AMENDMENT NO._______  Calendar No._______

Purpose: In the nature of a substitute.


S. 2402

To amend the Workforce Innovation and Opportunity Act to establish a career pathways grant program.

Referred to the Committee on __________________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by ____________

Viz:

1 Strike all after the enacting clause and insert the following:

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Gateway to Careers Act of 2023”.

4 SEC. 2. CAREER PATHWAYS GRANT PROGRAM.

5 (a) IN GENERAL.—Subtitle D of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221 et seq.) is amended by adding at the end the following:

6 “SEC. 173. CAREER PATHWAYS GRANT PROGRAM.

7 “(a) DEFINITIONS.—In this section:
“(1) Career pathway partnership applicant.—

“(A) In general.—The term ‘career pathway partnership applicant’ means a partnership that includes—

“(i) a workforce development partner;

“(ii) an education partner; and

“(iii) an employer partner.

“(B) Workforce development partner.—A workforce development partner described in subparagraph (A) means one or more of the following:

“(i) A State board or a local board.

“(ii) An industry association or other representative of multiple employers in the target industry, including an eligible industry or sector partnership.

“(iii) A community-based organization with experience in providing employment, education, or support services relevant to the career pathway and student populations receiving services under the grant under this section.

“(iv) Another State entity with experience transitioning individuals into the
workforce (including through a community rehabilitation program (as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705))), such as a State comprehensive rehabilitation center.

“(C) EDUCATION PARTNER.—An education partner described in subparagraph (A) means one or more of the following:

“(i) An institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), or a postsecondary vocational institution, as defined in section 102(e) of such Act (20 U.S.C. 1002(e)).

“(ii) An area career and technical education school that provides education at the postsecondary level.

“(iii) A local educational agency, as defined under section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(iv) An eligible provider, as defined under section 203.

“(D) EMPLOYER PARTNER.—An employer partner described in subparagraph (A) means a
representative of multiple businesses or other employers in the career pathways field, including small and medium-sized employers.

“(2) Eligible industry or sector partnership.—The term ‘eligible industry or sector partnership’ means—

“(A) an industry or sector partnership, which shall, at a minimum, include multiple representatives described in each of clauses (i) through (iii) of paragraph (26)(A) of section 3; or

“(B) a partnership, of multiple entities described in section 3(26) and a State board or local board, that is in the process of establishing an industry or sector partnership.

“(3) Measurable skill gains.—The term ‘measurable skill gains’ has the meaning given the term in section 361.155(a)(1)(v) of title 34, Code of Federal Regulations (or successor regulations).

“(4) Secretary.—The term ‘Secretary’ means the Secretary of Labor.

“(5) Universal design for learning.—The term ‘universal design for learning’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).
“(b) Program Established.—

“(1) In general.—The Secretary, in consultation with the Secretary of Education, shall establish a career pathway grant program, through which the Secretary shall award grants, on a competitive basis, to State workforce agencies to enable the State workforce agencies to award subgrants to career pathway partnership applicants to carry out the activities described in subsection (e).

“(2) Grant Awards to Career Pathway Partnership Applicants.—In the case of a State in which the State workforce agency does not apply for a grant under this section, the Secretary may award a grant to a career pathway partnership applicant to carry out the activities described in subsection (e) in such State.

“(c) Application for Grants.—A State workforce agency that desires to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

“(d) Geographic Equity.—In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution of such grants, including to rural areas and other regions that have traditionally been un-
derserved by regional economic development and industry or sector partnership activities.

“(e) **Subgrants to Career Pathway Partnership Applicants and Technical Assistance.**—

“(1) **In general.**—A State workforce agency that receives a grant under this section shall use the grant funds—

“(A) to award subgrants to career pathway partnership applicants; and

“(B) to provide technical assistance in applying for subgrants under this section to eligible career pathway partnership applicants.

“(2) **Applications.**—A career pathway partnership applicant desiring to receive a subgrant under this section shall submit an application to the State workforce agency, at such time and in such manner as the State workforce agency may require. Such application shall include the following information:

“(A) A description of the career pathway program that will be supported under the subgrant, including a description of the in-demand industry sectors or occupations that will be targeted and the industry-recognized creden-
tials or other recognized postsecondary credentials to be awarded.

“(B) A description of how the career pathway program supported under the subgrant is aligned and coordinated with other employment, education, and support services offered in the geographic area served under the subgrant, including those provided under this Act, the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), and the program of block grants to States for temporary assistance for needy families under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

“(C) A description of the populations that will be served under the subgrant, including an analysis of any barriers to employment, such as supportive services, including in postsecondary education, access, and completion, that such populations face, and an analysis of how the
services to be provided under the subgrant will address those barriers.

“(D) A description of the activities and services to be provided under this subgrant, consistent with paragraph (4).

“(E) A description of the performance outcomes that the career pathway partnership applicant plans to achieve, including a description of how the career pathway partnership applicant will evaluate and measure student progress and measurable skill gains along a career pathway.

“(F) Such other information as the State workforce agency may require.

“(3) PRIORITY.—In awarding subgrants under this subsection, the State workforce agency shall—

“(A) give priority to career pathway partnership applicants that include as a partner in the partnership a public institution of higher education at which the highest degree that is predominantly awarded to students is an associate’s degree, including 2-year Tribal Colleges or Universities under section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c) and
public 2-year State institutions of higher education;

“(B) give priority to career pathway partnership applicants that seek to serve individuals with a barrier to employment or individuals with a barrier to postsecondary education; and

“(C) give priority to career pathway partnership applicants that will use subgrant funds for an activity, strategy, or intervention that—

“(i) demonstrates, using evidence-based data, improving student outcomes or other relevant outcomes based on—

“(I) strong evidence from not less than 1 well-designed and well-implemented experimental study;

“(II) moderate evidence from not less than 1 well-designed and well-implemented quasi-experimental study; or

“(III) promising evidence from not less than 1 well-designed and well-implemented correlational study with statistical controls for selection bias;

“(ii) demonstrates a rationale based on high quality research finding or positive
evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and

“(iii) includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

“(4) Use of Funds.—

“(A) Developing and Implementing Career Pathway Programs.—A career pathway partnership applicant that receives a subgrant under this subsection shall use the subgrant funds to carry out activities that support the development and implementation of a career pathway program, which shall include one or more of the following:

“(i) The planning and implementation of agreements between the partners of the career pathway partnership applicant to support seamless transitions between elements of the career pathway program offered by different partners, as appropriate.

“(ii) The development and expansion of new or existing programs at the career pathway partnership applicant that utilize integrated education and training strate-
gies, and support multiple entry and exit points for working learners, which may include—

“(I) dual-enrollment approaches for secondary students or disconnected youth seeking to participate in a career pathway program;

“(II) strategies that help working students and other nontraditional and adult student populations access skills and recognized credentials; and

“(III) strategies that incorporate the principles of universal design for learning and other evidence-based practices known to support individuals with disabilities.

“(iii) The provision of evidence-based professional development for faculty and other staff at the career pathway partnership applicant, which may incorporate the principles of universal design for learning, as appropriate.

“(iv) The acquisition of equipment necessary to support the delivery of career pathway programs supported through the
subgrant, and minor alterations to support the use of the equipment.

“(v) Any other evidence-based activities identified by the career pathway partnership applicant as necessary to support the development or implementation of career pathway programs, as long as such activities are clearly outlined in the subgrant application.

“(B) STUDENT SUPPORT SERVICES.—In addition to the activities described in subparagraph (A), a career pathway partnership applicant receiving a subgrant under this subsection shall use subgrant funds to provide student support services to students engaged in career pathway programs to enable career pathway program participation and completion, which may include—

“(i) the provision of direct support services such as childcare, transportation, mental health and substance use disorder treatment, assistance in obtaining health insurance coverage, and assistance in accessing the supplemental nutrition assistance program established under the Food
and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), housing, and other benefits, as appropriate;

“(ii) offering career pathway navigation and case management services, including providing information and outreach to target populations to encourage individuals to take part in programs and service offerings; and

“(iii) the provision of emergency grants to help students facing financial hardships that may impact enrollment or completion of an element of a career pathway program.

“(5) Reports.—

“(A) Report to the Secretary.—Each State workforce agency receiving a grant under this section shall submit a report to the Secretary, on an annual basis, describing—

“(i) the activities provided under the subgrants awarded under this section, in-
including activities carried out directly by career pathway partnership applicants;

“(ii) the students receiving services under the subgrants, disaggregated by age, race or ethnicity, gender, barriers to employment, and income;

“(iii) the quality of jobs in which students receiving services through a career pathway program carried out through subgrants under this section are employed after exit from the program; and

“(iv) indicators of performance for students receiving services through a career pathway program carried out through subgrants under this section, disaggregated by participant type as described in clause (ii), including, at a minimum—

“(I) the percentage of program participants who are in unsubsidized employment prior to enrollment in the career pathway program;

“(II) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;
“(III) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;

“(IV) the median earnings of program participants who are in unsubsidized employment prior to enrollment in the career pathway program;

“(V) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;

“(VI) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from the program;

“(VII) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measur-
able skill gains toward such a credential or employment; and

“(VIII) the percentage of program participants receiving support services, disaggregated by type of service.

“(B) REPORT TO CONGRESS.—The Secretary shall submit a report to Congress, on a biennial basis, on the information submitted to the Secretary under subparagraph (A).

“(f) DURATION OF AWARDS.—Each grant and subgrant awarded under this section shall be for a period of not more than 4 years. A career pathway partnership applicant may apply for subsequent subgrants after the completion of a subgrant period.

“(g) EVALUATION AND ADMINISTRATION.—The Secretary shall reserve—

“(1) not less than 1 percent and not more than 3 percent of the funds made available under subsection (h) for each fiscal year to—

“(A) conduct a rigorous, independent evaluation of the activities funded under this section; and

“(B) disseminate and promote the utilization of evidence-based practices related to ca-
reer pathway programs for postsecondary students; and

“(2) not more than 3 percent of the funds made available under subsection (h) for each fiscal year for administrative costs associated in carrying out this section.

“(h) Authorization of Appropriations.—There are authorized to be appropriated to carry out the activities described in this section, such sums as may be necessary for fiscal year 2024 and for each subsequent fiscal year thereafter.”.

(b) Table of Contents.—The table of contents in section 1(b) of the Workforce Innovation and Opportunity Act is amended by inserting after the item relating to section 172, the following:

“Sec. 173. Career pathways grant program.”.