

117TH CONGRESS
1ST SESSION

S. _____

To amend the Higher Education Act of 1965 to establish a community college and career training grant program.

IN THE SENATE OF THE UNITED STATES

Mr. KAINE (for himself and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Higher Education Act of 1965 to establish a community college and career training grant program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Assisting Community
5 Colleges in Educating Skilled Students to Careers Act of
6 2021” or the “ACCESS Act of 2021”.

1 **SEC. 2. COMMUNITY COLLEGE AND CAREER TRAINING**
2 **GRANT PROGRAM.**

3 Part C of title VIII of the Higher Education Act of
4 1965 (20 U.S.C. 1161c et seq.) is amended to read as
5 follows:

6 **“PART C—COMMUNITY COLLEGE AND CAREER**
7 **TRAINING GRANT PROGRAM**
8 **“SEC. 803. COMMUNITY COLLEGE AND CAREER TRAINING**
9 **GRANT PROGRAM.**

10 “(a) PURPOSES.—The purposes of this section in-
11 clude the following:

12 “(1) To increase the number of students who
13 attain postsecondary credentials in high-skill, high-
14 wage, or in-demand industry sectors or occupations.

15 “(2) To increase the degree to which postsec-
16 ondary education meets the skill needs of employers
17 in high-skill, high-wage, or in-demand industry sec-
18 tors or occupations.

19 “(3) To assist the Nation’s community colleges
20 and technical colleges, through grants to eligible in-
21 stitutions, consortia of eligible institutions, and
22 States, to develop, improve, and scale evidence-based
23 strategies and delivery structures and that best meet
24 the skill needs of students and employers.

25 “(b) DEFINITIONS.—In this section:

1 “(1) WIOA DEFINITIONS.—The terms ‘career
2 pathway’, ‘individual with a barrier to employment’,
3 ‘industry or sector partnership’, ‘integrated edu-
4 cation and training’, ‘local board’, ‘State board’, ‘in-
5 demand industry sector or occupation’, and ‘recog-
6 nized postsecondary credential’ have the meanings
7 given such terms in section 3 of the Workforce Inno-
8 vation and Opportunity Act (29 U.S.C. 3102).

9 “(2) APPRENTICESHIP PROGRAM.—The term
10 ‘apprenticeship program’ means a program under
11 the Act of August 16, 1937 (commonly known as
12 the ‘National Apprenticeship Act’) (50 Stat. 664,
13 chapter 663; 29 U.S.C. 50 et seq.).

14 “(3) COMMUNITY COLLEGE PARTNERSHIP.—
15 The term ‘community college partnership’ means a
16 partnership of private and public sector entities
17 which—

18 “(A) shall include a community college, a
19 local or regional employer representing an in-
20 demand industry sector or occupation, and a
21 State board or local board; and

22 “(B) may include an industry or sector
23 partnership, a local educational agency, an enti-
24 ty with experience in providing employment,
25 education, or support services relevant to stu-

1 dent populations receiving services under this
2 section (such as a community-based organiza-
3 tion), a provider of adult education (as defined
4 in section 203 of the Adult Education and
5 Family Literacy Act), or an institution of high-
6 er education.

7 “(4) CONSORTIUM OF ELIGIBLE INSTITU-
8 TIONS.—The term ‘consortium of eligible institu-
9 tions’ means a consortium that includes 3 or more
10 eligible institutions.

11 “(5) EDUCATION AND CAREER TRAINING PRO-
12 GRAM.—The term ‘education and career training
13 program’ means—

14 “(A) a career pathway program that leads
15 to a recognized postsecondary credential; or

16 “(B) a program that utilizes integrated
17 education and training strategies and leads to a
18 recognized postsecondary credential.

19 “(6) ELIGIBLE INSTITUTION.—The term ‘eligi-
20 ble institution’ means a public institution of higher
21 education at which the highest degree that is pre-
22 dominantly awarded to students is an associate de-
23 gree, including a 2-year Tribal College or University
24 (as defined in section 316).

1 “(7) STATE.—The term ‘State’ means each of
2 the 50 States, the District of Columbia, the Com-
3 monwealth of Puerto Rico, American Samoa, Guam,
4 the Commonwealth of the Northern Mariana Is-
5 lands, and the United States Virgin Islands.

6 “(8) WORK-BASED LEARNING.—The term
7 ‘work-based learning’ means sustained interactions
8 with industry or community professionals in real
9 workplace settings, to the extent practicable, or sim-
10 ulated environments at an eligible institution that
11 foster in-depth, firsthand engagement with the tasks
12 required in a given career field, that are aligned to
13 curriculum and instruction.

14 “(c) AUTHORIZATION OF APPROPRIATIONS AND AD-
15 MINISTRATIVE PROVISIONS.—

16 “(1) GRANTS TO ELIGIBLE INSTITUTIONS AND
17 CONSORTIA OF ELIGIBLE INSTITUTIONS.—There are
18 authorized to be appropriated to carry out sub-
19 section (d), such sums as may be necessary for fiscal
20 year 2022 and each of the 5 succeeding fiscal years.

21 “(2) GRANTS TO STATES.—There are author-
22 ized to be appropriated to carry out subsection (e),
23 such sums as may be necessary for fiscal year 2022
24 and each of the 5 succeeding fiscal years.

1 “(3) NATIONAL ACTIVITIES.—For each fiscal
2 year, the Secretary shall reserve 5 percent of the
3 amount appropriated to carry out subsection (d) and
4 5 percent of the amount appropriated to carry out
5 subsection (e) to carry out subsection (g).

6 “(4) LIMITATIONS.—An eligible institution,
7 consortium of eligible institutions, or State may not
8 receive more than one grant under this section as a
9 primary applicant.

10 “(5) DURATION.—Each grant awarded under
11 this section shall be for a period of not more than
12 5 years.

13 “(6) PRIORITY.—In awarding grants under this
14 section, the Secretary shall give priority to appli-
15 cants based on the extent to which the applicant—

16 “(A) leverages resources other than the
17 funds provided under this section to support the
18 activities carried out under this section; and

19 “(B) can continue to sustain or expand
20 such activities after the expiration of the grant.

21 “(d) GRANTS TO ELIGIBLE INSTITUTIONS AND CON-
22 SORTIA OF ELIGIBLE INSTITUTIONS.—

23 “(1) IN GENERAL.—

24 “(A) AUTHORIZATION.—From funds au-
25 thorized under subsection (c)(1), the Secretary

1 shall award, on a competitive basis, grants of
2 not more than \$1,500,000 to eligible institu-
3 tions, and not more than \$5,000,000 to con-
4 sortia of eligible institutions, to assist such in-
5 stitutions in establishing and scaling education
6 and career training programs consistent with
7 the provisions of this subsection.

8 “(B) PRIORITY.—In awarding grants
9 under this subsection, the Secretary shall give
10 priority, in addition to the priorities specified in
11 subsection (c)(6), to applicants that—

12 “(i) will serve individuals with bar-
13 riers to employment, veterans, spouses of
14 members of the Armed Forces, Native
15 American Indians, Alaska Natives, Native
16 Hawaiians, or incumbent workers who are
17 low-skilled and who need to increase their
18 employability skills;

19 “(ii) will serve individuals from each
20 major racial and ethnic group or gender
21 with lower than average educational attain-
22 ment in the State or employment in the in-
23 demand industry sector or occupation;

1 “(iii) will serve areas with high unem-
2 ployment rates or high levels of poverty,
3 including rural areas; or

4 “(iv) will increase access to education
5 and career training programs that meet
6 the needs of regional employers in in-de-
7 mand industry sectors or occupations.

8 “(2) APPLICATION.—An eligible institution or
9 consortium of eligible institutions seeking a grant
10 under this subsection shall submit an application
11 containing a grant proposal for an education and ca-
12 reer training program to the Secretary at such time
13 and containing such information as the Secretary
14 determines is required, including a detailed descrip-
15 tion of—

16 “(A) the community college partnership,
17 including the roles and responsibilities of each
18 partner;

19 “(B) the education and career training
20 programs that will be supported under the
21 grant, including a description of high-skill,
22 high-wage or in-demand industry sectors or oc-
23 cupations that will be targeted and the recog-
24 nized postsecondary credentials to be awarded;

1 “(C) quantitative data and evidence that
2 demonstrates the extent to which the program
3 supported under the grant will meet the skilled
4 worker needs of employers in the geographic
5 area served by the grant;

6 “(D) the extent to which the education and
7 career training programs described in the grant
8 proposal align with a statewide or regional
9 workforce development strategy, including those
10 established under the Workforce Innovation and
11 Opportunity Act and the Carl D. Perkins Ca-
12 reer and Technical Education Act of 2006;

13 “(E) the extent to which the eligible insti-
14 tution, or consortium, can leverage additional
15 resources and the future sustainability of the
16 education and career training programs sup-
17 ported under the grant;

18 “(F) how the education and career train-
19 ing programs offered under the grant will in-
20 clude evidence-based practices;

21 “(G) the student populations that will be
22 served under the grant, including an analysis of
23 any barriers to employment or barriers to post-
24 secondary education that such populations face
25 and an analysis of how the services to be pro-

1 vided under the grant will address those bar-
2 riers;

3 “(H) any previous experience of the eligi-
4 ble institution, or consortium, in providing pro-
5 grams, the absence of which shall not automati-
6 cally disqualify the applicant from receiving a
7 grant under this section;

8 “(I) the extent to which the eligible institu-
9 tion, or consortium, plan to enroll and support
10 students who are eligible to receive a Federal
11 Pell Grant under subpart 1 of part A of title
12 IV; and

13 “(J) other information the Secretary may
14 require of the eligible institution or consortium.

15 “(3) USE OF FUNDS.—

16 “(A) SUPPORT AND EMERGENCY SERV-
17 ICES.—Not less than 25 percent of the grant
18 funds awarded to an eligible institution or a
19 consortium of eligible institutions under this
20 subsection shall be used to carry out student
21 support services which may include the fol-
22 lowing:

23 “(i) Childcare, transportation, mental
24 health and substance use disorder treat-
25 ment, assistance in obtaining health insur-

1 ance coverage, and assistance in accessing
2 the supplemental nutrition assistance pro-
3 gram established under the Food and Nu-
4 trition Act of 2008 (7 U.S.C. 2011 et
5 seq.), the special supplemental nutrition
6 program for women, infants, and children
7 established by section 17 of the Child Nu-
8 trition Act of 1966 (42 U.S.C. 1786),
9 housing, and other benefits, as appro-
10 prium.

11 “(ii) Connecting students to State or
12 Federal means-tested benefits programs,
13 including means-tested Federal benefits
14 programs, as defined in section 479(d).

15 “(iii) The provision of direct financial
16 assistance to help students facing financial
17 hardships that may impact enrollment in
18 or completion of an education and career
19 training program, or a work-based learning
20 program.

21 “(iv) Navigation and case manage-
22 ment services, including providing informa-
23 tion and outreach to target populations to
24 take part in education and career training

1 programs, or work-based learning pro-
2 grams.

3 “(B) REQUIRED PROGRAM ACTIVITIES.—

4 The grant funds awarded to an eligible institu-
5 tion or a consortium of eligible institutions
6 under this subsection that remain after the eli-
7 gible institution or consortium carries out sub-
8 paragraph (A) shall be used to carry out 2 or
9 more of the following activities:

10 “(i) Developing and expanding edu-
11 cation and career training programs
12 through a community college partnership
13 for high-skill, high-wage, or in-demand in-
14 dustry sectors and occupations, which may
15 include—

16 “(I) apprenticeship programs;

17 “(II) work-based learning oppor-
18 tunities; and

19 “(III) paid internships.

20 “(ii) Establishing policies and proc-
21 esses for assessing and awarding course
22 credit for prior learning.

23 “(iii) Developing and expanding pro-
24 grams that accelerate learning and recog-
25 nized postsecondary credential attainment,

1 including competency-based education, co-
2 requisite remediation, and other strategies
3 for acceleration.

4 “(iv) Developing and expanding effi-
5 cient career pathways to credentials, in-
6 cluding the development of stackable cre-
7 dentials and integrated education and
8 training strategies.

9 “(v) Developing and expanding dual
10 or concurrent enrollment programs or early
11 college high school programs for secondary
12 students or disconnected youth.

13 “(vi) Planning and implementing for-
14 malized agreements between the eligible in-
15 stitution or consortium and other partners
16 in the community college partnership.

17 “(vii) Working with local boards on
18 the use of labor market information for
19 making program decisions.

20 “(viii) Engaging employers in the de-
21 velopment of programs and curricula.

22 “(ix) Acquiring equipment necessary
23 to support education and career training
24 activities permitted under this section.

1 “(x) Carrying out any other activities
2 identified by the eligible institution or con-
3 sortium as necessary to increase institu-
4 tional capacity, as long as such activities
5 are clearly outlined in the application and
6 approved by the Secretary.

7 “(4) MAXIMUM AMOUNT FOR EQUIPMENT.—An
8 eligible institution or consortium of eligible institu-
9 tions that receives a grant under this subsection may
10 use not more than 30 percent of the grant funds to
11 carry out paragraph (3)(B)(ix).

12 “(e) GRANTS TO STATES.—

13 “(1) IN GENERAL.—

14 “(A) AUTHORIZATION.—From funds au-
15 thorized under subsection (c)(2), the Secretary
16 shall award grants to States, on a competitive
17 basis, to assist in establishing statewide sys-
18 temic reforms that result in student success
19 and system relevance and in supporting and
20 scaling education and career training programs,
21 consistent with the provisions of this subsection.

22 “(B) GRANT AMOUNTS.—The Secretary
23 shall make grants to eligible States of not less
24 than \$2,500,000 and not more than
25 \$10,000,000 for a 4-year grant period.

1 “(C) PRIORITY.—In awarding grants
2 under this subsection, the Secretary shall give
3 priority, in addition to the priorities specified in
4 subsection (c)(6), to applicants that—

5 “(i) will serve individuals with bar-
6 riers to employment, veterans, spouses of
7 members of the Armed Forces, or incum-
8 bent workers who need to increase their
9 employability skills;

10 “(ii) will serve areas with high unem-
11 ployment rates or high levels of poverty,
12 including rural areas, including by award-
13 ing subgrants under paragraph (3)(B); and

14 “(iii) will increase access to education
15 and career training programs that meet
16 the needs of regional employers in in-de-
17 mand industry sectors or occupations.

18 “(2) STATE APPLICATION.—To receive a grant
19 under this subsection, a State shall submit an appli-
20 cation to the Secretary at such time, in such man-
21 ner, and containing such information as the Sec-
22 retary may reasonably require. Such application
23 shall be developed in consultation with the State
24 board. At a minimum, each State application shall
25 include—

1 “(A) a description of how the State is im-
2 plementing or has a plan to implement—

3 “(i) a statewide longitudinal data sys-
4 tem built upon student outcome data, in-
5 cluding labor market outcomes by institu-
6 tion, program, and subpopulation of inter-
7 est, with information made available to the
8 public in easy-to-understand formats;

9 “(ii) statewide policies to develop and
10 expand articulation agreements and poli-
11 cies that guarantee transfers between insti-
12 tutions, including through common course
13 numbering and use of a general core cur-
14 riculum;

15 “(iii) statewide policies to support the
16 development of articulation agreements be-
17 tween non-credit and credit-bearing
18 courses at State postsecondary education
19 institutions;

20 “(iv) statewide policies to support the
21 expansion of high-quality dual or concur-
22 rent enrollment programs and early college
23 high school programs;

24 “(v) statewide policies to support the
25 expansion of education and career training

1 programs in in-demand industry sectors or
2 occupations;

3 “(vi) statewide policies to support the
4 expansion of career pathway programs, in-
5 cluding the development of stackable cre-
6 dentials;

7 “(vii) statewide policies to support the
8 expansion of work-based learning opportu-
9 nities, including apprenticeship programs;

10 “(viii) statewide policies to increase
11 educational attainment among major racial
12 and ethnic groups with below average edu-
13 cational attainment in the State;

14 “(ix) statewide policies that encourage
15 the development and implementation of ac-
16 celerated learning strategies, including
17 competency-based education, credit for
18 prior learning, and other strategies for
19 supporting students’ pathways to creden-
20 tial attainment; and

21 “(x) statewide policies to increase
22 alignment between workforce, postsec-
23 ondary, poverty alleviation, and economic
24 development systems in the State; and

25 “(B) a description of the State’s plan to—

1 “(i) use funds received under this sub-
2 section and the State’s leveraged funds to
3 carry out statewide activities described in
4 the State’s application under subparagraph
5 (A);

6 “(ii) support community college part-
7 nerships in implementing or scaling the ac-
8 tivities described in and consistent with the
9 requirements of subsection (d);

10 “(iii) provide technical assistance and
11 support to subgrantees;

12 “(iv) align with statewide or regional
13 workforce development strategies in place
14 in the geographic area served under the
15 grant, including those established under
16 the Workforce Innovation and Opportunity
17 Act and the Carl D. Perkins Career and
18 Technical Education Act of 2006;

19 “(v) measure the performance of sub-
20 grantees, including a description of how
21 the State will work with subgrantees to
22 track and report on the primary indicators
23 of performance described under section
24 116(b)(2)(A)(i) of the Workforce Innova-
25 tion and Opportunity Act; and

1 “(vi) enroll and support students who
2 are eligible to receive a Federal Pell Grant
3 under subpart 1 of part A of title IV.

4 “(3) STATE USES OF FUNDS.—

5 “(A) STATEWIDE ACTIVITIES.—A State
6 that receives a grant under this subsection may
7 reserve not more than 20 percent of the grant
8 funds for statewide activities described para-
9 graph (2)(A) that support the purposes of the
10 grant, which may include technical assistance,
11 professional development, activities to scale best
12 practices, and other activities required to carry
13 out the functions described under paragraph
14 (2)(A).

15 “(B) SUBGRANTS FOR COMMUNITY COL-
16 LEGE PARTNERSHIPS.—A State that receives a
17 grant under this subsection shall use not less
18 than 80 percent of the grant funds to award
19 subgrants to eligible community college partner-
20 ships to support the implementation and scaling
21 of activities described under subsection (d)(3)
22 that are consistent with the requirements of
23 subsection (d).

24 “(f) REPORTING REQUIREMENTS.—

1 “(1) REPORTS.—Each eligible institution, con-
2 sortium of eligible institutions, or State receiving a
3 grant under this section shall report to the Secretary
4 annually.

5 “(2) CONTENTS.—The report shall include—

6 “(A) the activities carried out with grant
7 funds, including activities carried out directly
8 by the eligible institution, consortium, or State
9 and activities carried out by any partner organi-
10 zations;

11 “(B) data on the population served with
12 grant funds, including on indicators of perform-
13 ance, as described in section 116(b)(2)(A)(i) of
14 the Workforce Innovation and Opportunity Act;
15 and

16 “(C) resources leveraged by the eligible in-
17 stitution, consortium, or State to support activi-
18 ties under this section.

19 “(g) NATIONAL ACTIVITIES.—

20 “(1) NATIONAL EVALUATIONS.—Not later than
21 5 months after the date of enactment of the Assist-
22 ing Community Colleges in Educating Skilled Stu-
23 dents to Careers Act of 2021, the Secretary shall
24 seek to enter into a contract with an independent
25 third party entity to perform an evaluation of the

1 grants awarded under this section. Such evaluation
2 shall apply rigorous procedures to obtain valid and
3 reliable data concerning the effect of strategies and
4 delivery structures implemented through education
5 and career training programs on student outcomes,
6 including labor market outcomes. Lessons learned
7 through this evaluation shall be combined with les-
8 sons learned through the implementation of the
9 Trade Adjustment Assistance Community College
10 and Career Training Grant Program, as authorized
11 under chapter 4 of title II of the Trade Act of 1974
12 (19 U.S.C. 2371 et seq.), and reported to Congress
13 as described in paragraph (3).

14 “(2) TECHNICAL ASSISTANCE.—The Secretary
15 shall provide technical assistance to States and to el-
16 igible institutions, applying lessons learned from ear-
17 lier grants awarded through the Trade Adjustment
18 Assistance Community College and Career Training
19 Grant Program, as authorized under chapter 4 of
20 title II of the Trade Act of 1974 (19 U.S.C. 2371
21 et seq.), as well as from evidence gained through the
22 Community College Career Training grant program.

23 “(3) ANNUAL REPORT.—The Secretary shall
24 submit an annual report to the Committee on
25 Health, Education, Labor, and Pensions of the Sen-

1 ate and the Committee on Education and Labor of
2 the House of Representatives—

3 “(A) describing each grant awarded under
4 this section during the preceding fiscal year;

5 “(B) assessing the impact of each award of
6 a grant under this section in a fiscal year pre-
7 ceding the fiscal year referred to in subpara-
8 graph (A) on the population served by the
9 grant; and

10 “(C) providing data relating to program
11 performance and student outcomes,
12 diagggregated by major racial and ethnic groups
13 and by gender.

14 “(4) ADMINISTRATIVE COSTS.—Not more than
15 5 percent of the amounts made available under sub-
16 section (c)(3) may be used by the Secretary for Fed-
17 eral administration of the program under this sec-
18 tion.”.