

116TH CONGRESS  
2D SESSION

# H. R. 5961

To amend the Higher Education Act of 1965 to support apprenticeship programs.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2020

Mr. KHANNA (for himself and Mr. FITZPATRICK) introduced the following bill;  
which was referred to the Committee on Education and Labor

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## A BILL

To amend the Higher Education Act of 1965 to support  
apprenticeship programs.

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 “Student Apprentice-  
5 ship Act of 2020”.

6 **SEC. 2. APPRENTICESHIP PROGRAMS.**

7 Title VII of the Higher Education Act of 1965 (20  
8 U.S.C. 1133 et seq.) is amended by adding at the end  
9 the following:

1           **“PART F—APPRENTICESHIP PROGRAMS**

2   **“SEC. 791. GRANTS TO SUPPORT APPRENTICESHIP PRO-**  
3                   **GRAMS.**

4           “(a) DEFINITIONS.—In this section:

5                   “(1) APPRENTICESHIP PROGRAM.—The term  
6           ‘apprenticeship program’ means a program that is  
7           registered under the Act of August 16, 1937 (com-  
8           monly known as the ‘National Apprenticeship Act’;  
9           50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) on  
10          November 7, 2019, and is in compliance with the  
11          regulations promulgated to carry out such Act under  
12          part 29 of title 29, Code of Federal Regulations, as  
13          in effect on the date of introduction of this Act in  
14          the Senate.

15                  “(2) POSTSECONDARY APPRENTICESHIP PRO-  
16          GRAM.—The term ‘postsecondary apprenticeship  
17          program’ means an apprenticeship program that  
18          meets the requirements of a recognized postsec-  
19          ondary credential conferred by an institution of  
20          higher education as established by the relevant State  
21          agency in the State where the program is delivered.

22                  “(3) RECOGNIZED POSTSECONDARY CREDEN-  
23          TIAL.—The term ‘recognized postsecondary creden-  
24          tial’ means a credential consisting of an industry-  
25          recognized certificate, that is credit-bearing at the

1 institution of higher education from which it is con-  
2 ferred, or an associate or baccalaureate degree.

3 “(4) STUDENT APPRENTICE.—The term ‘stu-  
4 dent apprentice’ means an individual who is—

5 “(A) enrolled or accepted for enrollment at  
6 an institution of higher education for the pur-  
7 pose of obtaining a recognized postsecondary  
8 credential (which provides credit toward a post-  
9 secondary degree) offered by that institution  
10 and is a participant in a postsecondary appren-  
11 ticeship program; and

12 “(B) a worker at least 16 years of age, ex-  
13 cept where a higher minimum age standard is  
14 otherwise fixed by law, who is employed to learn  
15 an apprenticeable occupation, as described in  
16 section 29.4 of title 29, Code of Federal Regu-  
17 lations (as in effect on November 7, 2019),  
18 under standards of apprenticeship fulfilling the  
19 requirements of section 29.5 of title 29, Code of  
20 Federal Regulations (as in effect on November  
21 7, 2019).

22 “(5) WORKFORCE INTERMEDIARY.—The term  
23 ‘workforce intermediary’—

24 “(A) means an entity, which may be part  
25 of an industry or sector partnership, that dem-

1           onstrates expertise in building, connecting, sus-  
2           taining, and measuring the performance of  
3           partnerships in order for the entity to broker  
4           services, resources, and supports for develop-  
5           ment, delivery, expansion, or improvement of  
6           postsecondary apprenticeship programs, and of  
7           the organizations and systems that are designed  
8           to serve covered student apprentices and em-  
9           ployer partners, including—

10                   “(i) connecting employers to appren-  
11                   ticeship opportunities;

12                   “(ii) assisting in the design and imple-  
13                   mentation of postsecondary apprenticeship  
14                   programs, including curriculum develop-  
15                   ment and delivery for related instruction;

16                   “(iii) supporting entities, and spon-  
17                   sors or program administrators, in meeting  
18                   the registration and reporting require-  
19                   ments;

20                   “(iv) providing professional develop-  
21                   ment activities such as training to men-  
22                   tors;

23                   “(v) connecting students or workers to  
24                   apprenticeship opportunities; and

1           “(vi) developing and providing person-  
2           alized covered apprentice supports, includ-  
3           ing supportive services and financial advis-  
4           ing; and

5           “(B) includes a State workforce develop-  
6           ment board or local workforce development  
7           board, as established under title I of the Work-  
8           force Innovation and Opportunity Act, or State  
9           workforce agency.

10       “(b) GRANT PROGRAM.—

11           “(1) IN GENERAL.—The Secretary, in collabo-  
12           ration with the Secretary of Labor, shall award  
13           grants to eligible partnerships to enable the partner-  
14           ships to develop and implement a postsecondary ap-  
15           prenticeship program.

16           “(2) DURATION.—Grants awarded under this  
17           section shall be 4 or 5 years in duration.

18           “(3) ELIGIBLE PARTNERSHIP.—

19           “(A) IN GENERAL.—In this section, the  
20           term ‘eligible partnership’ means a partnership  
21           that—

22                   “(i) shall include—

23                           “(I) an institution of higher edu-  
24                           cation or a consortium of such institu-  
25                           tions;

1 “(II) an individual employer or  
2 consortium of employers; and

3 “(III) a workforce intermediary,  
4 unless waived by the Secretary be-  
5 cause the partnership demonstrates  
6 that a high-quality program is in  
7 place or it would be a hardship to in-  
8 clude a workforce intermediary; and

9 “(ii) may include—

10 “(I) a State agency responsible  
11 for the administration of career and  
12 technical education in the State or for  
13 the supervision of the administration  
14 of career and technical education in  
15 the State;

16 “(II) a labor organization;

17 “(III) an economic development  
18 agency or organization, such as a  
19 chamber of commerce, business alli-  
20 ance, or industry association;

21 “(IV) a community-based organi-  
22 zation;

23 “(V) a State educational agency;

24 or

25 “(VI) a local educational agency.

1           “(B) FISCAL AGENT.—The lead fiscal  
2 agent of an eligible partnership shall be any of  
3 the following:

4           “(i) An institution of higher edu-  
5 cation.

6           “(ii) An industry association.

7           “(iii) A workforce intermediary that is  
8 an entity that is described in section  
9 501(e)(3) of the Internal Revenue Code of  
10 1986 and exempt from taxation under sec-  
11 tion 501(a) of such Code.

12           “(4) APPLICATION.—

13           “(A) IN GENERAL.—An eligible partner-  
14 ship that desires to receive a grant under this  
15 section shall submit an application to the Sec-  
16 retary at such time, in such manner, and ac-  
17 companied by such information as the Secretary  
18 may require.

19           “(B) INCLUSIONS.—An application sub-  
20 mitted under subparagraph (A) shall include—

21           “(i) a plan to recruit and retain a  
22 high number or high percentage of partici-  
23 pants who are from nontraditional appren-  
24 ticeship populations, including women, mi-  
25 norities, individuals with disabilities, vet-

1 erans, and individuals with barriers to em-  
2 ployment, such as opportunity youth, low-  
3 income youth and adults, young adults and  
4 adults of color, and individuals who have  
5 been impacted by the criminal justice sys-  
6 tem;

7 “(ii) letters of support and a labor  
8 market analysis that demonstrate that the  
9 occupation for which the program prepares  
10 participants—

11 “(I) is feasible and in demand;

12 “(II) is a high-growth, high-wage  
13 occupation; and

14 “(III) is a response to in-demand  
15 industry sectors or occupations as de-  
16 termined by the State or local work-  
17 force boards;

18 “(iii) a plan for reaching desired out-  
19 comes, as described in paragraph (7);

20 “(iv) a plan for ensuring that the  
21 partnership has the capacity to access data  
22 to measure desired outcomes and the out-  
23 comes described in clause (v); and

24 “(v) a plan for—



1                   “(I) increasing associate or bac-  
2                   calaureate degree and credential at-  
3                   tainment;

4                   “(II) how tuition and mandatory  
5                   fees expenses will be covered with the  
6                   goal of the program being tuition free  
7                   and debt free for students;

8                   “(III) the employer of the part-  
9                   nership to cover not less than 25 per-  
10                  cent of the tuition and mandatory  
11                  fees;

12                  “(IV) sustaining the program for  
13                  at least 20 months beyond the grant  
14                  period; and

15                  “(V) including a provider of sup-  
16                  port or specialized services, such as fi-  
17                  nancial counseling.

18                  “(C) DESCRIPTION OF INSTRUCTION.—In  
19                  addition to the information described in sub-  
20                  paragraph (B), an application submitted under  
21                  subparagraph (A) shall include a description of  
22                  the organized, related instruction the apprentice  
23                  will receive in technical subjects related to the  
24                  occupation for which the program prepares par-  
25                  ticipants, which—

1           “(i) shall include not less than 2,000  
2 hours of on the job learning and a rec-  
3 ommended 144 hours for each year (with  
4 an allowance for a student to spread it out  
5 over 2 years) of related technical instruc-  
6 tion unless an alternative requirement is  
7 put forth by the employer and sponsor that  
8 reflects industry standards and is accepted  
9 by the Secretary;

10           “(ii) may be accomplished through  
11 credit-bearing classroom instruction, occu-  
12 pational or industry courses, instruction  
13 provided through electronic media, or other  
14 instruction approved by the registration  
15 agency;

16           “(iii) shall be provided by one or more  
17 qualified instructors who—

18           “(I)(aa) meet the career technical  
19 education instructor requirements of  
20 the applicable education agency of the  
21 State of registration; or

22           “(bb) are subject matter experts,  
23 defined for purposes of this subpara-  
24 graph as individuals (including jour-  
25 neymen) recognized within an in-

1 industry as having expertise in a spe-  
2 cific occupation; and

3 “(II) have training in teaching  
4 techniques and learning styles or will  
5 obtain such training before an in-  
6 structor begins providing the related  
7 technical instruction; and

8 “(iv) shall, to the maximum extent  
9 practicable, be aligned to a career pathway,  
10 as defined in section 3 of the Workforce  
11 Innovation and Opportunity Act.

12 “(5) SELECTION.—The Secretary shall, in se-  
13 lecting eligible partnerships to receive grants under  
14 this section—

15 “(A) consider the equitable geographic dis-  
16 tribution of grants among rural and urban  
17 areas;

18 “(B) leverage significant State, local, insti-  
19 tutional, or private resources, including in-kind  
20 contributions, to support the activities assisted  
21 under this section;

22 “(C) consider industries and occupations  
23 where apprenticeships are not already preva-  
24 lent; and

1           “(D) not select partnerships that seek to  
2 use a grant under this section to establish ap-  
3 prenticeships in construction trades.

4           “(6) USE OF GRANT FUNDS.—

5           “(A) IN GENERAL.—An eligible partner-  
6 ship that receives a grant under this section  
7 shall use the grant funds to develop and imple-  
8 ment a postsecondary apprenticeship program  
9 in high-skill, high-wage, and in-demand indus-  
10 try sectors or occupations.

11           “(B) PERMISSIBLE USE OF FUNDS.—An  
12 eligible partnership that receives a grant under  
13 this section to develop and implement a postsec-  
14 ondary apprenticeship program may use the  
15 grant funds for any of the following:

16                   “(i) Program design and implementa-  
17 tion costs, including—

18                           “(I) development of curricula and  
19 standards;

20                           “(II) development of a com-  
21 petency-based approach to awarding  
22 credits; and

23                           “(III) use of subject matter ex-  
24 perts in instructional delivery or cur-  
25 riculum design.

1           “(ii) Development of on-the-job learn-  
2           ing, mentoring, and additional supervision  
3           structures and professional development  
4           for mentors and supervisors.

5           “(iii) Tuition for the related instruc-  
6           tion of the apprenticeship.

7           “(iv) Development of articulation  
8           agreements with institutions of higher edu-  
9           cation that result in awarding an associ-  
10          ate’s or higher degree.

11          “(v) Assessment of prior learning for  
12          the purpose of awarding credit.

13          “(vi) Certifying examinations.

14          “(vii) Recruitment of student appren-  
15          tices.

16          “(viii) Need-based supportive services,  
17          including tutoring, transportation, child  
18          care, and housing subsidies.

19          “(ix) Not more than 20 percent of  
20          grant funds for the purchase of updated  
21          equipment.

22          “(x) Not more than 10 percent of  
23          grant funds for administrative functions,  
24          such as program management and grant  
25          reporting.

1                   “(xi) Aligning data reporting for aca-  
2                   demic programs and apprenticeships.

3                   “(C) PROHIBITED USE OF FUNDS.—An eli-  
4                   gible partnership that receives a grant under  
5                   this section may not use any of the grant funds  
6                   directly to pay wages to a student apprentice.

7                   “(7) ASSESSMENT.—An eligible partnership  
8                   that receives a grant under this section shall monitor  
9                   and report on the following participant-level out-  
10                  comes:

11                  “(A) With respect to interim outcomes—

12                         “(i) the number of student appren-  
13                         tices in the program;

14                         “(ii) the percentage of participants  
15                         who are from nontraditional apprenticeship  
16                         populations, including women, historically  
17                         underrepresented groups, individuals with  
18                         disabilities, veterans, and individuals with  
19                         barriers to employment;

20                         “(iii) outcomes for the participants  
21                         described in clause (ii);

22                         “(iv) the accumulation of postsec-  
23                         ondary credit;

24                         “(v) the attainment of a recognized  
25                         postsecondary credential; and

1           “(vi) wage increases realized during  
2           the course of the apprenticeship.

3           “(B) Completions—

4           “(i) that are on time, disaggregated  
5           by credit, credential, or degree received;  
6           and

7           “(ii) that are within 150 percent of  
8           the expected time of completion, disaggre-  
9           gated by credit, credential, or degree re-  
10          ceived.

11          “(C) With respect to end-of-program out-  
12          comes for both participants who complete the  
13          program and participants who do not complete  
14          the program each of the following:

15          “(i) The accumulation of postsec-  
16          ondary credit toward a degree reported not  
17          later than one year after the end of the  
18          grant period.

19          “(ii) The share of enrolled students  
20          who attain a postsecondary degree re-  
21          ported not later than one year after the  
22          end of the grant period.

23          “(iii) The share of enrolled students  
24          who attain a recognized postsecondary cre-

1           dential reported not later than one year  
2           after the end of the grant period.

3           “(iv) Subsequent enrollment in ad-  
4           vanced education, disaggregated by level.

5           “(v) Whether the place of employment  
6           for participants aligns with area of study  
7           disaggregated by students who completed  
8           the program and students who did not  
9           complete the program reported not later  
10          than one year after the end of the grant  
11          period. Such data may be collected through  
12          a survey.

13          “(vi) Unsubsidized employment rate  
14          after the second quarter after exit from the  
15          program.

16          “(vii) Unsubsidized employment rate  
17          after the fourth quarter after exit from the  
18          program.

19          “(viii) Median earnings after the sec-  
20          ond and fourth quarters after exit from the  
21          program.

22          “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
23          are authorized to be appropriated to carry out this section  
24          such sums as may be necessary for fiscal year 2020 and  
25          each of the 5 succeeding fiscal years.”.



1 **SEC. 3. FEDERAL WORK STUDY FUNDING.**

2 Section 442 of the Higher Education Act of 1965 (20  
3 U.S.C. 1087–52) is amended by adding at the end the fol-  
4 lowing:

5 “(f) FUNDING FOR STUDENT APPRENTICES.—

6 “(1) IN GENERAL.—Notwithstanding any other  
7 provision of this part and subject to paragraph  
8 (2)—

9 “(A) the apprenticeship program of a stu-  
10 dent apprentice (as defined in section 791) shall  
11 qualify as a work-study program that is eligible  
12 for assistance under this part; and

13 “(B) funds appropriated to carry out this  
14 part may be used by the Secretary to pay the  
15 tuition of such student apprentices except that  
16 Federal work study should not supplant the  
17 wages of student apprentices.

18 “(2) EMPLOYER CONTRIBUTION.—An employer  
19 of a student apprentice under an apprenticeship pro-  
20 gram that qualifies as a work-study program that is  
21 eligible for assistance under this part shall pay not  
22 less than the non-Federal share equal to 25 percent  
23 of the compensation of such student apprentice.”.

○