government, is
3 authorized to appoint such professional, technical, and
4 clerical personnel as may be necessary to carry out its
5 functions.

6 STATE ADVISORY COUNCILS FOR VOCATIONAL EDUCATION

7 SEC. 106. (a) Any State which desires to receive a
8 grant under this Act for any fiscal year shall establish an
9 independent State advisory council for vocational educa-
10 tion (hereinafter referred to as the "State council") whose
11 members shall be representative of both government and
12 nongovernmental interests. Members of the State council shall
13 be appointed by the Governor or, in the case of States in
14 which the members of the State board of education are
15 elected, by such board. The State council shall include as
16 members a person or persons—

17 (1) representative of, and familiar with the voca-
18 tional needs and problems of, management and labor;

19 (2) representing State industrial and economic
20 development agencies;

21 (3) representative of community and junior
22 colleges;

23 (4) representative of other institutions of higher
24 education, area vocational schools, technical institutes,
25 and post-secondary agencies or institutions, which provide

1 programs of vocational or technical education and
2 training;

3 (5) responsible for the operation at the local or
4 State level of community colleges having vocational or
5 technical programs;

6 (6) familiar with vocational teaching programs;
7

8 (7) familiar with the administration of State and
9 local vocational education programs;

10 (8) having special knowledge, experience, or quali-
11 fications with respect to vocational education but who are
12 not involved in the administration of State or local voca-
13 tional education programs;

14 (9) familiar with public programs of vocational
15 education in comprehensive secondary schools;

16 (10) familiar with private programs of vocational
17 education;

18 (11) familiar with career guidance and counseling
19 services;

20 (12) representative of local educational agencies
21 operating comprehensive secondary schools;

22 (13) representative of local school boards;

23 (14) representative of the public manpower agency
24 (employment service) in the State;

1 (15) representative of the Manpower Services
2 Council of the State;

3 (16) representing school systems with large con-
4 ditions of persons who have special academic, bilin-
5 gual, social, economical, and cultural needs;

6 (17) having special knowledge, experience, or
7 qualifications, with respect to the special educational
8 needs of physically or mentally handicapped persons;

9 (18) representative of the general public, including
10 a person or persons representative of and knowledgeable
11 about the poor and disadvantaged; and

12 (19) representative of vocational education students
13 who are not qualified for membership under any of the
14 preceding clauses of this paragraph.

15 Members of the State council may not represent more than
16 one of the above-specified categories. In appointing the
17 State council, the Governor or the State board of education
18 (as the case may be) shall insure that there is appropriate
19 representation of both sexes, racial and ethnic minorities,
20 and the various geographic regions of the State.

21 (b) The functions of the State council shall be to—

22 (1) advise the State board in the development of
23 the annual and forward State plans for vocational
24 education;

1 (2) advise the State board on policy matters arising in the administration of programs under the State plan, including the preparation of long-range and annual program plans;

2 (3) evaluate vocational education programs, services, and activities assisted under this Act and publish and distribute the results thereof;

3 (4) prepare and submit through the State board to the Commissioner of Education, the Governor or chief executive officer of the State, and the National Council an annual evaluation report, accompanied by such additional comments of the State board as the State board deems appropriate, which (A) evaluates the effectiveness of vocational education programs, services, and activities carried out in the year under review in meeting the measurable program objectives set forth in the annual program plan, and (B) recommends such changes in those programs, services, and activities as may be warranted by the evaluations; and

4 (5) assist the State board in encouraging the development and installation of local program planning, including the establishment of local planning committees, councils, or groups broadly representative of the community that will participate in the development of local or area plans and make recommendations to the State board for use in developing the State plan.

1 (c) Not less than ninety days prior to the beginning
2 of any fiscal year in which a State desires to receive a grant
3 under this Act, that State shall certify the establishment of,
4 and membership of, its State council to the Commissioner.

5 (d) Each State council shall meet within thirty days
6 after certification has been accepted by the Commissioner and
7 select from among its membership a chairman. The time,
8 place and manner of meeting shall be as provided by the
9 rules of the State council, except that such rules must pro-
10 vide for not less than one public meeting each year at which
11 the public is given opportunity to express views concerning
12 vocational education.

13 (e) State councils are authorized to obtain the services
14 of such professional, technical, and clerical personnel as may
15 be necessary to enable them to carry out their functions under
16 this title and to contract for such services as may be neces-
17 sary to enable them to carry out their evaluation functions.

18 (f) From the sums appropriated for any fiscal year pur-
19 suant to section 102, the Commissioner is authorized to pay
20 to each State advisory council an amount equal to the reason-
21 able amounts expended by it in carrying out its functions
22 under this Act in such fiscal year, except that the amount
23 available for such purpose for any State for any fiscal year
24 shall not exceed one per centum of the amount allotted to
25 the State under section 104, but such amount shall not exceed
26 \$150,000 and shall not be less than \$50,000.

LIMITATIONS ON PAYMENTS

1

2 SEC. 107. (a) Nothing contained in this Act shall
3 be construed to authorize the making of any payment under
4 this Act for religious worship or instruction, or for the con-
5 struction, operation, or maintenance of so much of any
6 facility as is used or to be used for sectarian instruction or
7 as a place for religious worship.

8 (b) Funds appropriated pursuant to this Act may be
9 used for residential vocational education schools only to
10 the extent that the operation of such schools is consistent
11 with general regulations of the Commissioner concerning
12 the operation of such schools, but in no case may juveniles
13 be assigned to such schools as the result of their delinquent
14 conduct.

DEFINITIONS

15

16 SEC. 108. For the purposes of this Act—

17 (1) the term “area vocational technical school”
18 means—

19 (A) a specialized high school used exclusively
20 or principally for the provision of vocational educa-
21 tion to persons who are available for study in prep-
22 aration for entering employment, or

23 (B) the department of a high school exclu-
24 sively or principally used for providing vocational
25 education in no less than five different occupational

1 fields to persons who are available for study in
2 preparation for entering employment, or

3 (C) a vocational or technical school and ex-
4 clusively or principally for the provision of voca-
5 tional education to persons who have completed or
6 left high school and who are available for study in
7 preparation for entering employment, or

8 (D) the department or division of a junior
9 college or community college or university which
10 provides vocational education in no less than five
11 different occupational fields, operating under the
12 policies of the State board, leading to immediate
13 employment or to homemaking but not necessarily
14 leading to a baccalaureate degree,

15 if it is available to all residents of the State or an area
16 of the State designated and approved by the State board,
17 and if, in the case of a school, department, or division
18 described in clauses (C) or (D) of this paragraph, it
19 admits as regular students both persons who have com-
20 pleted high school and persons who have left high school;

21 (2) the term "Commissioner" means the United
22 States Commissioner of Education, and the term "Secre-
23 tary" means the Secretary of Health, Education, and
24 Welfare;

1 (3) the term "community college" means any
2 junior college, postsecondary vocational school, technical
3 institute, or any other educational institution (which may
4 include a four-year institution of higher education or a
5 branch thereof) in any State which—

6 (A) is legally authorized within such State to
7 provide a program of education beyond secondary
8 education;

9 (B) admits as regular students persons who
10 are high school graduates or the equivalent, or who
11 are beyond compulsory school age;

12 (C) provides a two-year postsecondary educa-
13 tional program leading to an associate degree, or
14 acceptable for credit toward a bachelor's degree, and
15 also provides programs of postsecondary vocational,
16 technical, occupational, and specialized education;

17 (D) is a public or other nonprofit private
18 institution;

19 (E) is accredited as an institution by a
20 nationally recognized accrediting agency or associa-
21 tion, or if not so accredited—

22 (i) is an institution that has obtained rec-
23 ognized preaccreditation status from a nation-
24 ally recognized accrediting body,

25 (ii) is an institution whose credits are

1 accepted on transfer, by not less than three
2 accredited institutions, for credit on the same
3 basis as if transferred from an institution so ac-
4 credited, or

5 (iii) is approved by the State board;

6 (4) the term "industrial arts education programs"
7 means those education programs (A) which pertain to
8 the body of related subject matter, or related courses,
9 organized for the development of understanding about
10 the technical, consumer, occupational, recreational, or-
11 ganizational, managerial, social, historical, and cultural
12 aspects of industry and technology including learning
13 experiences involving activities such as experimenting,
14 designing, constructing, evaluating, and using tools, ma-
15 chines, materials, and processes which provide oppor-
16 tunities for creativity and problem solving and assisting
17 individuals in the making of informed and meaningful
18 occupational choices, and (B) which the State board
19 determines will accomplish or facilitate one or more of
20 the purposes of the Act;

21 (5) the term "local educational agency" means a
22 board of education or other legally constituted local
23 school authority having administrative control and direc-
24 tion of public elementary or secondary schools in a
25 city, county, township, school district, or political sub-

1 division in a State, or any other public educational
2 institution or agency having administrative control and
3 direction of a vocational education program;

4 (6) the term "nonpublic school" or "nonprofit
5 private school" means a school established by an indi-
6 vidual, institution, or agency other than the State, sub-
7 divisions of the State, or the Federal Government,
8 which is supported primarily by other than public funds,
9 and the responsibility for the operation of whose program
10 rests with other than publicly elected or appointed
11 officials;

12 (7) the term "operation" used for the purpose
13 of a residential school facility includes maintenance
14 costs, the cost of salaries, equipment, supplies, and
15 materials, and may include but is not limited to other
16 reasonable costs of services and supplies needed by
17 residential students;

18 (8) the term "persons with special needs" means
19 persons who are or have been adversely affected by
20 physical, mental, academic, socioeconomic, geographic
21 or other factors and conditions and who require special
22 supportive, educational, or guidance assistance in order
23 to benefit from vocational education programs and
24 services;

25 (9) the term "private vocational training institu-

tion" means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of vocational or technical education designed to fit individuals for useful employment in recognized occupations, including homemaking; (C) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause, or (ii) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools or a particular category, by a State agency listed by the Commissioner pursuant to this clause, or (iii) if the Commissioner determines that there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by him and composed of persons specially qualified to evaluate training provided by schools of that category, which

1 committee shall prescribe the standards of content, scope,
2 and quality which must be met by those schools and shall
3 also determine whether particular schools meet those
4 standards. For the purpose of this subsection, the Com-
5 missioner shall publish a list of nationally recognized
6 accrediting agencies or associations and State agencies
7 which he determines to be reliable authority as to the
8 quality of education or training afforded;

9 (10) the term "secondary vocational education"
10 means the level of education or training for students
11 in grades seven to twelve, inclusive;

12 (11) the term "State" includes, in addition to the
13 several States, the District of Columbia, the Common-
14 wealth of Puerto Rico, the Virgin Islands, Guam,
15 American Samoa, and the Trust Territory of the Pacific
16 Islands;

17 (12) the term "vocational education" means voca-
18 tional, technical, or occupational training or retraining
19 which is provided in public or private secondary or post-
20 secondary institutions or classes, at the work site, or
21 under other innovative arrangements (including field,
22 laboratory work, work experience, and remedial or
23 related instruction incident thereto, and activities spon-
24 sored by recognized vocational student organizations)

1 under public supervision and control or under contract
2 with a State board or local education agency and which
3 is designed (A) to prepare individuals at the secondary
4 or postsecondary level for employment as semiskilled or
5 skilled workers, as homemakers, technicians, or subpro-
6 fessionals in recognized occupations and new and emerg-
7 ing occupations, or (B) to increase the occupational
8 proficiency of individuals, or (C) to prepare individuals
9 for enrollment in advanced specialized vocational or tech-
10 nical education programs, except those which require
11 a baccalaureate or higher degree; and such term includes
12 various supporting services required to maintain and
13 operate effective programs for all persons (including
14 those with special needs), such as professional prepara-
15 tion; inservice education; administration; curriculum
16 development and dissemination of related information;
17 work experience education arrangements; job placement;
18 vocational home economics education (consumer and
19 homemaking education and occupational home economics
20 education); prevocational education in such programs
21 as industrial arts; guidance and counseling; programs
22 for training public-service volunteers; vocational research
23 and demonstration programs; travel of vocational educa-
24 tion personnel and students while engaged in a training

1 program; activities of vocational student youth organiza-
 2 tions when their activities are an integral part of the
 3 vocational instructional program; the acquisition, main-
 4 tenance and repair of instructional supplies, teaching
 5 aids, and equipment; and the equipping and operating
 6 of residential vocational schools; and

7 (13) the term "work study" means programs which
 8 arrange for employment necessary to assist needy stu-
 9 dents (including those who are accepted for enrollment)
 10 to become or remain enrolled in vocational education
 11 programs, including programs arranged by a school
 12 through public employers to compensate full-time voca-
 13 tional education students, who are financially needy, with
 14 public funds for performing work assignments, the earn-
 15 ings from which will facilitate school retention and
 16 enable participating students to complete a job prepara-
 17 tory training program.

18 EFFECTIVE DATE; REPEALER

19 SEC. 109. (a) This Act shall become effective on July 1,
 20 1975.

21 (b) The Vocational Education Act of 1963, the Voca-
 22 tional Education Amendments of 1968, and part F of the
 23 Education Professions Development Act are repealed, effec-
 24 tive on and after July 1, 1975,

1 (c) (1) Funds granted to a State from appropriations
2 for the fiscal year ending June 30, 1975, for parts B, F, G,
3 and H of the Vocational Education Act of 1963 which are
4 not obligated and expended by the State by that date, and
5 which thereby are available for expenditure during the fiscal
6 year ending June 30, 1976, pursuant to section 412 (b) of
7 the General Education Provisions Act, shall be available for
8 use by the State in carrying out programs described in title
9 III of this Act during the fiscal year ending June 30, 1976.

10 (2) Funds granted to a State from appropriations for
11 the fiscal year ending June 30, 1975, for parts C and D of
12 the Vocational Education Act of 1963 which are not obli-
13 gated and expended by the State by that date, and which
14 thereby are available for expenditure during the fiscal year
15 ending June 30, 1976, pursuant to section 412 (b) of the
16 General Education Provisions Act, shall be available for use
17 by the State in carrying out projects and activities which
18 meet the requirements of section 403 of this Act during the
19 fiscal year ending June 30, 1976.

20 (d) Funds appropriated by the first section of the
21 Smith-Hughes Act (that is the Act approved February 23,
22 1917 (39 Stat. 929, as amended; 20 U.S.C. 11-15, 16-28) ,
23 shall be considered as funds appropriated pursuant to sec-
24 tion 102 of this Act for the purposes of title III of this Act,

TITLE II—PROGRAM PLANNING

ANNUAL ASSESSMENT OF NATIONAL VOCATIONAL EDUCATION NEEDS AND PRIORITIES

SEC. 201. (a) The Commissioner shall annually conduct an assessment of the status of vocational educational in the Nation in order to ascertain the critical national needs and high national priorities in the field of vocational education. In conducting that assessment, the Commissioner shall consult with and consider the recommendations of the National Advisory Council on Vocational Education. The results of that assessment shall be published in the Federal Register not later than March 31, 1976, and not later than March 31 of each of the four succeeding years.

(b) The Secretary of Labor shall provide information on National, regional, State, and local manpower needs for the use of the Commissioner, other Federal, State, and local officials, and advisory councils charged with responsibilities under this Act.

FORWARD PLAN

SEC. 202. (a) Any State desiring to participate in programs authorized under this Act for any fiscal year, other than the fiscal year ending June 30, 1976, shall prepare, through its State board, a five-year forward plan for vocational education in the State. Such plan meets the requirements of this section if it—

1 (1) is prepared in consultation with the State
2 advisory council for that State and other appropriate
3 State planning agencies;

4 (2) provides a long-range assessment of the voca-
5 tional education needs of the State and establishes long-
6 range program objectives which relate to those needs;

7 (3) considers the requirements of persons with
8 special needs for vocational education opportunities and
9 provides long-range program objectives designed to meet
10 those requirements; and

11 (4) provides for the involvement of other appropri-
12 ate public and private agencies, organizations and insti-
13 tutions in the development of the plan.

14 (b) The State five-year forward plan shall be submitted
15 to the Commissioner not later than June 30, 1976, and shall,
16 if necessary, be updated in conjunction with the preparation
17 of the annual program plan required by section 203.

18 **ANNUAL PROGRAM PLAN**

19 SEC. 203. (a) Each State desiring to participate in pro-
20 grams authorized by this Act for any fiscal year shall submit
21 to the Commissioner at such time and in such detail as he
22 deems necessary an annual program plan for vocational
23 education (hereinafter referred to as the "annual program
24 plan"). Such plan shall be submitted in accordance with

1 the procedures set forth in section 434 (b) of the General
2 Education Provisions Act, if applicable.

3 (b) The Commissioner shall approve the annual pro-
4 gram plan submitted by a State if he determines that the
5 plan—

6 (1) has been prepared in consultation with the
7 State advisory council for that State and other appro-
8 priate public and private agencies, organizations, and
9 institutions;

10 (2) has been submitted only after the State board
11 (A) has given reasonable notice, and afforded a reason-
12 able opportunity for a public hearing, and (B) has im-
13 plemented policies and procedures to insure that copies
14 of the State plan and all statements of general policies,
15 rules, regulations, and procedures issued by the State
16 board concerning the administration of such plan will
17 be made reasonably available to the public;

18 (3) describes the present vocational education
19 needs of the State in terms of the purposes of this Act,
20 and sets forth a program of vocational education ob-
21 jectives which affords satisfactory assurance of substan-
22 tial progress toward meeting the vocational education
23 needs of students and the labor force in the State;

24 (4) indicates how and to what extent programs,
25 services, and activities to be carried out under the an-

1 nual program plan during the year will (A) address the
2 critical national needs and priorities for vocational edu-
3 cation as assessed by the Commissioner pursuant to sec-
4 tion 201, and (B) carry out the objectives set forth
5 in the State's five-year forward plan for vocational edu-
6 cation developed pursuant to section 202;

7 (5) sets forth a detailed plan for the use of funds
8 made available to the State under title IV of this Act, in-
9 cluding a description of each research, innovative, and
10 demonstration project and activity to be carried out un-
11 der that title, and describes the means by which the
12 State intends to incorporate successful and promising
13 projects, practices, and activities developed under that
14 title into the basic program of vocational education in
15 the State;

16 (6) provides an assessment of Federal, State, and
17 local resources available to meet the vocational educa-
18 tion needs of the State and describes how those resources
19 are to be fully utilized in carrying out the annual program
20 plan during the year for which funds are sought under
21 this Act;

22 (7) provides an assurance that—

23 (A) not less than 25 per centum of the amount
24 allotted to the State under section 104 (a) for any
25 fiscal year for the purposes of title III, and not less

1 than 25 per centum of the amount so allotted for
2 the purposes of section 402 will be used to pro-
3 vide vocational education services for persons with
4 special needs, as defined in section 108 (8), and

5 (B) for any fiscal year beginning after Sep-
6 tember 30, 1976, not less than 25 per centum of
7 the aggregate of the non-Federal contributions re-
8 quired to be made for programs, projects, and activi-
9 ties funded under title III of this Act will be used
10 to provide vocational education services for such
11 persons;

12 (8) sets forth in detail the policies and procedures
13 to be followed by the State in the distribution of funds
14 to local educational agencies in the State for the pro-
15 grams, services, and activities authorized by this Act,
16 which policies and procedures assure that—

17 (A) due consideration will be given to the
18 results of periodic evaluations of State and local
19 vocational education programs, services, and activi-
20 ties in the light of information regarding current
21 and projected manpower needs and job opportuni-
22 ties, particularly new and emerging needs and op-
23 portunities on the local, State, and National levels.

24 (B) due consideration will be given to the rela-
25 tive vocational education needs of all population

1 groups in all geographic areas and communities in
2 the State,

3 (C) due consideration will be given to the rela-
4 tive ability of particular local educational agencies
5 within the State, particularly those in economically
6 depressed areas and those with high rates of unem-
7 ployment, to provide the resources necessary to
8 meet the vocational education needs in the areas or
9 communities served by such agencies,

10 (D) due consideration will be given to the cost
11 of the programs, services, and activities provided by
12 local educational agencies which is in excess of the
13 cost which may be normally attributed to the cost of
14 education in such local educational agencies,

15 (E) funds made available under this Act will
16 not be allocated to local educational agencies in a
17 manner, such as the matching of local expenditures
18 at a percentage ratio uniform throughout the State,
19 which fails to take into consideration the criteria
20 set forth in paragraphs (A), (B), (C), and (D),

21 (F) applications from local educational agencies
22 for funds—

23 (i) have been developed in consultation
24 with representatives of the educational and

1 training resources available to the area to be
2 served by the applicant,

3 (ii) are designed to provide the persons
4 to be served with education programs which
5 will make substantial progress toward prepar-
6 ing such persons for a career,

7 (iii) include assurances of adequate plan-
8 ning to meet the vocational education needs of
9 potential students in the area or community
10 served by such agency,

11 (iv) include a plan, for meeting the voca-
12 tional education needs in the area or community
13 served by such agency, taking into account the
14 relationship of the plan to the appropriate
15 comprehensive manpower plan developed under
16 section 105 of the Comprehensive Employment
17 and Training Act of 1973, and

18 (v) indicate how, and to what extent the
19 vocational education programs, services, and
20 activities proposed in the application will meet
21 the needs set forth pursuant to clause (iii); and

22 (G) no local educational agency which is mak-
23 ing a reasonable tax effort, as defined by regulations,
24 will be denied funds for the establishment of new
25 vocational education programs solely because the

1 local educational agency is unable to pay the non-
2 Federal share of the cost of such new programs;

3 (9) takes into consideration the State comprehen-
4 sive manpower plan developed pursuant to section 106
5 of the Comprehensive Employment and Training Act of
6 1973; and

7 (10) provides that any local educational agency
8 dissatisfied with final action with respect to any applica-
9 tion for funds under this Act shall be given reasonable
10 notice and opportunity for a hearing.

11 (c) (1) The Commissioner shall not finally disapprove
12 any plan submitted under subsection (a), or any modification
13 thereof, without first affording the State board submitting
14 the plan reasonable notice and opportunity for a hearing.

15 (2) Whenever the Commissioner, after reasonable
16 notice and opportunity for hearing to the State board admin-
17 istering a State plan approved under subsection (b), finds
18 that—

19 (A) the State plan has been so changed that it
20 no longer complies with the provisions of subsection
21 (b), or

22 (B) in the administration of the plan there is a
23 failure to comply substantially with any such provision,
24 the Commissioner shall notify such State board that no
25 further payments will be made to the State under this title

1 (or, in his discretion, further payments to the State will be
2 limited to programs under or portions of the State plan not
3 affected by such failure) until he is satisfied that there will
4 no longer be any failure to comply. Until he is so satisfied, the
5 Commissioner shall make no further payments to such State
6 under this title (or shall limit payments to programs under or
7 portions of the State plan not affected by such failure).

8 (3) A State board which is dissatisfied with a final
9 action of the Commissioner under this subsection may appeal
10 to the United States court of appeals for the circuit in which
11 the State is located, by filing a petition with such court with-
12 in sixty days after such final action. A copy of the petition
13 shall be forthwith transmitted by the clerk of the court to the
14 Commissioner, or any officer designated by him for that pur-
15 pose. The Commissioner thereupon shall file in the court
16 the record of the proceedings on which he based his action,
17 as provided in section 2112 of title 28, United States Code.
18 Upon the filing of such petition, the court shall have jurisdic-
19 tion to affirm the action of the Commissioner or to set it aside,
20 in whole or in part, temporarily or permanently, but until
21 the filing of the record the Commissioner may modify or set
22 aside his action. The findings of the Commissioner as to the
23 facts, if supported by substantial evidence, shall be conclu-
24 sive, but the court, for good cause shown, may remand the
25 case to the Commissioner to take further evidence, and the

1 Commissioner may thereupon make new or modified findings
2 of fact and may modify his previous action, and shall file in
3 the court the record of the further proceedings. Such new or
4 modified findings of fact shall likewise be conclusive if sup-
5 ported by substantial evidence. The judgment of the court
6 affirming or setting aside, in whole or in part, any action of
7 the Commissioner shall be final, subject to review by the Su-
8 preme Court of the United States upon certiorari or certifica-
9 tion as provided in section 1254 of title 28, United States
10 Code. The commencement of proceedings under this subsec-
11 tion shall not, unless so specifically ordered by the court,
12 operate as a stay of the Commissioner's action.

13 (d) (1) If any local educational agency is dissatisfied
14 with the final action of the State board with respect to ap-
15 proval of an application by that local agency for a grant
16 pursuant to this Act, such local agency may, within sixty
17 days after such final action or notice thereof, whichever is
18 later, file with the United States court of appeals for the cir-
19 cuit in which the State is located a petition for review of
20 that action. A copy of the petition shall be forthwith trans-
21 mitted by the clerk of the court to the State board. The State
22 board thereupon shall file in the court the record of the pro-
23 ceedings on which the State board based its action as pro-
24 vided in section 2112 of title 28, United States Code.

25 (2) The findings of fact by the State board, if supported

1 by substantial evidence shall be conclusive; but the court,
2 for good cause shown, may remand the case to the State
3 board to take further evidence, and the State board may
4 thereupon make new or modified findings of fact and may
5 modify its previous action, and shall certify to the court the
6 record of the further proceedings.

7 (3) The court shall have jurisdiction to affirm the action
8 of the State board or to set it aside, in whole or in part. The
9 judgment of the court shall be subject to review by the
10 Supreme Court of the United States upon certiorari or cer-
11 tification as provided in section 1254 of title 28, United
12 States Code.

13 AVAILABILITY OF FUNDS FOR PLANNING ACTIVITIES

14 SEC. 204. Funds granted to a State under title III of
15 this Act for any fiscal year may be used by the State board
16 for the following activities in addition to the activities au-
17 thorized by that title:

18 (1) development of forward and annual program
19 plans;

20 (2) planning for innovative projects and activities
21 to be carried out in succeeding years under title IV; and

22 (3) planning for the integration of successful in-
23 novative projects and activities into the State's basic
24 program of vocational education.

1 TITLE III—VOCATIONAL EDUCATION

2 PROGRAMS AND SERVICES

3 AUTHORIZATION OF GRANTS

4 SEC. 301. From the sums allotted to each State for the
5 purposes of this title for any fiscal year pursuant to section
6 104, the Commissioner is authorized to make grants to States
7 to assist them in establishing and carrying out vocational
8 education programs and services designed to provide indi-
9 viduals in all communities in the States with readily avail-
10 able high quality vocational education. Grants to States under
11 this title shall not exceed 40 per centum of the expenditures
12 incurred in carrying out the annual program plan in such
13 fiscal year with respect to the purposes of this title, except
14 that in the case of the Trust Territory of the Pacific Islands
15 and American Samoa, such amount shall not exceed 100 per
16 centum of such expenditures.

17 PROGRAMS

18 SEC. 302. Grants to States under this title may be used
19 in accordance with an approved annual program plan for
20 the following programs:

- 21 (1) vocational-technical programs of instruction,
22 including the development, installation, and operation of
23 programs of vocational education in public or private
24 secondary and postsecondary institutions which are

1 designed to prepare students for a wide variety of
2 occupations, including homemaking and home economics
3 occupations. Such programs may include those
4 designed—

5 (A) to prepare students for immediate entry
6 into employment;

7 (B) to prepare students to continue in an
8 advanced occupational, vocational, or technical
9 program;

10 (C) to provide those who have completed or
11 left school with new or additional occupational
12 proficiencies;

13 (D) to enable those who have entered the labor
14 market to increase their occupational proficiencies in
15 order to enter a new field of employment or to
16 improve their advancement opportunities in their
17 present field of employment;

18 (E) to enable the unemployed to become
19 employable through the development of skills and
20 technical knowledge; and

21 (F) to provide bilingual vocational education
22 to students who require such instruction in order
23 to benefit from vocational education;

24 (2) work experience program, including programs
25 of instruction which require employment, placement in

1 a job, or participation in other activities on the premises
2 of an employer for observation, instruction, work, or
3 work-related experiences. Programs authorized under
4 this paragraph include cooperative or similar instruc-
5 tional programs in which the student has a school-
6 approved involvement with an employer, the terms of
7 which may be intermittent, part time, or on an alternat-
8 ing schedule with other school activities and programs.

9 Such programs may also include—

10 (A) training personnel to establish, coordinate,
11 and supervise work experience programs;

12 (B) the provision of student instruction related
13 to the work experience;

14 (C) the reimbursement of employers for neces-
15 sary additional costs incurred in providing training
16 through work experience;

17 (D) payment of costs for services such as
18 transportation of students or other unusual costs that
19 students may not reasonably be expected to assume
20 while enrolled in such a program;

21 (E) the establishment of necessary procedures
22 for cooperation with public and private employment
23 agencies, labor groups, employers, and other com-
24 munity agencies in identifying suitable jobs for
25 enrollees in work experience programs;

1 (F) the development of curriculum materials;
2 and

3 (G) placement and followup activities required
4 to ascertain the impact of the program on the stu-
5 dent, the area labor market, and the economy;

6 (3) vocational education personnel development
7 and training, including—

8 (A) the development and maintenance of
9 programs for the improvement of the professional
10 vocational education competence of counselors,
11 guidance personnel, teachers, supervisors, research-
12 ers, and administrators in public and cooperating
13 private schools, institutions, and State and local
14 educational agencies;

15 (B) programs designed to update the com-
16 petencies of such persons in vocational education,
17 vocational student activities, and other related activ-
18 ities through exchanges of personnel, short-term
19 institutes and seminars, and field trips and related
20 travel;

21 (C) inservice teacher and professional person-
22 nel development; and

23 (D) programs to improve the quality and
24 effectiveness of vocational instruction through the

1 installation of new curriculum schemes, materials,
2 and bilingual vocational instruction; and

3 (4) implementation of projects and activities pre-
4 viously supported under title IV of this Act and which
5 have proved to be effective in meeting the vocational
6 education needs of the State.

7 VOCATIONAL EDUCATION SERVICES

8 SEC. 303. In order to provide vocational education pro-
9 grams which are comprehensive and of high quality and
10 which make the best utilization of all available resources for
11 meeting the vocational education needs of the State, grants
12 to a State under this title may be used to provide the follow-
13 ing services related to vocational education:

14 (1) vocational guidance and counseling, including—

15 (A) the provision of information, exploration,
16 and career assessment counseling activities and serv-
17 ices to assist all individuals with an interest in the
18 vocational curriculum in their occupational and edu-
19 cational planning and in arranging for necessary edu-
20 cational experiences which will help achieve their
21 career goals;

22 (B) the development of materials for student,
23 teacher, and counselor use in relating educational

1 and occupational requirements and opportunities;
2 and

3 (C) providing opportunities for employers to
4 visit educational settings and for young persons and
5 adults to visit the premises of employers for the pur-
6 pose of observation and exploration of educational
7 and occupational opportunities and conditions;

8 (2) the provision of vocational education opportu-
9 nities for individuals in private vocational training
10 institutions through arrangements with State and
11 local educational agencies;

12 (3) equipping, maintaining, and operating area vo-
13 cational technical schools and residential facilities;

14 (4) administering, supervising, planning, and eval-
15 uating of vocational education programs;

16 (5) acquiring, analyzing, and disseminating data
17 related to vocational education;

18 (6) exchanging personnel between schools, and
19 other agencies, institutions, and organizations partici-
20 pating in activities to achieve the purposes of this
21 Act, including manpower agencies, business, and
22 industry;

23 (7) use of diversified media and other techniques of
24 student, parent, and citizen involvement to improve or
25 provide high quality programs and services in vocational
26 education;

1 (8) operation by schools of business activities in
2 connection with vocational instructional programs when
3 required to increase the availability and quality of such
4 instruction;

5 (9) placement and follow-up of vocational educa-
6 tion graduates;

7 (10) maintenance and operation of industrial arts
8 courses when the State agency determines that such
9 instruction will accomplish or facilitate one or more of
10 the purposes of this Act; and

11 (11) work-study programs operated by a local
12 educational agency or other public agency or institution:
13 *Provided*, That students employed in work-study pro-
14 grams financed in whole or in part under this Act shall
15 not by reason of such employment be deemed to be
16 employees of the United States for any purpose.

17 TITLE IV—GRANTS FOR RESEARCH, INNOVA-
18 TION, AND DEMONSTRATION

19 PURPOSE

20 SEC. 401. It is the purpose of this title to authorize the
21 Commissioner to make grants to States and to public and
22 private agencies, organizations, and institutions in order to
23 encourage (1) research into problems relating to vocational
24 education. (2) development of innovative means of meeting
25 the needs of the State and the Nation with respect to voca-

1 tional education, and (3) demonstration of promising new
2 projects and activities in vocational education.

3 GRANTS TO STATES

4 SEC. 402. From the sums allotted to each State for the
5 purposes of this title pursuant to section 104, the Commis-
6 sioner is authorized to make grants to such State to pay all
7 or part of the cost of carrying out innovative projects and
8 activities, described in the annual program plan of the State,
9 which would carry out the purposes set forth in section 401
10 and which meet the requirements of section 403.

11 REQUIREMENTS FOR USE OF FUNDS

12 SEC. 403. (a) Financial assistance provided to a State
13 under section 402 may be used for—

- 14 (1) research in vocational education;
- 15 (2) experimental, developmental, and pilot pro-
16 grams and projects designed to test the effectiveness of
17 such research findings;
- 18 (3) demonstration and dissemination of innova-
19 tive means of meeting vocational education needs;
- 20 (4) development of new vocational education
21 curriculums;
- 22 (5) establishment of cooperative arrangements for
23 training and retraining of vocational education person-
24 nel; and

(6) evaluation of projects funded in whole or in part under this title.

(b) Projects and activities assisted under this title must be directed toward meeting one or more of the long-range vocational education needs of the State identified in the five-year forward plan of the State prepared pursuant to section 202, and—

(1) one or more of the critical national needs or high national priorities identified by the Commissioner in his annual assessment of vocational education needs of the Nation published pursuant to section 201; or

(2) one or more of the following objectives:

(A) the development of high quality vocational education programs for urban centers with high concentrations of economically disadvantaged individuals, unskilled workers, and unemployed individuals;

(B) the development of training opportunities for individuals in rural areas and individuals moving from farms to urban areas;

(C) the establishment of guidance and placement centers;

(D) the development and carrying out of

1 vocational education programs for persons with
2 special needs;

3 (E) the correction of sex-role stereotyping in
4 training and employment opportunities;

5 (F) meeting the training, counseling, and
6 placement needs of unemployed youths and adults;

7 (G) correlating the provision of vocational
8 education opportunities to the current and projected
9 needs of the labor market; or

10 (H) developing and carrying out bilingual
11 vocational education programs.

12 (c) (1) In order to insure the funds provided under this
13 title are used only to support innovative projects and activ-
14 ities, funds provided under this title may be used only to pay
15 the cost of the first three years of any such project or activity,
16 except that projects or activities of national significance
17 funded under section 404 may be supported for a fourth year
18 under section 402 if the State board determines that con-
19 tinuation of the project or activity for an additional year
20 would serve to carry out the purposes of this title.

21 (2) The annual program plan submitted pursuant to
22 section 203 shall set forth the expected amount and duration
23 of Federal financial participation in projects and activities
24 to be conducted under this title. The annual program plan
25 covering the final year of financial support for any such proj-

1 ect or activity shall indicate the proposed disposition of the
2 project or activity following the cessation of Federal support
3 and the means by which successful or promising projects or
4 activities will be continued or replicated within the State.

5 (d) Funds provided to a State under this title—

6 (1) shall be used only to pay for the operation and
7 evaluation of projects and activities described in the
8 annual program plan, and shall not be available to meet
9 the administrative expenses (as defined by the Com-
10 missioner pursuant to regulations) of the State board,
11 and

12 (2) may not be used for construction, other than
13 minor remodeling or alteration of existing structures and
14 the acquisition, installation, modernization, or replace-
15 ment of equipment necessary to carry out such project or
16 activity.

17 (e) Funds provided to a State under this title may not
18 be made available to support a project or activity unless the
19 State board determines that adequate provision has been
20 made to evaluate the effectiveness of such project or activity
21 in achieving the purposes of this title and in meeting one or
22 more of the vocational education needs or goals referred to in
23 subsection (b).

24 (f) Projects assisted under this title may include such

1 short-term training of personnel as may be necessary to
2 implement an otherwise approvable project.

3 SPECIAL PROJECTS AND ACTIVITIES OF NATIONAL
4 SIGNIFICANCE

5 SEC. 404. (a) From the amounts appropriated for the
6 purposes of this title for any fiscal year, the Commissioner
7 shall reserve an amount equal to 50 per centum of the amount
8 so appropriated. The amount so reserved shall be used by
9 the Commissioner to make grants to, or contracts with, public
10 and private agencies, organizations, and institutions (includ-
11 ing State boards and local educational agencies) to pay not
12 more than the Federal share of the cost of carrying out voca-
13 tional education projects or activities of national significance
14 which hold promise of making a substantial contribution to
15 meeting (1) one or more of the critical national needs or
16 high national priorities identified by the Commissioner in his
17 annual assessment of vocational education needs of the Na-
18 tion conducted pursuant to section 201 (a) or (2) one or
19 more of the objectives set forth in section 403 (b) (2). Fi-
20 nancial assistance may be made available by the Commis-
21 sioner under this section for any of the activities specified
22 in section 403 (a). The Commissioner may also use funds
23 reserved under this section in connection with the assessment
24 of national vocational education needs and dissemination of
25 the results of innovation projects and activities.

1 (b) The Federal share with respect to projects and
2 activities funded under this section shall be determined by the
3 Commissioner in accordance with a schedule of priorities
4 established by him and published in the Federal Register not
5 later than July 1 of each year. Such schedule shall provide
6 a Federal share of not less than 75 per centum nor more than
7 100 per centum for the first year of projects and activities
8 designed to meet each of the critical national needs or high
9 national priorities established by the Commissioner pursuant
10 to section 201 (a) and each of the objectives set forth in
11 section 403 (b) (2) . The schedule of priorities shall provide
12 a Federal share of not less than 50 per centum nor more than
13 100 per centum for the second and third years of such
14 projects and activities.

15 (c) A copy of each application for a grant or contract
16 under this section shall be submitted by the applicant to the
17 appropriate State board simultaneously with submission to
18 the Commissioner. The Commissioner shall not approve such
19 an application until the State board has had an opportunity,
20 for a period of at least thirty days, to review and make
21 comments to the Commissioner on the application.