



## NATIONAL CONFERENCE *of* STATE LEGISLATURES

*The Forum for America's Ideas*

### **A Brief History Lesson: The Federal Government's Role in Apprenticeships**

What is the federal government's involvement in apprenticeships? What *should be* the federal government's role to support apprenticeships? Does federal policy create a barrier or spur innovation? And, if the federal government has a role, what is effective? To wrestle with these mighty and complex questions, let's begin with a brief history lesson to explore the federal role in apprenticeships and career and technical education.

At present, the Carl D. Perkins Career and Technical Education Act (Perkins Act) and the Workforce Innovation and Opportunity Act (WIOA) serve as the primary federal funding streams supporting student access to career and workforce development. The two federal laws evolved separately and provide a combination of resources, programs and funding for secondary and postsecondary students. Although there are points of coordination between the two federal laws, WIOA and the Perkins Act exist more linearly than collaboratively. In recent months, President Trump issued an executive order (EO) to create The President's Task Force on Apprenticeships to add additional emphasis on career and workforce development opportunities for the nation's youth. Taken together, the laws and EO form the federal policy framework to support apprenticeships and career readiness for our nation's young workers.

#### *Workforce Innovation and Opportunity Act*<sup>1 2</sup>

The history of federal workforce development programs can help us to better understand those programs currently in existence. The primary federal workforce development programs of today originated with the federal workforce training programs passed by Congress in the period following World War II.

- **Manpower Development Training Act (MDTA, 1962):** The first substantial federal training program in the postwar period, this Act provided funds to assist individuals whose jobs had been displaced by technological advances retrain for other occupations and eventually funneled resources to schools and job training for low-income and unemployed individuals. MDTA was amended in 1963 to increase the percentage of job training funds for use in training youth under 22 years of age by 20 percent, for a total of 25 percent, and provide assistance to young people in successfully entering the workforce.
- **Comprehensive Employment and Training Act (CETA, 1973):** CETA authorized state governments and such sub-state entities as cities and counties with federal funding and authority over job training programs. These included public service employment, on-the-job training, and classroom training targeted at low-income individuals and disadvantaged youth. Specifically, CETA authorized Job Corps and the Summer Program for Economically Disadvantaged Youth (SPEDY). Job Corps was originally established in 1964 via the Economic Opportunity Act and continues today in the form of job training and workforce services centers, while SPEDY provided financial incentives for employers to hire young people between the ages of 14 and 21 in the summer.
- **Job Training Partnership Act (JTPA, 1982):** This law also provided training both in school and workplace settings specifically for low-income and dislocated workers, but unlike its legislative predecessors, JTPA allocated appropriations through governors and private industry councils. Its programs also emphasized economically disadvantaged youth and adults facing substantial

hurdles to employment. JTPA served young people via the Summer Youth Employment and Training Program, the Youth Training Program, and Job Corps.

- School to Work Opportunity Act (STWOA, 1994): Programs funded through STWOA focused on work-based learning for students, integration of occupational skills learned in the classroom with workplace experience, and coordination of programs to improve planning, operation, and implementation.
- Workforce Investment Act (WIA, 1998): WIA is known for originating the One-Stop employment resource and training centers, which combine specified partner programs at one location. WIA supported adult literacy and education, employment services, and vocational rehabilitation services for youth, adults and dislocated workers. WIA established new youth councils under local workforce boards to direct the development and operation of programs for youth. WIA also established Youth Opportunity Grants specifically for high-poverty areas.

Passed in July 2014, WIOA is the predominant law governing federal workforce development funds and programs. WIOA increases coordination and alignment among federal workforce development programs, and authorizes appropriations for WIOA programs through FY 2020. The law provides job training services to the unemployed and underemployed, secondary and postsecondary education services for adults, employment-related vocational rehabilitation services for individuals with disabilities, integrates vocational rehabilitation and the U.S. Employment Service into the One-Stop system, and establishes an accountability system to hold it all together. To receive WIOA funding, governors are required to submit to the U.S. Secretary of Labor a four-year plan outlining the state's workforce development strategy around the law's core programs. These are referred to as either a Unified or Combined State Plan. The core programs include the Adult program, Dislocated Worker program, Youth program, Adult Education and Family Literacy Act program, the Wagner-Peyser Act program, and the Vocational Rehabilitation program.

WIOA has also become a mechanism to integrate workforce development with career and technical education, discussed further below. One-stop centers are required to partner with, and offer services related to, postsecondary Career and Technical Education programs authorized by the Perkins Act. Nontraditional public secondary schools and schools specializing in career and technical education also have the opportunity to compete for certification as One-Stop operators. WIOA also continues Job Corps, which in part serves to assist disadvantaged youth, between the ages of 16 and 24, in need of advanced training, career and technical education, or other further education.

#### *Carl D. Perkins Career and Technical Education Act<sup>3 4</sup>*

The Carl D. Perkins Career and Technical Education Act exists in a similar sphere as WIOA, offering young adults the knowledge, skills and resources to support their entry into technical occupations and careers. The law was originally enacted in 1984 and was reauthorized or amended over the following several decades. The law was most recently reauthorized via the Carl D Perkins Career and Technical Education Act of 2006 (Perkins Act; P.L. 109-270), which authorized appropriations through FY 2012. The General Education Provisions Act then extended the law's funding through FY 2013 and the Perkins Act has since received funding through annual appropriations.

Though the Perkins Act was first enacted in 1984, federal legislation supporting career and technical education (CTE) dates back to the early 20<sup>th</sup> century:

- Smith-Hughes Act (1917): Federal support for vocational programs began with the Smith-Hughes Act, designed to strengthen national security by reducing unemployment, making the U.S. workforce more competitive, and minimizing the U.S. population's reliance on foreign vocational schools.

- George-Barden Act (1946): This Act served to expand the scope of occupations supported by the federal government beyond agriculture, industry, trade, and home economics.
- National Defense Education Act (1958): This Act placed increased emphasis on foreign languages, science, math and technical skills, and increased federal funding for education tailored to jobs in national defense.
- Vocational Education Act (1963): This Act sought to increase opportunities for students to gain work based experience by providing additional funding for vocational schools, work-study programs, research and vocational demonstration programs.
- Vocational Education Amendments of 1968: These amendments to the 1963 Act created the National Advisory Council on Vocational Education, allocated funding for the collection and analysis of data surrounding programs run by the Commissioner of Education (now the Education Secretary), and made adjustments to existing vocational education programs.

The Vocational Education Act was renamed the Carl D. Perkins Vocational Education Act in 1984. In honor of the late Rep. Perkins who served for his home state of Kentucky from 1949 until his death in 1984. The Perkins Act bears the congressman's namesake in recognition of his commitment to equal access to education, and his role in passing the Elementary and Secondary Education Act of 1965 (ESEA). Rep. Perkins was fourth in seniority in the House at the time of his death and served as the chairman of the U.S. House Education and Labor Committee since 1967. He was [known for](#) guiding major legislation through Congress covering federal aid to schools, college student assistance, child nutrition, coal mine safety and several labor measures.

In addition to the name change, the Act improved program accessibility for populations such as individuals with disabilities, single parents, incarcerated populations, and low-income individuals. Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 made several additional revisions to the 1984 law. Among these changes, the Tech-Prep program was established to better coordinate secondary and postsecondary vocational education while changes were also made to require states to create and utilize performance standards to identify program success and student learning.

The Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998 featured further revisions and another name change: Carl D. Perkins Vocational and Technical Education Act of 1998. The new version of the law increased the amount of funding states must distribute on the local level by 10 percent, for a total of 85 percent, and strengthened accountability in part by introducing core indicators of performance, the targets for which states at the time were required to negotiate with the Secretary. This iteration of the law also established incentives for exceeding, and sanctions for failing to achieve program targets.

Last reauthorized in August 2006, the Carl D. Perkins Career and Technical Education Improvement Act is the version of the law in effect today. This law is the main source of federal funding specifically for CTE currently available to states. The 2006 reauthorization includes the following provisions:

- Creates distinct core indicators of performance for programs administered at the high school level and for postsecondary programs.
- Requires states to execute an improvement plan should their performance fall below 90 percent for each core indicator.
- Aligns CTE provisions to match academic standards under ESEA.
- Allows certain agencies to merge funding streams appropriated either for the Tech Prep or Basic State Grants program together in one pool.

*Recent Federal Activity: Congress and the Administration* <sup>5</sup>

The fact that the Perkins Act has not been reauthorized in over a decade has contributed to an increased interest on the federal level in updating the federal approach to career and technical education. Today, [H.R. 2353](#), a bill to reauthorize the Perkins Act once again, was considered by the House. The bill, introduced by Rep. Glenn Thompson (R-Pa.), passed the House by voice vote in June. Similar to the Every Student Succeeds Act (ESSA), HR 2353 generally provides states with increased authority over CTE programs and the use of federal funding. The bill would:

- Increase funding for CTE programs by 1.38 percent annually for the next six years, for a total of \$1.23 billion in FY 2023.
- Increase from 10 to 15 percent the amount of funding from Basic State Grants (BSG) each state may reserve for CTE programming in rural areas or places with high concentrations of program participants, and require states to reserve some funds for measures that align program contents with in-demand professions.
- Require the eligible state agency to submit to the Secretary of Education a four-year plan, rather than a six-year plan. The plan must still utilize public hearings to integrate stakeholders and is newly required to include a series of goals and strategic vision for workforce preparation.
- Increase the time the Secretary has to approve a state plan from 90 to 120 days, and allows the Secretary to disapprove a state plan under restricted circumstances: 1) for not meeting requirements under the Perkins Act, and 2) only after the Secretary has provided the given state proper notice and the opportunity for a hearing.
- Allow states to establish annual targets for each of the core indicators of performance without consultation or negotiation with the Secretary. States would still have to consult local CTE providers.
- Prohibit the Secretary from withholding funds from any state for failing to show improvement after first failing to meet 90 percent of a state adjusted level of performance.
- Introduce a grant program aimed at identifying and supporting innovative strategies and activities to improve CTE and align workforce skills with labor market needs.
- Continue to maintain existing prohibitions on federally-mandated state-local-school curricula, and would add new prohibitions related to instructional content, academic standards and assessments, and the Common Core State Standards.
- Allow states the opportunity to set a new baseline of fiscal effort, equaling at least 90 percent of the previous year, for the first year following enactment.

The U.S. Senate Health Education Labor and Pensions (HELP) Committee is expected to take further action to reauthorize the law. Whether the bill advances or not, it certainly shows a strong emphasis and continued awareness around career and technical education on the federal level.

#### *Executive Branch: The President's Task Force on Apprenticeships*

Even outside of Congress, there is a growing federal interest in apprenticeships. In June 2017, President Trump issued an [EO](#) establishing the Task Force on Apprenticeships Expansion and directing additional funding toward the expansion of apprenticeship programs. The EO authorizes increased funding for apprenticeship programs and sought to scale back federal red tape. The regulation reduction is designed to allow industries more leeway in creating their own apprenticeship programs. Federal agencies were also directed to review job training programs for potential reduction in those deemed ineffective, and redirect funds to apprenticeship grants. Federal officials also indicated a need to provide students flexibility to use federal student aid dollars for apprenticeship programs in addition to four-year universities.

In October, U.S. Secretary of Labor Alexander Acosta was named to serve as the chair of the task force, while U.S. Department of Education Secretary Betsy DeVos will serve as the vice-chair, along with the U.S. Department of Commerce Secretary Wilbur Ross. The 20 member Task Force includes South Dakota Governor Dennis Daugaard, Iowa Governor Kim Reynolds, and U.S. Chamber of Commerce President and CEO Tom Donohue and [other members](#). Shortly after the announcement, Secretary DeVos issued a [statement](#) expressing her interest in “working with state and local educators, business and industry leaders and other key stakeholders as we continue our work to put the needs of America’s students and businesses first.”

Over the years, WIOA and the Perkins Act have evolved to prepare young adults for careers whether through education, training, apprenticeships, or other methods. Each law advanced out of a robust legislative history, and in recognition of the importance of career pathways distinct from the traditional four-year college track. Today, interest continues to build to re-envision the federal role. One cannot be certain exactly how career and technical education and workforce development will continue to progress, but certainly there is an opportunity for the two laws to further evolve to support America’s economic competitiveness.

For additional information on apprenticeships, see [The State of Apprenticeship Among Workforce Boards](#) by the National Association for Workforce Boards, or NCSL’s recent LegisBrief on [Connecting Workers with Jobs Through Apprenticeships](#).

---

<sup>1</sup> Congressional Research Service, “Vulnerable Youth: Employment and Job Training Programs” (January, 2017).

<sup>2</sup> Congressional Research Service, “The Workforce Innovation and Opportunity Act and the One-Stop Delivery System” (October, 2015).

<sup>3</sup> Congressional Research Service, “Vulnerable Youth: Employment and Job Training Programs” (January, 2017).

<sup>4</sup> Congressional Research Service, “Carl D. Perkins Career and Technical Education Act of 2006: Background and Performance” (December, 2012).

<sup>5</sup> Congressional Research Service, “Reauthorization of the Perkins Act in the 115th Congress: Comparison of Current Law and H.R. 2353” (June, 2017).